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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2019/2218

of 24 October 2019

on the signing, on behalf of the European Union, and provisional application of the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

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(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 23 July 2007 the Council adopted Regulation (EC) No 894/2007 ⁽¹⁾, concluding the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ⁽²⁾ ('the Agreement'). The Agreement entered into force on 29 August 2011 and remains in force.
- (2) On 18 December 2017 the Council authorised the Commission to open negotiations with the Democratic Republic of São Tomé and Príncipe ('São Tomé and Príncipe') with a view to the conclusion of a new protocol to implement the Agreement.
- (3) The previous protocol to the Agreement expired on 22 May 2018.
- (4) The Commission has negotiated a new protocol on behalf of the Union. Following the conclusion of the negotiations, the new protocol was initialled on 17 April 2019.
- (5) The objective of the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ('the Protocol') is to enable the Union and São Tomé and Príncipe to work together more closely in order to promote a sustainable fisheries policy and the sound exploitation of fisheries resources in São Tomé and Príncipe waters and to support efforts by São Tomé and Príncipe to develop its fisheries sector.
- (6) In order to ensure an expeditious start to the fishing activities of Union vessels, the Protocol should be applied on a provisional basis as from the signature thereof.
- (7) The Protocol should be signed and applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

⁽¹⁾ Council Regulation (EC) No 894/2007 of 23 July 2007 on the conclusion of a Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community (OJ L 205, 7.8.2007, p. 35).

⁽²⁾ OJ L 205, 7.8.2007, p. 36.

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union, of the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community is hereby authorised, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union.

Article 3

The Protocol shall be applied on a provisional basis as from the date of its signature ⁽³⁾, pending the completion of the procedures necessary for its entry into force.

Article 4

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

Done Luxembourg, 24 October 2019.

For the Council
The President
A.-K. PEKONEN

⁽³⁾ The date from which the Protocol will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

PROTOCOL

on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

Article 1

Principles

1. The purpose of this Protocol is to implement the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ("the Agreement").

This Protocol includes an Annex and Appendices, which form an integral part of it.

2. The European Union ("the Union") and the Democratic Republic of São Tomé and Príncipe ("São Tomé and Príncipe"), hereinafter jointly referred to as "the Parties", undertake to promote responsible fishing in São Tomé and Príncipe's fishing zone on the basis of the principle of non-discrimination.

São Tomé and Príncipe undertakes to apply the same technical and conservation measures to all foreign industrial tuna fleets operating in its fishing zone, with the aim of contributing to proper fisheries governance.

3. The Parties undertake to ensure that this Protocol is implemented in accordance with Article 9 of the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, ⁽¹⁾ as last amended ("the Cotonou Agreement") as regards the essential elements concerning human rights, democratic principles and the rule of law, and the fundamental element concerning good governance.

4. The Parties undertake to promote sustainable development and sustainable and sound environmental management.

5. The Parties undertake to publish and exchange information on any agreement allowing foreign vessels to enter São Tomé and Príncipe's fishing zone and on the resulting fishing effort, the number of authorisations issued and the catches made.

6. In accordance with Article 6 of the Agreement, Union vessels may fish in São Tomé and Príncipe's fishing zone only if they are in possession of a fishing authorisation issued under this Protocol, in accordance with the arrangements set out in the Annex.

Article 2

Fishing opportunities

1. For a period of five years from the date of provisional application of this Protocol, the fishing opportunities granted to Union vessels under Article 5 of the Agreement shall be established to allow fishing for highly migratory species (species listed in Annex I to the 1982 United Nations Convention on the Law of the Sea, in particular tuna, swordfish and oceanic sharks), with the exception of species protected or prohibited by the International Commission for the Conservation of Atlantic Tunas (ICCAT).

2. The fishing opportunities shall be allocated to:

- (a) 28 tuna seiners; and
- (b) 6 surface longliners.

3. Paragraphs 1 and 2 of this Article shall apply subject to Articles 6, 7 and 9 of this Protocol.

⁽¹⁾ OJ EC L 317, 15.12.2000, p. 3.

*Article 3***Financial contribution — methods of payment**

1. For the period referred to in Article 2 of this Protocol, the financial contribution referred to in Article 7 of the Agreement shall be EUR 4 200 000.
2. The financial contribution referred to in paragraph 1 shall comprise:
 - (a) an annual amount of EUR 400 000 for access to São Tomé and Príncipe's fishing zone, equivalent to a reference tonnage of 8 000 tonnes per year; and
 - (b) a specific amount of EUR 440 000 per year to support the implementation of São Tomé and Príncipe's sectoral fisheries policy.
3. The amount of fees generated in the course of a year by the activities of vessels authorised under this Protocol, calculated on the basis of the reference tonnage referred to in point (a) of paragraph 2, is estimated, on average, at EUR 560 000.
4. Paragraph 2 of this Article shall apply subject to Articles 4, 6, 7 and 9 of this Protocol and Articles 12 and 13 of the Agreement.
5. For the entire period of application of this Protocol, the Union shall pay the financial contribution referred to in paragraph 2 at the rate of EUR 840 000 per year, which corresponds to the sum of the annual amounts referred to in points (a) and (b) of paragraph 2.
6. If the overall annual quantity of catches by Union vessels in São Tomé and Príncipe waters exceeds the annual reference tonnage referred to in point (a) of paragraph 2, the related annual financial contribution shall be increased by EUR 50 for each additional tonne caught.
7. The payment for additional catches shall be made once an agreement has been reached on the final statements provided for in Section 2 of Chapter II of the Annex. However, the annual amount paid by the Union for additional catches shall not be more than twice the amount indicated in point (a) of paragraph 2. Where the amount owed by the Union for additional catches is more than twice the annual amount referred to in point (a) of paragraph 2, the amount of the overrun shall be paid the following year.
8. Payment of the financial contribution referred to in point (a) of paragraph 2 shall be made no later than 90 days after the date of provisional application of this Protocol in the first year and no later than the anniversary date of provisional application of this Protocol in the following years.
9. The São Tomé and Príncipe authorities shall have full discretion regarding the use to which the financial contribution referred to in point (a) of paragraph 2 is put, applying the principles of sound financial management.
10. The financial contribution shall be paid into public accounts as follows: the contribution provided for in point (a) of paragraph 2 shall be paid into an account held by the Public Treasury with the São Tomé and Príncipe Central Bank; the contributions provided for in point (b) of paragraph 2 and in paragraph 7 shall be paid into the Fisheries Development Fund account and be allocated to the budget. The São Tomé and Príncipe authorities shall notify the European Commission of the relevant bank account numbers on an annual basis.

*Article 4***Sectoral support**

1. Under this Protocol, sectoral support shall contribute to the implementation of the national fisheries strategy and the development of the maritime economy of São Tomé and Príncipe. It shall be aimed at supporting the sustainable management of fisheries resources and the development of the sector, in particular by:
 - (a) improving the monitoring, control and surveillance of fisheries activities;
 - (b) improving scientific knowledge of fisheries resources;
 - (c) improving the quality of fisheries products;
 - (d) supporting the development of small-scale fishing;
 - (e) strengthening international cooperation;
 - (f) supporting the development of aquaculture.

2. No later than three months after the start of provisional application of this Protocol, the Parties shall agree, within the Joint Committee provided for in Article 9 of the Agreement ("the Joint Committee"), on a multiannual sectoral programme and rules for implementing it, in particular:

- (a) annual and multiannual guidelines for using the specific financial contribution provided for in point (b) of Article 3(2) of this Protocol;
- (b) the objectives, both annual and multiannual, to be achieved with a view to contributing to sustainable and responsible fishing, taking account of the priorities expressed by São Tomé and Príncipe with regard to fisheries policy;
- (c) the criteria and procedures to be used for evaluating the results obtained, on an annual basis.

3. Changes to the objectives and actions included in the annual or multiannual sectoral programme shall be notified in advance to the European Commission. In the event that the Commission objects, the Joint Committee may be informed and asked to take a position on the intended change with a view to approval by the Parties, where appropriate by exchange of letters.

4. Each year, the Parties shall carry out an evaluation of the progress made in implementing the multiannual sectoral programme, based on a written report provided by the São Tomé and Príncipe authorities. Where the evaluation indicates that the achievement of the objectives is not in line with the programming or if implementation is deemed insufficient by the Joint Committee, the payment of the financial contribution may be reviewed or suspended.

5. Payment of the financial contribution shall resume, following consultation and agreement between the Parties, as soon as the progress made with regard to implementation is deemed satisfactory by the Joint Committee, where appropriate by exchange of letters. Nevertheless, the specific financial contribution provided for in point (b) of Article 3(2) shall not be paid out beyond a period of six months after this Protocol expires.

Article 5

Scientific and technical cooperation to ensure responsible fishing

1. During the period of application of this Protocol, the Union and São Tomé and Príncipe undertake to cooperate in order to monitor the state of fisheries resources in São Tomé and Príncipe's fishing zone.

2. With regard to the region of Central Africa, the Parties undertake to promote cooperation as regards responsible fishing.

3. The Parties undertake to comply with all ICCAT recommendations and resolutions.

4. In accordance with Article 4 of the Agreement, on the basis of the recommendations and resolutions adopted by ICCAT, and in the light of the best available scientific advice, the Parties shall consult each other, within the Joint Committee, on possible measures aimed at the sustainable management of the fish species covered by this Protocol and affecting the activities of Union vessels.

5. With a view to the proper management and conservation of sharks, the Parties agree to closely monitor catches of these species by exchanging catch data as provided for in Chapter III of the Annex. Where appropriate, the Joint Committee shall adopt further management measures setting a more adequate framework for the longliner fleet's activities.

6. The Parties shall work together to strengthen the mechanisms for control, inspection and the combating of illegal, unreported and unregulated fishing in São Tomé and Príncipe.

Article 6

Review of fishing opportunities and technical measures

1. The fishing opportunities provided for in Article 2 may be adjusted by the Joint Committee insofar as the adjustment is consistent with the sustainable management of the fish species covered by this Protocol.

2. In such a scenario, the financial contribution provided for in point (a) of Article 3(2) shall be adjusted on a pro rata basis according to the length of time, and the changes shall be entered in this Protocol.

3. The Joint Committee may examine and, where necessary, adapt or modify by mutual agreement the provisions governing fishing activities and technical measures for implementing this Protocol.

Article 7

New fishing opportunities

1. As regards the operation of fisheries not covered by this Protocol, the authorities of São Tomé and Príncipe may call on the Union to consider the possibility of such fisheries. In the absence of sufficient data on the status of stocks, the Parties shall agree on the conditions for undertaking an exploratory initiative, taking account of the best scientific advice provided to scientific experts representing both Parties.

2. Depending on these results, and if the Union expresses an interest in these fisheries, the Parties shall consult each other in the Joint Committee before any authorisation is granted by the São Tomé and Príncipe authorities. Where appropriate, the Parties shall agree on the conditions applicable to these new fishing opportunities and, if necessary, make amendments to this Protocol.

Article 8

Landing incentives and promoting cooperation between economic operators

1. The Parties shall cooperate with a view to improving the options for landing catches at ports in São Tomé and Príncipe.

2. São Tomé and Príncipe shall endeavour to establish a strategy and incentives in order to encourage landings. As part of this strategy, the Union fleet shall endeavour to land a portion of its catches, particularly by-catches.

3. The Parties shall endeavour to create conditions favourable to the promotion of technical, economic and commercial relations between enterprises and promote a favourable environment for the development of trade and investment.

Article 9

Suspension of this Protocol's implementation

1. The implementation of this Protocol may be suspended at the instigation of one of the Parties if one or more of the following conditions apply:

- (a) unusual circumstances, as defined in point (h) of Article 2 of the Agreement, preventing fishing activities in São Tomé and Príncipe's fishing zone;
- (b) significant changes in the formulation or implementation of the fisheries policy of either one of the Parties affecting this Protocol;
- (c) where one of the Parties notes that there has been a violation of the essential elements concerning human rights provided for in Article 9 of the Cotonou Agreement, following the procedure provided for in Articles 8 and 96 of that Agreement;
- (d) non-payment by the Union of the financial contribution provided for in point (a) of Article 3(2), for reasons other than those provided for in this Article;
- (e) a major and unresolved dispute between the Parties on the application or interpretation of this Protocol.

2. Suspension of this Protocol's application shall require the interested Party to notify its intention in writing at least three months before the date on which suspension is due to take effect.

3. In the event of suspension, the Parties shall continue to consult with a view to finding an amicable settlement to their dispute. Where a settlement is reached, application of this Protocol shall resume and the amount of the financial contribution shall be reduced proportionately and pro rata temporis according to the period during which application of this Protocol was suspended.

*Article 10***Applicable legislation**

1. The activities of Union fishing vessels operating in São Tomé and Príncipe waters shall be governed by the relevant legislation in São Tomé and Príncipe, unless otherwise provided for in the Agreement or in this Protocol.
2. The São Tomé and Príncipe authorities shall inform the Union of any change to the relevant legislation or of the adoption of any new legislation relating to the fisheries sector. Changes shall be binding on Union vessels within 60 days of notification.
3. The European Commission shall inform the São Tomé and Príncipe authorities of any change to the relevant legislation or of the adoption of any new legislation relating to the fishing activities of the Union's external fleet.

*Article 11***Electronic exchange of information**

1. São Tomé and Príncipe and the Union undertake to render operational and maintain the IT systems required for the electronic exchange of all the information and documents relating to the implementation of the Agreement.
2. The electronic version of a document shall be considered equivalent to the paper version in every respect.
3. São Tomé and Príncipe and the Union shall inform each other immediately of any malfunction of an IT system. The information and documents relating to the implementation of the Agreement shall then be automatically transmitted by an alternative means of communication.

*Article 12***Confidentiality of data**

1. São Tomé and Príncipe and the Union undertake to ensure that all nominative data relating to Union vessels and their fishing activities obtained within the framework of the Agreement will, at all times, be processed in accordance with the principles of confidentiality and data protection.
2. The Parties shall ensure that only aggregate data on fishing activities in São Tomé and Príncipe waters are made publicly available, in line with the relevant ICCAT provisions.
3. Data which may be considered confidential shall be used by the competent authorities exclusively for the purposes of implementing the Agreement and for fisheries management, control and monitoring.
4. As regards personal data transmitted by the Union, appropriate safeguards and remedies may be established by the Joint Committee in accordance with the Regulation (EU) 2016/679 of the European Parliament and of the Council ⁽²⁾.

*Article 13***Period of application**

This Protocol shall apply for a period of five years from the date of provisional application laid down in Article 15, unless notice of termination is given under Article 14.

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

*Article 14***Termination**

1. In the event of termination of this Protocol, the Party concerned shall notify the other Party in writing of its intention to terminate it at least six months before the date on which such termination would take effect.
2. Dispatch of the notification referred to in paragraph 1 shall open consultations between the Parties.

*Article 15***Provisional application**

This Protocol shall apply on a provisional basis from the date of signature.

*Article 16***Entry into force**

This Protocol shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for that purpose.

Съставено в Брюксел на деветнадесети декември две хиляди и деветнадесета година.

Hecho en Bruselas, el diecinueve de diciembre de dos mil diecinueve.

V Bruselu dne devatenáctého prosince dva tisíce devatenáct.

Udfærdiget i Bruxelles den nittende december to tusind og nitten.

Geschehen zu Brüssel am neunzehnten Dezember zweitausendneunzehn.

Kahe tuhande üheksateistkümnenda aasta detsembrikuu üheksateistkümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις δέκα εννέα Δεκεμβρίου δύο χιλιάδες δεκαεννέα.

Done at Brussels on the nineteenth day of December in the year two thousand and nineteen.

Fait à Bruxelles, le dix-neuf décembre deux mille dix-neuf.

Sastavljeno u Bruxellesu devetnaestog prosinca godine dvije tisuće devetnaeste.

Fatto a Bruxelles, addì diciannove dicembre duemiladiciannove.

Briselē, divi tūkstoši deviņpadsmītā gada deviņpadsmītajā decembrī.

Priimta du tūkstančiai devynioliktų metų gruodžio devynioliktą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenkilencedik év december havának tizenkilencedik napján.

Magħmul fi Brussell, fid-dsatax-il jum ta' Diċembru fis-sena elfejn u dsatax.

Gedaan te Brussel, negentien december tweeduizend negentien.

Sporządzono w Brukseli dnia dziewiętnastego grudnia roku dwa tysiące dziewiętnastego.

Feito em Bruxelas, em dezanove de dezembro de dois mil e dezanove.

Întocmit la Bruxelles la nouăsprezece decembrie două mii nouăsprezece.

V Bruseli devätnásteho decembra dvetisícdevätnást.

V Bruslju, dne devetnajstega decembra leta dva tisoč devetnajst.

Tehty Brysselissä yhdeksäntenätoista päivänä joulukuuta vuonna kaksituhattayhdeksäntoista.

Som skedde i Bryssel den nittonde december år tjugohundranitton.

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Za Europejską uniję
Per l'Unione europea
Eiropas Savienības vārdā —
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen



За Демократична република Сао Томе и Принсипи
Por la República Democrática de Santo Tomé y Príncipe
Za Demokratickou republiku Svatý Tomáš a Princův ostrov
For Den Demokratiske Republik São Tomé og Príncipe
Für die Demokratische Republik São Tomé und Príncipe
São Tomé ja Príncipe Demokraatliku Vabariigi nimel
Για τη Λαϊκή Δημοκρατία του Σάο Τομέ και Πρίνσιπε
For the Democratic Republic of São Tomé and Príncipe
Pour la République démocratique de Sao Tomé-et-Principe
Za Demratsku Republiku Sveti Toma i Prinsipe
Per la Repubblica democratica di Sao Tomé-e-Príncipe
Santomes un Prinsipì Demokràtisko Republikas vārdā —
San Tomé ir Prinsipēs Demokratinēs Respublikos vardu
A São Tomé és Príncipe Demokratikus Köztársaság részéről
Għar-Repubblika Demokratika ta' São Tomé u Príncipe
Voor de Democratische Republiek Sao Tomé en Principe
W imieniu Demokratycznej Republiki Wysp Świętego Tomasza i Książęcej
Pela República Democrática de São Tomé e Príncipe
Pentru Republica Democratică São Tomé și Príncipe
Za Demokratickú republiku Svätého Tomáša a Princovho ostrova
Za Demokratično republiko São Tomé in Príncipe
São Tomé ja Príncipen demokraattisen tasavallan puolesta
För Demokratiska republiken São Tomé och Príncipe



ANNEX

CONDITIONS GOVERNING FISHING ACTIVITIES BY UNION VESSELS IN SÃO TOMÉ AND PRÍNCIPE'S FISHING ZONE

CHAPTER I

GENERAL PROVISIONS**1. Designation of the competent authority**

For the purposes of this Annex and unless specified otherwise, any reference to the Union or to São Tomé and Príncipe as a competent authority shall mean:

- (a) in the case of the Union: the European Commission, where applicable via the Union delegation with responsibility for São Tomé and Príncipe;
- (b) in the case of São Tomé and Príncipe: the fisheries directorate within the ministry responsible for fisheries.

2. Fishing zone

Union vessels operating under this Protocol may carry out their activities in the Exclusive Economic Zone (EEZ) of São Tomé and Príncipe, with the exception of areas reserved for small-scale and semi-industrial fishing.

The coordinates of the EEZ shall be those notified to the United Nations on 7 May 1998.

Any change to the fishing zone shall be notified by São Tomé and Príncipe to the Union immediately.

3. Zones closed to shipping and fishing

Without exception, all fishing activity in the zone intended for joint development by São Tomé and Príncipe and Nigeria shall be prohibited. The coordinates of this zone are set out in Appendix 1.

4. Bank account

Before the entry into force of this Protocol, São Tomé and Príncipe shall notify the Union of the details of the bank account(s) into which the financial sums payable by fishing vessels under the Agreement shall be paid. The costs of the bank transfers shall be borne by the vessel owners.

5. Contact points

The Parties shall inform each other of their contact points set up to enable exchanges of information on the implementation of this Protocol, in particular on issues linked to the exchange of aggregate catch and fishing effort data, procedures relating to fishing authorisations and the implementation of sectoral support.

6. Working languages

The Parties agree that, as far as possible, the working languages used in meetings aimed at implementing this Protocol will be Portuguese and French.

CHAPTER II

FISHING AUTHORISATIONS

For the purposes of applying this Annex, the term "fishing authorisation" shall be equivalent to the term "fishing licence" in São Tomé and Príncipe legislation.

SECTION 1

Applicable procedures**1. Conditions for obtaining a fishing authorisation**

Only eligible Union vessels may obtain an authorisation to fish in São Tomé and Príncipe's fishing zone.

In order for a Union vessel to be eligible, the owner, the master and the vessel itself shall not be banned from fishing in São Tomé and Príncipe. They shall be in order vis-à-vis the São Tomé and Príncipe authorities insofar as they shall have fulfilled all prior obligations arising from their fishing activities in São Tomé and Príncipe under fisheries agreements concluded with the Union. Furthermore, they shall comply with Regulation (EU) 2017/2403 of the European Parliament and of the Council ⁽¹⁾ on the sustainable management of external fishing fleets.

2. Application for a fishing authorisation

The competent Union authorities shall submit, by electronic means, an application for each vessel wishing to fish under this Protocol to the ministry responsible for fisheries in São Tomé and Príncipe, with a copy to the Union delegation with responsibility for São Tomé and Príncipe, at least 15 working days before the start of the period of validity requested.

Applications shall be submitted to the ministry responsible for fisheries in São Tomé and Príncipe on a form drawn up in accordance with the specimen in Appendix 2.

All fishing authorisation applications shall be accompanied by the following documents:

- (a) proof of payment of the flat-rate advance and the flat-rate contributions for observers for the period of validity of the authorisation;
- (b) a recent colour photograph of the vessel, showing a lateral view;
- (c) a copy of the registration certificate of the vessel;
- (d) where appropriate, any other document required under the national provisions applicable to the type of vessel, as notified by São Tomé and Príncipe in the Joint Committee.

The payment of the annual flat-rate fee shall be made to the Public Treasury account used for the financial contribution referred to in point (a) of Article 3(2) of this Protocol.

The fees shall include all national and local taxes, with the exception of port taxes and service charges.

The targeted species shall be indicated clearly in each application for a fishing authorisation.

The application for a fishing authorisation may include a notification of the intention to partially remove shark fins on board the vessel and to perform other operations on board, such as gutting.

3. Issue of the fishing authorisation

Fishing authorisations shall be issued by the ministry responsible for fisheries in São Tomé and Príncipe within 15 working days of receipt of all the documents referred to in point 2 of this Section.

The originals shall be submitted to the Union via the Union delegation with responsibility for São Tomé and Príncipe.

The authorisation shall specify the species or categories that may be fished (tunas, swordfish and authorised sharks).

In order not to delay the opportunity for fishing in São Tomé and Príncipe's fishing zone, a copy of the fishing authorisation shall be sent to the vessel owner electronically. This copy may be used for a maximum period of 60 days after the date on which the authorisation was issued. During this period, the copy shall be considered equivalent to the original.

4. Exceptional replacement of the fishing authorisation

A fishing authorisation shall be issued for a given vessel and shall not be transferable. However, at the request of the Union and where force majeure is proven, the fishing authorisation of a vessel may be withdrawn and a new fishing authorisation issued for the remainder of the period of validity, for another vessel of the same category, in accordance with arrangements to be determined.

The vessel owner shall submit the original fishing authorisation to the São Tomé and Príncipe ministry responsible for fisheries. The authorisation for the replacement vessel shall take effect on that date. São Tomé and Príncipe shall notify the Union of the transfer of the fishing authorisation and the date it will take effect.

5. Keeping the fishing authorisation on board

The fishing authorisation shall be kept on board at all times, without prejudice to point 3 of this Section.

⁽¹⁾ Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ EU L 347, 28.12.2017, p. 81).

6. Support vessels

At the request of the Union, and following an examination by the São Tomé and Príncipe authorities, São Tomé and Príncipe shall authorise Union fishing vessels holding a fishing authorisation to be assisted by support vessels.

The support vessels shall not be equipped for fishing. This support shall not include refuelling or the transhipment of catches.

Support vessels shall be subject to the same procedure as regards the sending of applications for fishing authorisations set out in this Chapter, to the extent applicable. São Tomé and Príncipe shall draw up a list of authorised support vessels and send it to the Union immediately.

These vessels shall be required to pay an annual fee of EUR 3 500, payable to the Fisheries Development Fund referred to in Article 3(10) of this Protocol.

SECTION 2

Fees and advance payments

1. Fishing authorisations shall be valid for one year.
2. The fee payable for tuna seiners and surface longliners, per tonne caught in São Tomé and Príncipe's fishing zone, is set at EUR 70 for the entire period of application of this Protocol.
3. Fishing authorisations shall be issued after payment of the following annual flat-rate fees:
 - (a) in the case of tuna seiners: EUR 9 100 per vessel, equivalent to the fees due for 130 tonnes;
 - (b) in the case of surface longliners: EUR 3 255 per vessel, equivalent to the fees due for 46.5 tonnes.

The fees shall be payable to the Public Treasury account used for the payment of the financial contribution referred to in point (a) of Article 3(2) of this Protocol.

4. For each Union vessel, the Union shall draw up, on the basis of its catch reporting, a statement of catches and a statement of the fees owed by the vessel in respect of its annual season for the previous calendar year. The Union shall send these final statements to the São Tomé and Príncipe authorities, and to the vessel owner via the Member States of the Union, before 30 June of the current year. São Tomé and Príncipe may challenge these final statements within 30 days of receipt, on the basis of supporting evidence. In the event of disagreement, the Parties shall consult each other, where appropriate in the Joint Committee. If São Tomé and Príncipe does not object within the period of 30 days, the final statements shall be considered adopted.
5. If the final statement exceeds the anticipated flat-rate fee paid to obtain the fishing authorisation, the vessel owner shall pay the outstanding balance to São Tomé and Príncipe within 45 days unless the vessel owner contests the statement. Outstanding balances shall be paid into the Fisheries Development Fund account. However, if the final statement is less than the anticipated flat-rate fee, the remaining amount shall not be reclaimed by the vessel owner.

CHAPTER III

CATCH MONITORING AND REPORTING

SECTION 1

Electronic fishing logbooks

1. The master of a Union vessel carrying out fishing activities under this Protocol shall keep an electronic fishing logbook integrated into an electronic recording and reporting system (ERS).
2. A vessel not equipped with an ERS shall not be authorised to enter São Tomé and Príncipe's fishing zone in order to engage in fishing activities.
3. The master shall be responsible for the accuracy of the data recorded in the electronic fishing logbook. The fishing logbook shall comply with the relevant ICCAT resolutions and recommendations.

4. Every day, the master shall record the estimated quantities of each species caught and kept on board, or thrown back into the sea, for each fishing operation. The recording of the estimated quantities of a species caught or discarded shall be made regardless of the weight involved.
5. If the vessel is present in the fishing zone but does not carry out any fishing, the position of the vessel at noon shall be recorded.
6. The fishing logbook data shall be transmitted automatically and on a daily basis to the Fisheries Monitoring Centre (FMC) of the flag State. The transmissions shall include at least the following:
 - (a) the vessel identification numbers and the name of the fishing vessel;
 - (b) the FAO 3-alpha code of each species;
 - (c) the relevant geographical area in which the catches were taken;
 - (d) the date and, where appropriate, the time of the catches;
 - (e) the date and time of departure from and arrival at the port, and the duration of the fishing trip;
 - (f) the type of gear, technical specifications and dimensions;
 - (g) the estimated quantities of each species kept on board, in kilograms live weight or, where appropriate, the number of individual fish;
 - (h) the estimated quantities of each species discarded, in kilograms live weight or, where appropriate, the number of individual fish.
7. The flag State shall ensure that the data are received and recorded in a computer database enabling the data to be stored securely for at least 36 months.
8. The flag State and São Tomé and Príncipe shall ensure that they have the necessary IT equipment and software to automatically transmit ERS data. ERS data shall be transmitted using the electronic means of communication operated by the European Commission for exchanging fisheries data in a standardised form. Changes to standards shall be implemented within six months.
9. The flag State's FMC shall ensure that fishing logbooks are automatically made available by ERS to São Tomé and Príncipe's FMC on a daily basis for the period during which the vessel is present in the fishing zone, even in the event of a zero catch.
10. The arrangements for reporting catches by ERS and the procedures in the event of malfunction are set out in Appendix 4.
11. The São Tomé and Príncipe authorities shall handle data on the fishing activities of individual vessels in a confidential and secure manner.

SECTION 2

Aggregate catch data

1. On a quarterly basis, the flag State shall input the quantities of each vessel's catches and discards, aggregated over one month, in the database run by the European Commission. In the case of species subject to a total allowable catch in accordance with this Protocol or ICCAT recommendations, the quantities shall be provided on a monthly basis for the previous month.
2. The flag State shall verify the data through cross-checks with landing, sales, inspection or observation data and any relevant information of which the authorities are aware. Updates to the database required as a result of these verifications shall be carried out as quickly as possible. The verifications shall use the geographical coordinates of the fishing zone as established in accordance with this Protocol.
3. The Union shall provide the São Tomé and Príncipe authorities, before the end of each quarter, with aggregated data for the previous quarters of the current year, indicating the quantities of catches per vessel, per month of catch, and per species, extracted from the database. These data shall be provisional and expandable.
4. São Tomé and Príncipe shall analyse the aggregated data referred to in paragraph 3 and report any major inconsistencies with the electronic fishing logbook data provided by ERS. The flag States shall conduct investigations and update data as necessary.

CHAPTER IV

MONITORING, CONTROL AND SURVEILLANCE

SECTION 1

Control and inspection

Union fishing vessels shall comply with the measures and recommendations adopted by ICCAT with regard to fishing gear and the related technical specifications and all other technical measures applicable to their fishing activities and catches.

1. Entering and leaving the fishing zone

Union vessels operating in São Tomé and Príncipe waters under this Protocol shall notify the competent São Tomé and Príncipe authorities, at least three hours in advance, of their intention to enter or leave the São Tomé and Príncipe EEZ.

When notifying entry into/exit from the São Tomé and Príncipe EEZ, vessels shall, at the same time, also communicate their position and the catches already held on board, identified by their FAO 3-alpha code, expressed in kilograms of live weight or, where appropriate, the number of individual fish.

These communications shall be made by ERS or alternatively by email, to the address communicated by the São Tomé and Príncipe authorities.

A vessel found to be fishing without having notified its intention to enter São Tomé and Príncipe waters shall be regarded as a vessel without a fishing authorisation and shall be subject to the consequences provided for by the national legislation of São Tomé and Príncipe.

2. Inspection procedures

Inspections at sea, in port or off port in São Tomé and Príncipe's fishing zone on Union vessels holding a fishing authorisation shall be carried out by inspectors from São Tomé and Príncipe who are clearly identified as being assigned to carry out fishing checks, using vessels at the service of the São Tomé and Príncipe authorities.

