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⁽¹⁾ Text with EEA relevance.

EN

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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2023/267

of 8 February 2023

authorising the placing on the market of dried nuts of *Canarium ovatum* Engl. as a traditional food from a third country and amending Implementing Regulation (EU) 2017/2470*(Text with EEA relevance)*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001 ⁽¹⁾, and in particular Article 15(4) thereof,

Whereas:

- (1) Regulation (EU) 2015/2283 provides that only novel foods authorised and included in the Union list of novel foods may be placed on the market within the Union. On the basis of the definition set out in Article 3(2), point (c), of that Regulation, traditional food from a third country is considered a novel food.
- (2) Pursuant to Article 8 of Regulation (EU) 2015/2283, Commission Implementing Regulation (EU) 2017/2470 ⁽²⁾ has established a Union list of novel foods.
- (3) On 28 March 2019, the company DOMENICODELUCIA SPA ('the applicant') submitted a notification to the Commission of their intention to place nuts of *Canarium ovatum* Engl. on the Union market as a traditional food from a third country in accordance with Article 14 of Regulation (EU) 2015/2283. The applicant requested for dried nuts of *Canarium ovatum* Engl. to be consumed as such by the general population.
- (4) The notification complies with the requirements laid down in Article 14 of Regulation (EU) 2015/2283. In particular, the data presented by the applicant demonstrate that dried nuts of *Canarium ovatum* Engl. have a history of safe food use in the Philippines.
- (5) Pursuant to Article 15(1) of Regulation (EU) 2015/2283, on 13 December 2021, the Commission forwarded the valid notification to the Member States and to the European Food Safety Authority ('the Authority').
- (6) No duly reasoned safety objections to the placing on the market within the Union of the food concerned were submitted to the Commission by the Member States or the Authority within the period set in Article 15(2) of Regulation (EU) 2015/2283.

⁽¹⁾ OJ L 327, 11.12.2015, p. 1.

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

- (7) On 13 May 2022, the Authority published its Technical Report on the notification of nuts of *Canarium ovatum* Engl. as a traditional food from a third country ⁽³⁾. In that report, the Authority concluded that the available data on the composition and the history of the requested use of nuts of *Canarium ovatum* Engl. do not raise safety concerns.
- (8) The Commission should therefore authorise the placing on the market within the Union of dried nuts of *Canarium ovatum* Engl. as a traditional food from a third country and update the Union list of novel foods accordingly.
- (9) In its report, the Authority also noted on the basis of limited published evidence on food allergy related to nuts of *Canarium ovatum* Engl., that allergic reactions may be expected after the consumption of nuts of *Canarium ovatum* Engl. In particular, studies showed an *in vitro* cross-reactivity of nuts of *Canarium ovatum* Engl. to cashew and walnut. It is important that information on the presence of foods that may cause allergic reactions is given in a clear manner to enable consumers to make informed choices which are safe for them. Therefore, it is appropriate that nuts of *Canarium ovatum* Engl. made available to the consumers are appropriately labelled following the requirements of Article 9 of Regulation (EU) 2015/2283.
- (10) Dried nuts of *Canarium ovatum* Engl. should be included as a traditional food from a third country in the Union list of novel foods set out in Implementing Regulation (EU) 2017/2470. The Annex to Implementing Regulation (EU) 2017/2470 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

1. Dried nuts of *Canarium ovatum* Engl. are authorised to be placed on the market within the Union.

Dried nuts of *Canarium ovatum* Engl. shall be included as a traditional food from a third country in the Union list of novel foods set out in Implementing Regulation (EU) 2017/2470.

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

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

Done at Brussels, 8 February 2023.

For the Commission
The President
Ursula VON DER LEYEN

⁽³⁾ EFSA Supporting publication 2022:EN-7314.

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

(1) The following entry is inserted in Table 1 (Authorised novel foods):

Authorised novel food	Conditions under which the novel food may be used		Additional specific labelling requirements	Other requirements
	<i>Specified food category</i>	<i>Maximum levels</i>		
'Dried nuts of <i>Canarium ovatum</i> Engl.	<i>Specified food category</i>		1. The designation of the novel food on the labelling of the foodstuffs containing it shall be 'nuts of <i>Canarium ovatum</i> ' and/or 'pilinuts' and/or 'pili (<i>Canarium ovatum</i>) nuts'. 2. The labelling of the foodstuffs containing dried nuts of <i>Canarium ovatum</i> Engl. shall bear a statement that the dried nuts of <i>Canarium ovatum</i> Engl. may cause allergic reactions to consumers with known allergies to cashew and walnut. This statement shall appear in close proximity to the list of ingredients or, in the absence of a list of ingredients, in close proximity to the name of the food.'	
	Not specified			

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

Authorised Novel Food	Specifications
'Dried nuts of <i>Canarium ovatum</i> Engl.	Description/Definition: The traditional food consists of the unroasted dried nuts of <i>Canarium ovatum</i> Engl. (family: Burseraceae) commonly known as Pili nuts. Pili nuts are produced only by plants of <i>Canarium ovatum</i> Engl. varieties Laysa, Magnaye, M. Orolfo, Lanuza and Magayon and can be placed on the market with or without the shell. The edible part of the nut is the kernel. Typical composition range: Fat: 57-73 % Protein: 11-15 % Water: 1-5 % Carbohydrates: 8-16,5 % Ash: 2,8-3,4 % Microbiological criteria: Moulds and yeasts: ≤ 100 CFU/g Total colony count at 30 °C: ≤ 10 000 CFU/g Coliforms: ≤ 100 CFU/g <i>Escherichia coli</i>: ≤ 10 CFU/g

<i>Staphylococcus aureus</i>: Absence in 25 g <i>Salmonella</i> spp.: Absence in 25 g <i>Listeria monocytogenes</i>: Absence in 25 g Sulphite reducing anaerobes: ≤ 10 CFU/g CFU: Colony Forming Units'
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COMMISSION IMPLEMENTING REGULATION (EU) 2023/268**of 8 February 2023****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, the United Kingdom and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Articles 230(1) and 232(1) and (3) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 provides that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ lays down the animal health requirements that consignments of certain species and categories of animals, germinal products and products of animal origin, from third countries or territories, or zones thereof, or compartments thereof in the case of aquaculture animals, must comply with in order to enter the Union.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries, or territories, or zones or compartments thereof, from which the entry into the Union of the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V and XIV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, and of fresh meat from poultry and game birds.
- (5) Canada has notified the Commission of two outbreaks of highly pathogenic avian influenza in poultry in the provinces of British Columbia, which were confirmed on 5 January 2023 and 6 January 2023 by laboratory analysis (RT-PCR).
- (6) Moreover, the United Kingdom has notified the Commission of 5 outbreaks of highly pathogenic avian influenza in poultry in the counties of Norfolk (2) in England, United Kingdom and of Aberdeenshire (1), Highland (1) and Dumfries and Galloway (1) in Scotland, United Kingdom, which were confirmed between 13 January 2023 and 30 January 2023 by laboratory analysis (RT-PCR).

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

⁽³⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 1).

- (7) Additionally, the United States has notified the Commission of 9 outbreaks of highly pathogenic avian influenza in poultry in the states of California (1), Iowa (1), Kansas (2), South Dakota (1), Tennessee (1), Texas (1) and Virginia (2), United States, which were confirmed between 4 January 2023 and 30 January 2023 by laboratory analysis (RT-PCR).
- (8) Following those recent outbreaks of highly pathogenic avian influenza, the veterinary authorities of Canada, the United Kingdom and the United States established control zones of at least 10 km around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.
- (9) Canada, the United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territory and the measures they have taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation and in order to protect the animal health status of the Union, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from the areas under restrictions established by the veterinary authorities of Canada, the United Kingdom and the United States due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (10) Furthermore, Canada has submitted updated information on the epidemiological situation on its territory in relation to 39 outbreaks of highly pathogenic avian influenza in poultry establishments in the provinces of Alberta (7), British Columbia (5), Manitoba (11), Ontario (5), Quebec (4) and Saskatchewan (7), Canada which were confirmed between 7 April 2022 and 9 November 2022.
- (11) In addition, the United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to thirteen outbreaks of highly pathogenic avian influenza in poultry establishments in the counties of Cheshire (2), Cornwall (2), Devon (4), Somerset (1) and Staffordshire (1) in England, United Kingdom, Isle of Lewis (1) in Scotland, United Kingdom and Anglesey (2) in Wales, United Kingdom, which were confirmed between 21 July 2022 and 24 October 2022.
- (12) Moreover, the United States has submitted updated information on the epidemiological situation on its territory in relation to fifty outbreaks of highly pathogenic avian influenza in poultry establishments in the states of California (5), Colorado (2), Idaho (10), Kansas (2), Kentucky (1), Michigan (2), Minnesota (9), Montana (1), New Jersey (1), New York (1), North Dakota (2), Ohio (1), Oregon (1), Pennsylvania (2), South Dakota (6), Tennessee (1), Utah (2) and Washington (1), United States, which were confirmed between 5 April 2022 and 19 October 2022.
- (13) Canada, the United Kingdom and the United States have also submitted information on the measures they have taken to prevent the further spread of highly pathogenic avian influenza. In particular, following those outbreaks of that disease, Canada, the United Kingdom and the United States have implemented a stamping out policy in order to control and limit the spread of that disease, and they have also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.
- (14) The Commission has evaluated the information submitted by Canada, the United Kingdom and the United States and concluded that the outbreaks of highly pathogenic avian influenza in poultry establishments have been cleared and that there is no longer a risk associated with the entry into the Union of poultry commodities from the zones of Canada, the United Kingdom and the United States from which the entry into the Union of poultry commodities was suspended following those outbreaks.
- (15) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended to take account of the current epidemiological situation as regards highly pathogenic avian influenza in Canada, the United Kingdom and in the United States.