Before boarding, the inspectors from São Tomé and Príncipe shall inform the Union vessel of their decision to carry out an inspection. The inspection shall be carried out by a maximum of two inspectors, who must provide proof of their identity and official position as an inspector before carrying out the inspection.

The inspectors from São Tomé and Príncipe shall only stay on board the Union vessel for the time necessary to carry out tasks linked to the inspection. They shall carry out the inspection in a way which minimises the impact on the vessel, its fishing activity and cargo.

Images (photos or videos) made during inspections shall be intended for the authorities responsible for fisheries control and surveillance. They shall not be made public unless the national legislation provides otherwise.

The master of the Union vessel shall allow the inspectors from São Tomé and Príncipe to come on board and carry out their work.

At the end of each inspection, the inspectors from São Tomé and Príncipe shall draw up an inspection report. The master of the Union vessel shall have the right to include their comments in the inspection report. The inspection report shall be signed by the inspector drawing up the report and the master of the Union vessel.

The signing of the inspection report by the master shall be without prejudice to the vessel owner's right of defence during any infringement procedure. The master of the vessel shall cooperate while the inspection procedure is being carried out. If the master refuses to sign the document, they shall specify the reasons for doing so in writing, and the inspector shall write "Refused to sign" on it. The inspectors from São Tomé and Príncipe shall give a copy of the inspection report to the master of the Union vessel before leaving the vessel. The São Tomé and Príncipe authorities shall inform the Union of inspections carried out within 24 hours of their completion and of any infringements found, and send it the inspection report. If applicable, a copy of the resulting indictment shall be sent to the Union within a maximum of seven days after the inspector's return to port.

3. Authorised operations on board

Fishing authorisations issued by São Tomé and Príncipe shall indicate which operations are authorised on board, such as gutting and the partial removal of shark fins.

4. Transhipment and landings

All Union vessels operating in São Tomé and Príncipe waters under this Protocol which carry out transhipments in São Tomé and Príncipe waters shall do so off the ports of Fernão Dias, Neves and Ana Chaves.

If the owners of these vessels or their agents wish to carry out a transhipment or landing, they shall notify the competent São Tomé and Príncipe authorities, at least 48 hours in advance, of the following:

- (a) the names of the fishing vessels involved in the transhipment or landing;
- (b) the name of the cargo vessel;
- (c) the tonnage by species to be transhipped or landed;
- (d) the day of transhipment or landing;
- (e) the destination of the transhipped or landed catches.

Notification to São Tomé and Príncipe may be made by ERS or email.

Transhipment at sea shall be prohibited.

Masters of vessels shall submit their catch declarations to the competent São Tomé and Príncipe authorities and state whether they intend to continue fishing or to leave São Tomé and Príncipe waters.

Any transhipment or landing of catches not covered by this Section shall be prohibited in São Tomé and Príncipe waters. Any person infringing this provision shall be liable to the penalties provided for by the São Tomé and Príncipe regulations in force.

SECTION 2

Satellite-based vessel monitoring system

Any Union vessel authorised under this Protocol shall be equipped with a satellite-based vessel monitoring system (VMS).

It shall be forbidden to move, disconnect, destroy, damage or render inoperative the continuous tracking system using satellite communications placed on board the vessel for the purposes of data transmission or to intentionally alter, divert or falsify data transmitted or recorded by such a VMS.

Union vessels shall communicate their position automatically and continuously, at least every hour in the case of seiners and at least every two hours in the case of all other vessels, to the FMC of their flag State. This frequency may be increased as part of investigative measures into a vessel's activities.

The FMC of the flag State shall ensure that VMS positions are automatically made available for the period during which the vessel is present in the fishing zone.

Each position message shall contain:

- (a) the vessel identification;
- (b) the most recent geographical position of the vessel (longitude, latitude), with a margin of error of less than 500 metres and with a confidence interval of 99 %;
- (c) the date and time the position is recorded;
- (d) the vessel's speed and course.

The arrangements for notifying vessel positions by VMS and the procedures in the event of malfunction are set out in Appendix 5.

The FMCs shall communicate with each other in the context of monitoring vessel activity.

CHAPTER V

SIGNING-ON OF SEAMEN

1. Number of seamen to be signed on:

When carrying out their fishing activity in São Tomé and Príncipe waters, Union vessels shall be required to sign on seamen from São Tomé and Príncipe, in accordance with the following conditions and limits:

- (a) in the case of the tuna seiner fleet, a total of six seamen for the entire fleet for the first year of application of this Protocol, a total of eight seamen for the second year of application of this Protocol, and a total of 10 seamen per year for the last three years of application of this Protocol;
 - (b) in the case of the surface longliner fleet, a total of two seamen per year for the entire fleet.
- 2. This signing-on obligation shall be contingent on the São Tomé and Príncipe authorities sending a list of able and qualified seamen to the Union before the application of this Protocol and then in January each year. Vessel owners shall recruit seamen from those appearing on this list.
- 3. The qualifications required by seamen from São Tomé and Príncipe are set out in Appendix 6.
- 4. The vessel owner or their agent shall inform the competent São Tomé and Príncipe authority of the names of the seamen signed on the vessel concerned, mentioning their position in the crew.
- 5. The International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work shall apply as of right to seamen signed on Union vessels. In particular, this relates to freedom of association, effective recognition of the right to collective bargaining, and elimination of discrimination in respect of employment and occupation.
- 6. The employment contracts of seamen from São Tomé and Príncipe, a copy of which must be given to the Ministry of Labour, the ministry responsible for fisheries and the signatories of the contracts, shall be drawn up between the vessel owners, or their agents, and the seamen or their trade unions or representatives. These contracts shall guarantee the seamen the social security cover applicable to them, in accordance with the applicable law, including life assurance and sickness and accident insurance.
- 7. The wages of the seamen shall be paid by the vessel owners. They shall be set by mutual agreement between the vessel owners or their agents and the seamen and/or their trade unions or representatives. However, the wages of the seamen shall not be lower than those payable to crews from their respective countries and shall, under no circumstances, be below ILO standards.
- 8. All seamen recruited by Union vessels shall report to the master of the designated vessel on the day before their proposed signing-on date. If a seaman fails to appear at the agreed date and time of signing-on, or a seaman does not have the required qualifications, the vessel owner shall be automatically absolved of their obligation to sign on the seaman.
- 9. If, for exceptional reasons justified by vessel owners, Union vessels are not able to sign on the number of seamen from São Tomé and Príncipe provided for in point 1, they shall pay a flat-rate amount of EUR 20 per seaman not signed on and per day the vessel is present in São Tomé and Príncipe's fishing zone. The Joint Committee shall regularly assess the signing-on of seamen from São Tomé and Príncipe.

CHAPTER VI

OBSERVERS

1. Observation of fishing activities

Pending the implementation of a system of regional observers, vessels authorised to fish in São Tomé and Príncipe's fishing zone under this Protocol shall take on board, instead of regional observers, observers designated by São Tomé and Príncipe, in accordance with the this Chapter.

2. Designated vessels and observers

Union vessels operating in São Tomé and Príncipe waters under this Protocol shall take on board observers designated by the São Tomé and Príncipe ministry responsible for fisheries under the following conditions:

- (a) At the request of the competent São Tomé and Príncipe authorities, Union vessels shall take on board an observer designated by the former to check catches made in São Tomé and Príncipe waters.

- (b) The competent São Tomé and Príncipe authorities shall draw up a list of the vessels designated to take an observer on board and a list of the observers designated to be taken on board. These lists shall be kept up to date. They shall be forwarded to the European Commission as soon as they have been drawn up and every three months thereafter, as they may have been updated.
- (c) The competent São Tomé and Príncipe authorities shall inform the Union and the vessel owners concerned of the name of the observer designated to be taken on board the vessel, preferably by email, at the time the fishing authorisation is issued or, at the latest, 15 days before the observer's planned embarkation date.
- (d) The time spent on board by the observer shall be one fishing trip. However, at the express request of the competent São Tomé and Príncipe authorities, this embarkation may be spread over several trips depending on the average duration of the trips planned for a particular vessel. This request shall be made by the competent authority when notifying the name of the observer designated to board the vessel in question.

3. Boarding and disembarking conditions

- (a) The conditions under which the observer is taken on board shall be agreed between the vessel owner or their agent and the competent authority.
- (b) Observers shall embark and disembark at a port chosen by the vessel owner. Embarkation shall take place at the beginning of the first trip in São Tomé and Príncipe waters after notification of the list of designated vessels.
- (c) Within two weeks and giving 10 days' notice, the vessel owners concerned shall make known at which ports in the subregion and on what dates they intend to take the observers on board and put them ashore.
- (d) Where observers are taken on board in a country other than São Tomé and Príncipe, their travel costs shall be borne by the vessel owner. Should a vessel with an observer on board leave São Tomé and Príncipe's fishing zone, all measures shall be taken to ensure the observer's return to São Tomé and Príncipe as soon as possible at the vessel owner's expense.
- (e) If the observer is not present at the time and place agreed or within the following 12 hours, the vessel owner shall be automatically absolved of their obligation to take the observer on board.
- (f) The master shall do everything in their power to ensure the physical safety and welfare of the observer during the performance of their duties.
- (g) The observer shall be offered every facility needed to carry out their duties. The master shall give the observer access to the means of communication needed to discharge their duties, to documents directly concerned with the vessel's fishing activities, including, in particular, the fishing logbook and the navigation log, and to any part of the vessel as required to allow the observer to accomplish their tasks.
- (h) The vessel owner shall bear the cost of providing board and accommodation for observers in the same conditions as for officers, within the confines of the practical possibilities offered by the vessel.
- (i) The salary and social contributions of the observer shall be borne by São Tomé and Príncipe.

4. Flat-rate financial contribution

In order to contribute to the implementation costs related to the placement of observers, the vessel owner shall pay, at the time of paying the flat-rate advance, an amount of EUR 250 per year and per vessel, payable to the account used for flat-rate advances.

5. Tasks of the observer

Observers shall be treated on board as officers. When vessels are operating in São Tomé and Príncipe waters, observers shall carry out the following tasks:

- (a) observe the fishing activities of the vessels;
- (b) verify the position of vessels engaged in fishing operations;
- (c) record the fishing gear used;
- (d) verify the catch data for São Tomé and Príncipe waters recorded in the fishing logbook;
- (e) verify the percentages of by-catches and estimate the quantity of discards of marketable fish species;
- (f) report fishing data, including the quantity of catches and by-catches on board, to their competent authority by any appropriate means.

6. **Obligations of the observer**

While on board, the observer shall:

- (a) take all appropriate steps to ensure that the manner of their boarding and their presence on board neither interrupt nor hamper fishing operations;
- (b) respect the material and equipment on board and the confidentiality of all documents belonging to the vessel.
- (c) At the end of the observation period and before leaving the vessel, the observer shall draw up an activity report to be transmitted to the competent São Tomé and Príncipe authorities, with a copy to the European Commission. The observer shall sign it in the presence of the master, who may add or have added to it any observations considered relevant, followed by the master's signature. A copy of the report shall be handed to the master when the observer is put ashore.

CHAPTER VII

INFRINGEMENTS

1. **Handling of infringements**

Any infringement committed by a Union vessel holding a fishing authorisation in accordance with this Annex shall be the subject of an indictment report to be sent to the Union and the flag State as quickly as possible.

2. **Detention of the vessel/diversion - information meeting**

- (a) If the São Tomé and Príncipe legislation in force so provides with regard to the reported infringement, any Union vessel having committed an infringement may be forced to cease its fishing activity and, if the vessel is at sea, to return to a São Tomé and Príncipe port.
- (b) São Tomé and Príncipe shall notify the Union within 24 hours of any detention of a Union vessel holding a fishing authorisation. That notification shall be accompanied by documentary evidence of the reported infringement.
- (c) Before taking any measures against the vessel, the master, the crew or the cargo, with the exception of measures aimed at protecting evidence, São Tomé and Príncipe shall hold, at the request of the Union, within one working day of notification of the detention of the vessel, an information meeting to clarify the facts which led to the vessel being detained and to explain what further action may be taken. A representative of the vessel's flag State may attend this information meeting.

3. **Penalties for infringements - compromise procedure**

- (a) The penalty for the infringement shall be set by São Tomé and Príncipe pursuant to the national legislation in force.
- (b) Where settling the infringement involves legal proceedings, provided that the infringement does not involve a criminal act, a compromise procedure between São Tomé and Príncipe and the Union shall take place before the proceedings are launched to determine the terms and level of the penalty. Representatives of the vessel's flag State and the Union may participate in this compromise procedure. The compromise procedure shall finish at the latest three days after notice is given of the vessel's detention.

4. **Legal proceedings - bank security**

If the compromise procedure fails and the infringement is brought before the competent court, the owner of the vessel that committed the infringement shall deposit a bank security at a bank designated by São Tomé and Príncipe, the amount of which, as set by São Tomé and Príncipe, covers the costs linked to the detention of the vessel, the estimated fine and any compensation. It shall not be possible to recover the bank security until the legal proceedings have been concluded.

The bank security shall be released and returned to the vessel owner immediately after judgment has been given:

- (a) in full, if no penalty has been imposed;
- (b) for the amount of the remaining balance, if the penalty is a fine which is lower than the amount of the bank security.

São Tomé and Príncipe shall inform the Union of the outcome of the legal proceedings within seven days of the judgement being given.

5. Release of the vessel and the crew

The vessel and its crew shall be authorised to leave the port once the penalty has been paid in a compromise procedure, or once the bank security has been deposited.

APPENDICES TO THE ANNEX

- Appendix 1 Coordinates of the Nigeria-São Tomé and Príncipe Joint Development Zone
 - Appendix 2 Application form for authorisation for a fishing vessel or support vessel
 - Appendix 3 Datasheet
 - Appendix 4 Implementation of the electronic system for recording and reporting fishing activities (ERS)
 - Appendix 5 Vessel monitoring system (VMS)
 - Appendix 6 Qualifications required by seamen from São Tomé and Príncipe for employment on board Union seiners and longliners
-

Appendix 1

COORDINATES OF THE NIGERIA-SÃO TOMÉ AND PRÍNCIPE JOINT DEVELOPMENT ZONE

Latitude	Longitude
(Degrees, Minutes and Seconds)	
03 02 22 N	07 07 31 E
02 50 00 N	07 25 52 E
02 42 38 N	07 36 25 E
02 20 59 N	06 52 45 E
01 40 12 N	05 57 54 E
01 09 17 N	04 51 38 E
01 13 15 N	04 41 27 E
01 21 29 N	04 24 14 E
01 31 39 N	04 06 55 E
01 42 50 N	03 50 23 E
01 55 18 N	03 34 33 E
01 58 53 N	03 53 40 E
02 02 59 N	04 15 11 E
02 05 10 N	04 24 56 E
02 10 44 N	04 47 58 E
02 15 53 N	05 06 03 E
02 19 30 N	05 17 11 E
02 22 49 N	05 26 57 E
02 26 21 N	05 36 20 E
02 30 08 N	05 45 22 E
02 33 37 N	05 52 58 E
02 36 38 N	05 59 00 E
02 45 18 N	06 15 57 E
02 50 18 N	06 26 41 E
02 51 29 N	06 29 27 E
02 52 23 N	06 31 46 E
02 54 46 N	06 38 07 E
03 00 24 N	06 56 58 E
03 01 19 N	07 01 07 E
03 01 27 N	07 01 46 E
03 01 44 N	07 03 07 E
03 02 22 N	07 07 31 E

Appendix 2

APPLICATION FORM

APPLICATION FOR AUTHORISATION FOR A FISHING VESSEL OR SUPPORT VESSEL (SÃO TOMÉ AND PRÍNCIPE - EUROPEAN UNION FISHERIES AGREEMENT)

I. APPLICANT

1. Name of vessel owner: Nationality:
2. Name of vessel owner's association or agent:
.....
3. Address of vessel owner's association or agent:
.....
4. Tel.:
5. Email address:
6. Name of master: Nationality:
7. Name and address of consignee in São Tomé and Príncipe (if any):
.....

II. VESSEL IDENTIFICATION

8. Vessel name:
9. Flag State:
10. Previous flag (if any):
11. Date on which current flag was acquired:
12. External registration number:
13. Port of registry: MMSI:
14. IMO number: ICCAT number:
15. Year and place of construction:
16. Radio call sign: Call frequency:
17. Hull construction material: ☐ steel ☐ wood ☐ polyester ☐ other

III TECHNICAL CHARACTERISTICS AND EQUIPMENT

18. Overall length: Width:
19. Tonnage (expressed in GT):
20. Power of main engine in kW: Make: Type:
21. Type of vessel: Fishing category:
22. Fishing gear:
23. Fishing zones:
24. Target species: ☐ tunas ☐ swordfish and billfish ☐ authorised sharks
25. By-catch species: ☐ tunas ☐ swordfish and billfish ☐ authorised sharks
26. Envisaged processing on board: ☐ gutting ☐ partial removal of fins
☐ other (specify): ...
27. Crew complement:

28. Method of preservation on board: ☐ fresh ☐ chilling ☐ mixed ☐ freezing

29. Freezing capacity in tonnes/24 hours

30. Hold capacity: Number:

Done at, on

Signature of applicant

Appendix 3

DATA SHEET

TUNA FREEZER SEINERS AND SURFACE LONGLINERS

1. Prohibited species

In accordance with the Convention on Migratory Species of Wild Animals and ICCAT resolutions, fishing for the giant manta ray (*Manta birostris*), the basking shark (*Cetorhinus maximus*), the white shark (*Carcharodon carcharias*), the bigeye thresher shark (*Alopias superciliosus*), hammerhead sharks in the Sphyrnidae family (with the exception of the bonnethead shark (*Sphyrna tiburo*)), the oceanic whitetip shark (*Carcharhinus longimanus*) and the silky shark (*Carcharhinus falciformis*) is prohibited. Fishing for the whale shark (*Rhincondon typus*) is also prohibited.

In accordance with Union legislation, namely Regulation (EC) No 1185/2003 ⁽¹⁾, it is prohibited to remove shark fins on board vessels, and to keep on board, tranship or land shark fins. Without prejudice to the above, shark fins may be partially sliced through and folded against the carcass in order to facilitate on-board storage; however, they must not be removed from the carcass before landing.

In line with ICCAT recommendations, the Parties shall endeavour to reduce the inadvertent impact of fishing activities on turtles and seabirds by implementing measures to maximise the chance of survival of individual turtles and seabirds caught by accident.

2. Gear and catches

TUNA SEINERS

- (1) Authorised gear: seines.
- (2) Target species: yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*) and skipjack tuna (*Katsuwonus pelamis*).
- (3) By-catches: compliance with ICCAT and FAO recommendations.

SURFACE LONGLINERS

- (1) Authorised gear: surface longlines.
- (2) Target species: swordfish (*Xiphias gladius*), blue shark (*Prionace glauca*), yellowfin tuna (*Thunnus albacares*), bigeye tuna (*Thunnus obesus*).
- (3) By-catches: compliance with ICCAT and FAO recommendations.

3. Vessel owners' fees – number of vessels

Additional fee per tonne caught	EUR 70 per tonne for the entire period of application of this Protocol
Annual flat-rate fee	For tuna seiners: EUR 9 100 For surface longliners: EUR 3 255
Flat-rate fee for observers	EUR 250 per vessel per year
Fee per support vessel	EUR 3 500 per vessel per year
Number of vessels	28 tuna seiners
authorised to fish	6 surface longliners

⁽¹⁾ Council Regulation (EC) No 1185/2003 of 26 June 2003 on the removal of fins of sharks on board vessels (OJ EU L 167, 4.7.2003, p. 1).

Appendix 4

IMPLEMENTATION OF THE ELECTRONIC SYSTEM FOR RECORDING AND REPORTING FISHING ACTIVITIES (ERS)

1. ERS communications

- (1) The flag State and São Tomé and Príncipe shall each designate an ERS correspondent who will act as the point of contact for matters concerning the implementation of these provisions. The flag State and São Tomé and Príncipe shall notify each other of the contact details of their ERS correspondents and, where appropriate, update that information immediately.
- (2) ERS data shall be transmitted by the vessel to its flag State, which will make them automatically available to São Tomé and Príncipe.
- (3) Data shall be in UN/CEFACT format and shall be transmitted via the FLUX network provided by the European Commission.
- (4) Nevertheless, the Parties may agree on a transition period, during which the data are transmitted via the *Data Exchange Highway* (DEH) in EU-ERS (v 3.1) format.
- (5) The flag State's FMC shall transmit instant messages from the vessel (COE, COX, PNO) automatically and immediately to São Tomé and Príncipe's FMC. Other types of messages shall also be automatically transmitted once a day from the effective date of the use of the UN/CEFACT format or, until that date, made available immediately to São Tomé and Príncipe's FMC upon requests made automatically to the flag State's FMC via the European Commission's central node. As from the effective implementation of the new format, the latter delivery mode shall only concern specific requests for historical data.
- (6) São Tomé and Príncipe's FMC shall confirm that it has received the instant ERS data sent to it, by means of a return message acknowledging receipt and confirming the validity of the message received. No acknowledgement of receipt shall be provided for data that São Tomé and Príncipe receives in response to a request it has submitted itself. São Tomé and Príncipe shall handle all ERS data confidentially.

2. Failure of the electronic transmission system on board the vessel or the communication system

- (1) The FMCs of the flag State and São Tomé and Príncipe shall inform each other immediately of any event likely to affect the transmission of the ERS data of one or more vessels.
- (2) If São Tomé and Príncipe's FMC does not receive the data to be transmitted by a vessel, it shall notify this to the flag State's FMC immediately. The flag State's FMC shall promptly investigate the reasons for the non-receipt of ERS data and inform São Tomé and Príncipe's FMC of the outcome of those investigations.
- (3) Where a failure occurs in the transmission between the vessel and the flag State's FMC, the flag State's FMC shall notify this immediately to the master or the operator of the vessel or, in their absence, to their agent. On receipt of this notification, the master of the vessel shall transmit the missing data to the competent authorities of the flag State by any appropriate means of telecommunication every day, no later than 00.00.
- (4) In the event of a failure of the electronic transmission system installed on board the vessel, the master or the operator of the vessel shall ensure that the ERS is repaired or replaced within 10 days of the failure being detected. Once that deadline has passed, the vessel shall no longer be authorised to fish in the fishing zone and shall leave or call at a São Tomé and Príncipe port within 24 hours. The vessel shall not be authorised to leave that port or return to the fishing zone until the FMC of its flag State has established that the ERS system is functioning correctly again.
- (5) If the non-receipt of ERS data by São Tomé and Príncipe is caused by the failure of the electronic systems under the supervision of the Union or São Tomé and Príncipe, the Party in question shall take prompt action to resolve the problem rapidly. The other Party shall be notified once the problem has been resolved.

- (6) Every 24 hours, the flag State's FMC shall send São Tomé and Príncipe's FMC all the ERS data received by the flag State since the last transmission, using any electronic means of communication available. The same procedure may be applied at the request of São Tomé and Príncipe in the event of maintenance operations lasting more than 24 hours and affecting the systems under the supervision of the Union. São Tomé and Príncipe shall notify its competent monitoring services in order to ensure that Union vessels are not considered to be in breach of their obligation to transmit their ERS data. The flag State's FMC shall ensure that the missing data are entered into the electronic database it keeps in accordance with point 1 of Appendix 5.

3. **Alternative means of communication**

The email address of São Tomé and Príncipe's FMC to be used in the event of a failure in the ERS/VMS communications shall be notified before the application of this Protocol.

It shall be used for:

- (a) notifications of entry/exit and on-board catches on entry and exit;
 - (b) notifications of landing and transshipment and catches transhipped, landed or remaining on board;
 - (c) temporary, substitute ERS and VMS communications in the event of failures.
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Appendix 5

VESSEL MONITORING SYSTEM (VMS)

1. Vessel position messages — VMS

The first position recorded after entry into the São Tomé and Príncipe zone shall be identified by the code "ENT". All subsequent positions shall be identified by the code "POS", with the exception of the first position recorded after departure from the São Tomé and Príncipe zone, which shall be identified by the code "EXI".

The FMC of the flag State shall ensure the automatic processing and, if necessary, the electronic transmission of the position messages. The position messages shall be recorded in a secure manner and kept for a period of three years.

2. Transmission by the vessel in the event of breakdown of the VMS system

The master shall ensure at all times that the VMS of their vessel is fully operational and that the position messages are correctly transmitted to the flag State's FMC.

In the event of breakdown, the VMS of the vessel shall be repaired or replaced within 30 days. After that period, the vessel shall no longer be authorised to fish in the São Tomé and Príncipe zone.

Vessels fishing in the São Tomé and Príncipe zone with a defective VMS shall communicate their position messages by email, radio or fax to the flag State's FMC at least every four hours, providing all the mandatory information.

3. Secure communication of position messages to São Tomé and Príncipe

The FMC of the flag State shall automatically send the position messages of the vessels concerned to the FMC of São Tomé and Príncipe. The FMCs of the flag State and São Tomé and Príncipe shall exchange their contact email addresses and inform each other immediately of any change to these addresses.

The transmission of position messages between the FMCs of the flag State and São Tomé and Príncipe shall be carried out electronically using a secure communication system.

São Tomé and Príncipe's FMC shall inform the flag State's FMC and the Union immediately of any interruption in the reception of consecutive position messages from a vessel holding a fishing authorisation, if the vessel concerned has not notified its exit from the zone.

4. Malfunction of the communication system

São Tomé and Príncipe shall ensure the compatibility of its electronic equipment with that of the flag State's FMC and inform the Union immediately of any malfunction concerning the sending and receiving of position messages with a view to finding a technical solution as soon as possible. The Joint Committee shall deal with any dispute that may arise.

The master shall be considered responsible if a vessel's VMS is found to have been tampered with in order to disrupt its operation or falsify its position messages. Any infringement shall be subject to the penalties provided for under the São Tomé and Príncipe legislation in force.

5. Revision of the frequency of position messages

On the basis of documentary evidence pointing to an infringement, São Tomé and Príncipe may ask the flag State's FMC, copying in the Union, to reduce the interval for sending position messages from a vessel to every 30 minutes for a set period of investigation. São Tomé and Príncipe shall send this documentary evidence to the flag State's FMC and the Union. The flag State's FMC shall immediately send position messages to São Tomé and Príncipe at the new frequency.

At the end of the set investigation period, São Tomé and Príncipe shall inform the flag State's FMC and the Union of any follow-up that is required.

6. Sending of VMS messages to São Tomé and Príncipe

The code "ER" followed by a double slash (//) indicates the end of the message.

Data	Code	Mandatory (M)/ Optional (O)	Content
Start of record	SR	M	System detail indicating start of record

Data	Code	Mandatory (M)/ Optional (O)	Content
Addressee	AD	M	Message detail – Addressee Alpha-3 country code (ISO-3166)
From	FR	M	Message detail – Sender Alpha-3 country code (ISO-3166)
Flag State	FS	M	Message detail – Flag State Alpha-3 code (ISO-3166)
Type of message	TM	M	Message detail – Type of message (ENT, POS, EXI, MAN)
Radio call sign (IRCS)	RC	M	Vessel detail – Vessel international radio call sign (IRCS)
Contracting party internal reference number	IR	M	Vessel detail – Unique contracting party number Alpha-3 code (ISO-3166) followed by number
External registration number	XR	M	Vessel detail – Number on side of vessel (ISO 8859.1)
Latitude	LT	M	Vessel position detail – Position in degrees and decimal degrees N/S DD.ddd (WGS84)
Longitude	LG	M	Vessel position detail – Position in degrees and decimal degrees E/W DD.ddd (WGS84)
Course	CO	M	Vessel course 360 ° scale
Speed	SP	M	Vessel speed in tenths of knots
Date	DA	M	Vessel position detail – Date of record of UTC position (YYYYMMDD)
Time	TI	M	Vessel position detail – Time of record of UTC position (HHMM)
End of record	ER	M	System detail indicating end of record

In NAF format, each data transmission shall be structured as follows:

- The characters used shall comply with ISO 8859.1. A double slash (//) and the characters "SR" shall indicate the start of a message.
- Each data element shall be identified by its code and separated from the other data elements by a double slash (/).
- A single slash (/) shall separate the field code and the data.

Before the provisional application of this Protocol, São Tomé and Príncipe shall state whether the VMS data are to be transmitted via FLUX TL, in UN/CEFACT format.

Appendix 6**QUALIFICATIONS REQUIRED BY SEAMEN FROM SÃO TOMÉ AND PRÍNCIPE FOR EMPLOYMENT ON BOARD UNION
SEINERS AND LONGLINERS**

The São Tomé and Príncipe authorities shall ensure that personnel recruited to work on Union vessels meet the following requirements:

1. The minimum age of seamen shall be 18.
 2. Seamen shall be in possession of a valid medical certificate confirming that they are medically fit to perform the duties they are to carry out at sea. This certificate shall have been issued by a duly qualified medical practitioner.
 3. Seamen shall have the valid vaccinations required for precautionary health purposes in the region.
 4. Seamen shall possess, as a minimum, valid certification for the following basic safety training:
 - (a) personal survival techniques, including the donning of lifejackets;
 - (b) firefighting and fire prevention;
 - (c) basic first aid;
 - (d) personal safety and social responsibility; and
 - (e) prevention of marine pollution.
 5. Particularly in the case of large fishing vessels, seamen shall:
 - (a) be familiar with the marine terms and orders commonly used on fishing vessels;
 - (b) be familiar with the dangers associated with fishing operations;
 - (c) have a good understanding of the operating conditions of fishing vessels and the dangers that they may pose;
 - (d) be familiar with and have experience of using the fishing equipment to be used in purse-seine fishing;
 - (e) have a general understanding and knowledge of the stability and seaworthiness of a vessel; and
 - (f) have a general knowledge of mooring operations and the handling of mooring ropes, including their respective uses.
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REGULATIONS

COUNCIL REGULATION (EU) 2019/2219

of 24 October 2019

on the allocation of fishing opportunities under the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 23 July 2007, the Council adopted Regulation (EC) No 894/2007 ⁽¹⁾ concluding the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ⁽²⁾ ('the Agreement'). The Agreement entered into force on 29 August 2011 and remains in force.
- (2) On 18 December 2017 the Council authorised the Commission to open negotiations with the Democratic Republic of São Tomé and Príncipe ('São Tomé and Príncipe') with a view to the conclusion of a new protocol to implement the Agreement.
- (3) The previous protocol to the Agreement expired on 22 May 2018.
- (4) The Commission has negotiated a new protocol on behalf of the Union. Following the conclusion of the negotiations, the new protocol was initialled on 17 April 2019.
- (5) In accordance with Council Decision (EU) 2019/2218 ⁽³⁾ the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community ('the Protocol') was signed on 19 December 2019.
- (6) The fishing opportunities provided for in the Protocol should be allocated among the Member States for the duration of application of the Protocol.
- (7) The Protocol will apply provisionally as from the the signature thereof in order to ensure an expeditious start to fishing activities by Union vessels. This Regulation should therefore apply from the same date,

HAS ADOPTED THIS REGULATION:

Article 1

Fishing opportunities

The fishing opportunities established under the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community shall be allocated among the Member States as follows:

(a) tuna seiners:

Spain:	16	vessels
France:	12	vessels

⁽¹⁾ Council Regulation (EC) No 894/2007 of 23 July 2007 on the conclusion of a Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community (OJ L 205, 7.8.2007, p. 35).

⁽²⁾ OJ L 205, 7.8.2007, p. 36.

⁽³⁾ Council Decision (EU) 2019/2218 of 24 October 2019 on the signing, on behalf of the European Union, and provisional application of the Protocol on the implementation of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community (see page 1 of this Official Journal).

(b) surface longliners:

Spain:	5	vessels
Portugal:	1	vessel

Article 2

Entry into force and application

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

It shall apply from 19 December 2019.

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

Done at Luxembourg, 24 October 2019.

For the Council
The President
A.-K. PEKONEN

COUNCIL REGULATION (EU) 2019/2220**of 19 December 2019****amending Regulation (EU) No 1388/2013 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) In order to ensure a sufficient and uninterrupted supply of certain agricultural and industrial products which are produced in insufficient quantities in the Union and thereby avoid any disturbances on the market for those products, autonomous tariff quotas were opened by Council Regulation (EU) No 1388/2013 ⁽¹⁾. Within those tariff quotas, products can be imported into the Union at reduced or zero duty rates.
- (2) As it is in the Union's interest to ensure an adequate supply of certain industrial products and having regard to the fact that identical, equivalent or substitute products are not produced in sufficient quantities within the Union, it is necessary to open new tariff quotas with order numbers 09.2586 to 09.2593 inclusive at zero duty rates for appropriate quantities of those products.
- (3) In the case of tariff quotas with order numbers 09.2594, 09.2595, 09.2596, 09.2597, 09.2598, 09.2599, 09.2738, 09.2742 and 09.2872, the quota volumes should be increased, as an increase is in the interest of the Union.
- (4) For the tariff quota with order number 09.2738, the reference to 'tin' in the product description should be replaced with 'zinc'.
- (5) For the tariff quotas with order numbers 09.2595, 09.2596, 09.2597, 09.2598 and 09.2599, the quota period should be prolonged from six months to one year.
- (6) As the scope of the tariff quota with order number 09.2652 has become inadequate to fulfil the needs of the economic operators in the Union, the description of the product covered by this quota should be amended.
- (7) The products covered by the tariff quota with order number 09.2740 are classifiable under TARIC code 2309 90 31 87 and not under TARIC code 2309 90 96 97. The indication of the applicable CN code and TARIC subheading for those products should therefore be amended.
- (8) As it is no longer in the Union's interest to maintain the tariff quotas with order numbers 09.2690, 09.2850, 09.2878, 09.2906, 09.2909, 09.2929 and 09.2932, they should be closed with effect from 1 January 2020.
- (9) For the tariff quota with order number 09.2828, it is in the interest of the Union to apply the quota only from 1 April to 31 October of each year, which are the months with the highest demand for the products concerned, and to reduce the volume by half.
- (10) The tariff quota with order number 09.2722 has been applied simultaneously with a suspension of tariff duties in accordance with Council Regulation (EU) No 1387/2013 ⁽²⁾ from 1 July 2019 to 31 December 2019. As that suspension should be closed with effect from 1 January 2020, it is in the interest of the Union to increase the quota volume.

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

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

- (11) The substances Dimethyl Sulphate (CAS RN 77-78-1), 2-Methylaniline (CAS RN 95-53-4) and 4,4'-Methanediyl-dianiline (CAS RN 101-77-9) are included on the candidate list referred to in Article 59 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽³⁾ and the substance with CAS RN 101-77-9 is included in Annex XIV to that Regulation. For that reason, existing tariff quotas for such products will be progressively closed and any newly opened tariff quotas will apply for a limited period. Therefore, the tariff quotas with order numbers 09.2648 and 09.2730 should apply only from 1 January 2020 to 30 June 2020 and the relevant quota volumes should be reduced in proportion. The tariff quota with order number 09.2590 should only be opened for the same period.
- (12) The early exhaustion of the tariff quota with order number 09.2872 indicated that demand for the product covered by this tariff quota is high and that the production capacity in the Union is insufficient to cover that demand. To enhance the competitive capacity of Union enterprises, the quota volume should be increased with a retroactive effect to cover the period from 1 January 2019 to 31 December 2019.
- (13) Taking into account the amendments to be made and for the sake of clarity, the Annex to Regulation (EU) No 1388/2013 should be replaced.
- (14) In order to avoid any interruption of the application of the tariff quota scheme and to comply with the guidelines set out in the communication from the Commission of 13 December 2011 concerning autonomous tariff suspensions and quotas, the changes provided for in this Regulation regarding the tariff quotas for the products concerned should apply from 1 January 2020 and, for the tariff quota with order number 09.2872, from 1 January 2019. This Regulation should therefore enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 1388/2013 is amended as follows:

- (1) the row for the tariff quota with order number 09.2872 is replaced by the following:

09.2872	ex 2833 29 80	40	Caesium sulphate (CAS RN 10294-54-9) in solid form or as aqueous solution containing by weight 48 % or more but not more than 52 % of caesium sulphate	1.1.-31.12.	200 tonnes	0 %
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- (2) it is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2020. However, point (1) of Article 1 shall apply from 1 January 2019 to 31 December 2019.

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

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

Done at Brussels, 19 December 2019.

For the Council
The President
K. MIKKONEN

ANNEX

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2637	ex 0710 40 00 ex 2005 80 00	20 30	Corn cobs (<i>Zea mays</i> var. <i>saccharata</i>) whether or not cut, with a diameter of 10 mm or more, but not more than 20 mm, for use in the manufacture of products of the food industry for treatment other than simple repacking ⁽¹⁾ ⁽²⁾ ⁽³⁾	1.1.-31.12.	550 tonnes	0 % ⁽³⁾
09.2849	ex 0710 80 69	10	Mushrooms of the species <i>Auricularia polytricha</i> (uncooked or cooked by steaming or boiling), frozen, for the manufacture of prepared meals ⁽¹⁾ ⁽²⁾	1.1.-31.12.	700 tonnes	0 %
09.2664	ex 2008 60 39	30	Sweet cherries containing added spirit, with a sugar content of not more than 9 % by weight, of a diameter of not more than 19,9 mm, with stones, for use in chocolate products ⁽²⁾	1.1.-31.12.	1 000 tonnes	10 %
09.2740	ex 2309 90 31	87	Soya bean protein concentrate containing by weight: — 60 % ($\pm$ 10 %) of crude protein, — 5 % ($\pm$ 3 %) of crude fibre, — 5 % ($\pm$ 3 %) of crude ash, and — 3 % or more but not more than 6,9 % of starch, for use in the manufacture of animal feed products ⁽²⁾	1.1.-31.12.	30 000 tonnes	0 %
09.2913	ex 2401 10 35 ex 2401 10 70 ex 2401 10 95 ex 2401 10 95 ex 2401 10 95 ex 2401 20 35 ex 2401 20 70 ex 2401 20 95 ex 2401 20 95 ex 2401 20 95	91 10 11 21 91 91 10 11 21 91	Natural unmanufactured tobacco, whether or not cut in regular size, having a custom value of not less than Euro 450 per 100 kg net weight, for use as binder or wrapper for the manufacture of goods falling within subheading 2402 10 00 ⁽²⁾	1.1.-31.12.	6 000 tonnes	0 %
09.2586	ex 2710 19 81 ex 2710 19 99	20 40	Catalytically hydroisomerized and dewaxed base oil of hydrogenated, highly isoparaffinic hydrocarbons, containing: — 90 % or more by weight of saturates, and — not more than 0,03 % by weight of sulphur, and with: — a viscosity index of 80 or more, but less than 120, and a kinematic viscosity of 5,0 cSt at 100 °C or more, but not more than 13,0 cSt at 100 °C	1.1.-30.6.	200 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2587	ex 2710 19 81 ex 2710 19 99	20 40	Catalytically hydroisomerized and dewaxed base oil of hydrogenated, highly isoparaffinic hydrocarbons, containing: — 90 % or more by weight of saturates, and — not more than 0,03 % by weight of sulphur, and with: — a viscosity index of 80 or more, but less than 120, and a kinematic viscosity of 5,0 cSt at 100 °C or more, but not more than 13,0 cSt at 100 °C	1.7.-31.12.	200 000 tonnes	0 %
09.2828	2712 20 90		Paraffin wax containing by weight less than 0,75 % of oil	1.4.-31.10.	60 000 tonnes	0 %
09.2600	ex 2712 90 39	10	Slack wax (CAS RN 64742-61-6)	1.1.-31.12.	100 000 tonnes	0 %
09.2928	ex 2811 22 00	40	Silica filler in the form of granules, with a purity by weight of 97 % or more of silicon dioxide	1.1.-31.12.	1 700 tonnes	0 %
09.2806	ex 2825 90 40	30	Tungsten trioxide, including blue tungsten oxide (CAS RN 1314-35-8 or CAS RN 39318-18-8)	1.1.-31.12.	12 000 tonnes	0 %
09.2872	ex 2833 29 80	40	Caesium sulphate (CAS RN 10294-54-9) in solid form or as aqueous solution containing by weight 48 % or more but not more than 52 % of caesium sulphate	1.1.-31.12.	200 tonnes	0 %
09.2837	ex 2903 79 30	20	Bromochloromethane (CAS RN 74-97-5)	1.1.-31.12.	600 tonnes	0 %
09.2933	ex 2903 99 80	30	1,3-Dichlorobenzene (CAS RN 541-73-1)	1.1.-31.12.	2 600 tonnes	0 %
09.2700	ex 2905 12 00	10	Propan-1-ol (propyl alcohol) (CAS RN 71-23-8)	1.1.-31.12.	15 000 tonnes	0 %
09.2830	ex 2906 19 00	40	Cyclopropylmethanol (CAS RN 2516-33-8)	1.1.-31.12.	20 tonnes	0 %
09.2851	ex 2907 12 00	10	o-cresol (CAS RN 95-48-7) having a purity of not less than 98,5 % by weight	1.1.-31.12.	20 000 tonnes	0 %
09.2704	ex 2909 49 80	20	2,2,2',2'-Tetrakis(hydroxymethyl)-3,3'-oxydipropan-1-ol (CAS RN 126-58-9)	1.1.-31.12.	500 tonnes	0 %
09.2624	2912 42 00		Ethylvanillin (3-ethoxy-4-hydroxybenzaldehyde) (CAS RN 121-32-4)	1.1.-31.12.	1 950 tonnes	0 %
09.2683	ex 2914 19 90	50	Calcium acetylacetonate (CAS RN 19372-44-2) for use in the manufacture of stabilisator systems in tablet form ⁽²⁾	1.1.-31.12.	200 tonnes	0 %
09.2852	ex 2914 29 00	60	Cyclopropyl methyl ketone (CAS RN 765-43-5)	1.1.-31.12.	300 tonnes	0 %
09.2638	ex 2915 21 00	10	Acetic acid (CAS RN 64-19-7) of a purity by weight of 99 % or more	1.1.-31.12.	1 000 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2972	2915 24 00		Acetic anhydride (CAS RN 108-24-7)	1.1.-31.12.	50 000 tonnes	0 %
09.2679	2915 32 00		Vinyl acetate (CAS RN 108-05-4)	1.1.-31.12.	400 000 tonnes	0 %
09.2728	ex 2915 90 70	85	Ethyl trifluoroacetate (CAS RN 383-63-1)	1.1.-31.12.	400 tonnes	0 %
09.2665	ex 2916 19 95	30	Potassium (E,E)-hexa-2,4-dienoate (CAS RN 24634-61-5)	1.1.-31.12.	8 250 tonnes	0 %
09.2684	ex 2916 39 90	28	2,5-dimethylphenylacetyl chloride (CAS RN 55312-97-5)	1.1.-31.12.	400 tonnes	0 %
09.2599	ex 2917 11 00	40	Diethyl oxalate (CAS RN 95-92-1)	1.1.-31.12.	500 tonnes	0 %
09.2769	ex 2917 13 90	10	Dimethyl sebacate (CAS RN 106-79-6)	1.1.-31.12.	1 000 tonnes	0 %
09.2634	ex 2917 19 80	40	Dodecanedioic acid (CAS RN 693-23-2), of a purity by weight of more than 98,5 %	1.1.-31.12.	4 600 tonnes	0 %
09.2808	ex 2918 22 00	10	O-acetylsalicylic acid (CAS RN 50-78-2)	1.1.-31.12.	120 tonnes	0 %
09.2646	ex 2918 29 00	75	Octadecyl 3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate (CAS RN 2082-79-3) with: — a sieve passing fraction at a mesh width of 500 µm of more than 99 % by weight, and — a melting point of 49 °C or more, but not more than 54 °C, for use in the manufacture of PVC processing stabilizer-one packs based on powder mixtures (powders or press granulates) ⁽²⁾	1.1.-31.12.	380 tonnes	0 %
09.2647	ex 2918 29 00	80	Pentaerythritol tetrakis(3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate) (CAS RN 6683-19-8) with: — a sieve passing fraction at a mesh width of 250 µm of more than 75 % by weight and at a mesh width of 500 µm of more than 99 % by weight, and — a melting point of 110 °C or more, but not more than 125 °C, for use in the manufacture of PVC processing stabilizer-one packs based on powder mixtures (powders or press granulates) ⁽²⁾	1.1.-31.12.	140 tonnes	0 %
09.2975	ex 2918 30 00	10	Benzophenone-3,3',4,4'-tetracarboxylic dianhydride (CAS RN 2421-28-5)	1.1.-31.12.	1 000 tonnes	0 %
09.2688	ex 2920 29 00	70	Tris (2,4-di-tert-butylphenyl)phosphite (CAS RN 31570-04-4)	1.1.-31.12.	6 000 tonnes	0 %
09.2648	ex 2920 90 10	70	Dimethyl Sulphate (CAS RN 77-78-1)	1.1.-30.6.	9 000 tonnes	0 %
09.2598	ex 2921 19 99	75	Octadecylamine (CAS RN 124-30-1)	1.1.-31.12.	400 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2649	ex 2921 29 00	60	Bis(2-dimethylaminoethyl)(methyl)amine (CAS RN 3030-47-5)	1.1.-31.12.	1 700 tonnes	0 %
09.2682	ex 2921 41 00	10	Aniline (CAS RN 62-53-3) with a purity by weight of 99 % or more	1.1.-31.12.	150 000 tonnes	0 %
09.2617	ex 2921 42 00	89	4-Fluoro-N-(1-methylethyl)benzeneamine (CAS RN 70441-63-3)	1.1.-31.12.	500 tonnes	0 %
09.2590	ex 2921 43 00	75	2-Methylaniline (CAS RN 95-53-4)	1.1.-30.6.	1 000 kilograms	0 %
09.2602	ex 2921 51 19	10	o-phenylenediamine (CAS RN 95-54-5)	1.1.-31.12.	1 800 tonnes	0 %
09.2730	ex 2921 59 90	80	4,4'-Methanediyl dianiline (CAS RN 101-77-9) in form of granules, for use in the manufacture of prepolymers ⁽²⁾	1.1.-30.6.	100 tonnes	0 %
09.2591	ex 2922 41 00	10	L-Lysine hydrochloride (CAS RN 657-27-2)	1.1.-31.12.	445 000 tonnes	0 %
09.2592	ex 2922 50 00	25	L-Threonine (CAS RN 72-19-5)	1.1.-31.12.	166 000 tonnes	0 %
09.2854	ex 2924 19 00	85	3-iodoprop-2-yn-1-yl butylcarbamate (CAS RN 55406-53-6)	1.1.-31.12.	250 tonnes	0 %
09.2874	ex 2924 29 70	87	Paracetamol (INN) (CAS RN 103-90-2)	1.1.-31.12.	20 000 tonnes	0 %
09.2742	ex 2926 10 00	10	Acrylonitrile (CAS RN 107-13-1), for use in the manufacture of goods of chapter 55 and heading 6815 ⁽²⁾	1.1.-31.12.	60 000 tonnes	0 %
09.2856	ex 2926 90 70	84	2-Nitro-4(trifluoromethyl)benzonitrile (CAS RN 778-94-9)	1.1.-31.12.	900 tonnes	0 %
09.2708	ex 2928 00 90	15	Monomethylhydrazine (CAS 60-34-4) in the form of an aqueous solution with a content by weight of monomethylhydrazine of 40 (± 5) %	1.1.-31.12.	900 tonnes	0 %
09.2685	ex 2929 90 00	30	Nitroguanidine (CAS RN 556-88-7)	1.1.-31.12.	6 500 tonnes	0 %
09.2597	ex 2930 90 98	94	Bis[3-(triethoxysilyl)propyl]disulphide (CAS RN 56706-10-6)	1.1.-31.12.	6 000 tonnes	0 %
09.2596	ex 2930 90 98	96	2-Chloro-4-(methylsulphonyl)-3-((2,2,2-trifluoroethoxy)methyl) benzoic acid (CAS RN 120100-77-8)	1.1.-31.12.	300 tonnes	0 %
09.2842	2932 12 00		2-Furaldehyde (furfuraldehyde)	1.1.-31.12.	10 000 tonnes	0 %
09.2955	ex 2932 19 00	60	Flurtamone (ISO) (CAS RN 96525-23-4)	1.1.-31.12.	300 tonnes	0 %
09.2696	ex 2932 20 90	25	Decan-5-olide (CAS RN 705-86-2)	1.1.-31.12.	6 000 kilograms	0 %
09.2697	ex 2932 20 90	30	Dodecan-5-olide (CAS RN 713-95-1)	1.1.-31.12.	6 000 kilograms	0 %
09.2812	ex 2932 20 90	77	Hexan-6-olide (CAS RN 502-44-3)	1.1.-31.12.	4 000 tonnes	0 %
09.2858	2932 93 00		Piperonal (CAS RN 120-57-0)	1.1.-31.12.	220 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2673	ex 2933 39 99	43	2,2,6,6-Tetramethylpiperidin-4-ol (CAS RN 2403-88-5)	1.1.-31.12.	1 000 tonnes	0 %
09.2674	ex 2933 39 99	44	Chlorpyrifos (ISO) (CAS RN 2921-88-2)	1.1.-31.12.	9 000 tonnes	0 %
09.2880	ex 2933 59 95	39	Ibrutinib (INN) (CAS RN 936563-96-1)	1.1.-31.12.	5 tonnes	0 %
09.2860	ex 2933 69 80	30	1,3,5-Tris[3-(dimethylamino)propyl]hexahydro-1,3,5-triazine (CAS RN 15875-13-5)	1.1.-31.12.	600 tonnes	0 %
09.2595	ex 2933 99 80	49	1,4,7,10-Tetraazacyclododecane (CAS RN 294-90-6)	1.1.-31.12.	40 tonnes	0 %
09.2658	ex 2933 99 80	73	5-(Acetoacetyl amino)benzimidazolone (CAS RN 26576-46-5)	1.1.-31.12.	400 tonnes	0 %
09.2593	ex 2934 99 90	67	5-Chlorothiophene-2-carboxylic acid (CAS RN 24065-33-6)	1.1.-31.12.	45 000 kilograms	0 %
09.2675	ex 2935 90 90	79	4-[[2-Methoxybenzoyl]amino]sulfonyl]benzoyl chloride (CAS RN 816431-72-8)	1.1.-31.12.	1 000 tonnes	0 %
09.2710	ex 2935 90 90	91	2,4,4-trimethylpentan-2-aminium (3R,5S,6E)-7-{2-[(ethylsulfonyl)amino]-4-(4-fluorophenyl)-6-(propan-2-yl)pyrimidin-5-yl}-3,5-dihydroxyhept-6-enoate (CAS RN 917805-85-7)	1.1.-31.12.	5 000 kilograms	0 %
09.2945	ex 2940 00 00	20	D-Xylose (CAS RN 58-86-6)	1.1.-31.12.	400 tonnes	0 %
09.2686	ex 3204 11 00	75	Colourant C.I. Disperse Yellow 54 (CAS RN 7576-65-0) and preparations based thereon with a colourant C.I. Disperse Yellow 54 content of 99 % or more by weight	1.1.-31.12.	250 tonnes	0 %
09.2676	ex 3204 17 00	14	Preparations based on Colourant C.I. Pigment Red 48:2 (CAS RN 7023-61-2) with a content thereof of 60 % or more but less than 85 % by weight	1.1.-31.12.	50 tonnes	0 %
09.2698	ex 3204 17 00	30	Colourant C.I. Pigment Red 4 (CAS RN 2814-77-9) and preparations based thereon with a colourant C.I. Pigment Red 4 content of 60 % or more by weight	1.1.-31.12.	150 tonnes	0 %
09.2659	ex 3802 90 00	19	Soda flux calcinated diatomaceous earth	1.1.-31.12.	35 000 tonnes	0 %
09.2908	ex 3804 00 00	10	Sodium lignosulphonate (CAS RN 8061-51-6)	1.1.-31.12.	40 000 tonnes	0 %
09.2889	3805 10 90		Sulphate turpentine	1.1.-31.12.	25 000 tonnes	0 %
09.2935	ex 3806 10 00	10	Rosin and resin acids obtained from fresh oleoresins	1.1.-31.12.	280 000 tonnes	0 %
09.2832	ex 3808 92 90	40	Preparation containing 38 % or more but not more than 50 % by weight of pyrethrin zinc (INN) (CAS RN 13463-41-7) in an aqueous dispersion	1.1.-31.12.	500 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2876	ex 3811 29 00	55	Additives consisting of reaction products of diphenylamine and branched nonenes containing by weight: — 28 % or more, but not more than 55 % of 4-monononyldiphenylamine, — 45 % or more but not more than 65 % of 4,4'-dinonyldiphenylamine, and — not more than 5 % of 2,4-dinonyldiphenylamine and 2,4'-dinonyldiphenylamine, used for the manufacture of lubricating oils (?)	1.1.-31.12.	900 tonnes	0 %
09.2814	ex 3815 90 90	76	Catalyst consisting of titanium dioxide and tungsten trioxide	1.1.-31.12.	3 000 tonnes	0 %
09.2820	ex 3824 79 00	10	— Mixtures containing by weight: — 60 % or more but not more than 90 % of 2-chloropropene (CAS RN 557-98-2), — 8 % or more but not more than 14 % of (Z)-1-chloropropene (CAS RN 16136-84-8), — 5 % or more but not more than 23 % of 2-chloropropane (CAS RN 75-29-6), — not more than 6 % of 3-chloropropene (CAS RN 107-05-1), and — not more than 1 % of ethyl chloride (CAS RN 75-00-3)	1.1.-31.12.	6 000 tonnes	0 %
09.2644	ex 3824 99 92	77	— Preparation containing by weight: — 55 % or more but not more than 78 % of dimethyl glutarate (CAS RN 1119-40-0), — 10 % or more but not more than 30 % of dimethyl adipate (CAS RN 627-93-0), and — not more than 35 % of dimethyl succinate (CAS RN 106-65-0)	1.1.-31.12.	10 000 tonnes	0 %
09.2681	ex 3824 99 92	85	Mixture of bis [3-(triethoxysilyl)propyl]sulphides (CAS RN 211519-85-6)	1.1.-31.12.	9 000 tonnes	0 %
09.2650	ex 3824 99 92	87	Acetophenone (CAS RN 98-86-2), with a purity by weight of 60 % or more but not more than 90 %	1.1.-31.12.	2 000 tonnes	0 %
09.2888	ex 3824 99 92	89	— Mixture of tertiary alkyl dimethyl amines containing by weight: — 60 % or more but not more than 80 % of dodecyl dimethylamine (CAS RN 112-18-5), and — 20 % or more but not more than 30 % of dimethyl(tetradecyl)amine (CAS RN 112-75-4)	1.1.-31.12.	25 000 tonnes	0 %
09.2829	ex 3824 99 93	43	Solid extract of the residual, insoluble in aliphatic solvents, obtained during the extraction of rosin from wood, having the following characteristics: — a resin acid content not exceeding 30 % by weight, — an acid number not exceeding 110, and — a melting point of 100° C or more	1.1.-31.12.	1 600 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2907	ex 3824 99 93	67	Mixture of phytosterols, in the form of powder, containing by weight: — 75 % or more of sterols, — not more than 25 % of stanols, for use in the manufacture of stanols/sterols or stanol/sterol esters ⁽²⁾	1.1.-31.12.	2 500 tonnes	0 %
09.2639	3905 30 00		Poly(vinyl alcohol), whether or not containing unhydrolysed acetate groups	1.1.-31.12.	15 000 tonnes	0 %
09.2671	ex 3905 99 90	81	Poly(vinyl butyral)(CAS RN 63148-65-2): — containing by weight 17,5 % or more, but not more than 20 % of hydroxyl groups, and — with a median particle size (D50) of more than 0,6 mm	1.1.-31.12.	12 500 tonnes	0 %
09.2846	ex 3907 40 00	25	Polymer blend of polycarbonate and poly(methyl methacrylate) with a polycarbonate content of not less than 98,5 % by weight, in the form of pellets or granules, with a luminous transmittance of not less than 88,5 %, measured using a test sample with a thickness of 4 mm at a wavelength of λ = 400 nm (according to ISO 13468-2)	1.1.-31.12.	2 000 tonnes	0 %
09.2723	ex 3911 90 19	10	Poly(oxy-1,4-phenylenesulphonyl-1,4-phenyleneoxy-4,4'-biphenylene)	1.1.-31.12.	5 000 tonnes	0 %
09.2816	ex 3912 11 00	20	Cellulose acetate flakes	1.1.-31.12.	75 000 tonnes	0 %
09.2864	ex 3913 10 00	10	Sodium alginate, extracted from brown seaweed (CAS RN 9005-38-3)	1.1.-31.12.	10 000 tonnes	0 %
09.2641	ex 3913 90 00	87	— Sodium hyaluronate, non sterile, with: — a weight average molecular weight (M_w) of not more than 900 000, — an endotoxin level of not more than 0,008 Endotoxin units (EU)/mg, — an ethanol content of not more than 1 % by weight, — an isopropanol content of not more than 0,5 % by weight	1.1.-31.12.	200 kilograms	0 %
09.2661	ex 3920 51 00	50	— Sheets of polymethylmethacrylate conforming to standards: — EN 4364 (MIL-P-5425E) and DTD5592A, or — EN 4365 (MIL-P-8184) and DTD5592A	1.1.-31.12.	100 tonnes	0 %
09.2645	ex 3921 14 00	20	Cellular block of regenerated cellulose, impregnated with water containing magnesium chloride and quaternary ammonium compounds, measuring 100 cm ($\pm$ 10 cm) x 100 cm ($\pm$ 10 cm) x 40 cm ($\pm$ 5 cm)	1.1.-31.12.	1 700 tonnes	0 %
09.2848	ex 5505 10 10	10	Waste of synthetic fibres (including noils, yarn waste, and garnetted stock) of nylon or other polyamides (PA6 and PA66)	1.1.-31.12.	10 000 tonnes	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2721	ex 5906 99 90	20	Woven and laminated rubberised textile fabric with the following characteristics: — with three layers, — one outer layer consists of acrylic fabric, — the other outer layer consists of polyester fabric, — the middle layer consists of chlorobutyl rubber, — the middle layer has a weight of 452 g/m ² or more but not more than 569 g/m ² , — the textile fabric has a total weight of 952 g/m ² or more but not more than 1 159 g/m ² , and — the textile fabric has a total thickness of 0,8 mm or more but not more than 4 mm, used for the manufacture of the retractable roof of motor vehicles (?)	1.1.-31.12.	375 000 square meters	0 %
09.2594	ex 6909 19 00	55	Ceramic-carbon absorption cartridges with the following characteristics: — extruded fired ceramic bound multicellular cylindrical structure — 10 or more % by weight but not more than 30 % by weight of activated carbon, — 70 or more % by weight but not more than 90 % by weight of ceramic binder, — with a diameter of 29 mm or more but not more than 41 mm, — a length of not more than 150 mm, — fired at temperature of 800 °C or more, and — for vapours adsorption, of a kind used for assembly in fuel vapours absorbers in fuel systems of motor vehicles	1.1.-31.12.	1 000 000 pieces	0 %
09.2866	ex 7019 12 00 ex 7019 12 00	06 26	S glass stratifils (rovings): — composed of continuous glass filaments of 9 µm (±0,5 µm), — measuring 200 tex or more but not more than 680 tex, — not containing any calcium oxide, and — with a breaking strength of more than 3 550 MPa determined by ASTM D2343-09, for use in the manufacture of aeronautics (?)	1.1.-31.12.	1 000 tonnes	0 %
09.2628	ex 7019 52 00	10	Glass web woven from glass fibre coated in plastic, of a weight of 120 g/m ² (± 10 g/m ²), of a type used in rolling insect screens with fixed frames	1.1.-31.12.	3 000 000 square meters	0 %
09.2799	ex 7202 49 90	10	Ferro-chromium containing 1,5 % or more but not more than 4 % by weight of carbon and not more than 70 % of chromium	1.1.-31.12.	50 000 tonnes	0 %

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

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2722	8104 11 00		Unwrought magnesium, containing at least 99,8 % by weight of magnesium	1.1.-31.12.	120 000 tonnes	0 %
09.2840	ex 8104 30 00	20	— Magnesium powder: — of purity by weight of 98 % or more, but not more than 99,5 %, and — with a particle size of 0,2 mm or more but not more than 0,8 mm	1.1.-31.12.	2 000 tonnes	0 %
09.2629	ex 8302 49 00	91	Aluminium telescopic handle for use in the manufacture of luggage (?)	1.1.-31.12.	1 500 000 pieces	0 %
09.2720	ex 8413 91 00	50	Pump head for two cylinder high pressure pump made of forged steel, with: — milled threaded fittings with a diameter of 10 mm or more but not more than 36,8 mm, and — drilled fuel channels with a diameter of 3,5 mm or more but not more than 10 mm, of a kind used in diesel injection systems	1.1.-31.12.	65 000 pieces	0 %
09.2738	ex 8482 99 00	30	Brass cages with the following characteristics: — continuously or centrifugally cast, — turned, — containing by weight 35 % or more, but not more than 38 % of zinc, — containing by weight 0,75 % or more, but not more than 1,25 % of lead, — containing by weight 1,0 % or more, but not more than 1,4 % of aluminium, and — with a tensile strength of 415 Pa or more, of a kind used for the manufacture of ball bearings	1.1.-31.12.	50 000 pieces	0 %
09.2763	ex 8501 40 20 ex 8501 40 80	40 30	Electric AC commutator motor, single-phase, with an output of 250 W or more, an input power of 700 W or more but not more than 2 700 W, an external diameter of more than 120 mm ($\pm 0,2$ mm) but not more than 135 mm ($\pm 0,2$ mm), a rated speed of more than 30 000 rpm but not more than 50 000 rpm, equipped with air-inducting ventilator, for use in the manufacture of vacuum cleaners (?)	1.1.-31.12.	2 000 000 pieces	0 %
09.2588	ex 8529 90 92	56	LCD display with: — a touch panel, — at least one printed circuit board for simple slave device pixel addressing (Timing Controller function) and touch control, with EEPROM (Electrically Erasable Programmable Read-Only Memory) for display settings,	1.1.-30.6.	450 000 pieces	0 %