- (16) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards highly pathogenic avian influenza and the serious risk of its introduction into the Union, the amendments to be made to Annexes V and XIV to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 8 February 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex V is amended as follows:

(a) Section B of Part 1 is amended as follows:

(i) in the entry for Canada, the row for the zone CA-2.10 is replaced by the following:

'CA Canada	CA-2.10	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		7.4.2022	20.1.2023';
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(ii) in the entry for Canada, the row for the zone CA-2.82 is replaced by the following:

'CA Canada	CA-2.82	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		13.9.2022	7.2.2023';
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(iii) in the entry for Canada, the rows for the zones CA-2.86 to CA-2.90 is replaced by the following:

'CA Canada	CA-2.86	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		15.9.2022	26.1.2023
	CA-2.87		N, P1		15.9.2022	19.1.2023
	CA-2.88		N, P1		18.9.2022	7.2.2023
	CA-2.89		N, P1		15.9.2022	5.2.2023
	CA-2.90		N, P1		19.9.2022	21.1.2023';

(iv) in the entry for Canada, the rows for the zones CA-2.92 and CA-2.93 are replaced by the following:

'CA Canada	CA-2.92	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		18.9.2022	1.2.2023
	CA-2.93	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		18.9.2022	7.2.2023';

(v) in the entry for Canada, the row for the zone CA-2.96 is replaced by the following:

'CA Canada	CA-2.96	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		20.9.2022	7.2.2023';
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(vi) in the entry for Canada, the row for the zone CA-2.98 is replaced by the following:

'CA Canada	CA-2.98	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		22.9.2022	7.2.2023';
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(vii) in the entry for Canada, the rows for the zones CA-2.102 and CA-2.103 are replaced by the following:

‘CA Canada	CA-2.102	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		26.9.2022	16.1.2023
	CA-2.103		N, P1		27.9.2022	21.1.2023’;

(viii) in the entry for Canada, the rows for the zones CA-2.106 to CA-2.112 are replaced by the following:

‘CA Canada	CA-2.106	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		1.10.2022	7.2.2023
	CA-2.107		N, P1		4.10.2022	20.1.2023
	CA-2.108		N, P1		4.10.2022	7.2.2023
	CA-2.109		N, P1		6.10.2022	7.2.2023
	CA-2.110		N, P1		7.10.2022	7.2.2023
	CA-2.111		N, P1		6.10.2022	19.1.2023
	CA-2.112		N, P1		27.9.2022	5.2.2023’;

(ix) in the entry for Canada, the row for the zone CA-2.115 is replaced by the following:

‘CA Canada	CA-2.115	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		29.9.2022	18.1.2023’;
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(x) in the entry for Canada, the rows for the zones CA-2.117 and CA-2.118 are replaced by the following:

‘CA Canada	CA-2.117	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		30.9.2022	7.2.2023
	CA-2.118		N, P1		30.9.2022	7.2.2023’;

(xi) in the entry for Canada, the rows for the zones CA-2.120 to CA-2.122 are replaced by the following:

‘CA Canada	CA-2.120	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		7.10.2022	7.2.2023
	CA-2.121		N, P1		7.10.2022	7.2.2023
	CA-2.122		N, P1		7.10.2022	7.2.2023’;

(xii) in the entry for Canada, the rows for the zones CA-2.124 and CA-2.125 are replaced by the following:

‘CA Canada	CA-2.124	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		10.10.2022	7.2.2023
	CA-2.125		N, P1		12.10.2022	22.1.2023’;

(xiii) in the entry for Canada, the rows for the zones CA-2.127 to CA-2.131 are replaced by the following:

‘CA Canada	CA-2.127	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		14.10.2022	7.2.2023
	CA-2.128		N, P1		15.10.2022	7.2.2023
	CA-2.129		N, P1		18.10.2022	4.2.2023
	CA-2.130		N, P1		18.10.2022	26.1.2023
	CA-2.131		N, P1		19.10.2022	4.2.2023’;

(xiv) in the entry for Canada, the rows for the zones CA-2.134 to CA-2.137 are replaced by the following:

‘CA Canada	CA-2.134	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		21.10.2022	2.2.2023
	CA-2.135		N, P1		22.10.2022	3.2.2023
	CA-2.136		N, P1		24.10.2022	7.2.2023
	CA-2.137		N, P1		26.10.2022	7.2.2023’;

(xv) in the entry for Canada, the row for the zone CA-2.140 is replaced by the following:

‘CA Canada	CA-2.140	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		27.10.2022	5.2.2023’;
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(xvi) in the entry for Canada, the row for the zone CA-2.145 is replaced by the following:

‘CA Canada	CA-2.145	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		9.11.2022	7.2.2023’;
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- (xvii) in the entry for Canada, the following rows for the zones CA-2.170 and CA-2.171 are added after the rows for the zone CA-2.169:

‘CA Canada	CA-2.170	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		5.1.2023	
	CA-2.171		N, P1		6.1.2023’;	

- (xviii) in the entry for the United Kingdom, the row for the zones GB-2.128 and GB-2.129 are replaced by the following:

‘GB United King- dom	GB-2.128	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		21.7.2022	25.1.2023
	GB-2.129	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		5.8.2022	25.1.2023’;

- (xix) in the entry for the United Kingdom, the row for the zone GB-2.134 is replaced by the following:

‘GB United Kingdom	GB-2.134	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		26.8.2022	1.1.2023’;
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- (xx) in the entry for the United Kingdom, the row for the zone GB-2.136 is replaced by the following:

‘GB United Kingdom	GB-2.136	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		29.8.2022	17.1.2023’;
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- (xxi) in the entry for the United Kingdom, the row for the zone GB-2.142 is replaced by the following:

‘GB United Kingdom	GB-2.142	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		8.9.2022	19.12.2022’;
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- (xxii) in the entry for the United Kingdom, the row for the zone GB-2.144 is replaced by the following:

‘GB United Kingdom	GB-2.144	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		16.9.2022	21.1.2023’;
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(xxiii) in the entry for the United Kingdom, the row for the zone GB-2.149 is replaced by the following:

'GB' United Kingdom	GB-2.149	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.9.2022	25.1.2023';
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(xxiv) in the entry for the United Kingdom, the row for the zone GB-2.161 is replaced by the following:

'GB' United Kingdom	GB-2.161	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		3.10.2022	21.1.2023';
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(xxv) in the entry for the United Kingdom, the row for the zone GB-2.168 is replaced by the following:

'GB' United Kingdom	GB-2.168	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.10.2022	17.1.2023';
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(xxvi) in the entry for the United Kingdom, the row for the zone GB-2.180 is replaced by the following:

'GB' United Kingdom	GB-2.180	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		12.10.2022	20.1.2023';
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(xxvii) in the entry for the United Kingdom, the row for the zone GB-2.189 is replaced by the following:

'GB' United Kingdom	GB-2.189	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		16.10.2022	23.1.2023';
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(xxviii) in the entry for the United Kingdom, the row for the zone GB-2.191 is replaced by the following:

'GB' United Kingdom	GB-2.191	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		16.10.2022	21.1.2023';
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(xxix) in the entry for the United Kingdom, the row for the zone GB-2.212 is replaced by the following:

'GB' United Kingdom	GB-2.212	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		23.10.2022	26.1.2023';
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(xxx) in the entry for the United Kingdom, the row for the zone GB-2.136 is replaced by the following:

'GB' United Kingdom	GB-2.218	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		24.10.2022	27.1.2023';
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(xxxi) in the entry for the United Kingdom, the following rows for the zones GB-2.288 to GB-2.292 are added after the rows for the zone GB-2.287:

'GB' United Kingdom	GB-2.288	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		12.1.2023	
	GB-2.289		N, P1		12.1.2023	
	GB-2.290		N, P1		12.1.2023	
	GB-2.291		N, P1		24.1.2023	
	GB-2.292		N, P1		27.1.2023';	

(xxxii) in the entry for the United States, the row for the zone US-2.100 is replaced by the following:

'US' United States	US-2.100	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		5.4.2022	6.12.2022';
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(xxxiii) in the entry for the United States, the row for the zone US-2.121 is replaced by the following:

'US' United States	US-2.121	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		8.4.2022	5.12.2022';
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(xxxiv) in the entry for the United States, the row for the zone US-2.136 is replaced by the following:

'US' United States	US-2.136	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		13.4.2022	13.12.2022';
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(xxxv) in the entry for the United States, the row for the zone US-2.145 is replaced by the following:

'US' United States	US-2.145	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		14.4.2022	13.12.2022';
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(xxxvi) in the entry for the United States, the row for the zone US-2.149 is replaced by the following:

US United States	US-2.149	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		19.4.2022	14.12.2022';
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(xxxvii) in the entry for the United States, the row for the zone US-2.161 is replaced by the following:

US United States	US-2.161	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.4.2022	19.12.2022';
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(xxxviii) in the entry for the United States, the row for the zone US-2.180 is replaced by the following:

US United States	US-2.180	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		26.4.2022	25.12.2022';
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(xxxix) in the entry for the United States, the row for the zone US-2.182 is replaced by the following:

US United States	US-2.182	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		27.4.2022	27.12.2022';
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(v) in the entry for the United States, the row for the zone US-2.185 is replaced by the following:

US United States	US-2.185	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		28.4.2022	30.12.2022';
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(vli) in the entry for the United States, the rows for the zones US-2.197 and US-2.198 are replaced by the following:

US United States	US-2.197	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		4.5.2022	1.1.2023
	US-2.198		N, P1		5.5.2022	2.1.2023';

(vlii) in the entry for the United States, the rows for the zones US-2.200 and US-2.201 are replaced by the following:

US United States	US-2.200	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.5.2022	7.1.2023
	US-2.201		N, P1		10.5.2022	5.1.2023';

(vliii) in the entry for the United States, the row for the zone US-2.205 is replaced by the following:

'US United States	US-2.205	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		10.5.2022	21.1.2023';
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(vliv) in the entry for the United States, the row for the zone US-2.207 is replaced by the following:

'US United States	US-2.207	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		11.5.2022	7.1.2023';
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(vlv) in the entry for the United States, the rows for the zones US-2.210 to US-2.214 are replaced by the following:

'US United States	US-2.210	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		17.5.2022	17.1.2023
	US-2.211		N, P1		17.5.2022	21.1.2023
	US-2.212		N, P1		17.5.2022	16.1.2023
	US-2.213		N, P1		17.5.2022	15.1.2023
	US-2.214		N, P1		17.5.2022	15.1.2023';

(vlvi) in the entry for the United States, the rows for the zones US-2.216 and US-2.217 are replaced by the following:

'US United States	US-2.216	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		18.5.2022	21.1.2023
	US-2.217		N, P1		18.5.2022	17.1.2023';

(vlvii) in the entry for the United States, the rows for the zones US-2.220 and US-2.221 are replaced by the following:

'US United States	US-2.220	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		19.5.2022	19.1.2023
	US-2.221		N, P1		19.5.2022	18.1.2023';

(vlviii) in the entry for the United States, the rows for the zones US-2.239 to US-2.241 are replaced by the following:

'US United States	US-2.239	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		11.8.2022	10.1.2023
	US-2.240		N, P1		22.8.2022	7.1.2023
	US-2.241		N, P1		26.8.2022	7.1.2023';

- (vlix) in the entry for the United States, the rows for the zones US-2.243 and US-2.244 are replaced by the following:

‘US United States	US-2.243	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		30.8.2022	25.1.2023
	US-2.244		N, P1		30.8.2022	7.1.2023’;

- (l) in the entry for the United States, the rows for the zones US-2.246 and US-2.247 are replaced by the following:

‘US United States	US-2.246	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		30.8.2022	27.1.2023
	US-2.247		N, P1		30.8.2022	23.1.2023’;

- (li) in the entry for the United States, the rows for the zones US-2.252 and US-2.253 are replaced by the following:

‘US United States	US-2.252	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		3.9.2022	28.1.2023
	US-2.253		N, P1		7.9.2022	29.1.2023’;

- (lii) in the entry for the United States, the row for the zone US-2.256 is replaced by the following:

‘US United States	US-2.256	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		9.9.2022	30.1.2023’;
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- (liii) in the entry for the United States, the row for the zone US-2.258 is replaced by the following:

‘US United States	US-2.258	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		13.9.2022	18.1.2023’;
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- (liv) in the entry for the United States, the rows for the zones US-2.261 to US-2.263 are replaced by the following:

‘US United States	US-2.261	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		15.9.2022	21.12.2022
	US-2.262		N, P1		15.9.2022	19.12.2022
	US-2.263		N, P1		14.9.2022	18.1.2023’;

- (lv) in the entry for the United States, the row for the zone US-2.266 is replaced by the following:

‘US United States	US-2.266	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		20.9.2022	23.1.2023’;
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- (lvi) in the entry for the United States, the rows for the zones US-2.268 and US-2.269 are replaced by the following:

‘US United States	US-2.268	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		20.9.2022	5.1.2023
	US-2.269		N, P1		20.9.2022	24.1.2023’;

- lvii) in the entry for the United States, the row for the zone US-2.271 is replaced by the following:

‘US United States	US-2.271	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		20.9.2022	26.12.2022’;
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- lviii) in the entry for the United States, the rows for the zones US-2.279 to US-2.282 are replaced by the following:

‘US United States	US-2.279	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		24.9.2022	13.1.2023
	US-2.280		N, P1		27.9.2022	27.1.2023
	US-2.281		N, P1		27.9.2022	28.1.2023
	US-2.282		N, P1		27.9.2022	19.1.2023’;

- (lix) in the entry for the United States, the row for the zone US-2.291 is replaced by the following:

‘US United States	US-2.291	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		4.10.2022	28.1.2023’;
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- (lx) in the entry for the United States, the rows for the zones US-2.297 and US-2.298 are replaced by the following:

‘US United States	US-2.297	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		6.10.2022	7.1.2023
	US-2.298		N, P1		6.10.2022	6.1.2023’;

- (lxi) in the entry for the United States, the row for the zone US-2.317 is replaced by the following:

‘US United States	US-2.317	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		19.10.2022	19.1.2023’;
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- (lxii) in the entry for the United States, the following rows for the zones US-2.398 to US-2.406 are added after the rows for the zone US-2.397:

‘US United States	US-2.398	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		4.1.2023	
	US-2.399		N, P1		5.1.2023	
	US-2.400		N, P1		12.1.2023	
	US-2.401		N, P1		18.1.2023	
	US-2.402		N, P1		19.1.2023	
	US-2.403		N, P1		20.1.2023	
	US-2.404		N, P1		17.1.2023	
	US-2.405		N, P1		25.1.2023	
	US-2.406		N, P1		25.1.2023’;	

- (b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following description of the zones CA-2.170 and CA-2.171 are added after the description of the zone CA-2.169:

‘Canada	CA-2.170	British Columbia - Latitude 49.11, Longitude -125.87 The municipalities involved are: 3km PZ: Tofino 10km SZ: Alberni-Clayoquot and Tofino.
	CA-2.171	British Columbia - Latitude 49.3, Longitude -124.84 The municipalities involved are: 3km PZ: Port Alberni. 10km SZ: Port Alberni’;

- (ii) in the entry for the United Kingdom, the following description of the zones GB-2.288 to GB-2.292 are added after the description of the zone GB-2.287:

‘United Kingdom	GB-2.288	near Fraserburgh, Aberdeenshire, Scotland, GB The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N57.66 and Long: W2.06
	GB-2.289	near Wells-next-the-sea, North Norfolk, Norfolk, England, GB The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N52.94 and Long: E0.97
	GB-2.290	near Cromer, North Norfolk, Norfolk, England, GB The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N52.91 and Long: E1.30
	GB-2.291	near Grantown on Spey, Highland, Scotland, GB The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N57.33 and Long: W3.62
	GB-2.292	near Stranraer, Dumfries and Galloway, Scotland, GB The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N54.93 and Long: W5.11’;

- (iii) in the entry for the United States, the following description of the zones US-2.398 to US-2.406 are added after the description of the zone US-2.397:

United States	US-2.398	State of Kansas - Anderson 01 Anderson County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.3777451°W 38.4564845°N)
	US-2.399	State of South Dakota - Codington 02 Codington County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.1913219°W 44.9085278°N)
	US-2.400	State of California - Tehama 01 Tehama County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 122.2737478°W 40.0219459°N)
	US-2.401	State of Texas - Lampasas 01 Lampasas County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.0692990°W 31.1921409°N)
	US-2.402	State of Virginia - Rockingham 01 Rockingham County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 78.9550372°W 38.5828581°N)
	US-2.403	State of Tennessee - Weakley 05 Weakley County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 88.7203241°W 36.2362439°N)
	US-2.404	State of Kansas Mitchell 02 Mitchell County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.2862217°W 39.3927239°N)
	US-2.405	State of Virginia Rockingham 02 Rockingham County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 78.9974987°W 38.5534963°N)
	US-2.406	State of Iowa Buena Vista 07 Buena Vista County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.2884662°W 42.6738280°N);

- (2) Section B of Part 1 of Annex XIV is amended as follows

- (i) in the entry for Canada, the rows for the zone CA-2.10 are replaced by the following:

CA Canada	CA-2.10	POU, RAT	N, P1		7.4.2022	20.1.2023
		GBM	P1		7.4.2022	20.1.2023';

(ii) in the entry for Canada, the rows for the zone CA-2.82 are replaced by the following:

'CA Canada	CA-2.82	POU, RAT	N, P1		13.9.2022	7.2.2023
		GBM	P1		13.9.2022	7.2.2023';

(iii) in the entry for Canada, the rows for the zones CA-2.86 to CA-2.90 are replaced by the following:

'CA Canada	CA-2.86	POU, RAT	N, P1		15.9.2022	26.1.2023
		GBM	P1		15.9.2022	26.1.2023
	CA-2.87	POU, RAT	N, P1		15.9.2022	19.1.2023
		GBM	P1		15.9.2022	19.1.2023
	CA-2.88	POU, RAT	N, P1		18.9.2022	7.2.2023
		GBM	P1		18.9.2022	7.2.2023
	CA-2.89	POU, RAT	N, P1		15.9.2022	5.2.2023
		GBM	P1		15.9.2022	5.2.2023
	CA-2.90	POU, RAT	N, P1		19.2.2022	21.1.2023
		GBM	P1		19.2.2022	21.1.2023';

(iv) in the entry for Canada, the rows for the zones CA-2.92 and CA-2.93 are replaced by the following:

'CA Canada	CA-2.92	POU, RAT	N, P1		18.9.2022	1.2.2023
		GBM	P1		18.9.2022	1.2.2023
	CA-2.93	POU, RAT	N, P1		18.9.2022	7.2.2023
		GBM	P1		18.9.2022	7.2.2023';

(v) in the entry for Canada, the rows for the zone CA-2.96 are replaced by the following:

'CA Canada	CA-2.96	POU, RAT	N, P1		20.9.2022	7.2.2023
		GBM	P1		20.9.2022	7.2.2023';

(vi) in the entry for Canada, the rows for the zone CA-2.98 are replaced by the following:

'CA Canada	CA-2.98	POU, RAT	N, P1		21.11.2022	7.2.2023
		GBM	P1		21.11.2022	7.2.2023';

(vii) in the entry for Canada, the rows for the zones CA-2.102 and CA-2.103 are replaced by the following:

‘CA Canada	CA-2.102	POU, RAT	N, P1		26.9.2022	16.1.2023
		GBM	P1		26.9.2022	16.1.2023
	CA-2.103	POU, RAT	N, P1		27.9.2022	21.1.2023
		GBM	P1		27.9.2022	21.1.2023’;

(viii) in the entry for Canada, the rows for the zones CA-2.106 to CA-2.112 are replaced by the following:

‘CA Canada	CA-2.106	POU, RAT	N, P1		1.10.2022	7.2.2023
		GBM	P1		1.10.2022	7.2.2023
	CA-2.107	POU, RAT	N, P1		4.10.2022	20.1.2023
		GBM	P1		4.10.2022	20.1.2023
	CA-2.108	POU, RAT	N, P1		4.10.2022	7.2.2023
		GBM	P1		4.10.2022	7.2.2023
	CA-2.109	POU, RAT	N, P1		6.10.2022	7.2.2023
		GBM	P1		6.10.2022	7.2.2023
	CA-2.110	POU, RAT	N, P1		7.10.2022	7.2.2023
		GBM	P1		7.10.2022	7.2.2023
	CA-2.111	POU, RAT	N, P1		6.10.2022	19.1.2023
		GBM	P1		6.10.2022	19.1.2023
	CA-2.112	POU, RAT	N, P1		27.9.2022	5.2.2023
		GBM	P1		27.9.2022	5.2.2023’;

(ix) in the entry for Canada, the rows for the zone CA-2.115 are replaced by the following:

‘CA Canada	CA-2.115	POU, RAT	N, P1		29.9.2022	18.1.2023
		GBM	P1		29.9.2022	18.1.2023’;

(x) in the entry for Canada, the rows for the zones CA-2.117 and CA-2.118 are replaced by the following:

‘CA Canada	CA-2.117	POU, RAT	N, P1		30.9.2022	7.2.2023
		GBM	P1		30.9.2022	7.2.2023
	CA-118	POU, RAT	N, P1		30.9.2022	7.2.2023
		GBM	P1		30.9.2022	7.2.2023’;

(xi) in the entry for Canada, the rows for the zones CA-2.120 to CA-2.122 are replaced by the following:

‘CA Canada	CA-2.120	POU, RAT	N, P1		7.10.2022	7.2.2023
		GBM	P1		7.10.2022	7.2.2023
	CA-2.121	POU, RAT	N, P1		7.10.2022	7.2.2023
		GBM	P1		7.10.2022	7.2.2023
	CA-2.122	POU, RAT	N, P1		7.10.2022	7.2.2023
		GBM	P1		7.10.2022	7.2.2023’;