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
			— a diagonal screen measurement of 15 cm or more but not more than 21 cm, — a backlight, — a LVDS (Low Voltage Differential Signalling) and a power supply connector, — a viewing angle of 70 degree, or more, and — a luminance of 715 cd/m ² , or more, for use in the manufacture of motor vehicles of Chapter 87 ⁽²⁾			
09.2672	ex 8529 90 92 ex 9405 40 39	75 70	Printed circuit board with LED diodes: — whether or not equipped with prisms/lens, and — whether or not fitted with connector(s), for the manufacture of backlight units for goods of heading 8528 ⁽²⁾	1.1.-31.12.	115 000 000 pieces	0 %
09.2003	ex 8543 70 90	63	Voltage controlled frequency generator, consisting of active and passive elements mounted on a printed circuit, contained in a housing with dimensions of not more than 30 mm x 30 mm	1.1.-31.12.	1 400 000 pieces	0 %
09.2910	ex 8708 99 97	75	Aluminium alloy support bracket, with mounting holes, whether or not with fixation nuts, for indirect connection of the gearbox to the car body for use in the manufacture of goods of Chapter 87 ⁽²⁾	1.1.-31.12.	200 000 pieces	0 %
09.2694	ex 8714 10 90	30	Axle clamps, housings, fork bridges and clamping pieces, of aluminium alloy of a kind used for motor bikes	1.1.-31.12.	1 000 000 pieces	0 %
09.2668	ex 8714 91 10 ex 8714 91 10 ex 8714 91 10	21 31 75	Bicycle frame, constructed from carbon fibres and artificial resin, for use in the manufacture of bicycles (including electric bicycles) ⁽²⁾	1.1.-31.12.	350 000 pieces	0 %
09.2589	ex 8714 91 10 ex 8714 91 10 ex 8714 91 10	23 33 70	Frame, constructed from aluminium or aluminium and carbon fibres, for the use in the manufacture of bicycles (including electric bicycles) ⁽²⁾	1.1.-31.12.	8 000 000 pieces	0 %
09.2631	ex 9001 90 00	80	Unmounted glass lenses, prisms and cemented elements for use in the manufacture or repair of goods of CN codes 9002, 9005, 9013 10 and 9015 ⁽²⁾	1.1.-31.12.	5 000 000 pieces	0 %

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

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

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

COMMISSION IMPLEMENTING REGULATION (EU) 2019/2221**of 12 December 2019****amending Implementing Regulation (EU) No 612/2013 as regards the data registered in messages relating to the registration of economic operators and tax warehouses in the national registers and the Central Register**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) No 389/2012 of 2 May 2012 on administrative cooperation in the field of excise duties and repealing Regulation (EC) No 2073/2004 ⁽¹⁾, and in particular Article 22 thereof,

Whereas:

- (1) Annex I to Commission Implementing Regulation (EU) No 612/2013 ⁽²⁾ lays down the structure and content of messages relating to the registration of economic operators and tax warehouses in the national registers and the Central Register.
- (2) In order to achieve consistency between the structure of common request messages defined in Implementing Regulation (EU) No 612/2013 and in Commission Implementing Regulation (EU) 2016/323 ⁽³⁾, the possible values for the 'Request Type' data item should be modified in Table 1 of Annex I to Implementing Regulation (EU) No 612/2013 taking into account changes in the data requirements of a new version of the computerised system established by Decision No 1152/2003/EC of the European Parliament and of the Council ⁽⁴⁾.
- (3) The explanation in column F in Table 1 of Annex I to Implementing Regulation (EU) No 612/2013 should be updated to provide a clear identification of the 'Value' data element when the 'Primary Criterion' type code is set to the value '46 = Type of Transport'.
- (4) There is a need for further technical corrections of Table 1 of Annex I to Implementing Regulation (EU) No 612/2013 in order to bring clarity and precision to the applicable provisions.
- (5) Implementing Regulation (EU) No 612/2013 should therefore be amended accordingly.
- (6) In order to align the application date of this Regulation with the application date for a new version of the computerised system established by Decision No 1152/2003/EC, this Regulation should apply from 13 February 2020.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Excise Duty,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Implementing Regulation (EU) No 612/2013 is amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 121, 8.5.2012, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 612/2013 of 25 June 2013 on the operation of the register of economic operators and tax warehouses, related statistics and reporting pursuant to Council Regulation (EU) No 389/2012 on administrative cooperation in the field of excise duties (OJ L 173, 26.6.2013, p. 9).

⁽³⁾ Commission Implementing Regulation (EU) 2016/323 of 24 February 2016 laying down detailed rules on cooperation and exchange of information between Member States regarding goods under excise duty suspension pursuant to Council Regulation (EU) No 389/2012 (OJ L 66, 11.3.2016, p. 1).

⁽⁴⁾ Decision No 1152/2003/EC of the European Parliament and of the Council of 16 June 2003 on computerising the movement and surveillance of excisable products (OJ L 162, 1.7.2003, p. 5).

Article 2

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

It shall apply from 13 February 2020.

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

Done at Brussels, 12 December 2019.

For the Commission

The President

Ursula VON DER LEYEN

In Annex I to Regulation (EU) No 612/2013, Table 1 is replaced by the following:

Table 1

Common request

(referred to in Article 4(5), Article 7(2) and Article 8(2))

A	B	C	D	E	F	G
1		ATTRIBUTES	R			
	<i>a</i>	Request Type	R		The possible values are: 1 = (reserved) 2 = Request for reference data 3 = (reserved) 4 = (reserved) 5 = Request for re-synchronisation of the register of economic operators 6 = Request for retrieval of a list of e-ADs 7 = Request for SEED statistics	n1
	<i>b</i>	Request Message Name	C	— 'R' if <Request Type> is '2' — Does not apply otherwise (see Request Type in box 1a)	The possible values are: 'C_COD_DAT' = Common list of codes 'C_PAR_DAT' = Common system parameters 'ALL' = For complete structure	an..9
	<i>c</i>	Requesting Office	R		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
	<i>d</i>	Request Correlation Identifier	C	— 'R' if <Request Type> is '2', '5', '6' or '7' — Does not apply otherwise (see Request Type in box 1a)	The value of <Request Correlation Identifier> is unique per Member State.	an..44
	<i>e</i>	Start Date	C	For 1 <i>e</i> and <i>f</i> :		date
	<i>f</i>	End Date	C	— 'R' if <Request Type> is '2' or '5' — Does not apply otherwise (see Request Type in box 1a)		date

A	B	C	D	E	F	G
	g	Single Date	C	— 'R' if <Request Type> is '2' or '5' — Does not apply otherwise (see Request Type in box 1a)		date
2		E-AD LIST REQUEST	C	— 'R' if <Request Type> is '6' — Does not apply otherwise (see Request Type in box 1a)		
	a	Member State Code	R		(see Code list 3 in Annex II to Regulation (EC) No 684/2009)	a2
2.1		RA_PRIMARY CRITERION	R			99x
	a	Primary Criterion Type Code	R		The possible values are: 1 = ARC 2 = Brand name of product 3 = Categories of excise products of the movement 4 = (reserved) 5 = (reserved) 6 = (reserved) 7 = (reserved) 8 = City of consignee 9 = City of consignor 10 = City of guarantor 11 = (reserved) 12 = City of place of delivery 13 = City of tax warehouse of dispatch 14 = City of transporter 15 = CN code of product 16 = Date of invoice 17 = Excise number of consignee 18 = Excise number of consignor 19 = Excise number of guarantor 20 = (reserved)	n..2

A	B	C	D	E	F	G
					21 = (reserved) 22 = Excise number of the tax warehouse of destination 23 = Excise number of the tax warehouse of dispatch 24 = (reserved) 25 = Excise product code 26 = Journey time 27 = Member State of destination 28 = Member State of dispatch 29 = Name of consignee 30 = Name of consignor 31 = Name of guarantor 32 = (reserved) 33 = Name of place of delivery 34 = Name of tax warehouse of dispatch 35 = Name of transporter 36 = Number of invoice 37 = Postal code of consignee 38 = Postal code of consignor 39 = Postal code of guarantor 40 = (reserved) 41 = Postal code of place of delivery 42 = Postal code of tax warehouse of dispatch 43 = Postal code of transporter 44 = Quantity of goods (in an e-AD body) 45 = Local Reference Number, being a serial number, assigned by the consignor 46 = Type of transport 47 = (reserved) 48 = (reserved)	

A	B	C	D	E	F	G
					49 = VAT number of the consignee 50 = (reserved) 51 = VAT number of the transporter 52 = Change of destination (sequence number ≥ 2)	
2.1.1		RA_PRIMARY VALUE	O			99x
	<i>a</i>	Value	R		If <Primary Criterion Type Code> is '46' (Type of transport), then an existing <Transport Mode Code> in the list of <TRANSPORT MODES> shall be used.	an..255
3		STA_REQUEST	C	— 'R' if <Request Type> is '7' — Does not apply otherwise (see <i>Request Type</i> in box 1a)		
	<i>a</i>	Statistic Type	R		The possible values are: 1 = Active and inactive economic operators 2 = Pending expirations 3 = Economic operators by type and tax warehouses 4 = Excise activity 5 = Changes to excise authorisations	n1
3.1		LIST OF MEMBER STATES Code	R			99x
	<i>a</i>	Member State Code	R		(see <i>Code list 3</i> in Annex II to Regulation (EC) No 684/2009)	a2
4		STA_PERIOD	C	— 'R' if <Request Type> is '7' — Does not apply otherwise (see <i>Request Type</i> in box 1a)		
	<i>a</i>	Year	R			n4

A	B	C	D	E	F	G
	<i>b</i>	Semester	C	For 4 <i>b</i> , <i>c</i> , and <i>d</i> : The three following data fields are optional and exclusive: — <Semester> — <Quarter> — <Month> i.e. If one of these data fields is given then the two other data fields do not apply	The possible values are: 1 = First semester 2 = Second semester	n1
	<i>c</i>	Quarter	C		The possible values are: 1 = First quarter 2 = Second quarter 3 = Third quarter 4 = Fourth quarter	n1
	<i>d</i>	Month	C		The possible values are: 1 = January 2 = February 3 = March 4 = April 5 = May 6 = June 7 = July 8 = August 9 = September 10 = October 11 = November 12 = December	n..2
5		REF_REQUEST	C	— 'R' if <Request Type> is '2' — Does not apply otherwise (see <i>Request Type</i> in box 1a)		

A	B	C	D	E	F	G
	<i>a</i>	Common Risk Assessment Criteria flag	O		The possible values are: 0 = No or False 1 = Yes or True	n1
5.1		LIST OF CODES Code	O			99x
	<i>a</i>	Requested List of Code	O		The possible values are: 1 = Units of measure 2 = Events types 3 = Evidence types 4 = (reserved) 5 = (reserved) 6 = Language codes 7 = Member States 8 = Country codes 9 = Packaging codes 10 = Reasons for unsatisfactory receipt or control report 11 = Reasons for interruption 12 = (reserved) 13 = Transport modes 14 = Transport units 15 = Wine-growing zones 16 = Wine operation codes 17 = Excise product categories 18 = Excise products 19 = CN codes 20 = Correspondences CN code Excise product	n..2

A	B	C	D	E	F	G
					21 = Cancellation reasons 22 = Alert or rejection of e-AD reasons 23 = Delay explanations 24 = (reserved) 25 = Event submitting persons 26 = Refusal reasons 27 = Reasons for delayed result 28 = Request actions 29 = Request reasons 30 = (reserved) 31 = (reserved) 32 = (reserved) 33 = (reserved) 34 = Administrative cooperation action not possible reasons 35 = (reserved) 36 = Type of document 37 = (reserved) 38 = (reserved) 39 = Manual Closure Request Reasons 40 = Manual Closure Rejection Reasons'	

COMMISSION IMPLEMENTING REGULATION (EU) 2019/2222**of 12 December 2019****amending Regulation (EC) No 684/2009 implementing Council Directive 2008/118/EC as regards the data to be submitted under the computerised procedures for the movement of excise goods under suspension of excise duty**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC ⁽¹⁾, and in particular Article 29(1) thereof,

Whereas:

- (1) Annex I to Commission Regulation (EC) No 684/2009 ⁽²⁾ lays down the structure and content of electronic messages used for the purpose of movements of excise goods under suspension of excise duty, as well as the codes required for the completion of certain data items in those messages.
- (2) The computerised system established by Decision No 1152/2003/EC of the European Parliament and of the Council ⁽³⁾ for the purpose of movement of excise goods under suspension of excise duty does not have a standard way of referring to any electronic or paper attachments. This means that finding the link between an electronic administrative document and an attachment is not clear and has to be done manually, which is burdensome for tax authorities. In order to make the system more efficient, there is a need to provide for a common and automatic way of linking an electronic administrative document with attached documents, the content of electronic messages should be updated. In particular, the 'DOCUMENT Certificate' data group should be updated by including only one additional set of information concerning 'Document Type' and 'Document Reference' data elements.
- (3) During the submission or split of an electronic administrative document, where goods from two or more body records are included in the same group of packages, the first body record should mention the actual number of packages and subsequent body records should set the number of packages to zero. In order to avoid rejection of a message due to the missing number of packages in those body records, if there is more than one body record in the electronic administrative document, the value of the 'Number of packages' data item should be greater than zero in at least one of the data item's occurrences.
- (4) Regulation (EC) No 684/2009 should therefore be amended accordingly.
- (5) In order to align the application date of this Regulation with the application date of a new version of the computerised system established by Decision No 1152/2003/EC, this Regulation should apply from 13 February 2020.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Excise Duty,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 684/2009 is amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 9, 14.1.2009, p. 12.

⁽²⁾ Commission Regulation (EC) No 684/2009 of 24 July 2009 implementing Council Directive 2008/118/EC as regards the computerised procedures for the movement of excise goods under suspension of excise duty (OJ L 197, 29.7.2009, p. 24).

⁽³⁾ Decision No 1152/2003/EC of the European Parliament and of the Council of 16 June 2003 on computerising the movement and surveillance of excisable products (OJ L 162, 1.7.2003, p. 5).

Article 2

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

It shall apply from 13 February 2020.

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

Done at Brussels, 12 December 2019.

For the Commission

The President

Ursula VON DER LEYEN

In Annex I to Regulation (EC) No 684/2009, tables 1 and 5 are replaced by the following:

Table 1

(referred to in Article 3(1) and Article 8(1))

Draft electronic administrative document and electronic administrative document

A	B	C	D	E	F	G
		ATTRIBUTE	R			
	<i>a</i>	Message Type	R		The possible values are: 1 = Standard submission (to be used in all cases except where submission concerns export with local clearance), 2 = Submission for export with local clearance. The message type must not occur in the e-AD to which an ARC has been assigned, nor in the paper document referred to in Article 8(1) of this Regulation.	n1
	<i>b</i>	Deferred Submission Flag	D	'R' for submission of an e-AD for a movement that has begun under cover of the paper document referred to in Article 8(1)	Possible values: 0 = false, 1 = true. The value is 'false' by default. This data element must not occur in the e-AD to which an ARC has been assigned, nor in the paper document referred to in Article 8(1).	n1
1		EXCISE MOVEMENT E-AD	R			
	<i>a</i>	Destination Type Code	R		Provide the destination of the movement using one of the following values: 1 = Tax warehouse (point (i) of Article 17(1)(a) of Directive 2008/118/EC),	n1

A	B	C	D	E	F	G
					2 = Registered consignee (point (ii) of Article 17(1)(a) of Directive 2008/118/EC), 3 = Temporary registered consignee (point (ii) of Article 17(1)(a) and Article 19(3) of Directive 2008/118/EC), 4 = Direct delivery (Article 17(2) of Directive 2008/118/EC), 5 = Exempted consignee (point (iv) of Article 17(1)(a) of Directive 2008/118/EC), 6 = Export (point (iii) of Article 17(1)(a) of Directive 2008/118/EC), 8 = Unknown destination (consignee unknown; Article 22 of Directive 2008/118/EC).	
	<i>b</i>	Journey Time	R		Provide the normal period of time necessary for the journey taking into account the means of transport and the distance involved, expressed in hours (H) or days (D) followed by a two-digit number (examples: H12, or D04). Indication for 'H' should be less or equal to 24. Indication for 'D' should be less or equal to the possible values of Maximum Journey Time per Transport Mode Code presented in Code list 13 of Annex II.	an3
	<i>c</i>	Transport Arrangement	R		Identify the person responsible for arranging the first transport using one of the following values: 1 = Consignor, 2 = Consignee, 3 = Owner of goods, 4 = Other.	n1
	<i>d</i>	ARC	R	To be provided by the competent authorities of the Member State of dispatch upon validation of the draft e-AD	See Code list 2 of Annex II.	an21
	<i>e</i>	Date and Time of Validation of e-AD	R	To be provided by the competent authorities of the Member State of dispatch upon validation of the draft e-AD	The addressed time is local time.	dateTime

A	B	C	D	E	F	G
	<i>f</i>	Sequence Number	R	To be provided by the competent authorities of the Member State of dispatch upon validation of the draft e-AD and for each change of destination	Set to 1 at initial validation and then incremented by 1 in each e-AD generated by the competent authorities of the Member State of dispatch upon each change of destination.	n..2
	<i>g</i>	Date and Time of Validation of Update	C	The date and time of validation of the change of destination message in Table 3, to be provided by the competent authorities of the Member State of dispatch in case of change of destination	The addressed time is local time.	dateTime
2		TRADER CONSIGNOR	R			
	<i>a</i>	Trader Excise Number	R		Provide a valid SEED registration number of the authorised warehousekeeper or registered consignor.	an13
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
3		TRADER PLACE OF DISPATCH	C	'R' if Origin Type Code in box 9d is '1'		
	<i>a</i>	Tax Warehouse Reference	R		Provide a valid SEED registration number of the tax warehouse of dispatch.	an13
	<i>b</i>	Trader Name	O			an..182
	<i>c</i>	Street Name	O			an..65
	<i>d</i>	Street Number	O			an..11

A	B	C	D	E	F	G
	<i>e</i>	Postcode	O			an..10
	<i>f</i>	City	O			an..50
	<i>g</i>	NAD_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
4		OFFICE OF DISPATCH — IMPORT	C	'R' if Origin Type Code in box 9d is '2'		
	<i>a</i>	Office Reference Number	R		Provide the code of the customs office responsible for release for free circulation. See Code list 5 of Annex II.	an8
5		TRADER CONSIGNEE	C	'R', except for message type '2 — Submission for export with local clearance' or for Destination Type Code 8 (See Destination Type Codes in box 1a)		
	<i>a</i>	Trader Identification	C	— 'R' for Destination Type Code 1, 2, 3 and 4 — 'O' for Destination Type Code 6 — This data element does not apply for Destination Type Code 5 (See Destination Type Codes in box 1a)	For Destination Type Code: — 1, 2, 3 and 4: provide a valid SEED registration number of the authorised warehouse-keeper or registered consignee, — 6: provide the VAT identification number of the person representing the consignor at the office of export.	an..16
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>h</i>	EORI Number	C	— 'O' for Destination Type Code 6 — This data element does not apply for Destination Type Code 1, 2, 3, 4, 5 and 8 (See Destination Type Codes in box 1a)	Provide the EORI number of the person responsible for lodging the export declaration as set out in Article 21(5) of Directive 2008/118/EC.	an..17

A	B	C	D	E	F	G
6		TRADER COMPLEMENT CONSIGNEE	C	'R' for Destination Type Code 5 (See Destination Type Codes in box 1a)		
	a	Member State Code	R		Provide the Member State of destination using the Member State Code in Code list 3 of Annex II.	a2
	b	Serial Number of Certificate of Exemption	D	'R' if a serial number is mentioned on the excise duty exemption certificate established in Commission Regulation (EC) No 31/96 ⁽¹⁾		an..255
7		TRADER PLACE OF DELIVERY	C	— 'R' for Destination Type Code 1 and 4 — 'O' for Destination Type Code 2, 3 and 5 (See Destination Type Codes in box 1a)	Provide the actual place of delivery of the excise goods. For Destination Type Code 2, the data group: — is 'O' for the e-AD, since the Member State of dispatch can fill in this box with the address of the registered consignee defined in SEED, — does not apply for the draft e-AD.	—
	a	Trader Identification	C	— 'R' for Destination Type Code 1 — 'O' for Destination Type Code 2, 3, and 5 (See Destination Type Code in box 1a)	For Destination Type Code: — 1: provide a valid SEED registration number of the tax warehouse of destination, — 2, 3 and 5: provide the VAT identification number or any other identifier.	an..16
	b	Trader Name	C	— 'R' for Destination Type Code 1, 2, 3 and 5 — 'O' for Destination Type Code 4 (See Destination Type Codes in box 1a)		an..182
	c	Street Name	C	For box 7c, 7e and 7f: — 'R' for Destination Type Code 2, 3, 4 and 5 — 'O' for Destination Type Code 1 (See Destination Type Codes in box 1a)		an..65
	d	Street Number	O			an..11
	e	Postcode	C			an..10
	f	City	C			an..50
	g	NAD_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2

A	B	C	D	E	F	G
8		OFFICE PLACE OF DELIVERY — CUSTOMS	C	'R' in case of export (Destination Type Code 6) (See Destination Type Codes in box 1a)		
	a	Office Reference Number	R		Provide the code of the office of export at which the export declaration will be lodged. See Code list 5 of Annex II.	an8
9		E-AD	R			
	a	Local Reference Number	R		A unique serial number assigned to the e-AD by the consignor which identifies the consignment in the records of the consignor.	an..22
	b	Invoice Number	R		Provide the number of the invoice relating to the goods. If the invoice has not yet been prepared, the number of the delivery note or any other transport document should be given.	an..35
	c	Invoice Date	O	The Member State of dispatch may decide to make this data 'R'	The date of the document shown in box 9b.	Date
	d	Origin Type Code	R		The possible values for the origin of the movement are: 1 = Origin — Tax warehouse (in the situations referred to in Article 17(1)(a) of Directive 2008/118/EC), 2 = Origin — Import (in the situation referred to in Article 17(1)(b) of Directive 2008/118/EC).	n1
	e	Date of Dispatch	R		The date at which the movement begins in accordance with Article 20(1) of Directive 2008/118/EC. This date cannot be later than 7 days after the date of submission of the draft e-AD. The date of dispatch can be a date in the past in the case referred to of Article 26 of Directive 2008/118/EC.	Date
	f	Time of Dispatch	O	The Member State of dispatch may decide to make this data 'R'	The time at which the movement begins in accordance with Article 20(1) of Directive 2008/118/EC. The addressed time is local time.	Time

A	B	C	D	E	F	G
	<i>g</i>	Upstream ARC	D	To be provided by the competent authorities of the Member State of dispatch upon validation of new e-ADs following the validation of the message 'Splitting operation' (Table 5)	The ARC to be provided is the ARC of the replaced e-AD.	an21
9.1		IMPORT SAD	C	'R' if Origin Type Code in box 9d is '2' (import)		9X
	<i>a</i>	Import SAD Number	R	The SAD Number shall be provided either by the consignor at the time of submission of the draft e-AD or by the competent authorities of the Member State of dispatch upon validation of the draft e-AD	Provide the number(s) of the single administrative document(s) used for the release for free circulation of the goods concerned.	an..21
10		OFFICE COMPETENT AUTHORITY AT DISPATCH	R			
	<i>a</i>	Office Reference Number	R		Provide the code of the office of the competent authorities in the Member State of dispatch responsible for excise control at the place of dispatch. See Code list 5 of Annex II.	an8
11		MOVEMENT GUARANTEE	R			
	<i>a</i>	Guarantor Type Code	R		Identify the person(s) responsible for providing the guarantee using guarantor type code in Code list 6 of Annex II.	n..4
12		TRADER GUARANTOR	C	'R' if one of the following Guarantor Type Codes applies: 2, 3, 12, 13, 23, 24, 34, 123, 124, 134, 234 or 1234 (See Guarantor Type Code in Code list 6 of Annex II)	Identify the transporter and/or the owner of the goods if they provide the guarantee.	2X
	<i>a</i>	Trader Excise Number	O	The Member State of dispatch may decide to make this data 'R'	Provide a valid SEED registration number or VAT identification number of the transporter or owner of the excise goods.	an13
	<i>b</i>	VAT Number	O			an..14

A	B	C	D	E	F	G
	<i>c</i>	Trader Name	C	For 12c, d, f and g: 'O' if Trader Excise Number is provided, otherwise 'R'		an..182
	<i>d</i>	Street Name	C			an..65
	<i>e</i>	Street Number	O			an..11
	<i>f</i>	Postcode	C			an..10
	<i>g</i>	City	C			an..50
	<i>h</i>	NAD_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
13		TRANSPORT	R			
	<i>a</i>	Transport Mode Code	R		Provide the mode of transport at the time of the start of the movement, using the codes in Code list 7 of Annex II. If Guarantor Type Code is 'No guarantee is provided according to Article 18(4)(b) of 2008/118/EC' the Transport Mode Code must be 'Sea Transport' or 'Fixed transport installations'.	n..2
	<i>b</i>	Complementary Information	C	'R' if Transport Mode Code is 'Other' Otherwise 'O'	Provide a textual description of the mode of transport.	an..350
	<i>c</i>	Complementary Information_LNG	C	'R' if corresponding text field is used	Provide language code, see Code list 1 of Annex II to define the language used in this data group.	a2
14		TRADER TRANSPORT ARRANGER	C	'R' to identify the person responsible for arranging the first transport if value in box 1c is '3' or '4'		
	<i>a</i>	VAT Number	O	The Member State of dispatch may decide to make this data 'R'		an..14
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65

A	B	C	D	E	F	G
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
15		TRADER FIRST TRANSPORTER	O	The Member State of dispatch may decide to make this data 'R'	Identify the person carrying out the first transport.	
	<i>a</i>	VAT Number	O			an..14
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide language code, see Code list 1 of Annex II to define the language used in this data group.	a2
16		TRANSPORT DETAILS	R			99X
	<i>a</i>	Transport Unit Code	R		Provide Transport Unit Code(s) related to the transport mode indicated in box 13a. See Code list 8 of Annex II.	n..2
	<i>b</i>	Identity of Transport Units	C	'R' if the Transport Unit Code is other than 5 (See box 16a)	Enter the registration number of the transport unit(s) when the Transport Unit Code is other than 5.	an..35

A	B	C	D	E	F	G
	<i>c</i>	Identity of Commercial Seal	D	'R' if commercial seals are used	Provide the identification of the commercial seals, if used to seal the transport unit.	an..35
	<i>d</i>	Seal Information	O		Provide any additional information concerning those commercial seals (e.g. type of seals used).	an..350
	<i>e</i>	Seal Information_LNG	C	'R' if corresponding text field is used	Provide language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>f</i>	Complementary Information	O		Provide any additional information concerning the transport, e.g. identity of any subsequent transporter, information concerning subsequent transport units.	an..350
	<i>g</i>	Complementary Information_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
17		E-AD BODY	R		A separate data group must be used for each product composing the consignment.	999x
	<i>a</i>	Body Record Unique Reference	R		Provide a unique sequential number, starting with 1.	n..3
	<i>b</i>	Excise Product Code	R		Provide the applicable Excise Product Code, see Code list 11 of Annex II. If Guarantor Type Code is 'No guarantee is provided according to Article 18(4)(b) of 2008/118/EC', the Excise Product Code must be that of an energy product.	an4
	<i>c</i>	CN Code	R		Provide the CN Code applicable at the date of dispatch. The value of this data element must be greater than zero.	n8
	<i>d</i>	Quantity	R		Provide quantity (expressed in the unit of measurement associated with the product code — See Code lists 11 and 12 of Annex II). For a movement to a registered consignee referred to in Article 19(3) of Directive 2008/118/EC, the quantity shall not exceed the quantity which he is authorised to receive.	n..15,3

A	B	C	D	E	F	G
					For a movement to an exempted organisation referred to in Article 12 of Directive 2008/118/EC, the quantity shall not exceed the quantity registered in the excise duty exemption certificate. The value of this data element must be greater than zero.	
	<i>e</i>	Gross Weight	R		Provide the gross weight of the consignment (the excise goods with packaging). The value of this data element must be greater than zero. The Gross Weight must be equal to or higher than Net Weight.	n..15,2
	<i>f</i>	Net Weight	R		Provide the weight of the excise goods without packaging (for alcohol and alcoholic beverages, energy products and for all tobacco products except cigarettes). The value of this data element must be greater than zero. The Gross Weight must be equal to or higher than Net Weight.	n..15,2
	<i>g</i>	Alcoholic strength by Volume in Percentage	C	'R' if applicable for the excise good in question	Provide the alcoholic strength (percentage by volume at 20 °C) if applicable in accordance with Code list 11 of Annex II. The value of this data element must be greater than zero. The value of this data item must be greater than 0,5 and less than or equal to 100.	n..5,2
	<i>h</i>	Degree Plato	D	'R' if the Member State of dispatch and/or the Member State of destination tax beer on the basis of degree Plato	For beer, provide the Degree Plato if the Member State of dispatch and/or the Member State of destination tax beer on that basis. See Code list 11 of Annex II. The value of this data element must be greater than zero.	n..5,2
	<i>i</i>	Fiscal Mark	O		Provide any additional information concerning the fiscal marks required by the Member State of destination.	an..350
	<i>j</i>	Fiscal Mark_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2

A	B	C	D	E	F	G
	<i>k</i>	Fiscal Mark Used flag	D	'R' if fiscal marks are used	Provide '1' if the goods carry or contain fiscal marks or '0' if the goods do not carry or contain fiscal marks.	n1
	<i>l</i>	Designation of Origin	O		This box can be used to give certification: 1. in the case of certain wines, relating to the protected designation of origin or geographical indication (PDO or PGI) and the vintage year or the wine-grape variety(ies), in accordance with Articles 24 and 31 of Commission Regulation (EC) No 436/2009 ⁽²⁾, Certification shall be given in the following terms: <i>'It is hereby certified that the product described has been produced in accordance with rules provided for in Regulation (EU) No 1308/2013 of the European Parliament and of the Council ⁽³⁾ and its delegated and implementing acts'</i>. If the product is a PDO or PGI the terms are followed by the name(s) of the PDO or PGI and its register number(s) as provided for in Article 18 of Commission Regulation (EC) No 607/2009 ⁽⁴⁾. 2. in the case of certain spirit drinks, for which the marketing is relating to the spirit category or categories, geographical indication (GI) or age of the product, in accordance with the relevant Union legislation on spirit drinks (in particular Articles 4, 12(3) and 15 and Annex II of Regulation (EC) No 110/2008 of the European Parliament and of the Council ⁽⁵⁾) certification shall be given in the following terms: <i>'It is hereby certified that the product(s) described has been marketed and labelled in compliance with the requirements of Articles 4, 12(3) and 15 and Annex II of Regulation (EC) No 110/2008 and its delegated and implementing acts'</i>. 3. for beer brewed by an independent small brewery, as defined in Council Directive 92/83/EEC ⁽⁶⁾, for which it is intended to claim a reduced rate of excise duty in the	an..350

A	B	C	D	E	F	G
					Member State of destination. Certification should be given in the following terms: <i>'It is hereby certified that the product described has been brewed by an independent small brewery'</i>. 4. for ethyl alcohol distilled by a small distillery, as defined in Directive 92/83/EEC, for which it is intended to claim a reduced rate of excise duty in the Member State of destination. Certification should be given in the following terms: <i>'It is hereby certified that the product described has been produced by a small distillery'</i>.	
	<i>m</i>	Designation of Origin_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>n</i>	Size of Producer	O		For beer or spirits, for which certification is given in the field 171 (Designation of Origin), provide the annual production of the previous year in hectolitres of beer or in hectolitres of pure alcohol respectively. The value of this data element must be greater than zero.	n..15
	<i>o</i>	Density	C	'R' if applicable for the excise good in question	Provide the density at 15 °C, if applicable in accordance with Code list 11 of Annex II. The value of this data element must be greater than zero.	n..5,2
	<i>p</i>	Commercial Description	O	The Member State of dispatch may decide to make this data required	Provide the commercial description of the goods in order to identify the products transported. For the bulk transport of the wines referred to in paragraphs 1 to 9, 15 and 16 of Part II of Annex VII to Regulation (EU) No 1308/2013 the product description shall contain the optional particulars set out in Article 120 of that Regulation, provided that they are shown on the labelling or that it is planned to show them on the labelling.	an..350
	<i>q</i>	Commercial Description_LNG	C	'R' if corresponding text field is used	Provide language code presented in Code list 1 of Annex II to define the language used in this data group.	a2

A	B	C	D	E	F	G
	<i>r</i>	Brand Name of Products	D	'R' if the excise goods have a brand name. The Member State of dispatch may decide that the brand name of the products transported must not be provided if it is given in the invoice or other commercial document referred to in box 9b	Provide the brand name of the goods, if applicable.	an..350
	<i>s</i>	Brand Name of Products_LNG	C	'R' if corresponding text field is used	Provide language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
17.1		PACKAGE	R			99x
	<i>a</i>	Kind of Packages Code	R		Provide the kind of package using one of the codes in Code list 9 of Annex II.	an2
	<i>b</i>	Number of Packages	C	'R' if marked 'Countable'	Provide the number of packages if the packages are countable in accordance with Code list 9 of Annex II. In case the 'Number of Packages' is set to '0', then there should exist at least one PACKAGE with the same 'Shipping Marks' and 'Number of Packages' with value greater than '0'.	n..15
	<i>c</i>	Identity of Commercial Seal	D	'R' if commercial seals are used	Provide the identification of the commercial seals, if used to seal the packages.	an..35
	<i>d</i>	Seal Information	O		Provide any additional information concerning those commercial seals (e.g. type of seals used).	an..350
	<i>e</i>	Seal Information_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>f</i>	Shipping Marks	C	— 'R' if Number of Packages is 0 'O' Otherwise		an..999
17.2		WINE PRODUCT	D	'R' for wine products included in Part XII of Annex I to Regulation (EU) No 1308/2013		
	<i>a</i>	Category of Wine Product	R		For wine products included in Part XII of Annex I to Regulation (EU) No 1308/2013, provide one of the following values: 1 = Wine without PDO/PGI, 2 = Varietal wine without PDO/PGI,	n1

A	B	C	D	E	F	G
					3 = Wine with PDO or PGI, 4 = Imported wine, 5 = Other.	
	<i>b</i>	Wine-Growing Zone Code	D	'R' for wine products in bulk (nominal volume of more than 60 litres)	Provide the wine-growing zone in which the product transported originates in accordance with Appendix 1 of Annex VII to Regulation (EU) No 1308/2013.	n..2
	<i>c</i>	Third Country of Origin	C	'R' if Category of Wine Product in box 17.2a is '4' (imported wine)	Provide a 'Country Code' listed in Code list 4 of Annex II, but not listed in Code list 3 of Annex II and except 'Country Code 'GR'.	a2
	<i>d</i>	Other Information	O			an..350
	<i>e</i>	Other Information_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
17.2.1		WINE OPERATION CODE	D	'R' for wine products in bulk (nominal volume of more than 60 litres)		99x
	<i>a</i>	Wine Operation Code	R		Provide one or several 'Wine operation Code(s)' in accordance with the list in point 1.4(b) of part B of Annex VI to Regulation (EC) No 436/2009.	n..2
18		DOCUMENT CERTIFICATE	O			9x
	<i>a</i>	Short Description of Document	C	'R', unless data field 18c or 18e is used	Provide a description of any certificate that relates to the transported goods, for instance certificates related to the Designation of Origin referred to in box 17l.	an..350
	<i>b</i>	Short Description of Document_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>c</i>	Reference of Document	C	'R', unless data field 18a or 18e is used	Provide a reference to any certificate that relates to the transported goods.	an..350
	<i>d</i>	Reference of Document_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2

A	B	C	D	E	F	G
	<i>e</i>	Document Type	C	'R', unless data field 18a or 18c is used	Provide the document type code presented in Code List 15 of Annex II to Regulation (EU) 2016/323.	an..4
	<i>f</i>	Document Reference	C	'R' if Document Type in box 18e is used		an..35

⁽¹⁾ Commission Regulation (EC) No 31/96 of 10 January 1996 on the excise duty exemption certificate (OJ L 8, 11.1.1996, p. 11).

⁽²⁾ Commission Regulation (EC) No 436/2009 of 26 May 2009 laying down detailed rules for the application of Council Regulation (EC) No 479/2008 as regards the vineyard register, compulsory declarations and the gathering of information to monitor the wine market, the documents accompanying consignments of wine products and the wine sector registers to be kept (OJ L 128, 27.5.2009, p. 15).

⁽³⁾ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

⁽⁴⁾ Commission Regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (OJ L 193, 24.7.2009, p. 60).

⁽⁵⁾ Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16).

⁽⁶⁾ Council Directive 92/83/EEC of 19 October 1992 on the harmonization of the structures of excise duties on alcohol and alcoholic beverages (OJ L 316, 31.10.1992, p. 21).

Table 5

(referred to in Article 6(1) and Article 8(2))

Splitting operation

A	B	C	D	E	F	G
1		E-AD SPLITTING	R			
	<i>a</i>	Upstream ARC	R		Provide the ARC of the e-AD to be split. See Code list 2 of Annex II.	an21
2		MSA OF SPLITTING	R			
	<i>a</i>	Member State Code	R		Provide the Member State in the territory of which is carried out the splitting of the movement using the Member State code in Code list 3 of Annex II.	a2
3		E-AD Split Details	R		Splitting is achieved by fully replacing the concerned e-AD by two or several new ones.	9x
	<i>a</i>	Local Reference Number	R		A unique serial number assigned to the e-AD by the consignor which identifies the consignment in the records of the consignor.	an..22
	<i>b</i>	Journey Time	D	'R' when the journey time changes following the splitting operation	Provide the normal period of time necessary for the journey taking into account the means of transport and the distance involved, expressed in hours (H) or days (D) followed by a two-digit number (examples: H12, or D04). Indication for 'H' should be less or equal to 24. Indication for 'D' should be less or equal to the possible values of Maximum Journey Time per Transport Mode Code presented in Code list 13 of Annex II.	an3
	<i>c</i>	Changed Transport Arrangement	D	'R' when the person responsible for arranging the transport changes following the splitting operation	Identify the person responsible for arranging the first transport using one of the following values: 1 = Consignor, 2 = Consignee, 3 = Owner of goods, 4 = Other.	n1

A	B	C	D	E	F	G
3.1		CHANGED DESTINATION	R			
	<i>a</i>	Destination Type Code	R		Provide the destination of the movement using one of the following values: 1 = Tax warehouse (point (i) of Article 17(1)(a) of Directive 2008/118/EC), 2 = Registered consignee (point (ii) of Article 17(1)(a) of Directive 2008/118/EC), 3 = Temporary registered consignee (point (ii) of Article 17(1)(a) and Article 19(3) of Directive 2008/118/EC), 4 = Direct delivery (Article 17(2) of Directive 2008/118/EC), 6 = Export (point (iii) of Article 17(1)(a) of Directive 2008/118/EC), 8 = Unknown destination (consignee unknown; Article 22 of Directive 2008/118/EC).	n1
3.2		TRADER NEW CONSIGNEE	C	'O' if the Destination Type Code is other than 8 (See <i>Destination Type Codes</i> in box 3.1a)	For Destination Type Code: 1, 2, 3, 4 and 6: Change of the consignee following the splitting operation renders this data group 'R'.	
	<i>a</i>	Trader Identification	C	— 'R' for Destination Type Code 1, 2, 3 and 4 — 'O' for Destination Type Code 6 — This data element does not apply for Destination Type Code 8 (See <i>Destination Type Codes</i> in box 3.1a)	For Destination Type Code: — 1, 2, 3 and 4: provide a valid SEED registration number of the authorised warehouse-keeper or registered consignee, — 6: provide the VAT identification number of the person representing the consignor at the office of export.	an..16
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50

A	B	C	D	E	F	G
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>h</i>	EORI Number	C	— 'O' for Destination Type Code 6 — This data element does not apply for Destination Type Code 1, 2, 3, 4 and 8 (See Destination Type Codes in box 3.1a)	Provide the EORI number of the person responsible for lodging the export declaration as set out in Article 21(5) of Directive 2008/118/EC.	an..17
3.3		TRADER PLACE OF DELIVERY	C	— 'R' for Destination Type Code 1 and 4 — 'O' for Destination Type Code 2 and 3 (See Destination Type Codes in box 3.1a)		
	<i>a</i>	Trader Identification	C	— 'R' for Destination Type Code 1 — 'O' for Destination Type Code 2 and 3 (See Destination Type Codes in box 3.1a)	For Destination Type Code: — 1: provide a valid SEED registration number of the tax warehouse of destination, — 2 and 3: provide the VAT identification number or any other identifier.	an..16
	<i>b</i>	Trader Name	C	— 'R' for Destination Type Code 1, 2 and 3 — 'O' for Destination Type Code 4 (See Destination Type Codes in box 3.1a)		an..182
	<i>c</i>	Street Name	C	For box 3.3c, 3.3e and 3.3f: — 'R' for Destination Type Code 2, 3 and 4 — 'O' for Destination Type Code 1 (See Destination Type Codes in box 3.1a)		an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	C			an..10
	<i>f</i>	City	C			an..50
	<i>g</i>	NAD_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
3.4		OFFICE PLACE OF DELIVERY — CUSTOMS	C	'R' in case of export (Changed Destination Type Code 6) (See Destination Type Codes in box 3.1a)		
	<i>a</i>	Office Reference Number	R		Provide the code of the office of export at which the export declaration will be lodged in accordance with Article 161(5) of Regulation (EEC) No 2913/92. See Code list 5 of Annex II.	an8

A	B	C	D	E	F	G
3.5		TRADER NEW TRANSPORT ARRANGER	C	'R' to identify the person responsible for arranging the transport if the value in box 3c is '3' or '4'		
	<i>a</i>	VAT Number	O	The Member State of dispatch may decide to make this data 'R'		an..14
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
3.6		TRADER NEW TRANSPORTER	O	The Member State of dispatch may decide to make this data 'R' when the transporter changes following the splitting operation	Identify the person carrying out the new transport.	
	<i>a</i>	VAT Number	O			an..14
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2

A	B	C	D	E	F	G
3.7		TRANSPORT DETAILS	D	'R' when the transport details have changed following the splitting operation		99X
	<i>a</i>	Transport Unit Code	R		Provide the Transport Unit Code(s). See Code list 8 of Annex II.	n..2
	<i>b</i>	Identity of Transport Units	C	'R' if the Transport Unit Code is other than 5 (See box 3.7a)	Enter the registration number of the transport unit(s) when the Transport Unit Code is other than 5.	an..35
	<i>c</i>	Identity of Commercial Seal	D	'R' if commercial seals are used	Provide the identification of the commercial seals, if used to seal the transport unit.	an..35
	<i>d</i>	Seal Information	O		Provide any additional information concerning those commercial seals (e.g. type of seals used).	an..350
	<i>e</i>	Seal Information_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>f</i>	Complementary Information	O		Provide any additional information concerning the transport, e.g. identity of any subsequent transporter, information concerning subsequent transport units.	an..350
	<i>g</i>	Complementary Information_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
3.8		E-AD BODY	R		A separate data group must be used for each product composing the consignment.	999x
	<i>a</i>	Body Record Unique Reference	R		Provide the Body Record Unique Reference of the product in the original split e-AD. The Body Record Unique Reference must be unique per 'e-AD Split Details'. The value of this data element must be greater than zero.	n..3
	<i>b</i>	Excise Product Code	R		Provide the applicable excise product code, see Code list 11 of Annex II.	an..4

A	B	C	D	E	F	G
	<i>c</i>	CN Code	R		Provide the CN code applicable at the date of submission of the splitting operation. The value of this data element must be greater than zero.	n8
	<i>d</i>	Quantity	R		Provide quantity (expressed in the unit of measurement associated with the product code — See Code lists 11 and 12 of Annex II). For a movement to a registered consignee referred to in Article 19(3) of Directive 2008/118/EC, the quantity shall not exceed the quantity which he is authorised to receive. For a movement to an exempted organisation referred to in Article 12 of Directive 2008/118/EC, the quantity shall not exceed the quantity registered in the excise duty exemption certificate. The value of this data element must be greater than zero.	n..15,3
	<i>e</i>	Gross Weight	R		Provide the gross weight of the consignment (the excise goods with packaging). The value of this data element must be greater than zero. The Gross Weight must be equal to or higher than Net Weight.	n..15,2
	<i>f</i>	Net Weight	R		Provide the weight of the excise goods without packaging. The value of this data element must be greater than zero. The Gross Weight must be equal to or higher than Net Weight.	n..15,2
	<i>i</i>	Fiscal Mark	O		Provide any additional information concerning the fiscal marks required by the Member State of destination.	an..350
	<i>j</i>	Fiscal Mark_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 in Annex II to define the language used in this data group.	a2

A	B	C	D	E	F	G
	<i>k</i>	Fiscal Mark Used flag	D	'R' if fiscal marks are used	Provide '1' if the goods contain or carry fiscal marks or '0' if the goods do not contain or carry fiscal marks.	n1
	<i>o</i>	Density	C	'R' if applicable for the excise good in question	Provide the density at 15 °C, if applicable in accordance with Code list 11 in the table in Annex II. The value of this data element must be greater than zero.	n..5,2
	<i>p</i>	Commercial Description	O	The Member State of dispatch may decide to make this data required	Provide the commercial description of the goods in order to identify the products transported.	an..350
	<i>q</i>	Commercial Description_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>r</i>	Brand Name of Products	D	'R' if the excise goods have a brand name	Provide the brand name of the goods, if applicable.	an..350
	<i>s</i>	Brand Name of Products_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
3.8.1		PACKAGE	R			99x
	<i>a</i>	Kind of Packages Code	R		Provide the kind of package, using one of the codes in Code list 9 of Annex II.	an2
	<i>b</i>	Number of Packages	C	'R' if marked 'Countable'	Provide the number of packages if the packages are countable in accordance with Code list 9 of Annex II. In case the 'Number of Packages' is set to '0', then there should exist at least one PACKAGE with the same 'Shipping Marks' and 'Number of Packages' with value greater than '0'.	n..15
				—		
	<i>c</i>	Identity of Commercial Seal	D	'R' if commercial seals are used	Provide the identification of the commercial seals, if used to seal the packages.	an..35

A	B	C	D	E	F	G
	<i>d</i>	Seal Information	O		Provide any additional information concerning those commercial seals (e.g. type of seals used).	an..350
	<i>e</i>	Seal Information_LNG	C	'R' if corresponding text field is used	Provide the language code presented in Code list 1 of Annex II to define the language used in this data group.	a2
	<i>f</i>	Shipping Marks	C	— 'R' if Number of Packages is 0 — 'O' Otherwise		an..999

COMMISSION IMPLEMENTING REGULATION (EU) 2019/2223**of 13 December 2019****amending Implementing Regulation (EU) 2016/323 as regards the data required for mutual administrative assistance documents used for the purpose of the exchange of information regarding excise goods under suspension of excise duty**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) No 389/2012 of 2 May 2012 on administrative cooperation in the field of excise duties and repealing Regulation (EC) No 2073/2004 ⁽¹⁾, and in particular Article 9(2), Article 15(5) and Article 16(3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/323 ⁽²⁾ lays down the structure and content of mutual administrative assistance documents used for the exchange of information regarding excise goods under suspension of excise duty, as well as the codes required for the completion of certain data items in those documents.
- (2) Taking into account changes in the data requirements of a new version of the computerised system established by Decision No 1152/2003/EC of the European Parliament and of the Council ⁽³⁾ and in order to ensure consistency, certain changes have to be made in the structure of messages and lists of codes used in mutual assistance documents.
- (3) The explanation in column F in Table 4 of Annex I to Implementing Regulation (EU) 2016/323 should be updated to provide a clear identification of the 'Value' data element when the 'Primary Criterion' type code is set to the value '46 = Type of Transport'.
- (4) The optionality of data group 'Trader — Consignee' in Table 5 and 14 of Annex I to Implementing Regulation (EU) 2016/323 should be updated so that relevant messages can be sent as a response to the query for an electronic administrative document with unknown destination or submission for export with local clearance.
- (5) In order to ensure the correct application of legislation on excise duties, the computerised system should provide a standard structure for mutual administrative assistance documents to support exchange of information where there is a need to manually close a movement of excise goods under suspension. In particular, the computerised system should provide a standard structure for a request for the manual closure of a movement of excise goods under suspension arrangement sent to the Member State of dispatch.
- (6) In order to prevent fraud or loss of excise duty the Member State of dispatch should always notify the competent authority of the Member State of destination or the Member State of export of the manual closure. The computerised system should provide a standard structure for such replies.
- (7) The values of several data items in Tables 4, 5, 7, 10, 11, 12 and 14 of Annex I to Implementing Regulation (EU) 2016/323 should be updated in order to improve the quality of information provided by economic operators. These further technical corrections should bring clarity and precision of applicable provisions.
- (8) For the purpose of manual closure, in order to ensure that the required information communicated to the involved competent authorities of the Member States is accurate and appropriate, the necessary code lists of manual closure request reasons and manual closure rejection reasons are created in Annex II to Implementing Regulation (EU) 2016/323.
- (9) Implementing Regulation (EU) 2016/323 should therefore be amended accordingly.
- (10) In order to align the application date of this Regulation with the application date for a new version of the computerised system established by Decision No 1152/2003/EC, this Regulation should apply from 13 February 2020.

⁽¹⁾ OJ L 121, 8.5.2012, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2016/323 of 24 February 2016 laying down detailed rules on cooperation and exchange of information between Member States regarding goods under excise duty suspension pursuant to Council Regulation (EU) No 389/2012 (OJ L 66, 11.3.2016, p. 1).

⁽³⁾ Decision No 1152/2003/EC of the European Parliament and of the Council of 16 June 2003 on computerising the movement and surveillance of excisable products (OJ L 162, 1.7.2003, p. 5).

(11) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Excise Duty,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2016/323 is amended as follows:

(1) the following Section IIA is inserted:

‘SECTION IIA

Requests for manual closure

Article 6a

Request for manual closure

For the purpose of Article 8(1) of Regulation (EU) No 389/2012, when the movement of excise goods under duty suspension arrangement cannot be closed under Article 24 or 25 of Directive 2008/118/EC, the requesting authority may request the competent authority in the Member State of dispatch to close a movement of excise goods under excise duty suspension manually. Such a request shall be made by sending a “Manual Closure Request” document set out in Table 15 of Annex I.’;

(2) the following Article 14a is inserted:

Article 14a

Mandatory exchange of information — manual closure

For the purpose of Article 15(1)(c) of Regulation (EU) No 389/2012, where a competent authority of the Member State of dispatch has received evidence of the completion of a movement of excise goods under duty suspension arrangement and the movement cannot be closed under Article 24 or Article 25 of Directive 2008/118/EC, it shall decide whether to close the movement of excise goods manually.

The competent authority of the Member State of dispatch shall notify the competent authorities of the Member State of destination or of the Member State of export of its decision.

The notification of a decision to manually close a movement shall be made by means of a “Manual Closure Response” document, set out in Table 16 of Annex I to this Regulation.’;

(3) Annex I is amended in accordance with Annex I to this Regulation;

(4) Annex II is amended in accordance with Annex II to this Regulation.

Article 2

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

It shall apply from 13 February 2020.

Done at Brussels, 13 December 2019.

For the Commission

The President

Ursula VON DER LEYEN

In Annex I to Regulation (EC) 2016/323, Tables 4, 5, 7, 10, 11, 12 and 14 are replaced by the following and new Tables 15 and 16 are inserted:

Table 4

(as referred to in Article 5(1))

Common Request

A	B	C	D	E	F	G
1		ATTRIBUTES	R			
	<i>a</i>	Request Type	R		The possible values are: 1 = (reserved) 2 = Request for reference data 3 = (reserved) 4 = (reserved) 5 = Request for re-synchronisation of the register of economic operators 6 = Request for retrieval of a list of e-ADs 7 = Request for SEED statistics	n1
	<i>b</i>	Request Message Name	C	— 'R' if <Request Type> is '2' — Does not apply otherwise (see Request Type in box 1a)	The possible values are: 'C_COD_DAT' = Common list of codes 'C_PAR_DAT' = Common system parameters 'ALL' = For complete structure	an..9
	<i>c</i>	Requesting Office	R		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
	<i>d</i>	Request Correlation Identifier	C	— 'R' if <Request Type> is '2', '5', '6', or '7' — Does not apply otherwise (see Request Type in box 1a)	The value of <Request Correlation Identifier> is unique per Member State.	an..44
	<i>e</i>	Start Date	C	For 1 e and f:		date
	<i>f</i>	End Date	C	— 'R' if <Request Type> is '2' or '5' — Does not apply otherwise (see Request Type in box 1a)		date

A	B	C	D	E	F	G
	g	Single Date	C	— 'R' if <Request Type> is '2' or '5' — Does not apply otherwise (see Request Type in box 1a)		date
2		E-AD LIST REQUEST	C	— 'R' if <Request Type> is '6' — Does not apply otherwise (see Request Type in box 1a)		
	a	Member State Code	R		(see Code list 3 in Annex II to Regulation (EC) No 684/2009)	a2
2.1		RA_PRIMARY CRITERION	R			99x
	a	Primary Criterion Type Code	R		The possible values are: 1 = ARC 2 = Brand name of product 3 = Categories of excise products of the movement 4 = (reserved) 5 = (reserved) 6 = (reserved) 7 = (reserved) 8 = City of consignee 9 = City of consignor 10 = City of guarantor 11 = (reserved) 12 = City of place of delivery 13 = City of tax warehouse of dispatch 14 = City of transporter 15 = CN code of product 16 = Date of invoice 17 = Excise number of consignee 18 = Excise number of consignor 19 = Excise number of guarantor 20 = (reserved)	n..2

A	B	C	D	E	F	G
					21 = (reserved) 22 = Excise number of the tax warehouse of destination 23 = Excise number of the tax warehouse of dispatch 24 = (reserved) 25 = Excise product code 26 = Journey time 27 = Member State of destination 28 = Member State of dispatch 29 = Name of consignee 30 = Name of consignor 31 = Name of guarantor 32 = (reserved) 33 = Name of place of delivery 34 = Name of tax warehouse of dispatch 35 = Name of transporter 36 = Number of invoice 37 = Postal code of consignee 38 = Postal code of consignor 39 = Postal code of guarantor 40 = (reserved) 41 = Postal code of place of delivery 42 = Postal code of tax warehouse of dispatch 43 = Postal code of transporter 44 = Quantity of goods (in an e-AD body) 45 = Local Reference Number, being a serial number, assigned by the consignor 46 = Type of transport 47 = (reserved) 48 = (reserved)	

A	B	C	D	E	F	G
					49 = VAT number of the consignee 50 = (reserved) 51 = VAT number of the transporter 52 = Change of destination (sequence number ≥ 2)	
2.1.1		RA_PRIMARY VALUE	O			99x
	<i>a</i>	Value	R		If <Primary Criterion Type Code> is '46' (Type of transport), then an existing <Transport Mode Code> in the list of <TRANSPORT MODES> shall be used.	an..255
3		STA_REQUEST	C	— 'R' if <Request Type> is '7' — Does not apply otherwise (see Request Type in box 1a)		
	<i>a</i>	Statistic Type	R		The possible values are: 1 = Active and inactive economic operators 2 = Pending expirations 3 = Economic operators by type and tax warehouses 4 = Excise activity 5 = Changes to excise authorisations	n1
3.1		LIST OF MEMBER STATES Code	R			99x
	<i>a</i>	Member State Code	R		(see Code list 3 in Annex II to Regulation (EC) No 684/2009)	a2
4		STA_PERIOD	C	— 'R' if <Request Type> is '7' — Does not apply otherwise (see Request Type in box 1a)		
	<i>a</i>	Year	R		The value of the data element must be greater than zero.	n4
	<i>b</i>	Semester	C	For 4 b, c, and d: The three following data fields are optional and exclusive: — <Semester>	The possible values are: 1 = First semester 2 = Second semester	n1

A	B	C	D	E	F	G
	<i>c</i>	Quarter	C	— <Quarter> — <Month> i.e. If one of these data fields is given then the two other data fields do not apply	The possible values are: 1 = First quarter 2 = Second quarter 3 = Third quarter 4 = Fourth quarter	n1
	<i>d</i>	Month	C		The possible values are: 1 = January 2 = February 3 = March 4 = April 5 = May 6 = June 7 = July 8 = August 9 = September 10 = October 11 = November 12 = December	n..2
5		REF_REQUEST	C	— 'R' if <Request Type> is '2' — Does not apply otherwise <i>(see Request Type in box 1a)</i>		
	<i>a</i>	Common Risk Assessment Criteria flag	O		The possible values are: 0 = No or False 1 = Yes or True	n1

A	B	C	D	E	F	G
5.1		<i>LIST OF CODES Code</i>	O			99x
	a	Requested List of Code	O		The possible values are: 1 = Units of measure 2 = Events types 3 = Evidence types 4 = (reserved) 5 = (reserved) 6 = Language codes 7 = Member States 8 = Country codes 9 = Packaging codes 10 = Reasons for unsatisfactory receipt or control report 11 = Reasons for interruption 12 = (reserved) 13 = Transport modes 14 = Transport units 15 = Wine-growing zones 16 = Wine operation codes 17 = Excise product categories 18 = Excise products 19 = CN codes 20 = Correspondences CN code — Excise product 21 = Cancellation reasons 22 = Alert or rejection of e-AD reasons 23 = Delay explanations 24 = (reserved) 25 = Event submitting persons	n..2

A	B	C	D	E	F	G
					26 = Refusal reasons 27 = Reasons for delayed result 28 = Request actions 29 = Request reasons 30 = (reserved) 31 = (reserved) 32 = (reserved) 33 = (reserved) 34 = Administrative cooperation action not possible reasons 35 = (reserved) 36 = Type of document 37 = (reserved) 38 = (reserved) 39 = Manual Closure Request Reasons 40 = Manual Closure Rejection Reasons =	

Table 5

(as referred to in Article 5(2))

List of e-AD as result of a general query

A	B	C	D	E	F	G
1		ATTRIBUTES	R			
	<i>a</i>	Requesting Office	R		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
	<i>b</i>	Request Correlation Identifier	R		The value of <Request Correlation Identifier> is unique per Member State.	an..44

A	B	C	D	E	F	G
2		E-AD LIST ITEM	O			99x
	<i>a</i>	Dispatch Date	R			date
2.1		<i>EXCISE MOVEMENT</i>	R			
	<i>a</i>	ARC	R		(see Code list 2 in Annex II to Regulation (EC) No 684/2009)	an21
	<i>b</i>	Date and Time of Validation of e-AD	R			dateTime
	<i>c</i>	Sequence Number	R		The value of the data element must be greater than zero.	n..2
2.2		<i>TRADER Consignor</i>	R			
	<i>a</i>	Trader Excise Number	R		For TRADER Consignor An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION> The <Operator Type Code> of the referred <TRADER> must be: — 'Authorised warehouse keeper'; OR — 'Registered consignor' (see Code list 1 in Annex II to Regulation (EU) No 612/2013)	an13
	<i>b</i>	Trader Name	R			an..182
2.3		<i>TRADER Place of Dispatch</i>	C	IF <E-AD.Origin Type Code> is 'Origin — Tax warehouse' THEN <TRADER Place of Dispatch> is 'R' <OFFICE of Dispatch — Import> does not apply ELSE <TRADER Place of Dispatch> does not apply <OFFICE of Dispatch — Import> is 'R'		
	<i>a</i>	Tax Warehouse Reference	R		For TRADER Place of dispatch An existing identifier <Tax Warehouse Reference> (Excise Number in SEED). (see Code list 1 in Annex II to Regulation (EU) No 612/2013)	an13
	<i>b</i>	Trader Name	O			an..182