(xii) in the entry for Canada, the rows for the zones CA-2.124 and CA-2.125 are replaced by the following:

‘CA Canada	CA-2.124	POU, RAT	N, P1		10.10.2022	7.2.2023
		GBM	P1		10.10.2022	7.2.2023
	CA-2.125	POU, RAT	N, P1		12.10.2022	22.1.2023
		GBM	P1		12.10.2022	22.1.2023’;

(xiii) in the entry for Canada, the rows for the zones CA-2.127 to CA-2.131 are replaced by the following:

‘CA Canada	CA-2.127	POU, RAT	N, P1		14.10.2022	7.2.2023
		GBM	P1		14.10.2022	7.2.2023
	CA-2.128	POU, RAT	N, P1		15.10.2022	7.2.2023
		GBM	P1		15.10.2022	7.2.2023
	CA-2.129	POU, RAT	N, P1		18.10.2022	4.2.2023
		GBM	P1		18.10.2022	4.2.2023
	CA-2.130	POU, RAT	N, P1		18.10.2022	26.1.2023
		GBM	P1		18.10.2022	26.1.2023
	CA-2.131	POU, RAT	N, P1		19.10.2022	4.2.2023
		GBM	P1		19.10.2022	4.2.2023’;

(xiv) in the entry for Canada, the rows for the zones CA-2.134 to CA-2.137 are replaced by the following:

‘CA Canada	CA-2.134	POU, RAT	N, P1		21.10.2022	2.2.2023
		GBM	P1		21.10.2022	2.2.2023
	CA-2.135	POU, RAT	N, P1		22.10.2022	3.2.2023
		GBM	P1		22.10.2022	3.2.2023
	CA-2.136	POU, RAT	N, P1		24.10.2022	7.2.2023
		GBM	P1		24.10.2022	7.2.2023
	CA-2.137	POU, RAT	N, P1		26.10.2022	7.2.2023
		GBM	P1		26.10.2022	7.2.2023’;

(xv) in the entry for Canada, the rows for the zone CA-2.140 are replaced by the following:

'CA Canada	CA-2.140	POU, RAT	N, P1		27.10.2022	5.2.2023
		GBM	P1		27.10.2022	5.2.2023';

(xvi) in the entry for Canada, the rows for the zone CA-2.145 are replaced by the following:

'CA Canada	CA-2.145	POU, RAT	N, P1		9.11.2022	7.2.2023
		GBM	P1		9.11.2022	7.2.2023';

(xvii) in the entry for Canada, the following rows for the zones CA-2.170 and CA-2.171 are added after the rows for the zone CA-2.169:

'CA Canada	CA-2.170	POU, RAT	N, P1		5.1.2023	
		GBM	P1		5.1.2023	
	CA-2.171	POU, RAT	N, P1		6.1.2023	
		GBM	P1		6.1.2023';	

(xviii) in the entry for the United Kingdom, the rows for the zones GB-2.128 and GB-2.129 are replaced by the following:

'GB United Kingdom	GB-2.128	POU, RAT	N, P1		21.7.2022	25.1.2023
		GBM	P1		21.7.2022	25.1.2023
	GB-2.129	POU, RAT	N, P1		5.8.2022	25.1.2023
		GBM	P1		5.8.2022	25.1.2023';

(xix) in the entry for the United Kingdom, the rows for the zone GB-2.136 are replaced by the following:

'GB United Kingdom	GB-2.136	POU, RAT	N, P1		29.8.2022	17.1.2023
		GBM	P1		29.8.2022	17.1.2023';

(xx) in the entry for the United Kingdom, the rows for the zone GB-2.142 are replaced by the following:

'GB United Kingdom	GB-2.142	POU, RAT	N, P1		8.9.2022	19.12.2022
		GBM	P1		8.9.2022	19.12.2022';

(xxi) in the entry for the United Kingdom, the rows for the zone GB-2.144 are replaced by the following:

'GB United Kingdom	GB-2.144	POU, RAT	N, P1		16.9.2022	21.1.2023
		GBM	P1		16.9.2022	21.1.2023';

(xxii) in the entry for the United Kingdom, the rows for the zone GB-2.149 are replaced by the following:

'GB United Kingdom	GB-2.149	POU, RAT	N, P1		20.9.2022	25.1.2023
		GBM	P1		20.9.2022	25.1.2023';

(xxiii) in the entry for the United Kingdom, the rows for the zone GB-2.161 are replaced by the following:

'GB United Kingdom	GB-2.161	POU, RAT	N, P1		3.10.2022	21.1.2023
		GBM	P1		3.10.2022	21.1.2023';

(xxiv) in the entry for the United Kingdom, the rows for the zone GB-2.168 are replaced by the following:

'GB United Kingdom	GB-2.168	POU, RAT	N, P1		7.10.2022	17.1.2023
		GBM	P1		7.10.2022	17.1.2023';

(xxv) in the entry for the United Kingdom, the rows for the zone GB-2.180 are replaced by the following:

'GB United Kingdom	GB-2.180	POU, RAT	N, P1		12.10.2022	20.1.2023
		GBM	P1		12.10.2022	20.1.2023';

(xxvi) in the entry for the United Kingdom, the rows for the zone GB-2.189 are replaced by the following:

'GB United Kingdom	GB-2.189	POU, RAT	N, P1		16.10.2022	23.1.2023
		GBM	P1		16.10.2022	23.1.2023';

(xxvii) in the entry for the United Kingdom, the rows for the zone GB-2.191 are replaced by the following:

'GB United Kingdom	GB-2.191	POU, RAT	N, P1		16.10.2022	21.1.2023
		GBM	P1		16.10.2022	21.1.2023';

(xxviii) in the entry for the United Kingdom, the rows for the zone GB-2.212 are replaced by the following:

'GB United Kingdom	GB-2.212	POU, RAT	N, P1		23.10.2022	26.1.2023
		GBM	P1		23.10.2022	26.1.2023';

(xxix) in the entry for the United Kingdom, the rows for the zone GB-2.218 are replaced by the following:

'GB United Kingdom	GB-2.218	POU, RAT	N, P1		24.10.2022	27.1.2023
		GBM	P1		24.10.2022	27.1.2023';

(xxx) in the entry for the United Kingdom, the following rows for the zones GB-2.288 to GB-2.292 are added after the rows for the zone GB-2.287:

'GB United Kingdom	GB-2.288	POU, RAT	N, P1		12.1.2023	
		GBM	P1		12.1.2023	
	GB-2.289	POU, RAT	N, P1		12.1.2023	
		GBM	P1		12.1.2023	
	GB-2.290	POU, RAT	N, P1		12.1.2023	
		GBM	P1		12.1.2023	
	GB-2.291	POU, RAT	N, P1		24.1.2023	
		GBM	P1		24.1.2023	
	GB-2.292	POU, RAT	N, P1		27.1.2023	
		GBM	P1		27.1.2023';	

(xxxi) in the entry for the United States, the rows for the zone US-2.100 are replaced by the following:

'US United States	US-2.100	POU, RAT	N, P1		5.4.2022	6.12.2022
		GBM	P1		5.4.2022	6.12.2022';

(xxxii) in the entry for the United States, the rows for the zone US-2.121 are replaced by the following:

'US United States	US-2.121	POU, RAT	N, P1		8.4.2022	5.12.2022
		GBM	P1		8.4.2022	5.12.2022';

(xxxiii) in the entry for the United States, the rows for the zone US-2.136 are replaced by the following:

‘US United States	US-2.136	POU, RAT	N, P1		13.4.2022	13.12.2022
		GBM	P1		13.4.2022	13.12.2022’;

(xxxiv) in the entry for the United States, the rows for the zone US-2.145 are replaced by the following:

‘US United States	US-2.145	POU, RAT	N, P1		14.4.2022	13.12.2022
		GBM	P1		14.4.2022	13.12.2022’;

(xxxv) in the entry for the United States, the rows for the zone US-2.149 are replaced by the following:

‘US United States	US-2.149	POU, RAT	N, P1		19.4.2022	14.12.2022
		GBM	P1		19.4.2022	14.12.2022’;

(xxxvi) in the entry for the United States, the rows for the zone US-2.161 are replaced by the following:

‘US United States	US-2.161	POU, RAT	N, P1		20.4.2022	19.12.2022
		GBM	P1		20.4.2022	19.12.2022’;

(xxxvii) in the entry for the United States, the rows for the zone US-2.180 are replaced by the following:

‘US United States	US-2.180	POU, RAT	N, P1		26.4.2022	25.12.2022
		GBM	P1		26.4.2022	25.12.2022’;

(xxxviii) in the entry for the United States, the rows for the zone US-2.182 are replaced by the following:

‘US United States	US-2.182	POU, RAT	N, P1		27.4.2022	27.12.2022
		GBM	P1		27.4.2022	27.12.2022’;

(xxxix) in the entry for the United States, the rows for the zone US-2.185 are replaced by the following:

‘US United States	US-2.185	POU, RAT	N, P1		28.4.2022	30.12.2022
		GBM	P1		28.4.2022	30.12.2022’;

- (xli) in the entry for the United States, the rows for the zones US-2.197 and US-2.198 are replaced by the following:

‘US United States	US-2.197	POU, RAT	N, P1		4.5.2022	1.1.2023
		GBM	P1		4.5.2022	1.1.2023
	US-2.198	POU, RAT	N, P1		5.5.2022	2.1.2023
		GBM	P1		5.5.2022	2.1.2023’;

- (xlii) in the entry for the United States, the rows for the zones US-2.200 and US-2.201 are replaced by the following:

‘US United States	US-2.200	POU, RAT	N, P1		9.5.2022	7.1.2023
		GBM	P1		9.5.2022	7.1.2023
	US-2.201	POU, RAT	N, P1		10.5.2022	5.1.2023
		GBM	P1		10.5.2022	5.1.2023’;

- (xlii) in the entry for the United States, the rows for the zone US-2.205 are replaced by the following:

‘US United States	US-2.205	POU, RAT	N, P1		10.5.2022	21.1.2023
		GBM	P1		10.5.2022	21.1.2023’;

- (xliii) in the entry for the United States, the rows for the zone US-2.207 are replaced by the following:

‘US United States	US-2.207	POU, RAT	N, P1		11.5.2022	7.1.2023
		GBM	P1		11.5.2022	7.1.2023’;

- (xliv) in the entry for the United States, the rows for the zones US-2.210 to US-2.214 are replaced by the following:

‘US United States	US-2.210	POU, RAT	N, P1		17.5.2022	17.1.2023
		GBM	P1		17.5.2022	17.1.2023
	US-2.211	POU, RAT	N, P1		17.5.2022	21.1.2023
		GBM	P1		17.5.2022	21.1.2023
	US-2.212	POU, RAT	N, P1		17.5.2022	16.1.2023
		GBM	P1		17.5.2022	16.1.2023
	US-2.213	POU, RAT	N, P1		17.5.2022	15.1.2023
		GBM	P1		17.5.2022	15.1.2023
	US-2.214	POU, RAT	N, P1		17.5.2022	15.1.2023
		GBM	P1		17.5.2022	15.1.2023’;

(xlv) in the entry for the United States, the rows for the zones US-2.216 and US-2.217 are replaced by the following:

‘US United States	US-2.216	POU, RAT	N, P1		18.5.2022	21.1.2023
		GBM	P1		18.5.2022	21.1.2023
	US-2.217	POU, RAT	N, P1		18.5.2022	17.1.2023
		GBM	P1		18.5.2022	17.1.2023’;

(xlvi) in the entry for the United States, the rows for the zones US-2.220 and US-2.221 are replaced by the following:

‘US United States	US-2.220	POU, RAT	N, P1		19.5.2022	19.1.2023
		GBM	P1		19.5.2022	19.1.2023
	US-2.221	POU, RAT	N, P1		19.5.2022	18.1.2023
		GBM	P1		19.5.2022	18.1.2023’;

(xlvii) in the entry for the United States, the rows for the zones US-2.239 to US-2.241 are replaced by the following:

‘US United States	US-2.239	POU, RAT	N, P1		11.8.2022	10.1.2023
		GBM	P1		11.8.2022	10.1.2023
	US-2.240	POU, RAT	N, P1		22.8.2022	7.1.2023
		GBM	P1		22.8.2022	7.1.2023
	US-2.241	POU, RAT	N, P1		26.8.2022	7.1.2023
		GBM	P1		26.8.2022	7.1.2023’;

(xlviii) in the entry for the United States, the rows for the zones US-2.243 and US-2.244 are replaced by the following:

‘US United States	US-2.243	POU, RAT	N, P1		30.8.2022	25.1.2023
		GBM	P1		30.8.2022	25.1.2023
	US-2.244	POU, RAT	N, P1		30.8.2022	7.1.2023
		GBM	P1		30.8.2022	7.1.2023’;

(xlix) in the entry for the United States, the rows for the zones US-2.246 and US-2.247 are replaced by the following:

‘US United States	US-2.246	POU, RAT	N, P1		30.8.2022	27.1.2023
		GBM	P1		30.8.2022	27.1.2023
	US-2.247	POU, RAT	N, P1		30.8.2022	23.1.2023
		GBM	P1		30.8.2022	23.1.2023’;

- (l) in the entry for the United States, the rows for the zones US-2.252 and US-2.253 are replaced by the following:

'US United States	US-2.252	POU, RAT	N, P1		3.9.2022	28.1.2023
		GBM	P1		3.9.2022	28.1.2023
	US-2.253	POU, RAT	N, P1		7.9.2022	29.1.2023
		GBM	P1		7.9.2022	29.1.2023';

- (li) in the entry for the United States, the rows for the zone US-2.256 are replaced by the following:

'US United States	US-2.256	POU, RAT	N, P1		9.9.2022	30.1.2023
		GBM	P1		9.9.2022	30.1.2023';

- (lii) in the entry for the United States, the rows for the zone US-2.258 are replaced by the following:

'US United States	US-2.258	POU, RAT	N, P1		13.9.2022	18.1.2023
		GBM	P1		13.9.2022	18.1.2023';

- (liii) in the entry for the United States, the rows for the zones US-2.261 to US-2.263 are replaced by the following:

'US United States	US-2.261	POU, RAT	N, P1		15.9.2022	21.12.2022
		GBM	P1		15.9.2022	21.12.2022
	US-2.262	POU, RAT	N, P1		15.9.2022	19.12.2022
		GBM	P1		15.9.2022	19.12.2022
	US-2.263	POU, RAT	N, P1		14.9.2022	18.1.2023
		GBM	P1		14.9.2022	18.1.2023';

- (liv) in the entry for the United States, the rows for the zone US-2.266 are replaced by the following:

'US United States	US-2.266	POU, RAT	N, P1		20.9.2022	23.1.2023
		GBM	P1		20.9.2022	23.1.2023';

- (lv) in the entry for the United States, the rows for the zones US-2.268 and US-2.269 are replaced by the following:

'US United States	US-2.268	POU, RAT	N, P1		20.9.2022	5.1.2023
		GBM	P1		20.9.2022	5.1.2023
	US-2.269	POU, RAT	N, P1		20.9.2022	24.1.2023
		GBM	P1		20.9.2022	24.1.2023';

(lvi) in the entry for the United States, the rows for the zone US-2.271 are replaced by the following:

‘US United States	US-2.271	POU, RAT	N, P1		20.9.2022	26.12.2022
		GBM	P1		20.9.2022	26.12.2022’;

(lvii) in the entry for the United States, the rows for the zones US-2.279 to US-2.282 are replaced by the following:

‘US United States	US-2.279	POU, RAT	N, P1		24.9.2022	13.1.2023
		GBM	P1		24.9.2022	13.1.2023
	US-2.280	POU, RAT	N, P1		27.9.2022	27.1.2023
		GBM	P1		27.9.2022	27.1.2023
	US-2.281	POU, RAT	N, P1		27.9.2022	28.1.2023
		GBM	P1		27.9.2022	28.1.2023
	US-2.282	POU, RAT	N, P1		27.9.2022	19.1.2023
		GBM	P1		27.9.2022	19.1.2023’;

(lviii) in the entry for the United States, the rows for the zone US-2.291 are replaced by the following:

‘US United States	US-2.291	POU, RAT	N, P1		4.10.2022	28.1.2023
		GBM	P1		4.10.2022	28.1.2023’;

(lix) in the entry for the United States, the rows for the zones US-2.297 and US-2.298 are replaced by the following:

‘US United States	US-2.297	POU, RAT	N, P1		6.10.2022	7.1.2023
		GBM	P1		6.10.2022	7.1.2023
	US-2.298	POU, RAT	N, P1		6.10.2022	6.1.2023
		GBM	P1		6.10.2022	6.1.2023’;

(lx) in the entry for the United States, the rows for the zone US-2.317 are replaced by the following:

‘US United States	US-2.317	POU, RAT	N, P1		19.10.2022	19.1.2023
		GBM	P1		19.10.2022	19.1.2023’;

- (lxi) in the entry for the United States, the following rows for the zones US-2.398 to US-2.406 are added after the rows for the zone US-2.397:

US United States	US-2.398	POU, RAT	N, P1		4.1.2023	
		GBM	P1		4.1.2023	
	US-2.399	POU, RAT	N, P1		5.1.2023	
		GBM	P1		5.1.2023	
	US-2.400	POU, RAT	N, P1		12.1.2023	
		GBM	P1		12.1.2023	
	US-2.401	POU, RAT	N, P1		18.1.2023	
		GBM	P1		18.1.2023	
	US-2.402	POU, RAT	N, P1		19.1.2023	
		GBM	P1		19.1.2023	
	US-2.403	POU, RAT	N, P1		20.1.2023	
		GBM	P1		20.1.2023	
	US-2.404	POU, RAT	N, P1		17.1.2023	
		GBM	P1		17.1.2023	
	US-2.405	POU, RAT	N, P1		25.1.2023	
		GBM	P1		25.1.2023	
	US-2.405	POU, RAT	N, P1		25.1.2023	
		GBM	P1		25.1.2023.	

DECISIONS

COUNCIL DECISION (EU) 2023/269

of 30 January 2023

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning an amendment to Annex IX (Financial Services) to the EEA Agreement (Central Securities Depository – Liechtenstein)

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex IX thereof.
- (3) Regulation (EU) No 909/2014 of the European Parliament and of the Council ⁽³⁾ was incorporated into EEA Agreement by Decision of the EEA Joint Committee No 18/2019 ⁽⁴⁾ and is referred to in point 31bf of Annex IX to the EEA Agreement.
- (4) Adaptation (c) in point 31bf of Annex IX to the EEA Agreement grants Liechtenstein a derogation to allow third-country Central Securities Depositories that already provide services referred to in Article 25(2) of Regulation (EU) No 909/2014 to financial intermediaries in Liechtenstein or that have already set up a branch in Liechtenstein to continue to provide such services referred to in that Article for a period not exceeding five years after the date of entry into force of Decision of the EEA Joint Committee No 18/2019.
- (5) On 2 November 2022, Liechtenstein submitted a request for the extension of the derogation referred to in adaptation (c) in point 31bf of Annex IX to the EEA Agreement beyond 8 February 2024, for a period that should not exceed seven years.
- (6) Annex IX to the EEA Agreement should therefore be amended to the effect that third-country Central Securities Depositories that already provide services referred to in Article 25(2) of Regulation (EU) No 909/2014 to financial intermediaries in Liechtenstein or that have already set up a branch in Liechtenstein are allowed to continue to provide such services for a period not exceeding seven years after the date of entry into force of the attached draft decision. Nevertheless, adaptation (c) in point 31bf of Annex IX to the EEA Agreement should be reviewed if Article 25 or 69 of Regulation (EU) No 909/2014 are amended during that period of time.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).

⁽⁴⁾ Decision of the EEA Joint Committee No 18/2019 of 8 February 2019 amending Annex IX (Financial services) to the EEA Agreement [2019/341] (OJ L 60, 28.2.2019, p. 31).

(7) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Annex IX (Financial Services) to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 30 January 2023.

For the Council
The President
P. KULLGREN

DRAFT

**DECISION OF THE EEA JOINT COMMITTEE No ...
of ...
amending Annex IX (Financial Services) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 ⁽¹⁾ was incorporated into the EEA Agreement by Decision of the EEA Joint Committee No 18/2019 of 8 February 2019 ⁽²⁾ and is referred to in point 31bf of Annex IX to the EEA Agreement.
- (2) The conditions for the provision of services in the European Economic Area by central securities depositories (CSDs) established in a third country are governed by Article 25 of Regulation (EU) No 909/2014.
- (3) Adaptation (c) in point 31bf of Annex IX to the EEA Agreement grants Liechtenstein a derogation to allow third-country CSDs that already provide services referred to in Article 25(2) of Regulation (EU) No 909/2014 to financial intermediaries in Liechtenstein or that have already set up a branch in Liechtenstein to continue to provide such services for up to five years after the date of entry into force of Decision of the EEA Joint Committee No 18/2019 of 8 February 2019.
- (4) Adaptation (c) in point 31bf of Annex IX to the EEA Agreement should be amended to the effect that third-country CSDs that already provide services referred to in Article 25(2) of Regulation (EU) No 909/2014 to financial intermediaries in Liechtenstein or that have already set up a branch in Liechtenstein are allowed to continue to provide such services for a period not exceeding seven years after the date of entry into force of this Decision. Nevertheless, if Article 25 or 69 of Regulation (EU) No 909/2014 are amended during that period of time, adaptation (c) should be reviewed accordingly.
- (5) Annex IX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of adaptation (c) in point 31bf of Annex IX to the EEA Agreement is replaced by the following:

- '(c) Liechtenstein may allow third-country CSDs that already provide services referred to in Article 25(2) to financial intermediaries in Liechtenstein or that have already set up a branch in Liechtenstein to continue to provide the services referred to in Article 25(2) for a period not exceeding seven years after the date of entry into force of Decision of the EEA Joint Committee No .../... of [this Decision].'