A	B	C	D	E	F	G																		
2.4		OFFICE of Dispatch — Import	C	IF <E-AD.Origin Type Code> is ‘Origin — Tax warehouse’ THEN <TRADER Place of Dispatch> is ‘R’ <OFFICE of Dispatch — Import> does not apply ELSE <TRADER Place of Dispatch> does not apply <OFFICE of Dispatch — Import> is ‘R’																				
	a	Office Reference Number	R		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8																		
2.5		TRADER Consignee	C	‘R’, except for message type ‘2 — Submission for export with local clearance’ or for Destination Type Code 8																				
	a	Trader Identification	C	IF <Destination Type Code> is in: — ‘Destination — Tax warehouse’ — ‘Destination — Registered consignee’ — ‘Destination — Temporary registered consignee’ — ‘Destination — Direct delivery’ THEN <TRADER Consignee.Trader Identification> is ‘R’ ELSE IF <Destination Type Code> is: — ‘Destination — Export’ THEN <TRADER Consignee.Trader Identification> is ‘O’ ELSE <TRADER Consignee.Trader Identification> does not apply	<table><tr><td colspan="3">The possible values of <Trader Identification> are described in the following table:</td></tr><tr><td>Destination Type Code</td><td>TRADER CON-SIGNEE. Trader Identification</td><td>TRADER Place of Delivery. Trader Identification</td></tr><tr><td>1 - Destination — Tax warehouse</td><td>Excise number ⁽¹⁾</td><td>Tax Warehouse Reference (Excise Number) ⁽²⁾</td></tr><tr><td>2 - Destination — Registered consignee</td><td>Excise number ⁽³⁾</td><td>Any identification ⁽⁴⁾</td></tr><tr><td>3 - Destination — Temporary registered consignee</td><td>Temporary authorisation reference ⁽⁵⁾</td><td>Any identification ⁽⁶⁾</td></tr><tr><td>4 - Destination — Direct delivery</td><td>Excise number ⁽⁷⁾</td><td>(Does not apply)</td></tr></table>	The possible values of <Trader Identification> are described in the following table:			Destination Type Code	TRADER CON-SIGNEE. Trader Identification	TRADER Place of Delivery. Trader Identification	1 - Destination — Tax warehouse	Excise number ⁽¹⁾	Tax Warehouse Reference (Excise Number) ⁽²⁾	2 - Destination — Registered consignee	Excise number ⁽³⁾	Any identification ⁽⁴⁾	3 - Destination — Temporary registered consignee	Temporary authorisation reference ⁽⁵⁾	Any identification ⁽⁶⁾	4 - Destination — Direct delivery	Excise number ⁽⁷⁾	(Does not apply)	an..16
The possible values of <Trader Identification> are described in the following table:																								
Destination Type Code	TRADER CON-SIGNEE. Trader Identification	TRADER Place of Delivery. Trader Identification																						
1 - Destination — Tax warehouse	Excise number ⁽¹⁾	Tax Warehouse Reference (Excise Number) ⁽²⁾																						
2 - Destination — Registered consignee	Excise number ⁽³⁾	Any identification ⁽⁴⁾																						
3 - Destination — Temporary registered consignee	Temporary authorisation reference ⁽⁵⁾	Any identification ⁽⁶⁾																						
4 - Destination — Direct delivery	Excise number ⁽⁷⁾	(Does not apply)																						

A	B	C	D	E	F			G
					5 - Destination — Exempted consignee	(Does not apply)	Any identification ⁽⁸⁾	
					6 - Destination — Export	VAT number (optional)	(The data group <TRADER Place of Delivery> does not exist)	
					8 - Unknown destination	(Does not apply)	(Does not apply)	
					⁽¹⁾ The operator type of the consignee is 'Authorised warehouse keeper'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. ⁽²⁾ An existing identifier <Tax Warehouse Reference> in the set of <TAX WAREHOUSE>. ⁽³⁾ The operator type of the consignee is 'Registered consignee'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. ⁽⁴⁾ For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. ⁽⁵⁾ An existing <Temporary Authorisation Reference> in the set of <TEMPORARY AUTHORISATION>. ⁽⁶⁾ For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. ⁽⁷⁾ The operator type of the consignee is either 'Authorised warehouse keeper' or 'Registered consignee'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. ⁽⁸⁾ For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional.			
					(see Code list 1 and Code list 2 in Annex II to Regulation (EU) No 612/2013, if applicable)			

A	B	C	D	E	F	G																		
	b	EORI Number	C	— 'O' if <Destination Type Code> is 'Destination — Export' — Does not apply otherwise	Provide the EORI number of the person responsible for lodging the export declaration as set out in Article 21(5) of Directive 2008/118/EC.	an..17																		
	c	Trader Name	R			an..182																		
2.6		TRADER Place of Delivery	C	The optionality of data groups <TRADER Place of Delivery> and <OFFICE Place of Delivery — Customs> are described below, according to the <Destination Type Code>: — 'R' for Destination Type Code 1 and 4 — 'O' for Destination Type Code 2, 3 and 5 — does not apply otherwise.	—	—																		
	a	Trader Identification	C	IF <Destination Type Code> is 'Destination — Tax warehouse' THEN <TRADER Place of Delivery. Trader Identification> is 'R' ELSE IF <Destination Type Code> is 'Destination — Direct delivery' THEN <TRADER Place of Delivery. Trader Identification> does not apply ELSE <TRADER Place of Delivery. Trader Identification> is 'O'	<table><tr><td colspan="3">The possible values of <Trader Identification> are described in the following table:</td></tr><tr><td>Destination Type Code</td><td>TRADER CON-SIGNEE. Trader Identification</td><td>TRADER Place of Delivery. Trader Identification</td></tr><tr><td>1 - Destination — Tax warehouse</td><td>Excise number ⁽¹⁾</td><td>Tax Warehouse Reference (Excise Number) ⁽²⁾</td></tr><tr><td>2 - Destination — Registered consignee</td><td>Excise number ⁽³⁾</td><td>Any identification ⁽⁴⁾</td></tr><tr><td>3 - Destination — Temporary registered consignee</td><td>Temporary authorisation reference ⁽⁵⁾</td><td>Any identification ⁽⁶⁾</td></tr><tr><td>4 - Destination — Direct delivery</td><td>Excise number ⁽⁷⁾</td><td>(Does not apply)</td></tr></table>	The possible values of <Trader Identification> are described in the following table:			Destination Type Code	TRADER CON-SIGNEE. Trader Identification	TRADER Place of Delivery. Trader Identification	1 - Destination — Tax warehouse	Excise number ⁽¹⁾	Tax Warehouse Reference (Excise Number) ⁽²⁾	2 - Destination — Registered consignee	Excise number ⁽³⁾	Any identification ⁽⁴⁾	3 - Destination — Temporary registered consignee	Temporary authorisation reference ⁽⁵⁾	Any identification ⁽⁶⁾	4 - Destination — Direct delivery	Excise number ⁽⁷⁾	(Does not apply)	an..16
The possible values of <Trader Identification> are described in the following table:																								
Destination Type Code	TRADER CON-SIGNEE. Trader Identification	TRADER Place of Delivery. Trader Identification																						
1 - Destination — Tax warehouse	Excise number ⁽¹⁾	Tax Warehouse Reference (Excise Number) ⁽²⁾																						
2 - Destination — Registered consignee	Excise number ⁽³⁾	Any identification ⁽⁴⁾																						
3 - Destination — Temporary registered consignee	Temporary authorisation reference ⁽⁵⁾	Any identification ⁽⁶⁾																						
4 - Destination — Direct delivery	Excise number ⁽⁷⁾	(Does not apply)																						

A	B	C	D	E	F			G
					5 - Destination — Exempted consignee	(Does not apply)	Any identification ⁽⁸⁾	
					6 - Destination — Export	VAT number (optional)	(The data group <TRADER Place of Delivery> does not exist)	
					8 - Unknown destination	(Does not apply)	(Does not apply)	
					(¹) The operator type of the consignee is 'Authorised warehouse keeper'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. (²) An existing identifier <Tax Warehouse Reference> in the set of <TAX WAREHOUSE>. (³) The operator type of the consignee is 'Registered consignee'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. (⁴) For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. (⁵) An existing <Temporary Authorisation Reference> in the set of <TEMPORARY AUTHORISATION>. (⁶) For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. (⁷) The operator type of the consignee is either 'Authorised warehouse keeper' or 'Registered consignee'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. (⁸) For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. (see Code list 1 in Annex II to Regulation (EU) No 612/2013, if applicable)			

A	B	C	D	E	F	G	
	b	Trader Name	C	IF <Destination Type Code> is 'Destination — Direct delivery' THEN <Trader Name> is 'O' ELSE <Trader Name> is 'R'		an..182	
2.7		OFFICE Place of Delivery — Customs	C	The optionality of the data groups <TRADER Place of Delivery> and <OFFICE Place of Delivery — Customs> are described in the table below, according to the <Destination Type Code>:			
				Destination Type Code	<TRADER Place of Delivery>		<OFFICE Place of Delivery — Customs>
				1 - Destination — Tax warehouse	'R'		Does not apply
				2 - Destination — Registered consignee	'O'		Does not apply
				3 - Destination — Temporary registered consignee	'O'		Does not apply
				4 - Destination — Direct delivery	'R'		Does not apply
				5 - Destination — Exempted consignee	'O'		Does not apply
				6 - Destination — Export	Does not apply		'R'
				8 - Unknown destination (consignee unknown)	Does not apply		Does not apply

A	B	C	D	E	F	G
	<i>a</i>	Office Reference Number	R		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
2.8		EXCISE PRODUCTS CATEGORY Code	R			9x
	<i>a</i>	Excise Product Category Code	R		(see Code list 3 in Annex II to Regulation (EU) No 612/2013)	a1
2.9		TRADER Transport Arranger	C	IF <E-AD Header.Transport Arrangement>(IE801) (or <E-AD Header.Transport Arrangement>(IE815)) is 'Consignor' or 'consignee' THEN <TRADER Transport Arranger> does not apply ELSE <TRADER Transport Arranger> is 'R'		
	<i>a</i>	VAT Number	O			an..14
	<i>b</i>	Trader Name	R			an..182
2.10		TRADER First Transporter	O			
	<i>a</i>	VAT Number	O			an..14
	<i>b</i>	Trader Name	R			an..182

Table 7

(as referred to in Article 6(1))

Administrative Cooperation Common Request

A	B	C	D	E	F	G
1		ATTRIBUTES	R			
	<i>a</i>	Request Type	R		The possible values are: 1 = Administrative cooperation 2 = Request for history	n1
	<i>b</i>	Deadline for Results	R			date

A	B	C	D	E	F	G
2		FOLLOW UP	R			
	<i>a</i>	Follow-Up Correlation ID	R		(see Code list 1 in Annex II)	an28
	<i>b</i>	Date of Issuance	R			date
	<i>c</i>	Sender Member State Code	R		A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.	a2
	<i>d</i>	Sender Office Reference Number	O		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
	<i>e</i>	Sender Officer	O			an..35
	<i>f</i>	Addressee Member State Code	R		A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.	a2
	<i>g</i>	Addressee Office Reference Number	O		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
	<i>h</i>	Addressee Officer	O			an..35
	<i>i</i>	National Case Reference Identifier	O			an..99
3		ACO_REQUEST	C	— 'R' if <Request Type> is '1' — Does not apply otherwise (see Request Type in box 1a)		
	<i>a</i>	Administrative Cooperation Request Information	R			an..999
	<i>b</i>	Administrative Cooperation Request Information_LNG	R		Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	<i>c</i>	Flag	O		The possible values are: 0 = No or False 1 = Yes or True	n1
3.1		REQUEST REASON Code	R			99x
	<i>a</i>	Administrative Cooperation Request Reason Code	R		(see Code list 8 in Annex II)	n..2

A	B	C	D	E	F	G
	b	ACO_Complementary Information	C	— 'R' if <Administrative Cooperation Request Reason Code> is 'Other' — 'O' otherwise	—	an..999
	c	ACO_Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
3.1.1		RISK ASSESSMENT REFERENCE	O			99x
	a	Other Risk Profile	O			an..999
	b	Other Risk Profile_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
3.2		ARC List	O			99x
	a	ARC	R		(see Code list 2 in Annex II to Regulation (EC) No 684/2009)	an21
	b	Sequence Number	O		The value of the Data Item must be greater than zero.	n..2
3.3		TRADER Person	O			99x
	a	Trader Excise Number	C	For 3.3 a, b, and c: at least one of the following attributes must be present: — <Trader Excise Number> — <VAT Number> — <Trader Name>	An existing identifier (Excise Number) <Trader Excise Number> in the set of <TRADER AUTHORISATION> or <Temporary Authorisation Reference> in the set of <TEMPORARY AUTHORISATION>. (see Code list 1 and Code list 2 in Annex II to Regulation (EU) No 612/2013)	an13
	b	VAT Number	C			an..14
	c	Trader Name	C			an..182
	d	Member State Code	C	— 'R' if <Trader Name> is given and <Trader Excise Number> is not given and <VAT Number> is not given — Does not apply otherwise (see Trader Excise Number in box 3.3a, VAT Number in box 3.3b, Trader Name in box 3.3c)	A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.	a2
	e	Street Name	O			an..65
	f	Street Number	O			an..11
	g	Postcode	O			an..10

A	B	C	D	E	F	G
	<i>h</i>	City	O			an..50
	<i>i</i>	NAD_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>j</i>	Phone Number	O			an..35
	<i>k</i>	Fax Number	O			an..35
	<i>l</i>	Email Address	O			an..70
3.4		SUPPORTING DOCUMENTS	O			9x
	<i>a</i>	Short Description of Supporting Document	C	— 'R' if <Supporting Document Type> is 'Other' — Doesn't apply otherwise (see Reference of Supporting Document in box 3.4c and Image of Document in box 3.4e)		an..999
	<i>b</i>	Short Description of Supporting Document_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>c</i>	Reference of Supporting Document	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> (see Short Description of Supporting Document in box 3.4a and Image of Document in box 3.4e)		an..999
	<i>d</i>	Reference of Supporting Document_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>e</i>	Image of Document	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> (see Short Description of Supporting Document in box 3.4a and Reference of Supporting Document in box 3.4c)		

A	B	C	D	E	F	G
	<i>f</i>	Supporting Document Type	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> See Reference of Supporting Document in box 3.4c and Image of Document in box 3.4e	(see code list 15 in Annex II)	n..4
3.5		<i>ACTIONS Requested</i>	O			99x
	<i>a</i>	Administrative Cooperation Action Code	R		(see Code list 9 in Annex II)	n..2
	<i>b</i>	ACO Action Complement	C	— 'R' if <Administrative Cooperation Action Code> is 'Other' — 'O' otherwise (see Administrative Cooperation Action Code in box 3.5a)		an..999
	<i>c</i>	ACO Action Complement_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
4		HISTORY REQUEST	C	— 'R' if <Request Type> is '2' — Does not apply otherwise (see Request Type in box 1a)		
	<i>a</i>	ARC	R		(see Code list 2 in Annex II to Regulation (EC) No 684/2009)	an21
	<i>b</i>	History Request Scope Type	R		The possible values are: 1 = Applicable data at a given date set by the <Scope Date> 2 = History of data since a given date set by the <Scope Date> 3 = Complete history of data (see Scope Date in box 4c)	n1
	<i>c</i>	Scope Date	C	— Does not apply if <History Request Scope Type> is '3' — 'R' otherwise (see History Request Scope Type in box 4b)		date
	<i>d</i>	History Request Reason	R			an..999

A	B	C	D	E	F	G
	<i>e</i>	History Request Reason_LNG	R		<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
5		CONTACT	O			
	<i>a</i>	Office Reference Number	R		<i>(see Code list 5 in Annex II to Regulation (EC) No 684/2009)</i>	an8
	<i>b</i>	Submitting Excise Officer	O			an..35
	<i>c</i>	Tel. Number	O			an..35
	<i>d</i>	Fax Number	O			an..35
	<i>e</i>	Email Address	O			an..70

Table 10

(as referred to in Article 6(3), Article 9(1) and Articles 10 and 16)

Administrative Cooperation Results

A	B	C	D	E	F	G
1		FOLLOW UP	R			
	<i>a</i>	Follow Up Correlation ID	R		<i>(see Code list 1 in Annex II)</i>	an28
	<i>b</i>	Date of Issuance	R			date
	<i>c</i>	Sender Member State Code	R		<i>A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.</i>	a2
	<i>d</i>	Sender Office Reference Number	O		<i>(see Code list 5 in Annex II to Regulation (EC) No 684/2009)</i>	an8
	<i>e</i>	Sender Officer	O			an..35
	<i>f</i>	Addressee Member State Code	R		<i>A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.</i>	a2
	<i>g</i>	Addressee Office Reference Number	O		<i>(see Code list 5 in Annex II to Regulation (EC) No 684/2009)</i>	an8
	<i>h</i>	Addressee Officer	O			an..35

A	B	C	D	E	F	G
	i	National Case Reference Identifier	C	— 'O' If <Follow Up Correlation ID> does not match with <Follow Up Correlation ID> in a request message — 'R' If <Follow Up Correlation ID> matches with <Follow Up Correlation ID> in a request message AND <National Case Reference Identifier> is present in the request message — Otherwise it does not apply.	IF <Follow Up Correlation ID> matches with <Follow Up Correlation ID> in a request message AND <National Case Reference Identifier> is present in the request message THEN <National Case Reference Identifier> must be equal to the value of <National Case Reference Identifier> in the request message.	an..99
2		CONTACT	O			
	a	Office Reference Number	R		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
	b	Submitting Excise Officer	O			an..35
	c	Tel. Number	O			an..35
	d	Fax Number	O			an..35
	e	Email Address	O			an..70
3		ACO_ACTION RESULT	O			99x
	a	ARC	O		(see Code list 2 in Annex II to Regulation (EC) No 684/2009)	an21
	b	Sequence Number	C	— 'O' if <ARC> is present — Does not apply otherwise (see ARC in box 3a)	The value of the Data Item must be greater than zero.	n..2
	c	Administrative Cooperation Action Code	R		(see Code list 9 in Annex II)	n..2
	d	ACO Action Complement	C	— 'R' if <Administrative Cooperation Action Code> is 'Other' — 'O' otherwise (see Administrative Cooperation Action Code in box 3c)		an..999
	e	ACO Action Complement_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	f	ACO Action Not Possible Reason Code	O		(see Code list 11 in Annex II)	n..2

A	B	C	D	E	F	G
	g	ACO Action Not Possible Reason Complement	C	— 'R' if <ACO Action Not Possible Reason Code> is 'Other' — 'O' otherwise (see ACO Action Not Possible Reason Code in box 3f)		an..999
	h	ACO Action Not Possible Reason Complement_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	i	Finding at Destination	O		The possible values are: 0 = Other finding 1 = (reserved) 2 = Consignment in order 3 = Consignment has not reached destination 4 = Consignment arrived late 5 = Shortage detected 6 = Excise products not in order 7 = Consignment not entered in stock records 8 = Trader could not be contacted 9 = Missing trader 10 = Excess detected 11 = Wrong EPC 12 = Wrong destination type code 13 = Differences confirmed 14 = Manual closing recommended 15 = Interruption recommended 16 = Irregularities Found	n..2
	j	Other Finding Type	C	— 'R' if <Finding at Destination> is 'Other finding' — Does not apply otherwise (see Finding at Destination in box 3i)		an..999

A	B	C	D	E	F	G
	<i>k</i>	Other Finding Type_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>l</i>	Complementary Explanations	O			an..999
	<i>m</i>	Complementary Explanations_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>n</i>	Control Report Reference	O		(see Code list 2 in Annex II) A 'Control Report' message exists in the system (including the case that it is encapsulated in a received 'Movement History'/'History results' message) having the same <Control Report Reference> with that of the submitted message. In addition if the <ARC> is provided in the submitted message then it coincides with the <ARC> of the referenced 'Control Report' message. (see ARC in box 3a)	an16
4		FEEDBACK REQUEST	O			
	<i>a</i>	Feedback Requested or Provided	R		The possible values are: 0 = No feedback requested 1 = Feedback requested 2 = Feedback provided	n1
	<i>b</i>	Follow Up Actions	C	At least one among these two fields if box 4a is given: — <Follow Up Actions> — <Relevance of Information>	—	an..999
	<i>c</i>	Follow Up Actions_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>d</i>	Relevance of Information Provided	C	At least one among these two fields if box 4a is given: — <Follow Up Actions> — <Relevance of Information>	—	an..999
	<i>e</i>	Relevance of Information_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2

A	B	C	D	E	F	G
5		SUPPORTING DOCUMENTS	O			9x
	a	Short Description of Supporting Document	C	— 'R' if <Supporting Document Type> is 'Other' — Doesn't apply otherwise (See Supporting Document Type in box 5f)		an..999
	b	Short Description of Supporting Document_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	c	Reference of Supporting Document	C	At least one, among these three fields, must be present: — <Short Description of Supporting Document> — <Reference of Supporting Document> — <Image of Document> (see Short Description of Supporting Document in box.5a and Image of Document in box 5e)		an..999
	d	Reference of Supporting Document_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	e	Image of Document	C	At least one, among these three fields, must be present: — <Short Description of Supporting Document> — <Reference of Supporting Document> — <Image of Document> (see Short Description of Supporting Document in box 5a and Reference of Supporting Document in box 5c)		
	f	Supporting Document Type	C	At least one, among these three fields, must be present: — <Short Description of Supporting Document> — <Reference of Supporting Document> — <Image of Document> (see Short Description of Supporting Document in box 5a, Reference of Supporting Document in box 5c and Image of Document in box 5e)	(see code list 15 in Annex II)	n..4

Table 11

(as referred to in Article 9(2) and Article 11)

Control Report

A	B	C	D	E	F	G
1		ATTRIBUTES	R			
	<i>a</i>	Message Type	R		The possible values are: 1 = Validated document	n1
	<i>b</i>	Date and Time of Validation of Control Report	C	— 'R' after successful validation — Does not apply otherwise		dateTime
2		CONTROL REPORT HEADER	R			
	<i>a</i>	Control Report Reference	R		(see Code list 2 in Annex II)	an16
2.1		CONTROL OFFICE	R			
	<i>a</i>	Control Office Reference Number	O		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
	<i>b</i>	Member State Code	C	For 2.1 <i>b</i> , <i>c</i> , <i>d</i> , <i>e</i> , <i>f</i> , and <i>g</i> : — 'R' except for <Street Number>, which is 'O', if <Control Office Reference Number> is not given — Does not apply otherwise (see Control Office Reference Number in box 2.1a)	A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.	a2
	<i>c</i>	Control Office Name	C			an..35
	<i>d</i>	Street Name	C			an..65
	<i>e</i>	Street Number	C			an..11
	<i>f</i>	Postcode	C			an..10
	<i>g</i>	City	C			an..50
	<i>h</i>	Phone Number	C	For 2.1 <i>h</i> , <i>i</i> and <i>j</i> : If <Control Office Reference Number> is not given, at least one of the following three attributes must be present: — <Phone Number> — <Fax Number> — <Email Address> — otherwise, none of the three attributes are applicable (see Control Office Reference Number in box 2.1a)		an..35
	<i>i</i>	Fax Number	C			an..35
	<i>j</i>	Email Address	C			an..70

A	B	C	D	E	F	G
	<i>k</i>	NAD_LNG	C	'R' if the corresponding free text field(s) is (are) used	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
3		EXCISE MOVEMENT e-AD	C	One of the <EXCISE MOVEMENT e-AD> or <OTHER AC-COMPANYING DOCUMENT> data groups must be present		
	<i>a</i>	ARC	R		<i>(see Code list 2 in Annex II to Regulation (EC) No 684/2009)</i>	an21
	<i>b</i>	Sequence Number	R		The value of the Data Item must be greater than zero.	n..2
4		OTHER ACCOMPANYING DOCUMENT	C	One of the <EXCISE MOVEMENT e-AD> or <OTHER AC-COMPANYING DOCUMENT> data groups must be present		
	<i>a</i>	Other Accompanying Document Type	R		The possible values are: 0 = Other 2 = SAAD	n1
	<i>b</i>	Short Description of Other Accompanying Document	C	'R' if <Other Accompanying Document Type> is 'Other' It doesn't apply otherwise		an...350
	<i>c</i>	Short Description of Other Accompanying Document_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	n2
	<i>d</i>	Other Accompanying Document Number	R			an...350
	<i>e</i>	Other Accompanying Document Date	R			date
	<i>f</i>	Image of Other Accompanying Document	O			
	<i>g</i>	Member State of Dispatch	R		<i>A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.</i>	a2
	<i>h</i>	Member State of Destination	R		<i>A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.</i>	a2

A	B	C	D	E	F	G
4.1		TRADER Person Involved in Movement	O			9x
	a	Trader Excise Number	C	At least one of the following attributes must be present: — <Trader Excise Number> — <Trader Identification> — <Trader Name>	An existing identifier (Excise Number) <Trader Excise Number> in the set of <TRADER AUTHORISATION> or <Temporary Authorisation Reference> in the set of <TEMPORARY AUTHORISATION>. (see Code list 1 in Annex II to Regulation (EU) No 612/2013)	an13
	b	Trader Identification	C	At least one of the following attributes must be present: — <Trader Excise Number> — <Trader Identification> — <Trader Name>	A VAT number or any other National number.	an16
	c	Trader Name	C	At least one of the following attributes must be present: — <Trader Excise Number> — <Trader Identification> — <Trader Name>	—	an..182
	d	Trader Person Type	O		The possible values are the following: 1 = Consignor 2 = Consignee 3 = Tax representative 4 = Vendor 5 = Liable person 6 = Customer private individual	n..2
	e	Member State Code	C	'R' if <Trader Name> is given AND <Trader Excise Number> and <Trader Identification> is not given. It doesn't apply otherwise	(see Code list 3 in Annex II to Regulation (EC) No 684/2009)	a2
	f	Street Name	O			an..65
	g	Street Number	O			an..11
	h	Postcode	O			an..10

A	B	C	D	E	F	G
	i	City	O			an..50
	j	NAD_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	k	Phone Number	O			an..35
	m	Email Address	O			an..70
4.2		GOODS ITEM	O			999x
	a	Description of the Goods	O			an..55
	b	CN Code	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT.Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box4 and 4f)	The value of the Data Item must be greater than zero.	n8
	c	Commercial Description of the Goods	O			an..999
	d	Additional code	O			an..35
	e	Quantity	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT.Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box4 and 4f)	The value of the Data Item must be greater than zero.	n..15,3
	f	Unit of Measure Code	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT.Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box4 and 4f)	(See Annex II to Regulation (EC) No 684/2009, Code list 12)	n..2
	g	Gross Weight	O		The Gross Weight must be equal to or higher than Net Weight. The value of the Data Item must be greater than zero.	n..15,2
	h	Net Weight	O		The Gross Weight must be equal to or higher than Net Weight. The value of the Data Item must be greater than zero.	n..15,2

A	B	C	D	E	F	G
4.3		MEANS OF TRANSPORT	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT.Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box4 and 4f)		
	a	Trader Name	R			an..182
	b	Street Name	R			an..65
	c	Street Number	O			an..11
	d	Transporter Country	R		Provide a 'Country Code' listed in Code list 4 of Annex II to Regulation (EC) No 684/2009, but not listed in Code list 3 of Annex II to Regulation (EC) No 684/2009 and except 'Country Code'GR'.	a2
	e	Postcode	R			an..10
	f	City	R			an..50
	g	Transport Mode Code	R		Provide the mode of transport using the codes in Code list 7 of Annex II to Regulation (EC) No 684/2009.	n..2
	h	ACO_Complementary Information	C	— 'R' if <MEANS OF TRANSPORT. Transport Mode Code> is 'Other' — Does not apply otherwise (see box 4.3 g)		an..999
	i	ACO_Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	j	Registration	R			an..35
	k	Country of Registration	R		Provide a 'Country Code' listed in Code list 4 of Annex II to Regulation (EC) No 684/2009, but not listed in Code list 3 of Annex II to Regulation (EC) No 684/2009 and except 'Country Code'GR'.	a2
5		CONTROL REPORT	R			
	a	Date of Control	R			date
	b	Place of Control	R			an..350
	c	Place of Control_LNG	R		Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2

A	B	C	D	E	F	G
	d	Control Type	R		The possible values are: 1 = Physical control 2 = Documentary control	n1
	e	Reason for Control	R		The possible values are: 0 = Other reason 1 = Control started at random 2 = Event signalled 3 = Request for assistance received 4 = Request from another office 5 = Alert received	n1
	f	Complementary Origin Reference	O			an..350
	g	Complementary Origin Reference_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	h	Control Officer Identity	R			an..350
	i	Control Officer Identity_LNG	R		<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	j	Global Control Conclusion	R		The possible values are: 1 = Satisfactory 2 = Minor discrepancies found 3 = Interruption recommended 4 = Intention to make claim under Article 10 of Council Directive 2008/118/EC 5 = Allowable loss detected, in relation to Article 7(4) of Council Directive 2008/118/EC	n1

A	B	C	D	E	F	G
	<i>k</i>	Control at Arrival Required	R		The possible values are: 0 = No or False 1 = Yes or True	n1
	<i>l</i>	Flag	R		The possible values are: 0 = No or False 1 = Yes or True	n1
	<i>m</i>	Comments	O			an..350
	<i>n</i>	Comments_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
5.1		PERFORMED CONTROL ACTION	R			99x
	<i>a</i>	Performed Control Action	R		The possible values are: 0 = Other control action 1 = Verified counted packs 2 = Unloaded 3 = Opened packs 4 = Annotated paper copy of documents (e.g. SAAD) 5 = Counting 6 = Sampling 7 = Administrative control 8 = Goods weighted/measured 9 = Random check 10 = Control of records 11 = Compare documents presented with e-AD	n..2

A	B	C	D	E	F	G
	b	Other Control Action	C	— 'R' if <Performed Control Action> is '0' — Does not apply otherwise (see <i>Performed Control Action</i> in box 5.1a)		an..350
	c	Other Control Action_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
5.2		SUPPORTING EVIDENCE	C	— 'R' if <Reason for Control> is '2' — 'O' otherwise (see <i>Reason for Control</i> in box 5e)		9x
	a	Issuing Authority	O			an..35
	b	Issuing Authority_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	c	Evidence Type Code	R		(see Code list 6 in Annex II)	n..2
	d	Evidence Type Complement	C	— 'R' if <Evidence Type Code> is 'Other' — Does not apply otherwise (see <i>Evidence Type Code</i> in box 5.2c)		an..350
	e	Evidence Type Complement_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	f	Reference of Evidence	O			an..350
	g	Reference of Evidence_LNG	C	— 'R' if the corresponding text(s) field is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	h	Image of Evidence	O			
5.3		UNSATISFACTORY REASON	O			9x
	a	Unsatisfactory Reason Code	R		(see Code list 12 in Annex II)	n..2
	b	Complementary Information	C	— 'R' if <Unsatisfactory Reason Code> is 'Other' — Does not apply otherwise (see <i>Unsatisfactory Reason Code</i> in box 5.3a)		an..350
	c	Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2

A	B	C	D	E	F	G
5.4		TRANSPORT DETAILS	O			99x
	a	Transport Unit Code	R		(see Code list 7 in Annex II to Regulation (EC) No 684/2009)	n..2
	b	Identity of Transport Units	C	— 'R' if <Transport Unit Code> is not 'Fixed transport installations' — Does not apply otherwise (see Transport Unit Code in box 5.4a)		an..35
	c	Identity of Commercial Seal	O			an..35
	d	Seal Information	O			an..350
	e	Seal Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	f	Complementary Information	O			an..350
	g	Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
5.5		CONTROL REPORT Body	O			99x
	a	Body Record Unique Reference	C	— 'R' if <EXCISE MOVEMENT e-AD> data group is present — Does not apply otherwise	This value refers to the <Body Record Unique Reference> of the e-AD Body of the associated e-AD and must be unique within the message. The value of the Data Item must be greater than zero.	n..3
	b	Description of the Goods	C	— 'O' if the <OTHER ACCOMPANYING DOCUMENT> data group is present — Does not apply otherwise	—	an..55
	c	CN Code	C	— 'R' if the <OTHER ACCOMPANYING DOCUMENT> data group is present — Does not apply otherwise	The value of the Data Item must be greater than zero.	n8
	d	Additional code	C	— 'O' if the <OTHER ACCOMPANYING DOCUMENT> data group is present — Does not apply otherwise	—	an..35
	e	Indicator of Shortage or Excess	O		The possible values are: S = Shortage E = Excess	a1

A	B	C	D	E	F	G
	<i>f</i>	Observed Shortage or Excess	C	— 'R' if <Indicator of Shortage or Excess> is given — Does not apply otherwise (see <i>Indicator of Shortage or Excess</i> in box 5.5e)	The value of the Data Item must be greater than zero.	n..15,3
	<i>g</i>	Comments	O			an..350
	<i>h</i>	Comments_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
5.5.1		UNSATISFACTORY REASON	O			9x
	<i>a</i>	Unsatisfactory Reason Code	R		(see <i>Code list 12</i> in Annex II)	n..2
	<i>b</i>	Complementary Information	C	— 'R' if <Unsatisfactory Reason Code> is 'Other' — 'O' otherwise (see <i>Indicator of Unsatisfactory Reason Code</i> in box 5.5.1a)		an..350
	<i>c</i>	Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2

Table 12

(as referred to in Article 14)

Event Report

A	B	C	D	E	F	G
1		ATTRIBUTES	R			
	<i>a</i>	Message Type	R		The possible values are: 1 = Initial submission 3 = Validated document	n1
	<i>b</i>	Date and Time of Validation of Event Report	C	— 'R' after successful validation, — Does not apply otherwise	—	dateTime

A	B	C	D	E	F	G
2		EVENT REPORT HEADER	R			
	<i>a</i>	Event Report Number	C	— 'R' if <Message Type> is '3' — Does not apply otherwise (see Message Type in box 1a)	(see Code list 2 in Annex II)	an16
	<i>b</i>	MS of Submission Event Report Reference	C	— 'R' if <Message Type> is '1' or '3' and the MS of submission is different from the MS of event — 'O' if <Message Type> is '1' or '3' and the MS of submission is the MS of event — Does not apply otherwise (see Message Type in box 1a)	The format of <MS of Submission Event Report Reference> is: — 2 alphabetic characters: Identifier of the Member State of Submission of the event report — followed by a nationally assigned, unique code	an..35
	<i>c</i>	ARC	R		(see Code list 2 in Annex II to Regulation (EC) No 684/2009)	an21
	<i>d</i>	Sequence Number	R		The value of the data element must be greater than zero.	n..2
3		OTHER ACCOMPANYING DOCUMENT	C	One of the <EXCISE MOVEMENT e-AD> or <OTHER ACCOMPANYING DOCUMENT> data groups must be present		
	<i>a</i>	Other Accompanying Document Type	R		The possible values are: 0 = Other 2 = SAAD	n1
	<i>b</i>	Short Description of Other Accompanying Document	C	— 'R' if <Other Accompanying Document Type> is 'Other' — It doesn't apply otherwise		an..350
	<i>c</i>	Short Description of Other Accompanying Document_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise		a2
	<i>d</i>	Other Accompanying Document Number	R			an..350
	<i>e</i>	Other Accompanying Document Date	R			date
	<i>f</i>	Image of Other Accompanying Document	O			

A	B	C	D	E	F	G
	<i>g</i>	Member State of Dispatch	R		<i>A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.</i>	a2
	<i>h</i>	Member State of Destination	R		<i>A Member State identified by a Member State Code in Code list 3 of Annex II to Regulation (EC) No 684/2009.</i>	a2
3.1		TRADER Person Involved in Movement	O			9x
	<i>a</i>	Trader Excise Number	C	— At least one of the following attributes must be present: — <Trader Excise Number> — <Trader Identification> — <Trader Name>	An existing identifier (Excise Number) <Trader Excise Number> in the set of <TRADER AUTHORISATION> or <Temporary Authorisation Reference> in the set of <TEMPORARY AUTHORISATION>. (see Code list 1 in Annex II to Regulation (EU) No 612/2013)	an13
	<i>b</i>	Trader Identification	C	— At least one of the following attributes must be present: — <Trader Excise Number> — <Trader Identification> — <Trader Name>	A VAT number or any other National number.	an16
	<i>c</i>	Trader Name	C	— At least one of the following attributes must be present: — <Trader Excise Number> — <Trader Identification> — <Trader Name>	—	an..182
	<i>d</i>	Trader Person Type	O		The possible values are the following: 1 = Consignor 2 = Consignee 3 = Tax representative 4 = Vendor 5 = Liable person 6 = Customer private individual	n..2
	<i>e</i>	Member State Code	C	— 'R' if <Trader Name> is given AND <Trader Excise Number> and <Trader Identification> is not given. — It doesn't apply otherwise	(see Code list 3 in Annex II to Regulation (EC) No 684/2009)	a2

A	B	C	D	E	F	G
	<i>f</i>	Street Name	O			an..65
	<i>g</i>	Street Number	O			an..11
	<i>h</i>	Postcode	O			an..10
	<i>j</i>	NAD_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>k</i>	Phone Number	O			an..35
	<i>l</i>	Fax Number	O			an..35
	<i>m</i>	Email Address	O			an..70
3.2		GOODS ITEM	O			999x
	<i>a</i>	Description of the Goods	O			an..55
	<i>b</i>	CN Code	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT. Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box 3 and 3f)	The value of the Data Item must be greater than zero.	n8
	<i>c</i>	Commercial Description of the Goods	O			an..999
	<i>d</i>	Additional code	O			an..35
	<i>e</i>	Quantity	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT. Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box 3 and 3f)	The value of the Data Item must be greater than zero.	n..15,3
	<i>f</i>	Unit of Measure Code	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT. Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box 3 and 3f)	(See Annex II to Regulation (EC) No 684/2009, Code list 12)	n..2
	<i>g</i>	Gross Weight	O		The Gross Weight must be equal to or higher than Net Weight. The value of the Data Item must be greater than zero.	n..15,2

A	B	C	D	E	F	G
	<i>h</i>	Net Weight	O		The Gross Weight must be equal to or higher than Net Weight. The value of the Data Item must be greater than zero.	n..15,2
3.3		MEANS OF TRANSPORT	C	— 'R' if <OTHER ACCOMPANYING DOCUMENT.Image of Other Accompanying Document> is not present in the <OTHER ACCOMPANYING DOCUMENT> data group — Does not apply otherwise (see box 3 and 3f)		
	<i>a</i>	Trader Name	R			an..182
	<i>b</i>	Street Name	R			an..65
	<i>c</i>	Street Number	O			an..11
	<i>d</i>	Transporter Country	R		Provide a 'Country Code' listed in Code list 4 of Annex II to Regulation (EC) No 684/2009, but not listed in Code list 3 of Annex II to Regulation (EC) No 684/2009 and except 'Country Code'GR'.	a2
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	Transport Mode Code	R		Provide the mode of transport using the codes in Code list 7 of Annex II to Regulation (EC) No 684/2009.	n..2
	<i>h</i>	ACO_Complementary Information	C	— 'R' if <MEANS OF TRANSPORT.Transport Mode Code> is 'Other' — Does not apply otherwise (see box 3.3 g)		an..999
	<i>i</i>	ACO_Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is (are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	<i>j</i>	Registration	R			an..35
	<i>k</i>	Country of Registration	R		Provide a 'Country Code' listed in Code list 4 of Annex II to Regulation (EC) No 684/2009, but not listed in Code list 3 of Annex II to Regulation (EC) No 684/2009 and except 'Country Code'GR'.	a2
4		EVENT REPORT	R			
	<i>a</i>	Date of Event	R			date
	<i>b</i>	Place of Event	R			an..350

A	B	C	D	E	F	G
	<i>c</i>	Place of Event_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>d</i>	Excise Officer Identification	O			an..35
	<i>e</i>	Submitting Person	R			an..35
	<i>f</i>	Submitting Person Code	R		<i>(see Code list 10 in Annex II)</i>	n..2
	<i>g</i>	Submitting Person Completion	C	— 'R' if <Submitting Person Code> is 'Other' — 'O' otherwise <i>(see Submitting Person Code in box 4f)</i>		an..350
	<i>h</i>	Submitting Person Completion_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>i</i>	Changed Transport Arrangement	O		The possible values are: 1 = Consignor 2 = Consignee 3 = Owner of goods 4 = Other	n1
	<i>j</i>	Comments	O			an..350
	<i>k</i>	Comments_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
5		EVIDENCE OF EVENT	O			9x
	<i>a</i>	Issuing Authority	O			an..35
	<i>b</i>	Issuing Authority_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>c</i>	Evidence Type Code	R		<i>(see Code list 6 in Annex II)</i>	n..2

A	B	C	D	E	F	G
	<i>d</i>	Evidence Type Complement	C	— 'R' <Evidence Type Code> is 'Other' — Does not apply otherwise (see Evidence Type Code in box 5c)		an..350
	<i>e</i>	Evidence Type Complement_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	2
	<i>f</i>	Reference of Evidence	R			an..350
	<i>g</i>	Reference of Evidence_LNG	R		Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	<i>h</i>	Image of Evidence	O			
6		TRADER New Transport Arranger	C	— Does not apply if <Changed Transport Arrangement> is '1', '2', or is not used — 'R' otherwise (see Changed Transport Arrangement in box 4i)		
	<i>a</i>	VAT Number	O			an..14
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
7		TRADER New Transporter	O			
	<i>a</i>	VAT Number	O			an..14
	<i>b</i>	Trader Name	R			an..182
	<i>c</i>	Street Name	R			an..65
	<i>d</i>	Street Number	O			an..11

A	B	C	D	E	F	G
	<i>e</i>	Postcode	R			an..10
	<i>f</i>	City	R			an..50
	<i>g</i>	NAD_LNG	R		Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
8		TRANSPORT DETAILS	O			99x
	<i>a</i>	Transport Unit Code	R		(see Code list 7 in Annex II to Regulation (EC) No 684/2009)	n..2
	<i>b</i>	Identity of Transport Units	C	— Does not apply if <Transport Unit Code> is 'Fixed transport installations'. — 'R' otherwise (see Transport Unit Code in box 8a)		an..35
	<i>c</i>	Identity of Commercial Seal	O			an..35
	<i>d</i>	Seal Information	O			an..350
	<i>e</i>	Seal Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
	<i>f</i>	Complementary Information	O			an..350
	<i>g</i>	Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
9		EVENT REPORT Body	C	— 'O' if <TRADER New Transport Arranger> is used, or <TRADER New Transporter> is used, or <TRANSPORT DETAILS> is used — 'R' otherwise (see TRADER New Transport Arranger in 6, TRADER New Transport in 7, and TRANSPORT DETAILS in 8)		99x
	<i>a</i>	Event Type Code	R		(see Code list 14 in Annex II)	n..2
	<i>b</i>	Associated Information	C	— 'R' if <Event Type Code> is '0' — 'O' otherwise (see Event Type Code in box 9a)		an..350
	<i>c</i>	Associated Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2

A	B	C	D	E	F	G
1		ATTRIBUTES	R			
	<i>a</i>	Date and Time of Validation of Alert or Rejection	C	— R if corresponding field is validated — Does not apply otherwise		dateTime
2		EXCISE MOVEMENT e-AD	R			

A	B	C	D	E	F	G		
	a	ARC	R		Provide the ARC of the e-AD. (see Code list 2 in Annex II to Regulation (EC) No 684/2009)	an21		
	b	Sequence Number	R		The value of the data element must be greater than zero.	n..2		
3		TRADER Consignee	C	'R', except for message type '2 — Submission for export with local clearance' or for Destination Type Code 8				
	a	Trader Identification	C	— 'R' if <Destination Type Code> is in: — 'Destination — Tax warehouse' — 'Destination — Registered consignee' — 'Destination — Temporary registered consignee' — 'Destination — Direct delivery' — 'O' if <Destination Type Code> is 'Destination — Export' — Does not apply otherwise	The possible values of <Trader Identification> are described in the following table:	an..16		
					Destination Type Code		TRADER CON-SIGNEE. Trader Identification	TRADER Place of Delivery. Trader Identification
					1 - Destination — Tax warehouse		Excise number ⁽¹⁾	Tax Warehouse Reference (Excise Number) ⁽²⁾
					2 - Destination — Registered consignee		Excise number ⁽³⁾	Any identification ⁽⁴⁾
					3 - Destination — Temporary registered consignee		Temporary authorisation reference ⁽⁵⁾	Any identification ⁽⁶⁾
					4 - Destination — Direct delivery		Excise number ⁽⁷⁾	(Does not apply)
					5 - Destination — Exempted consignee		(Does not apply)	Any identification ⁽⁸⁾

A	B	C	D	E	F	G
					6 - Destination — Export VAT number (optional) (The data group <TRADER Place of Delivery> does not exist)	
					8 - Unknown destination (Does not apply) (Does not apply)	
					(¹) The operator type of the consignee is 'Authorised warehouse keeper'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. (²) An existing identifier <Tax Warehouse Reference> in the set of <TAX WAREHOUSE>. (³) The operator type of the consignee is 'Registered consignee'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. (⁴) For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. (⁵) An existing <Temporary Authorisation Reference> in the set of <TEMPORARY AUTHORISATION>. (⁶) For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. (⁷) The operator type of the consignee is either 'Authorised warehouse keeper' or 'Registered consignee'. An existing identifier <Trader Excise Number> in the set of <TRADER AUTHORISATION>. (⁸) For the place of delivery, 'Any identification' means: a VAT number or any other identifier; it is optional. (see Code list 1 and Code list 2 in Annex II to Regulation (EU) No 612/2013, if applicable)	
	b	EORI Number	C	— 'O' if <Destination Type Code> is 'Destination — Export' — Does not apply otherwise	Provide the EORI number of the person responsible for lodging the export declaration as set out in Article 21(5) of Directive 2008/118/EC.	an..17
	c	Trader Name	R			an..182
	d	Street Name	R			an..65
	e	Street Number	O			an..11
	f	Postcode	R			an..10

A	B	C	D	E	F	G
	<i>g</i>	City	R			an..50
	<i>h</i>	NAD_LNG	R		Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2
4		OFFICE OF DESTINATION	R			
	<i>a</i>	Office Reference Number	R		(see Code list 5 in Annex II to Regulation (EC) No 684/2009)	an8
5		ALERT	R			
	<i>a</i>	Date of Alert	R			date
	<i>b</i>	e-AD Rejected flag	R		The format of Boolean is digital: '0' or '1' ('0' = No or False; '1' = Yes or True).	n1
6		ALERT OR REJECTION OF E-AD REASON Code	C	— 'R' if <e-AD Rejected flag> is True — 'O' if otherwise		9x
	<i>a</i>	Alert or Rejection of E-AD Reason Code	R		(see Code list 5 in Annex II)	n..2
	<i>b</i>	Complementary Information	C	— 'R' if <Alert or Rejection of E-AD Reason Code> is 'Other' — 'O' otherwise (see Alert or Rejection of E-AD Reason Code in box 6a)		an..350
	<i>c</i>	Complementary Information_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.	a2

Table 15

(as referred to in Article 6a)

Manual Closure Request

A	B	C	D	E	F	G
1		ATTRIBUTE	R			
	<i>a</i>	ARC	R		Provide the ARC of the e-AD. (see Code list 2 in Annex II to Regulation (EC) No 684/2009)	an21

A	B	C	D	E	F	G
	<i>b</i>	Sequence Number	R		<i>Provide the sequence number of the e-AD.</i>	n..2
	<i>c</i>	Manual Closure Request Reason Code	R		<i>(see code list 16 in Annex II)</i>	n1
	<i>d</i>	Manual Closure Reason Complement	C	— 'R' if <Manual Closure Request Reason Code> is 'Other' — 'O' otherwise		an..999
	<i>e</i>	Manual Closure Reason Complement_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
2		SUPPORTING DOCUMENTS	O			9x
	<i>a</i>	Short Description of Supporting Document	C	— 'R' if <Supporting Document Type> is 'Other' — Does not apply otherwise		an..999
	<i>b</i>	Short Description of Supporting Document_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>c</i>	Reference of Supporting Document	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> <i>(see Image of Document in box 2e and Supporting Document Type in box 2f)</i>		an..999
	<i>d</i>	Reference of Supporting Document_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>e</i>	Image of Document	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> <i>(see Reference of Supporting Document in box 2c and Supporting Document Type in box 2f)</i>		
	<i>f</i>	Supporting Document Type	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> <i>(see Reference of Supporting Document in box 2c and Image of Document in box 2e)</i>	<i>(see code list 15 in Annex II)</i>	n..4

A	B	C	D	E	F	G
3		MANUAL CLOSURE Body	O			999X
	<i>a</i>	Body Record Unique Reference	R		This value refers to the <Body Record Unique Reference> of the e-AD Body of the associated e-AD and must be unique within the message. The value of this data element must be greater than zero.	n..3
	<i>b</i>	Indicator of Shortage or Excess	O		The possible values are: S = Shortage E = Excess	a1
	<i>c</i>	Observed Shortage or Excess	C	— 'R' if <Indicator of Shortage or Excess> is given — Does not apply otherwise (see <i>Indicator of Shortage or Excess</i> in box 3b)	The value of the Data Item must be greater than zero.	n..15,3
	<i>d</i>	Excise Product Code	O		(see <i>Code list 11 in Annex II to Regulation (EC) No 684/2009</i>)	an4
	<i>e</i>	Refused Quantity	O		The value of this data element must be greater than zero.	n..15,3
	<i>f</i>	Complementary Information	O			an..350
	<i>g</i>	Complementary Information_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	Provide the language code presented in <i>Annex II to Regulation (EC) No 684/2009</i> , <i>Code list 1</i> to define the language used in this data group.	a2

Table 16

(as referred to in Article 14a)

Manual Closure Response

A	B	C	D	E	F	G
1		ATTRIBUTE	R			
	<i>a</i>	ARC	R		Provide the ARC of the e-AD. (see <i>Code list 2 in Annex II to Regulation (EC) No 684/2009</i>)	an21
	<i>b</i>	Sequence Number	R		Provide the sequence number of the e-AD.	n..2

A	B	C	D	E	F	G
	<i>c</i>	Date of Arrival of Excise Products	O		The date at which the movement ends in accordance with Article 20(2) of Directive 2008/118/EC.	date
	<i>d</i>	Global Conclusion of Receipt	O		The possible values are: 1 = Receipt accepted and satisfactory, 2 = Receipt accepted although unsatisfactory, 3 = Receipt refused, 4 = Receipt partially refused, 21 = Exit accepted and satisfactory, 22 = Exit accepted although unsatisfactory, 23 = Exit refused.	n..2
	<i>e</i>	Complementary Information	O			an..350
	<i>f</i>	Complementary Information_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>g</i>	Manual Closure Request Reason Code	R		(see code list 16 in Annex II)	n1
	<i>h</i>	Manual Closure Reason Complement	C	— 'R' if <Manual Closure Request Reason Code> is 'Other' — 'O' otherwise		an..999
	<i>i</i>	Manual Closure Reason Complement_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	<i>j</i>	Manual Closure Request Accepted	R		The format of Boolean is digital: '0' or '1' ('0' = No or False; '1' = Yes or True).	n1
	<i>k</i>	Manual Closure Rejection Reason Code	C	— 'R' if <Manual Closure Request Accepted> is '0' — Does not apply otherwise	(see code list 17 in Annex II)	n1
	<i>l</i>	Manual Closure Rejection Complement	C	— 'R' if <Manual Closure Rejection Reason Code> is 'Other' — 'O' otherwise		an..999
	<i>m</i>	Manual Closure Rejection Complement_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2

A	B	C	D	E	F	G
2		SUPPORTING DOCUMENTS	O			9x
	a	Short Description of Supporting Document	C	— 'R' if <Supporting Document Type> is 'Other' — Does not apply otherwise		an..999
	b	Short Description of Supporting Document_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	c	Reference of Supporting Document	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> (see Image of Document in box 2e and Supporting Document Type in box 2f)		an..999
	d	Reference of Supporting Document_LNG	C	— 'R' if the corresponding text field(s) is(are) used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2
	e	Image of Document	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> (see Reference of Supporting Document in box 2c and Supporting Document Type in box 2f)		
	f	Supporting Document Type	C	At least one, among these three fields, must be present: — <Supporting Document Type> — <Reference of Supporting Document> — <Image of Document> (see Reference of Supporting Document in box 2c and Image of Document in box 2e)	(see code list 15 in Annex II)	n..4
3		MANUAL CLOSURE Body	O			999X
	a	Body Record Unique Reference	R		This value refers to the <Body Record Unique Reference> of the e-AD Body of the associated e-AD and must be unique within the message. The value of this data element must be greater than zero.	n..3

A	B	C	D	E	F	G
	<i>b</i>	Indicator of Shortage or Excess	O		The possible values are: S = Shortage E = Excess	a1
	<i>c</i>	Observed Shortage or Excess	C	— 'R' if <Indicator of Shortage or Excess> is given — Does not apply otherwise (see <i>Indicator of Shortage or Excess</i> in box 3b)	The value of the Data Item must be greater than zero.	n..15,3
	<i>d</i>	Excise Product Code	O		(see <i>Code list 11 in Annex II to Regulation (EC) No 684/2009</i>)	an4
	<i>e</i>	Refused Quantity	O		The value of this data element must be greater than zero.	n..15,3
	<i>f</i>	Complementary Information	O			an..350
	<i>g</i>	Complementary Information_LNG	C	— 'R' if the corresponding text field is used — Does not apply otherwise	<i>Provide the language code presented in Annex II to Regulation (EC) No 684/2009, Code list 1 to define the language used in this data group.</i>	a2'

ANNEX II

In Annex II to Regulation (EC) 2016/323 is amended as follows:

- (1) In code list 4 (Refusal Reasons), in the row 8, the entry for 'Description' is replaced by the following:

'The requested Member State is unable, for legal reasons, to provide similar information'.

- (2) In code list 15 (Type of Document), after the row 18, a new row is inserted as follows:

'<TARIC CODE>	Any TARIC code used in 'box 44' of the SAD'
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- (3) A new code list 16 (Manual Closure Request Reasons) is inserted as follows:

<i>'Code list 16: Manual Closure Request Reasons'</i>	
Code	Description
0	Other
1	Export closed but no IE518 available
2	Consignee no longer connected to EMCS
3	Exempted consignee
4	Exit confirmed but no IE829 submitted (IE818 out of sequence)
5	No movement but cancellation no longer possible
6	Multiple issuances of e-ADs for a single movement
7	e-AD does not cover actual movement
8	Erroneous report of receipt
9	Erroneous rejection of an e-AD'

- (4) A new code list 17 (Manual Closure Rejection Reasons) is inserted as follows:

<i>'Code list 17: Manual Closure Rejection Reasons'</i>	
Code	Description
0	Other
1	Evidence provided does not justify manual closure
2	Request Reason provided does not justify manual closure'

DECISIONS

DECISION (EU) 2019/2224 OF THE EUROPEAN PARLIAMENT

of 23 October 2019

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2017, Section II — European Council and Council

THE EUROPEAN PARLIAMENT,

- having regard to the general budget of the European Union for the financial year 2017 ⁽¹⁾,
 - having regard to the consolidated annual accounts of the European Union for the financial year 2017 (COM(2018) 521 – C8-0320/2018) ⁽²⁾,
 - having regard to the Council's annual report to the discharge authority on internal audits carried out in 2017,
 - having regard to the Court of Auditors' annual report on the implementation of the budget concerning the financial year 2017, together with the institutions' replies ⁽³⁾,
 - having regard to the statement of assurance ⁽⁴⁾ as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2017, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
 - having regard to its decision of 26 March 2019 ⁽⁵⁾ postponing the discharge decision for the financial year 2017, and the accompanying resolution,
 - having regard to Article 314(10) and Articles 317, 318 and 319 of the Treaty on the Functioning of the European Union,
 - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 ⁽⁶⁾, and in particular Articles 55, 99, 164, 165 and 166 thereof,
 - having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ⁽⁷⁾, and in particular Articles 59, 118, 260, 261 and 262 thereof,
 - having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the second report of the Committee on Budgetary Control (A9-0010/2019),
1. Refuses to grant the Secretary-General of the Council discharge in respect of the implementation of the budget of the European Council and of the Council for the financial year 2017;
 2. Sets out its observations in the resolution below;
 3. Instructs its President to forward this decision and the resolution forming an integral part of it to the European Council, the Council, the Commission, the Court of Justice of the European Union, the Court of Auditors, the European Ombudsman, the European Data Protection Supervisor and the European External Action Service, and to arrange for their publication in the *Official Journal of the European Union* (L series).

The President
David Maria SASSOLI

The Secretary-General
Klaus WELLE

⁽¹⁾ OJ L 51, 28.2.2017.

⁽²⁾ OJ C 348, 28.9.2018, p. 1.

⁽³⁾ OJ C 357, 4.10.2018, p. 1.

⁽⁴⁾ OJ C 357, 4.10.2018, p. 9.

⁽⁵⁾ OJ L 249, 27.9.2019, p. 25.

⁽⁶⁾ OJ L 298, 26.10.2012, p. 1.

⁽⁷⁾ OJ L 193, 30.7.2018, p. 1.

RESOLUTION (EU) 2019/2225 OF THE EUROPEAN PARLIAMENT**of 23 October 2019****with observations forming an integral part of the decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2017, Section II — European Council and Council***THE EUROPEAN PARLIAMENT,*

- having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2017, Section II — European Council and Council,
 - having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the second report of the Committee on Budgetary Control (A9-0010/2019),
- A. whereas all Union institutions must be transparent and fully accountable to all the citizens of the Union for the funds entrusted to them to perform their duties;
- B. whereas Parliament is the sole directly elected body among the Union institutions, with the responsibility to grant discharge in respect of the implementation of the general budget of the European Union;
- C. whereas the procedure of giving discharge separately to the individual Union institutions and bodies is a long-standing practice accepted by all the other institutions except the Council, and whereas this procedure has been developed to guarantee transparency and democratic accountability towards Union citizens and to pursue the necessary fight against fraud;
1. Recalls that the Union institutions have administrative autonomy in matters relating to their respective operations; underlines the importance of them acting responsibly and professionally in the implementation of their budgets;
 2. Underlines the role of Parliament within the discharge procedure, as governed by the Treaty on the Functioning of the European Union and the Financial Regulation and that, in full acknowledgment of the Council's role as an institution giving recommendations in the discharge procedure, a distinction must be maintained in respect of the different roles of Parliament and the Council in order to comply with the institutional framework laid down in the Treaties and in the Financial Regulation;
 3. Recalls that Parliament grants discharge to the other institutions after considering the documents provided, the replies given to the questions and after hearing the secretaries-general of the other institutions; reiterates that the Council must take part fully and in good faith in the annual discharge procedure, just as the other institutions do; regrets the difficulties encountered in the Council discharge procedures to date;
 4. Regrets that the Council again failed to provide answers to the written questions sent by Parliament and that the Secretary-General of the Council did not attend the hearing organised on 27 November 2018 in the context of the annual discharge procedure; further regrets that the Council also did not reply to the observations made by Parliament in its discharge resolution of 26 March 2019, thereby disregarding the role of the Parliament;
 5. Recalls the difficulties repeatedly encountered in the Council discharge procedures to date due to the lack of cooperation from the Council which led Parliament to refuse to grant discharge to the Secretary-General of the Council in relation to the financial years 2009 to 2016 and to postpone its decision on discharge in March 2019 for the financial year 2017;
 6. Notes that the Council replied to the proposal of Parliament's Committee on Budgetary Control on the Council discharge procedure on 2 May 2018 with an amended proposal, and that Parliament's Committee on Budgetary Control sent its reaction to the Council's amended proposal on 16 July 2018; urges the Council to react to the latest proposal swiftly so that the new arrangements for the discharge procedure can be applied as soon as possible;
 7. Regrets that the request to separate the budget of the European Council and the Council into one budget for each institution, made by Parliament in previous discharge resolutions, has not been considered; insists on this separation that will contribute to increased transparency in the financial management of both institutions and improve their accountability and expenditure efficiency;

8. Reiterates its concern at the very high amount of appropriations being carried over from 2017 to 2018, particularly those in respect of furniture, technical equipment, transport and computer systems; reminds the Council that carry-overs are exceptions to the principle of annuality and should reflect actual needs; deplores, further, the Council's failure to give sufficient information on real estate policy;
 9. Welcomes efforts to further improve its financial management and performance such as the harmonisation of budget planning at a central level by integrating Multiannual Activity and Budget Planning (MABP);
 10. Acknowledges improvements in the Council's process of administrative modernisation, for example that internal rules for reporting serious irregularities are published on the Council's website along with a guide to ethics and conduct for members of staff of the Council; calls on the Council to raise awareness about these rules and to ensure that all members of staff are properly informed of their rights;
 11. Recalls that the Council agreed on the Commission proposal for a mandatory transparency register on 6 December 2017, but has still not implemented it; strongly deplores the Council's failure to participate in the transparency register scheme; strongly calls on the Council to continue discussions on the technical aspects of the package of instruments regarding the Transparency Register in order to achieve a political agreement between the three institutions as soon as possible, given that enhanced transparency within in the Union institutions will increase public confidence in the Union;
 12. Emphasises that Parliament in a plenary vote backed the European Ombudsman's proposals related to the European Ombudsman's recommendations and suggestions to the Council to allow citizens to follow the legislative process of the Union more easily (transparency of the Council legislative process, OI/2/2017/TE); recalls that the Council should, among other things, systematically record the position of each Member State in the Council preparatory bodies, develop clear and publicly available criteria for the designation of documents as 'LIMITE', in line with Union law, and develop a dedicated webpage for each legislative proposal and improve the user-friendliness of the public register of documents;
 13. Reiterates that the Council ought to be transparent and fully accountable to Union citizens for the funds entrusted to it as a Union institution;
 14. Insists that an effective budgetary control exercise requires cooperation between Parliament and the Council with due respect for their respective roles; considers that satisfactory cooperation between both institutions in the form of an open and formal dialogue procedure would be a positive sign to send to the citizens of the Union;
 15. Expresses its concerns about the information reported by the European media regarding the corporate sponsorship of Member States hosting the Union Presidency and echoes the concerns expressed by Union citizens and Members of Parliament; acknowledges that the Member States are expected to finance their own Presidencies and regrets that resorting to corporate sponsorship to cover some of their expenses in this regards has become common practice in recent years; is highly concerned about the possible reputational damage and the risk of loss of trust that this practice may incur on the Union, its institutions and especially to the Council in the eyes of the citizens of the Union; suggests that the Council adopt guidelines in order to promote the financial transparency and independency of the Presidencies; strongly recommends the Council to envisage budgetisation of the Presidencies; will closely monitor the conclusions of the enquiry of the European Ombudsman related to this matter; requests the Council to forward this concern to the Member States, in particular to the current trio Presidency;
 16. Is encouraged by the fact that the Council considers it necessary to address the discharge procedure and is open to arriving at an agreement with Parliament on how to cooperate in this regard as rapidly as possible.
-

DECISION (EU) 2019/2226 OF THE EUROPEAN PARLIAMENT**of 23 October 2019****on discharge in respect of the implementation of the budget of the European Asylum Support Office
for the financial year 2017**

THE EUROPEAN PARLIAMENT,

- having regard to the final annual accounts of the European Asylum Support Office for the financial year 2017,
- having regard to the Court of Auditors' report on the annual accounts of the European Asylum Support Office for the financial year 2017, together with the Office's reply ⁽¹⁾,
- having regard to the statement of assurance ⁽²⁾ as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2017, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of 12 February 2019 on discharge to be given to the Office in respect of the implementation of the budget for the financial year 2017 (05825/2019 – C8-0098/2019),
- having regard to its decision of 26 March 2019 ⁽³⁾ postponing the discharge decision for the financial year 2017, and the replies from the Executive Director of the European Asylum Support Office,
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 ⁽⁴⁾, and in particular Article 208 thereof,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ⁽⁵⁾, and in particular Article 70 thereof,
- having regard to Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office ⁽⁶⁾, in particular Article 36 thereof,
- having regard to Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽⁷⁾, and in particular Article 108 thereof,
- having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ⁽⁸⁾, and in particular Article 105 thereof,
- having regard to Rule 100 of and Annex V to its Rules of Procedure,
- having regard to the second report of the Committee on Budgetary Control (A9-0011/2019).