Article 2

The Contracting Parties shall review adaptation (c) in point 31bf of Annex IX when incorporating into the EEA Agreement any act which amends or replaces Article 25 or 69 of Regulation (EU) No 909/2014.

⁽¹⁾ OJ L 257, 28.8.2014, p. 1.

⁽²⁾ OJ L 60, 28.2.2019, p. 31.

Article 3

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

Article 4

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

Done at Brussels, [...].

For the EEA Joint Committee
The President

The Secretaries
To the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION (EU) 2023/270**of 30 January 2023****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (CEDEFOP)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 166(4) and Article 165(4) in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31') to the EEA Agreement.
- (3) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) 2019/128 of the European Parliament and of the Council ⁽³⁾.
- (4) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2023.
- (5) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on the Union's behalf, within the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2019/128 of the European Parliament and of the Council of 16 January 2019 establishing a European Centre for the Development of Vocational Training (Cedefop) and repealing Council Regulation (EEC) No 337/75 (OJ L 30, 31.1.2019, p. 90).

Done at Brussels, 30 January 2023.

For the Council
The President
P. KULLGREN

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No ...

of ...

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) According to paragraph 6 of Article 4 of Protocol 31, the Contracting Parties shall encourage appropriate cooperation between the competent organisations, institutions and other bodies in their respective territories where this would contribute to the strengthening and broadening of cooperation. This shall apply in particular to matters covered by the activities of the European Centre for Development of Vocational Training (Cedefop).
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) 2019/128 of the European Parliament and of the Council of 16 January 2019 establishing a European Centre for the Development of Vocational Training (Cedefop) and repealing Council Regulation (EEC) No 337/75 ⁽¹⁾.
- (3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2023,

HAS ADOPTED THIS DECISION:

Article 1

The text of paragraph 6 of Article 4 of Protocol 31 to the EEA Agreement shall be replaced by the following:

'(a) The EFTA States shall, with effect from 1 January 2023, participate in the activities which may result from the following Union act:

— **32019 R 0128:** Regulation (EU) 2019/128 of the European Parliament and of the Council of 16 January 2019 establishing a European Centre for the Development of Vocational Training (Cedefop) and repealing Council Regulation (EEC) No 337/75 (OJ L 30, 31.1.2019, p. 90).

- (b) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement.
- (c) The EFTA States shall participate fully, without the right to vote, in the Management Board of Cedefop.
- (d) By way of derogation from Articles 12(2)(a) and 82(3)(a) of the Conditions of Employment of Other Servants of the European Union, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of Cedefop.
- (e) By way of derogation from Articles 12(2)(e), 82(3)(e) and 85(3) of the Conditions of Employment of Other Servants of the European Union, the languages referred to in Article 129(1) of the Agreement shall be considered by Cedefop, in respect of its staff, as languages of the Union referred to in Article 55(1) of the Treaty on European Union.
- (f) Cedefop shall have legal personality. It shall enjoy in all the States of the Contracting Parties the most extensive legal capacity accorded to legal persons under their laws.
- (g) The EFTA States shall grant privileges and immunities to Cedefop and its staff equivalent to those contained in the Protocol on Privileges and Immunities of the European Union.

⁽¹⁾ OJ L 30, 31.1.2019, p. 90.

- (h) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of Regulation (EU) 2021/696, apply to any documents of Cedefop regarding the EFTA States as well.’.

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement *.

It shall apply from 1 January 2023.

Article 3

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

Done at Brussels,

*For the EEA Joint Committee
The President*

*The Secretaries
To the EEA Joint Committee*

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

**Joint Declaration by the Contracting Parties to Decision No .../... incorporating Regulation (EU)
2019/128 of the European Parliament and of the Council into the Agreement**

The parties acknowledge that the incorporation of this act is without prejudice to the direct application of Protocol 7 on the privileges and immunities of the European Union to the nationals of EFTA states in the territory of each Member State of the European Union, pursuant to Article 11 of that Protocol.

COUNCIL DECISION (EU) 2023/271**of 30 January 2023****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex XI (Electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement (NIS)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex XI (Electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement.
- (3) Directive (EU) 2016/1148 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) For the EEA Agreement to function well, Protocol 37 to the EEA Agreement is to be extended to include the Cooperation Group set up by Directive (EU) 2016/1148.
- (5) Annex XI and Protocol 37 to the EEA Agreement should therefore be amended accordingly.
- (6) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on the Union's behalf, within the EEA Joint Committee on the proposed amendment to Annex XI (Electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union (OJ L 194, 19.7.2016, p. 1).

Article 2

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

Done at Brussels, 30 January 2023.

For the Council
The President
P. KULLGREN

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No ...

of ...

amending Annex XI (Electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2018/151 of 30 January 2018 laying down rules for application of Directive (EU) 2016/1148 of the European Parliament and of the Council as regards further specification of the elements to be taken into account by digital service providers for managing the risks posed to the security of network and information systems and of the parameters for determining whether an incident has a substantial impact ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) For the EEA Agreement to function well, Protocol 37 to the EEA Agreement is to be extended to include the Cooperation Group set up by Directive (EU) 2016/1148.
- (4) Annex XI and Protocol 37 to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 5cp (Regulation (EU) No 526/2013 of the European Parliament and of the Council) of Annex XI to the EEA Agreement:

'5cpa. **32016 L 1148:** Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union (OJ L 194, 19.7.2016, p. 1).

Modalities for association of the EFTA States in accordance with Article 101 of the Agreement:

The EFTA States shall participate fully in the Cooperation Group and shall within it have the same rights and obligations as EU Member States, except for the right to vote.

5cpaa. **32018 R 0151:** Commission Implementing Regulation (EU) 2018/151 of 30 January 2018 laying down rules for application of Directive (EU) 2016/1148 of the European Parliament and of the Council as regards further specification of the elements to be taken into account by digital service providers for managing the risks posed to the security of network and information systems and of the parameters for determining whether an incident has a substantial impact (OJ L 26, 31.1.2018, p. 48).'

⁽¹⁾ OJ L 194, 19.7.2016, p. 1.

⁽²⁾ OJ L 26, 31.1.2018, p. 48.

Article 2

The following point is added in Protocol 37 to the EEA Agreement:

‘43. The Cooperation Group (Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union).’.

Article 3

The texts of Directive (EU) 2016/1148 and Implementing Regulation (EU) 2018/151 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 4

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

Article 5

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

Done at Brussels,

For the EEA Joint Committee
The President

The Secretaries
To the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION (EU) 2023/272**of 30 January 2023**

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex XI (Electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement (Cybersecurity Act)

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex XI and Protocol 37 thereof.
- (3) Regulation (EU) 2019/881 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Annex XI and Protocol 37 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Annex XI (Electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) (OJ L 151, 7.6.2019, p. 15).

Done at Brussels, 30 January 2023.

For the Council
The President
P. KULLGREN

DRAFT**DECISION OF THE EEA JOINT COMMITTEE No [...]****of [...]****amending Annex XI (Electronic communication, audiovisual services and information society) and Protocol 37 (containing the list provided for in Article 101) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) 2019/881 repeals Regulation (EU) No 526/2013 of the European Parliament and of the Council ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annex XI and Protocol 37 to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 5cp (Regulation (EU) No 526/2013 of the European Parliament and of the Council) of Annex XI to the EEA Agreement is replaced by the following:

'32019 R 0881: Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) (OJ L 151, 7.6.2019, p. 15).

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

- (a) Unless otherwise stipulated below, and notwithstanding the provisions of Protocol 1 to the Agreement, the term "Member State(s)" and other terms referring to their authorities contained in the Regulation shall be understood to include, in addition to their meaning in the Regulation, the EFTA States and their authorities.
- (b) As regards the EFTA States, the Agency shall, as and when appropriate, assist the EFTA Surveillance Authority or the Standing Committee, as the case may be, in the performance of their respective tasks.
- (c) As regards the EFTA States, references to Union law shall be understood as references to the EEA Agreement.
- (d) The following paragraph shall be added in Article 14:

"5. The EFTA States shall participate fully in the Management Board and shall within it have the same rights and obligations as EU Member States, except for the right to vote."

⁽¹⁾ OJ L 151, 7.6.2019, p. 15.

⁽²⁾ OJ L 165, 18.6.2013, p. 41.

(e) The following paragraph shall be added in Article 28:

“4. Regulation (EC) No 1049/2001 shall, for the application of this Regulation, apply to any documents of the Agency regarding the EFTA States as well.”

(f) The following paragraph shall be added in Article 30:

“3. The EFTA States shall participate in the contribution from the Union referred to in paragraph 1 point (a). For this purpose, the procedures laid down in Article 82(1)(a) of and Protocol 32 to the EEA Agreement shall apply *mutatis mutandis*.”

(g) The following paragraph shall be added in Article 34:

“By way of derogation from Article 12(2)(a) and 82(3)(a) of the Conditions of employment of Other Servants of the European Union, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Agency.”

(h) The following paragraph shall be added in Article 35:

“The EFTA States shall grant privileges and immunities to the Agency and its staff equivalent to those contained in the Protocol on Privileges and Immunities of the European Union.”

(i) The following paragraph shall be added in Article 40:

“3. By way of derogation from Articles 12(2)(e), 82(3)(e) and 85(3) of the Conditions of Employment of Other Servants of the European Union, the languages referred to in Article 129(1) of the EEA Agreement shall be considered by the Agency, in respect of its staff, as languages of the Union referred to in Article 55(1) of the Treaty on European Union.”

(j) The following paragraph shall be added in Article 62:

“6. The EFTA States shall participate fully in the European Cybersecurity Certification Group, except for the right to vote.”’.

Article 2

The following point is added in Protocol 37 to the EEA Agreement:

‘44. European Cybersecurity Certification Group (Regulation (EU) 2019/881 of the European Parliament and of the Council).’.

Article 3

The text of Regulation (EU) 2019/881 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 4

This Decision shall enter into force on [...], provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*), or on the day of the entry into force of Decision of the EEA Joint Committee No .../... of [...] (?) [incorporating {Directive (EU) 2016/1148 (NIS Directive)} into the EEA Agreement], whichever is the later.

Article 5

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

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

(?) OJ L ...

Done at Brussels, [...].

*For the EEA Joint Committee
The President*

*The Secretaries
To the EEA Joint Committee*

**Joint Declaration by the Contracting Parties to Decision No .../... incorporating Regulation (EU)
2019/881 of the European Parliament and of the Council into the Agreement**

The parties acknowledge that the incorporation of this act is without prejudice to the direct application of Protocol 7 on the privileges and immunities of the European Union to the nationals of EFTA states in the territory of each Member State of the European Union, pursuant to Article 11 of that Protocol.

COUNCIL DECISION (EU) 2023/273**of 30 January 2023****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Cybersecurity Centre)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 173(3) and the first paragraph of Article 188 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31') to the EEA Agreement.
- (3) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) 2021/887 of the European Parliament and of the Council ⁽³⁾.
- (4) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2023.
- (5) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres (OJ L 202, 8.6.2021, p. 1).

Article 2

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

Done at Brussels, 30 January 2023.

For the Council
The President
P. KULLGREN

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No ...

of ...

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres ⁽¹⁾.
- (2) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2023,

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Protocol 31 to the EEA Agreement, the following point shall be inserted after point 7 (trans-European telecommunications networks):

'8. (a) From 1 January 2023, the EFTA States shall participate in the activities which may result from the following act:

- (1) **32021 R 0887**: Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres (OJ L 202, 8.6.2021, p. 1).
- (b) The EFTA States shall participate fully in the Governing Board and shall have the same rights and obligations within it as EU Member States, except for the right to vote.
- (c) Nationals of the EFTA States shall be eligible as members of the Strategic Advisory Group.
- (d) By way of derogation from Articles 12(2)(a) and 82(3)(a) of the Conditions of Employment of Other Servants of the European Union, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Competence Centre.
- (e) By way of derogation from Articles 12(2)(e), 82(3)(e) and 85(3) of the Conditions of Employment of Other Servants of the European Union, the languages referred to in Article 129(1) of the Agreement shall be considered by the Competence Centre, in respect of its staff, as languages of the Union referred to in Article 55(1) of the Treaty on European Union.
- (f) The EFTA States shall grant privileges and immunities to the Competence Centre and its staff equivalent to those contained in the Protocol on Privileges and Immunities of the European Union.
- (g) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of Regulation (EU) 2021/696, apply to any documents of the Competence Centre regarding the EFTA States as well.
- (h) By virtue of Article 79(3) of the Agreement, Part VII (Institutional Provisions) of the Agreement shall apply to this paragraph.¹.

⁽¹⁾ OJ L 202, 8.6.2021, p. 1.

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2023.

Article 3

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

Done at Brussels, [...].

For the EEA Joint Committee
The President

The Secretaries
To the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

**Joint Declaration by the Contracting Parties to Decision No .../... incorporating Regulation (EU)
2021/887 of the European Parliament and of the Council into the Agreement**

The parties acknowledge that the incorporation of this act is without prejudice to the direct application of Protocol 7 on the privileges and immunities of the European Union to the nationals of EFTA states in the territory of each Member State of the European Union, pursuant to Article 11 of that Protocol.

COUNCIL DECISION (EU) 2023/274**of 6 February 2023**

on the position to be taken on behalf of the European Union within the EU-UK Specialised Committee on Energy established under the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, concerning the EU-UK electricity trading arrangements

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 29 April 2021, the Council adopted Decision (EU) 2021/689 ⁽¹⁾ on the conclusion of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽²⁾ (the 'Trade and Cooperation Agreement'). The Trade and Cooperation Agreement has been applied provisionally as of 1 January 2021 and entered into force on 1 May 2021.
- (2) Pursuant to Article 8(4), point (c), of the Trade and Cooperation Agreement, the Specialised Committee on Energy (the 'Specialised Committee') may adopt decisions and recommendations in respect of all matters where the Trade and Cooperation Agreement or any supplementing agreement so provides or for which the Partnership Council has delegated powers to it, on issues related to its area of competence. Pursuant to Article 10(2) of the Trade and Cooperation Agreement, a committee is to adopt decisions and make recommendations by mutual consent.
- (3) Article 311(1) of the Trade and Cooperation Agreement requires each Party to ensure that capacity allocation and congestion management on electricity interconnectors is market based, transparent and non-discriminatory. The Parties should address, among others and as appropriate, capacity calculation, congestion management and trading arrangements for all relevant timeframes, including the day ahead timeframe. Pursuant to Article 311(1), point (f), in conjunction with Article 311(2) of the Trade and Cooperation Agreement, each Party is to ensure that capacity allocation and congestion management across electricity interconnectors is coordinated between the Union and United Kingdom transmission system operators for electricity (the 'TSOs') for all relevant timeframes while such coordination is not to involve or imply participation of the latter in relevant Union procedures.
- (4) Article 312(1) of the Trade and Cooperation Agreement requires that for capacity allocation and congestion management at the day ahead stage, the Specialised Committee take, as a matter of priority, the necessary steps in accordance with Article 317 to ensure that TSOs develop arrangements setting out technical procedures for the day ahead timeframe.
- (5) On 22 January 2021, the Directorate-General for Energy of the European Commission and the Department for Business, Energy and Industrial Strategy of the United Kingdom Government provided a preliminary recommendation to the TSOs, in advance of the commencement of work by the Specialised Committee. Concerning capacity calculation and allocation for the day-ahead timeframe, the preliminary recommendation invited TSOs to prepare a day-ahead target model based on the concept of 'multi-region loose volume coupling' in

⁽¹⁾ Council Decision (EU) 2021/689 of 29 April 2021 on the conclusion, on behalf of the Union, of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information (OJ L 149, 30.4.2021, p. 2).

⁽²⁾ OJ L 149, 30.4.2021, p. 10.

accordance with Article 312(1), Article 317(2) and (3) and Annex 29 to the Trade and Cooperation Agreement. Concerning capacity calculation and allocation for timeframes other than the day ahead timeframe, the preliminary recommendation invited the TSOs of the Parties to jointly prepare a proposal for a timeline for developing the draft technical procedures.

- (6) Given that the Specialised Committee started its operations in the course of 2021, it is appropriate, pursuant to Article 317(2) of the Trade and Cooperation Agreement, that it now confirms, as its recommendation to the Parties, the preliminary recommendation issued on 22 January 2021, as provided by the Parties to the TSOs, requesting them to start preparing technical procedures for the efficient use of electricity interconnectors. The preliminary recommendation, once confirmed as a recommendation of the Specialised Committee, should continue to frame any further work of the TSOs in this regard.
- (7) Based on the preliminary recommendation of 22 January 2021, the TSOs of both Parties submitted to the Commission a cost-benefit analysis of the options for the development of the multi-region loose volume coupling as set out in Annex 29 to the Trade and Cooperation Agreement and an outline of the corresponding technical procedures. On 7 May 2021, the Agency for Cooperation of Energy Regulators submitted to the Commission its informal opinion on this analysis.
- (8) The Commission considered the result of the cost-benefit analysis and the opinion of the Agency for Cooperation of Energy Regulators against the requirements of the Trade and Cooperation Agreement and informed the Council of its preliminary views. It concluded that the results obtained by the TSOs need to be refined and further information is needed on all options analysed by them. The United Kingdom agreed with this conclusion at the meeting of the Specialised Committee on 30 March 2022.
- (9) It is therefore appropriate to support the adoption by the Specialised Committee of a Recommendation to the Parties concerning their request to the TSOs for additional information supplementing the cost-benefit analysis and the outline proposals for technical procedures in order to assist the Specialised Committee in discharging its obligations under Article 312(1) and Article 317(2) of the Trade and Cooperation Agreement. It is appropriate that the Union requests its TSOs to provide such further information within five months of the date of request.
- (10) The Specialised Committee is to adopt the Recommendation to each Party concerning their requests to TSOs in view of preparing technical procedures for the efficient use of electricity interconnectors as soon as possible. The Specialised Committee is to adopt the Recommendation either during its next meeting, or by written procedure, whichever is sooner, following the completion of domestic procedures by each Party.
- (11) It is appropriate to establish the position to be taken on the Union's behalf in the Specialised Committee concerning the Recommendation to each Party concerning their requests to TSOs, as the envisaged Recommendation will be capable of decisively influencing the content of or the way in which the Union *acquis* is to be implemented, in particular Commission Regulation (EU) 2015/1222 ⁽¹⁾,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union within the Specialised Committee on Energy is set out in the draft recommendation of the Specialised Committee attached to this Decision.

Article 2

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

⁽¹⁾ Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management (OJ L 197, 25.7.2015, p. 24).

Done at Brussels, 6 February 2023.

For the Council
The President
J. ROSWALL

DRAFT

RECOMMENDATION No .../2023 OF THE SPECIALISED COMMITTEE ON ENERGY ESTABLISHED BY ARTICLE 8(1)(I) OF THE TRADE AND COOPERATION AGREEMENT BETWEEN THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE ONE PART, AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, OF THE OTHER PART**of ...****to each Party concerning their requests to transmission system operators for electricity in view of preparing technical procedures for the efficient use of electricity interconnectors**

THE SPECIALISED COMMITTEE ON ENERGY,

Having regard to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland of the other part (the 'Trade and Cooperation Agreement'), and in particular Article 311(1) and (2), Article 312(1), Article 317(2) and (3) and Annex 29 thereof,

Whereas:

- (1) Pursuant to Article 8(4), point (a), of the Trade and Cooperation Agreement, the Specialised Committee on Energy (the 'Specialised Committee') has the power to monitor and review the implementation and ensure the proper functioning of the Trade and Cooperation Agreement in its area of competence. Pursuant to Article 8(4), point (c), it has the power to adopt decisions and recommendations in respect of all matters where the Trade and Cooperation Agreement so provides or for which the Partnership Council has delegated its powers to that Specialised Committee pursuant to Article 7(4), point (f). Pursuant to Article 329(3) of the Trade and Cooperation Agreement, it shall make recommendations as necessary to ensure the effective implementation of the Chapters of Title VIII of the Trade and Cooperation Agreement for which it is responsible.
- (2) With the aim of ensuring the efficient use of electricity interconnectors and reducing barriers to trade between the Parties, Article 311(1) of the Trade and Cooperation Agreement sets commitments *inter alia* with regard to capacity allocation, congestion management and capacity calculation for electricity interconnectors, as well as the development of arrangements to deliver robust and efficient outcomes for all relevant timeframes.
- (3) On 22 January 2021, the Directorate-General for Energy of the European Commission and the Department for Business, Energy and Industrial Strategy of the United Kingdom Government each issued a preliminary recommendation (the 'preliminary recommendation') to their respective transmission system operators for electricity ('TSOs') requesting them to jointly start preparing technical procedures for the efficient use of electricity interconnectors in advance of the commencement of work by the Specialised Committee. Given that the Specialised Committee started its operations in the course of 2021, that preliminary recommendation, as provided by the Parties to the TSOs, needs to be confirmed by the Specialised Committee as a Recommendation to the Parties.
- (4) Concerning capacity calculation and allocation for the day-ahead timeframe the preliminary recommendation requested TSOs to prepare a day-ahead target model based on the concept of 'Multi-region loose volume coupling' in accordance with Article 312(1), Article 317(2) and (3) and Annex 29 to the Trade and Cooperation Agreement.
- (5) As regards capacity calculation and allocation for timeframes other than the day ahead timeframe, the preliminary recommendation invited the TSOs of the Parties to jointly prepare a proposal for a timeline for developing the draft technical procedures. It continues to be useful as a point of reference and guidance for further work on these matters while the priority is given to electricity trading at the day ahead timeframe.
- (6) While the timeline set out in Annex 29 as referred to in the preliminary recommendation has not been met, the Specialised Committee should nevertheless discharge its obligations under Article 312(1) and Article 317(2) of the Trade and Cooperation Agreement.

- (7) The TSOs and regulatory authorities of the Parties have already undertaken work with reference to the preliminary recommendation. In the light of progress achieved to date by the TSOs, further information is required regarding the cost-benefit analysis and the outline proposals of technical procedures in order for the Specialised Committee to be able to discharge its obligations under Article 312(1) and Article 317(2) of the Trade and Cooperation Agreement.
- (8) Each Party therefore should request its TSOs to provide this further information,

HAS ADOPTED THIS RECOMMENDATION:

- (1) The preliminary recommendation issued on 22 January 2021 by the Directorate-General for Energy of the European Commission and the Department for Business, Energy and Industrial Strategy of the United Kingdom Government to, respectively, TSOs for electricity of the Union and of the United Kingdom requesting them to start preparing technical procedures on the efficient use of electricity interconnectors, as set out in Annex I to this Recommendation, is hereby confirmed as a Recommendation of the Specialised Committee on Energy to the Parties.
- (2) The Specialised Committee recommends that each Party requests its respective TSOs for electricity to provide the additional information as set out in Annex II to this Recommendation within five months of the date of request made by each Party.

Done at Brussels and London, [date]

F. ERMACORA

P. KOVACS

For the Specialised Committee

The co-Chairs

M. SKRINAR

COUNCIL DECISION (EU) 2023/275**of 6 February 2023****appointing an alternate member, proposed by the Italian Republic, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposal of the Italian Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) An alternate member's seat on the Committee of the Regions has become vacant following the end of the national mandate on the basis of which Mr Federico BORGNA was proposed for appointment.
- (4) The Italian Government has proposed Mr Enzo LATTUCA, representative of a local body who holds a local authority electoral mandate, *Presidente della Provincia di Forlì-Cesena e Sindaco di Cesena* (President of the Province of Forlì-Cesena and Mayor of Cesena), as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

Mr Enzo LATTUCA, representative of a local body who holds an electoral mandate, *Presidente della Provincia di Forlì-Cesena e Sindaco di Cesena* (President of the Province of Forlì-Cesena and Mayor of Cesena), is hereby appointed as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.

Article 2

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

Done at Brussels, 6 February 2023.

For the Council
The President
J. ROSWALL

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

COUNCIL DECISION (EU) 2023/276**of 6 February 2023****appointing an alternate member, proposed by the Republic of Cyprus, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposal of the Cypriot Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 8 June 2020, the Council adopted Decision (EU) 2020/766 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 1 February 2020 to 25 January 2025.
- (3) An alternate member's seat on the Committee of the Regions has become vacant following the end of the national mandate on the basis of which Mr Panayiotis VASILIOU was proposed for appointment.
- (4) The Cypriot Government has proposed Mr Christodoulos PAPACHRISTOU, representative of a local body who holds a local authority electoral mandate, *Πρόεδρος Κοινοτικού Συμβουλίου, Κοινότητα Ψεματισμένου, Επαρχία Λάρνακας* (President of the Community Council, Community of Psematismenos, Larnaca District), as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

Mr Christodoulos PAPACHRISTOU, representative of a local body who holds an electoral mandate, *Πρόεδρος Κοινοτικού Συμβουλίου, Κοινότητα Ψεματισμένου, Επαρχία Λάρνακας* (President of the Community Council, Community of Psematismenos, Larnaca District), is hereby appointed as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.

Article 2

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

Done at Brussels, 6 February 2023.

For the Council
The President
J. ROSWALL

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2020/766 of 8 June 2020 appointing the members and alternate members of the Committee of the Regions for the period from 1 February 2020 to 25 January 2025 (OJ L 187, 12.6.2020, p. 3).

CORRIGENDA

Corrigendum to Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016 establishing specific conditions for fishing for deep-sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic and repealing Council Regulation (EC) No 2347/2002

(Official Journal of the European Union L 354 of 23 December 2016)

1. On page 11, Article 17(2), first sentence:

for: '2. The power to adopt delegated acts referred to in Article 9(6) shall be conferred on the Commission for a period of five years from 12 January 2017.'

read: '2. The power to adopt delegated acts referred to in Article 9(7) shall be conferred on the Commission for a period of five years from 12 January 2017.'

2. On page 11, Article 17(3), first sentence:

for: '3. The delegation of power referred to in Article 9(6) may be revoked at any time by the European Parliament or by the Council.'

read: '3. The delegation of power referred to in Article 9(7) may be revoked at any time by the European Parliament or by the Council.'

3. On page 11, Article 17(6), first sentence:

for: '6. A delegated act adopted pursuant to Article 9(6) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months from the notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.'

read: '6. A delegated act adopted pursuant to Article 9(7) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months from the notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.'

Corrigendum to Council Implementing Regulation (EU) 2022/581 of 8 April 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 110 of 8 April 2022)

1. On page 16, in the Annex, in entry 922 (Ekaterina IGNATOVA), in the 'Identifying information' column:
for: 'Lyudmila Rukavishikova (mother)',
read: 'Lyudmila Rukavishnikova (mother)'.
 2. On page 16, in the Annex, in entry 923 (Anastasia IGNATOVA), in the 'Identifying information' column:
for: 'Lyudmila Rukavishikova (grandmother)',
read: 'Lyudmila Rukavishnikova (grandmother)'.
 3. On page 16, in the Annex, in entry 924 (Lyudmila RUKAVISHIKOVA), in the 'Name' column:
for: 'Lyudmila RUKAVISHIKOVA',
read: 'Lyudmila RUKAVISHNIKOVA'.
 4. On page 16, in the Annex, in entry 924 (Lyudmila RUKAVISHIKOVA), in the 'Reasons' column appearing twice:
for: 'Lyudmila Rukavishikova',
read: 'Lyudmila Rukavishnikova'.
-

Corrigendum to Council Decision (CFSP) 2022/582 of 8 April 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 110 of 8 April 2022)

1. On page 68, in the Annex, in entry 922 (Ekaterina IGNATOVA), in the 'Identifying information' column:

for: 'Lyudmila Rukavishikova (mother)',

read: 'Lyudmila Rukavishnikova (mother)'.

2. On page 69, in the Annex, in entry 923 (Anastasia IGNATOVA), in the 'Identifying information' column:

for: 'Lyudmila Rukavishikova (grandmother)',

read: 'Lyudmila Rukavishnikova (grandmother)'.

3. On page 69, in the Annex, in entry 924 (Lyudmila RUKAVISHIKOVA), in the 'Name' column:

for: 'Lyudmila RUKAVISHIKOVA',

read: 'Lyudmila RUKAVISHNIKOVA'.

4. On page 69, in the Annex, in entry 924 (Lyudmila RUKAVISHIKOVA), in the 'Reasons' column appearing twice:

for: 'Lyudmila Rukavishikova',

read: 'Lyudmila Rukavishnikova'.

Corrigendum to Commission Implementing Regulation (EU) 2022/1193 of 11 July 2022 establishing measures to eradicate and prevent the spread of *Ralstonia solanacearum* (Smith 1896) Yabuuchi et al. 1996 emend. Safni et al. 2014

(Official Journal of the European Union L 185 of 12 July 2022)

On page 37, Annex II is replaced as follows:

‘ANNEX II

Survey template referred to in Article 3(3)

Template for presenting brown rot survey results for the potato and tomato harvests of the preceding calendar year.

This table shall only be used for the survey results for the potatoes and tomatoes harvested in your country.

MS	Category	Cropping area (ha)	Laboratory testing						Visual inspection of tubers ⁽¹⁾			Visual inspections of the growing crop ⁽¹⁾			Other information
			Number of samples	Number of lots	Size of the lots (in t or ha)	Sampling period	No of positive		Number of samples inspected	Size of sample	No of posi-tive samples ⁽²⁾	Number of visual inspections	No of ha (potatoes) or plants (tomatoes)	No of posi-tive results ⁽²⁾	
							Samples	Lots							
	Certified tubers for planting														
	Other tubers for planting (specify)														
	Ware and processing potatoes														
	Other tubers (specify)														
	Tomatoes intended for replanting														
	Other hosts (specify species, river/area)														
	Water (specify river/area/location of premises)														

⁽¹⁾ Shall be understood as macroscopic examination of tubers or crops.

⁽²⁾ Symptoms were found, a sample was taken and the laboratory testing confirmed the presence of the specified pest.’

Corrigendum to Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC

(Official Journal of the European Union L 198 of 25 July 2019)

On page 236, Annex I, point 5.2 'Emission credits and emission debts in each reporting period':

for: 'If $\text{CO}_{2Y} > T_Y$ for the years 2025 to 2029:

$$d\text{CO}_{2Y} = (\text{CO}_{2Y} - T_Y) \times V_Y \text{ and}$$

$d\text{CO}_{2Y} = 0$ '

read: 'If $\text{CO}_{2Y} > T_Y$ for the years 2025 to 2029:

$$d\text{CO}_{2Y} = (\text{CO}_{2Y} - T_Y) \times V_Y \text{ and}$$

$c\text{CO}_{2Y} = 0$ '

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