1. Refuses to grant the Executive Director of the European Asylum Support Office discharge in respect of the implementation of the Office's budget for the financial year 2017;

2. Sets out its observations in the resolution below;

⁽¹⁾ OJ C 434, 30.11.2018, p. 116.

⁽²⁾ OJ C 434, 30.11.2018, p. 116.

⁽³⁾ OJ L 249, 27.9.2019, p. 182.

⁽⁴⁾ OJ L 298, 26.10.2012, p. 1.

⁽⁵⁾ OJ L 193, 30.7.2018, p. 1.

⁽⁶⁾ OJ L 132, 29.5.2010, p. 11.

⁽⁷⁾ OJ L 328, 7.12.2013, p. 42.

⁽⁸⁾ OJ L 122, 10.5.2019, p. 1.

3. Instructs its President to forward this decision, and the resolution forming an integral part of it, to the Executive Director of the European Asylum Support Office, the Council, the Commission and the Court of Auditors, and to arrange for their publication in the *Official Journal of the European Union* (L series).

The President
David Maria SASSOLI

The Secretary-General
Klaus WELLE

RESOLUTION (EU) 2019/2227 OF THE EUROPEAN PARLIAMENT**of 23 October 2019****with observations forming an integral part of the decision on discharge in respect of the implementation of the budget for the European Asylum Support Office for the financial year 2017**

THE EUROPEAN PARLIAMENT,

- having regard to its decision on discharge in respect of the implementation of the budget of the European Asylum Support Office for the financial year 2017,
 - having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the second report of the Committee on Budgetary Control (A9-0011/2019).
- A. whereas all Union decentralised agencies ought to be transparent and fully accountable to the citizens of the Union for the funds entrusted to them as Union bodies;
- B. whereas Parliament's role in respect of the budget discharge is specified in the Treaty on the Functioning of the European Union (TFEU), in the Financial Regulation and in the Framework Financial Regulation;
1. Underlines the importance of acting responsibly and transparently in the implementation of the Union budget;
 2. Recalls the role of Parliament within the discharge procedure, as governed by the TFEU, the Financial Regulation and its rules of procedure;

Basis for an adverse opinion on the legality and regularity of the payments underlying the accounts for the financial year 2017

3. Recalls that, according to the report of the Court of Auditors (the 'Court'), the material and systematic instances of non-compliance of payments with the EASO Financial Regulation and other applicable rules and provisions mainly relate to public procurement and recruitment procedures underlying payments; regrets, furthermore, that the systematic nature of non-compliances demonstrates an inadequate internal control system; deeply regrets that the combined error from non-compliant payments amounts to at least EUR 7,7 million or 10,3 % of the total payments made by the European Asylum Support Office (the 'Office') in 2017;

The outcome of the investigation of the European Anti-Fraud Office (OLAF)

4. Deplores the findings of OLAF as regards irregularities surrounding the breach of procurement procedures, misappropriation of Union funds, mismanagement, abuse of position in human resources issues, breaches of data protection rules, harassment and inappropriate behaviour towards staff in 2017; reiterates its call on the Office to report to the discharge authority on the follow-up of the measures proposed by OLAF; understands the Office's request to report in more detail in the appropriate setting due to confidentiality and data protection issues;
5. Welcomes the decision of the Office's Management Board of 6 June 2018 to release the Executive Director from his duties with immediate effect; emphasises, however, that the budget for the 2017 financial year was implemented under the supervision of the Office's previous management; highlights that this report concerns the discharge procedure for the 2017 financial year; welcomes the designation of an ad interim Executive Director on 6 June 2018 and the appointment of a new Executive Director on 16 June 2019; recognises the commitment of the new Executive Director to deliver significant reforms ensuring solid governance; appreciates the positive message and intention for future close cooperation expressed by the new Executive Director in the public hearing of 4 September 2019 ;

Follow-up to the 2016 discharge and to the 2017 first discharge report

6. Recalls European Parliament reasoned decision of 24 October 2018 ⁽¹⁾, refusing to grant the Office's Executive Director discharge for the 2016 financial year; recalls that on 26 March 2019 Parliament decided to postpone the decision on the 2017 discharge of the Office;

⁽¹⁾ OJ L 331, 28.12.2018, p. 213.

7. Welcomes the follow-up report by the Office on the observations of Parliament for the 2017 financial year, in particular corrective measures taken by the Office's Management Board, the ad interim Executive Director and the new Executive Director in order to improve the governance structure and efficiency of the Office, restore transparency and build trust; supports and appreciates the measures outlined by the 2019 EASO Governance Action Plan; urges the Office to regularly and publicly report to the discharge authority on the implementation of that Action Plan;
8. Acknowledges the efforts and appreciates the progress made on the implementation of internal control systems, including controls on procurement and expenditure operations; supports the decision to reduce and rapidly end outsourcing legal counselling by the establishment of an internal legal service; supports the Court's observations on the need for further corrective actions;
9. Notes with satisfaction the implementation of two thirds of the corrective actions by the Office regarding procurement procedures, in particular regarding the payments under irregular procurement processes, and the completion of new open procedures, which were audited by the Court without raising any comments;
10. Welcomes the ambitious recruitment plan put in place and its positive impact on the filling of vacant managerial and other positions; notes with satisfaction the implementation of new measures aimed at preventing harassment, increasing staff well-being and reducing turnover; urges the Office to quickly finalise the recruitments in full compliance with the relevant legal procedures and to provide a regular follow up on the results achieved;
11. Notes with satisfaction that most members of the Management Board have published their declarations of interest and CVs on the Office's website; calls on those outstanding members to publish their CVs as quickly as possible; welcomes the commitment of the new leadership to raise awareness, prevent, identify and address any potential situations of conflict of interest; calls on the office to develop and implement in this sense a comprehensive strategy outlining it in their next Governance Action Plan and to report to the discharge authority on the results achieved;
12. Notes with satisfaction the measures intended by the new Office leadership to encourage and protect whistleblowers; recalls that a safe environment for whistleblowers is a key element for preventing, exposing and addressing irregular and unlawful practices; expects a rapid adoption of internal rules and guidelines concerning whistleblowing and revolving doors and calls on the Office to further report on the results achieved;
13. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 26 March 2019 ⁽²⁾ on the performance, financial management and control of the agencies.

⁽²⁾ OJ L 249, 27.9.2019, p. 361.

COUNCIL DECISION (EU) 2019/2228**of 19 December 2019****on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 79(3), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 28 February 2011, the Council authorised the Commission to open negotiations with the Republic of Belarus on an Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation ('the Agreement'). The negotiations were successfully concluded by the initialling of the Agreement via exchange of emails on 17 June 2019.
- (2) In the Eastern Partnership Summit Declaration of 7 May 2009, the Union and the partner countries reaffirmed their political support towards full liberalisation of the visa regime in a secure environment, and towards promoting mobility by concluding visa facilitation and readmission agreements with Eastern Partnership countries.
- (3) The purpose of the Agreement is to establish rapid and effective procedures for the identification and safe and orderly return of persons who do not, or no longer, fulfil the conditions for entry to, presence in, or residence on the territory of Belarus or of a Member State of the Union, and to facilitate the transit of such persons in a spirit of cooperation.
- (4) In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Decision and are not bound by it or subject to its application.
- (5) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (6) The Agreement should be signed and the Joint Declarations attached to the Agreement be approved,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the Republic of Belarus on the readmission of persons residing without authorisation is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

The Joint Declarations attached to the Agreement shall be approved on behalf of the Union.

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 4

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

Done at Brussels, 19 December 2019.

For the Council
The President
K. MIKKONEN

COUNCIL DECISION (EU) 2019/2229**of 19 December 2019****authorising the opening of negotiations with the Republic of Belarus for an agreement on Customs Cooperation and Mutual Administrative Assistance**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(3) and the first subparagraph of Article 207(4), in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas the Commission should be authorised to open negotiations with the Republic of Belarus with a view to an agreement on Customs Cooperation and Mutual Administrative Assistance,

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to open negotiations, on behalf of the European Union, with the Republic of Belarus for an agreement on Customs Cooperation and Mutual Administrative Assistance.

Article 2

The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

Article 3

The negotiations shall be conducted in consultation with the Working Party on Customs Union.

Article 4

This Decision is addressed to the Commission.

Done at Brussels, 19 December 2019.

For the Council
The President
K. MIKKONEN

ANNEX

COUNCIL DECISION TO AUTHORISE THE EUROPEAN COMMISSION TO OPEN NEGOTIATIONS FOR A CUSTOMS COOPERATION AND MUTUAL ADMINISTRATIVE ASSISTANCE AGREEMENT (CCMAA) WITH THE REPUBLIC OF BELARUS**1. Nature of the envisaged Agreement**

The scope of the envisaged Agreement will be limited to matters of Union competence. The general objective of the envisaged Agreement will be to develop and intensify cooperation and mutual administrative assistance in customs matters with the Republic of Belarus; in particular, to establish the legal basis for a customs cooperation framework which aims at securing the supply chain and facilitating legitimate trade, while ensuring effective customs controls, as well as protecting the financial interests of the European Union by enabling information exchange to ensure the proper application of customs legislation. The envisaged Agreement will be concluded for an unlimited period of time.

2. Content of the envisaged Agreement

The envisaged Agreement will cover all provisions adopted by the European Union, and the Republic of Belarus, also referred to as the Contracting Parties, in their respective customs legislations governing the import, export and transit of goods and their placing under any other customs procedure. No field that is subject to Union jurisdiction and in which customs cooperation or mutual administrative assistance would be appropriate is excluded in principle.

The envisaged Agreement should therefore cover elements such as:

- (1) Cooperation on improvement of customs legislation, harmonisation and simplification of customs procedures;
- (2) Establishment of modern customs systems, including modern customs clearance technologies, provisions for authorised economic operators, automated risk-based analysis and controls, simplified procedures for the release of goods, post-release audit, provisions for customs-to-business partnerships;
- (3) Facilitation and effective control of transshipment operations and transit movements through the respective territories; cooperation and coordination between all concerned authorities and agencies in their respective territories to facilitate traffic in transit; pursue, where relevant and appropriate, possibilities for compatibility of the respective customs transit systems;
- (4) Professional ethics;
- (5) Exchange, where appropriate and under modalities to be defined, relevant information and data whilst respecting the rules on the confidentiality of sensitive data and on personal data protection of the Contracting Parties;
- (6) Coordination of customs actions between the customs authorities of the Contracting Parties;
- (7) Mutual recognition of authorised economic operators programmes and customs controls including equivalent trade facilitation measures, where relevant and appropriate and under modalities to be defined;
- (8) Customs valuation;
- (9) Mutual administrative assistance.

3. Other provisions

The applicable rules for confidentiality, data protection and use of information will be defined in accordance with the relevant EU legislation.

The envisaged Agreement will contain the usual clauses concerning territorial application, entry into force, duration and the notice required for denouncement.

4. Joint Customs Co-operation Committee

The envisaged Agreement will provide for a Joint Customs Co-operation Committee, which will see to the proper functioning of the envisaged Agreement; it may take decisions and other measures necessary to implement the objectives of the Agreement.

In accordance with Article 17 TUE, the Union will be represented within the Joint Customs Cooperation Committee by the Commission, assisted by representatives of the Member States.

A Working Party may be set up to examine and to make recommendations to the Joint Customs Co-operation Committee on technical issues related to the implementation of the envisaged Agreement.

The Working Party will consist of experts from both Contracting Parties.

It will report to the Joint Customs Co-operation Committee, which will take the appropriate decisions by mutual consent.

5. **Negotiation**

The Commission should report to the Council on the outcome of negotiations and, where appropriate, on any problem that may arise during the negotiations.

COUNCIL IMPLEMENTING DECISION (EU) 2019/2230**of 19 December 2019****amending Decision 2007/884/EC authorising the United Kingdom to continue to apply a measure derogating from Articles 26(1)(a), 168 and 169 of Directive 2006/112/EC on the common system of value added tax**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Articles 168 and 169 of Directive 2006/112/EC establish a right for taxable persons to deduct value added tax (VAT) charged on supplies to them of goods and services that are used for the purposes of their taxed transactions or for certain other purposes. Point (a) of Article 26(1) of that Directive treats the use of business assets for the private use of taxable persons or their staff or, more generally, for purposes other than those of their business as a supply of services for consideration.
- (2) Decision 2007/884/EC ⁽²⁾ authorises the United Kingdom to restrict to 50 % the right of the hirer or lessee of a car to deduct VAT under Article 168 or 169 of Directive 2006/112/EC on the cost of hiring or leasing of a car where the car is not used entirely for business purposes. It also authorises the United Kingdom not to treat as supplies of services for consideration the private use of a business car hired or leased by a taxable person. Those measures ('the derogating measures') remove the need for the hirer or lessee of a business car to keep records of private mileage travelled in that car or to account for VAT on the actual private mileage travelled in that car. Decision 2007/884/EC is due to expire on 31 December 2019.
- (3) By letter registered with the Commission on 2 April 2019, the United Kingdom requested authorisation to continue to apply the derogating measures authorised by Decision 2007/884/EC.
- (4) By letter dated 29 April 2019, the Commission informed the other Member States pursuant to Article 395(2) of Directive 2006/112/EC of the request made by the United Kingdom. By letter dated 2 May 2019, the Commission notified the United Kingdom that it had all the information necessary to consider the request.
- (5) On 29 March 2017, the United Kingdom of Great Britain and Northern Ireland (the 'United Kingdom') submitted the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on the European Union (TEU). In accordance with Article 50(3) 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, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend that period. After agreeing a first extension on 22 March 2019, and a second extension on 11 April 2019, the European Council adopted Decision (EU) 2019/1810 ⁽³⁾ on 29 October 2019, in which it agreed, following a further request by the United Kingdom, to extend the period provided for in Article 50(3) TEU until 31 January 2020.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Council Decision 2007/884/EC of 20 December 2007 authorising the United Kingdom to continue to apply a measure derogating from Articles 26(1)(a), 168 and 169 of Directive 2006/112/EC on the common system of value added tax (OJ L 346, 29.12.2007, p. 21).

⁽³⁾ European Council Decision (EU) 2019/1810 taken in agreement with the United Kingdom of 29 October 2019 extending the period under Article 50(3) TEU (OJ L 278I, 30.10.2019, p. 1).

- (6) In accordance with Article 50 TEU, the European Union negotiated with the United Kingdom an agreement setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union ('Withdrawal Agreement'). On 11 January 2019, the Council adopted Decision (EU) 2019/274 on the signing of the Withdrawal Agreement ⁽⁴⁾. Following further negotiations between the negotiators of the Union and of the United Kingdom during the months of September and October 2019, an agreement was reached on a revised text of the Withdrawal Agreement, which was endorsed by the European Council on 17 October 2019. On 21 October 2019, the Council adopted Decision (EU) 2019/1750 on the signing of the revised Withdrawal Agreement ⁽⁵⁾. Part Four of the Withdrawal Agreement ⁽⁶⁾ provides for a transition period starting on the date of entry into force of the Withdrawal Agreement and ending on 31 December 2020. During the transition period, and unless the Withdrawal Agreement provides otherwise, Union law shall continue to apply to and in the United Kingdom.
- (7) This Decision shall, in any event, cease to apply to and in the United Kingdom from the day following that on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) TEU, or, if a withdrawal agreement concluded with the United Kingdom in accordance with Article 50(2) TEU has entered into force, from the day following that on which the transition period ends, or on 31 December 2022, whichever is the earlier.
- (8) Alongside its request, the United Kingdom submitted a report to the Commission in accordance with Article 3, second paragraph, of Decision 2007/884/EC including a review of the percentage restriction applied on the right to deduct VAT. The information provided by the United Kingdom shows that a percentage restriction of 50 % still remains a fair reflection of actual circumstances as regards the ratio of business to non-business use of the vehicles affected by the derogating measures. Extension of the derogating measures should, however, be limited to the time needed to evaluate the effectiveness of the derogating measures and the appropriateness of the percentage. The United Kingdom should therefore be authorised to continue to apply the derogating measures for a limited period of time.
- (9) A deadline should be set for requesting authorisation for any further extension of the derogating measures beyond 2022, if applicable. The United Kingdom should also be required to submit a report alongside any such extension request, including a review of the percentage restriction applied on the right to deduct VAT.
- (10) The derogating measures will have no adverse impact on the Union's own resources accruing from VAT.
- (11) Decision 2007/884/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Decision 2007/884/EC is replaced by the following:

'Article 3

This Decision shall expire on the day following that on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) TEU, or, if a withdrawal agreement concluded with the United Kingdom in accordance with Article 50(2) TEU has entered into force, from the day following that on which the transition period ends, or on 31 December 2022, whichever is the earlier.

Any request for authorisation to extend the derogating measures authorised by this Decision, if applicable, shall be submitted to the Commission by 1 April 2022. The request shall be accompanied by a report which includes a review of the percentage restriction applied on the right to deduct VAT on the cost of hiring or leasing cars not used entirely for business purposes.'

⁽⁴⁾ Council Decision (EU) 2019/274 of 11 January 2019 on the signing, on behalf of the European Union and of the European Atomic Energy Community, of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 47I, 19.2.2019, p. 1).

⁽⁵⁾ Council Decision (EU) 2019/1750 of 21 October 2019 amending Decision (EU) 2019/274 on the signing, on behalf of the European Union and of the European Atomic Energy Community, of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 274I, 28.10.2019, p. 1).

⁽⁶⁾ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ C 384I 12.11.2019 , p. 1).

Article 2

This Decision shall take effect on the date of its notification.

This Decision shall apply from 1 January 2020.

Article 3

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 19 December 2019.

For the Council
The President
K. MIKKONEN

DECISION (EU) 2019/2231 OF THE EUROPEAN CENTRAL BANK
of 10 December 2019
on the approval of the volume of coin issuance in 2020 (ECB/2019/40)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 128(2) thereof,

Having regard to Decision (EU) 2015/2332 of the European Central Bank of 4 December 2015 on the procedural framework for the approval of the volume of euro coin issuance (ECB/2015/43) ⁽¹⁾, and in particular Article 2(9) thereof,

Whereas:

- (1) The European Central Bank (ECB) has the exclusive right since 1 January 1999 to approve the volume of coins issued by the Member States whose currency is the euro (hereinafter 'euro area Member States').
- (2) The 19 euro area Member States have submitted to the ECB their requests for the approval of the volume of coins to be issued in 2020, supplemented by explanatory notes on the forecasting methodology. Certain of these Member States have also provided additional information regarding circulation coins, where such information is available and considered important by the Member States concerned to substantiate the approval request.
- (3) As the right of euro area Member States to issue euro coins is subject to approval by the ECB of the volume of the issue, in accordance with Article 3 of Decision (EU) 2015/2332 (ECB/2015/43) the volumes approved by the ECB may not be exceeded by the Member States without prior approval by the ECB.
- (4) Pursuant to Article 2(9) of Decision (EU) 2015/2332 (ECB/2015/43), as no modification of the requested volume of coin issuance is required, the Executive Board is empowered to adopt this decision on the approval requests for the volume of coin issuance in 2020 submitted by euro area Member States,

HAS ADOPTED THIS DECISION:

Article 1

Definitions

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

- (a) 'volume of coin issuance' means volume of coin issuance as defined in point 3 of Article 1 of Decision (EU) 2015/2332 (ECB/2015/43);
- (b) 'circulation coins' means circulation coins as defined in point 1 of Article 2 of Council Regulation (EU) No 729/2014 ⁽²⁾;
- (c) 'collector coins' means collector coins as defined in point 3 of Article 1 of Regulation (EU) No 651/2012 of the European Parliament and of the Council ⁽³⁾.

Article 2

Approval of the volume of euro coins to be issued in 2020

The ECB hereby approves the volume of euro coins to be issued by the euro area Member States in 2020 as set out in the following table:

⁽¹⁾ OJ L 328, 12.12.2015, p. 123.

⁽²⁾ Council Regulation (EU) No 729/2014 of 24 June 2014 on denominations and technical specifications of euro coins intended for circulation (OJ L 194, 2.7.2014, p. 1).

⁽³⁾ 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).

	Volume of euro coins approved for issuance in 2020		
	Circulation coins	Collector coins (not intended for circulation)	Volume of coin issuance
	(EUR million)	(EUR million)	(EUR million)
Belgium	59,0	1,0	60,0
Germany	412,0	209,0	621,0
Estonia	10,1	0,3	10,4
Ireland	10,5	0,5	11,0
Greece	119,1	0,7	119,8
Spain	357,3	30,0	387,3
France	224,0	50,0	274,0
Italy	174,0	2,7	176,7
Cyprus	12,0	0,1	12,1
Latvia	8,3	0,2	8,5
Lithuania	22,0	0,7	22,7
Luxembourg	14,6	1,0	15,6
Malta	9,4	0,2	9,6
Netherlands	17,0	3,0	20,0
Austria	71,5	153,5	225,0
Portugal	61,1	2,1	63,2
Slovenia	23,0	1,0	24,0
Slovakia	19,0	1,2	20,2
Finland	15,0	10,0	25,0

Article 3

Taking effect

This Decision shall take effect on the day of its notification to the addressees.

Article 4

Addressees

This Decision is addressed to the euro area Member States.

Done at Frankfurt am Main, 10 December 2019.

The President of the ECB
Christine LAGARDE

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2019 OF THE EU-ALBANIA STABILISATION AND ASSOCIATION COUNCIL of 28 November 2019

on the participation of Albania as an observer in the European Union Agency for Fundamental Rights' work and the respective modalities thereof, within the framework of Council Regulation (EC) No 168/2007 [2019/2232]

THE EU-ALBANIA STABILISATION AND ASSOCIATION COUNCIL,

Having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part ⁽¹⁾,

Having regard to Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights ⁽²⁾, and in particular Article 28 thereof,

Whereas:

- (1) The Luxembourg European Council of December 1997 made participation in Union agencies a way of stepping up the pre-accession strategy. The conclusions of that European Council state that the Union 'agencies in which applicant countries will be able to participate will be determined on a case-by-case basis'.
- (2) Albania shares the aims and objectives of the European Union Agency for Fundamental Rights (the 'Agency') and subscribes to the scope and description of the tasks of the Agency, as provided for in Regulation (EC) No 168/2007.
- (3) It is appropriate that the Agency should deal with fundamental rights issues within the scope of Article 3(1) of Regulation (EC) No 168/2007 in Albania to the extent necessary for its gradual alignment with Union law.
- (4) Albania should therefore be allowed to participate as an observer in the Agency's work and the modalities of such participation should be defined, including provisions relating to the participation in initiatives undertaken by the Agency, to the financial contribution and to staff.
- (5) In accordance with point (a) of Article 12(2) and point (a) of Article 82(3) of the Conditions of Employment of Other Servants of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽³⁾, the Director of the Agency, by way of exception, may authorise the engagement of nationals of Albania enjoying their full rights as citizens,

HAS ADOPTED THIS DECISION:

Article 1

Albania, as a candidate country, shall participate as an observer in the European Union Agency for Fundamental Rights, established by Regulation (EC) No 168/2007.

⁽¹⁾ OJ L 107, 28.4.2009, p. 166.

⁽²⁾ OJ L 53, 22.2.2007, p. 1.

⁽³⁾ OJ L 56, 4.3.1968, p. 1.

Article 2

1. The Agency may deal with fundamental rights issues within the scope of Article 3(1) of Regulation (EC) No 168/2007 in Albania to the extent necessary for its gradual alignment with Union law.
2. To that end, the Agency may carry out in Albania the tasks set out in Articles 4 and 5 of Regulation (EC) No 168/2007.

Article 3

Albania shall contribute financially to the activities of the Agency referred to in Article 4 of Regulation (EC) No 168/2007 in accordance with the Annex to this Decision.

Article 4

1. Albania shall appoint persons complying with the criteria provided for in Article 12(1) of Regulation (EC) No 168/2007 as observer and alternate observer, respectively. They may participate in the works of the Management Board on an equal footing with the members and alternate members appointed by Member States, but without a right to vote.
2. Albania shall nominate a government official as the National Liaison Officer referred to in Article 8(1) of Regulation (EC) No 168/2007.
3. Within four months of the entry into force of this Decision, Albania shall inform the European Commission of the names, qualifications and contact details of the persons referred to in paragraphs 1 and 2.

Article 5

The data supplied to, or emanating from, the Agency may be published and shall be made accessible to the public, provided that confidential information is afforded the same degree of protection in Albania as it is afforded within the Union.

Article 6

The Agency shall enjoy in Albania the same capacity as that accorded to legal entities under Albania's law.

Article 7

In order to enable the Agency and its staff to perform their tasks, Albania shall grant the privileges and immunities identical to those set out in Articles 1 to 4, 5, 6, 10 to 13, 15, 17 and 18 of Protocol No 7 on the privileges and immunities of the European Union, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union.

Article 8

The Parties shall each take any general or specific measures required to fulfil their obligations under this Decision and shall notify them to the Stabilisation and Association Council.

Article 9

This Decision shall enter into force on the first day of the second month following the date of its adoption.

Done at Brussels, 28 November 2019.

*For the EU-Albania Stabilisation
and Association Council
The President
J. BORRELL FONTELLES*

ANNEX

FINANCIAL CONTRIBUTION OF ALBANIA TO THE EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

1. The financial contribution to be paid by Albania to the general budget of the European Union to participate in the European Union Agency for Fundamental Rights (the 'Agency'), as laid down in point 2, represents the full cost of its participation therein for the first three years. As of year four, the amounts will be determined in accordance with point 6.
2. The financial contribution to be paid by Albania to the general budget of the Union for the first three years shall be as follows:

Year 1:	EUR 160 000
Year 2:	EUR 163 000
Year 3:	EUR 166 000

3. The possible financial support from Union assistance programmes will be agreed separately in accordance with the relevant Union programme.
4. The contribution of Albania will be managed in accordance with the Financial Regulation ⁽¹⁾ applicable to the general budget of the Union.
5. Travel costs and subsistence costs incurred by representatives and experts of Albania for the purposes of taking part in the Agency's work or in meetings related to the implementation of the Agency's work programme shall be reimbursed by the Agency on the same basis as, and in accordance with the procedures currently in force, for the Member States of the Union.
6. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Albania a call for funds corresponding to its contribution to the Agency under this Decision. For the first calendar year of its participation, Albania will pay a contribution calculated from the date of participation to the end of the year on a pro rata basis. For the following years, the contribution will be in accordance with the table under point 2 of this Annex. As from year four, the contribution will be adapted in the light of any increase or decrease of the Agency's subsidy in order to maintain the analogy between the contribution for Albania and the Agency's budget for the EU-28. The contribution may also be reviewed in the following financial years on the basis of the latest statistical data published by the Statistical Office of the European Union (Eurostat).
7. This contribution shall be expressed in EUR and paid into a EUR bank account of the Commission.
8. Albania will pay its contribution according to the call for funds for its own part within 30 days after the call for funds is sent by the Commission.
9. Any delay in the payment of the contribution shall give rise to the payment of interest by Albania on the outstanding amount as from the due date. The interest rate corresponds to the rate applied by the European Central Bank on the due date for its operations in EUR, increased by 1,5 percentage points.

⁽¹⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

DECISION No 1/2019 OF THE EPA COMMITTEE SET UP BY THE STEPPING STONE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN GHANA, OF THE ONE PART, AND THE EUROPEAN COMMUNITY AND ITS MEMBER STATES, OF THE OTHER PART,

of 2 December 2019

regarding the accession of the Republic of Croatia to the European Union [2019/2233]

THE EPA COMMITTEE,

Having regard to the stepping stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part (the 'Agreement'), signed in Brussels on 28 July 2016, and applied on a provisional basis since 15 December 2016, and in particular Articles 76, 77 and 81 thereof,

Having regard to the Treaty concerning the accession of the Republic of Croatia to the European Union (the 'Union') and to the Act of Accession to the Agreement deposited by the Republic of Croatia on 8 November 2017,

Whereas:

- (1) The Agreement applies, on the one hand, to the territories in which the Treaty on the Functioning of the European Union is applied and under the conditions laid down in that Treaty, and, on the other hand, to the territory of Ghana.
- (2) Pursuant to Article 77 of the Agreement, the EPA Committee may decide on any amending measures that might be necessary following the accession of new Member States to the Union,

HAS ADOPTED THIS DECISION:

Article 1

The Republic of Croatia, as a party to the Agreement, shall, in the same way as the other Member States of the Union, respectively adopt and take note of the text of the Agreement, as well as the Annexes, Protocols and Declarations attached thereto.

Article 2

Article 81 of the Agreement is replaced by the following:

'Article 81

Authentic texts

This Agreement is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being equally authentic.'

Article 3

The Union shall communicate the Croatian language version of the Agreement to Ghana.

Article 4

1. The provisions of the Agreement shall apply to goods exported either from Ghana to the Republic of Croatia or from the Republic of Croatia to Ghana which comply with the rules of origin in force on the territory of the Parties to the Agreement which, on 15 December 2016, were in transit or in temporary storage, in a customs warehouse or in a free zone in Ghana or in the Republic of Croatia.
2. Preferential treatment shall be granted in the cases referred to in paragraph 1, provided that a proof of origin issued retroactively by the customs authorities of the exporting country is submitted to the customs authorities of the importing country within four months of the date of entry into force of this Decision.

Article 5

Ghana undertakes not to introduce claims, requests or remedies nor to modify or withdraw any concessions in accordance with Article XXIV (6) and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 or Article XXI of the General Agreement on Trade in Services (GATS) in relation to the accession of the Republic of Croatia to the Union.

Article 6

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

However, Articles 3 and 4 shall apply from 15 December 2016.

Done at Brussels, 2 December 2019.

For Ghana

Alan KYEREMATEN

Minister of Trade and Industry of the Republic of Ghana

For the European Union

Phil HOGAN

Commissioner for Trade European Commission

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