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**C/M(2016)13**

Organisation de Coopération et de Développement Économiques  
Organisation for Economic Co-operation and Development

**07-Nov-2016**

**English - Or. English**

**COUNCIL**

**Council**

**SUMMARY RECORD OF THE 1338th SESSION**

**held at the Château de la Muette, Paris,  
on Tuesday, 27 September 2016.**

**JT03404775**

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**182. ADOPTION OF THE AGENDA**

THE COUNCIL

noted the introductory remarks by the Chair and adopted the draft Agenda for its 1338<sup>th</sup> session [[C/A\(2016\)13/REV1](#)].

**183. APPROVAL OF THE SUMMARY RECORDS OF THE 1335<sup>th</sup> AND 1337<sup>th</sup> SESSIONS**

THE COUNCIL

- a) noted the Summary Records of its 1335<sup>th</sup> and 1337<sup>th</sup> sessions [[C/M\(2016\)10](#) & ADD1, ADD2; [C/M\(2016\)12](#) & ADD1], the statement by Turkey (Annex I) and the comments by other Members of the Council on the Summary Record of the MCM (1335<sup>th</sup> session), and those by Belgium on the Summary Record of the 13 July session (1337<sup>th</sup> session), and the replies by the Secretariat, Chile in its capacity as MCM Chair;
- b) agreed to return to the approval of these Summary Records at a future session.

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**ITEMS 184-195 APPROVED WITHOUT DEBATE (“A POINTS”)**

**184. DRAFT RECOMMENDATION OF THE COUNCIL ON CORE PRINCIPLES OF PRIVATE PENSION REGULATION**

THE COUNCIL

- a) noted document [C\(2016\)110](#);
- b) adopted the draft Recommendation of the Council on Core Principles of Private Pension Regulation set out in the Annex to document [C\(2016\)110](#) and agreed to its declassification;
- c) agreed to the abrogation of the Recommendation of the Council on Core Principles of Occupational Pension Regulation [[C\(2009\)57](#)];
- d) agreed to replace the reference to the legal instrument mentioned under c) in the Participation Plan of the Insurance and Private Pensions Committee [[C\(2013\)132](#) & CORR1] by a reference to the legal instrument mentioned under b);
- e) recalled that the participation of non-Members in OECD bodies is governed by the Revised Resolution of the Council on Partnerships in OECD Bodies [[C\(2012\)100/REV1/FINAL](#)].

**185. DRAFT RECOMMENDATION OF THE COUNCIL ON THE APPLICATION OF VALUE ADDED TAX/GOODS AND SERVICES TO THE INTERNATIONAL TRADE IN SERVICES AND INTANGIBLES**

THE COUNCIL

- a) noted document [C\(2016\)120](#);
- b) adopted the draft Recommendation of the Council on the Application of Value Added Tax/Goods and Services Tax to the International Trade in Services and Intangibles set out in the Annex to document [C\(2016\)120](#) and agreed to its declassification;
- c) noted the reservation made by Germany to paragraphs 2.30 and 2.54 of the Commentary on the Guidelines set out in Chapter 2, Section D of the Appendix to the draft Recommendation;
- d) recalled that the participation of non-Members in OECD bodies is governed by the Revised Resolution of the Council on Partnerships in OECD Bodies [[C\(2012\)100/REV1/FINAL](#)].

**186. APPOINTMENT AS OFFICIALS OF NATIONALS FROM NON-MEMBER COUNTRIES OF THE OECD TO THE SECRETARIAT OF THE CLEAN ENERGY MINISTERIAL AT THE INTERNATIONAL ENERGY AGENCY**

THE COUNCIL

- a) noted document [C\(2016\)126](#);
- b) noted the establishment of the Clean Energy Ministerial (CEM) Secretariat within the International Energy Agency (IEA) as a Special Activity under article 65 of the Agreement on the International Energy Program [[IEA/GB\(2016\)33/REV1](#) and [IEA/GB/C\(2016\)2](#), Item 4] and that all costs related to the functioning of the CEM Secretariat are covered by the CEM Members;
- c) adopted the draft Resolution concerning the appointment as officials of nationals from OECD non-Member countries to the Secretariat of the Clean Energy Ministerial at the IEA, set out in Appendix I to document [C\(2016\)126](#);
- d) noted that the draft Resolution, once adopted, will be reflected in the footnote under Staff Regulation 6 (b) applicable to officials as well as in the letters of appointment of those officials concerned;
- e) invited the OECD Secretariat to continue to report to the Council on the appointment of officials who are not nationals of Members of the Organisation on the occasion of the annual presentation of the Staff Profile Statistics.

**187. DRAFT RESOLUTION OF THE COUNCIL RENEWING AND REVISING THE PROGRAMME FOR THE INTERNATIONAL ASSESSMENT OF ADULT COMPETENCIES (PIAAC)**

THE COUNCIL

- a) noted document [C\(2016\)93](#);
- b) adopted the draft Resolution renewing and revising the Programme for the International Assessment of Adult Competencies (PIAAC) as set out in the Annex to document [C\(2016\)93](#), which will enter into force on 1 January 2017.

**188. DRAFT MEMORANDUM OF UNDERSTANDING ON THE ESTABLISHMENT OF AN FATF TRAINING AND RESEARCH INSTITUTE (FATF TREIN) BETWEEN THE OECD ON BEHALF OF THE FINANCIAL ACTION TASK FORCE (FATF) AND THE GOVERNMENT OF THE REPUBLIC OF KOREA AND THE METROPOLITAN CITY OF BUSAN**

THE COUNCIL

- a) noted document [C\(2016\)118](#);
- b) noted the draft Memorandum of Understanding on the establishment of an FATF Training and Research Institute, set out in Annex I to document [C\(2016\)118](#).

**189. RENEWAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT AND THE ITALIAN NATIONAL SCHOOL OF ADMINISTRATION ON THE ESTABLISHMENT OF THE MENA-OECD GOVERNANCE PROGRAMME'S TRAINING CENTRE OF CASERTA**

THE COUNCIL

- a) noted document [C\(2016\)125](#) and its CORR1 (English only);
- b) noted the renewal of the Memorandum of Understanding on the establishment of the "MENA-OECD Governance Programme's Training Centre of Caserta", as set out in the Appendix to document [C\(2016\)125](#).

**190. FINAL UPDATE ON THE PREPARATIONS OF THE MEETING OF THE ENVIRONMENT POLICY COMMITTEE AT MINISTERIAL LEVEL**

THE COUNCIL

- a) noted document [C\(2016\)121](#);
- b) noted the draft agenda and core documentation for the Ministerial meeting.

**191. UPDATE ON THE PREPARATIONS FOR THE MEETING OF THE HEALTH COMMITTEE AT MINISTERIAL LEVEL**

THE COUNCIL

- a) noted document [C\(2016\)123](#);
- b) agreed to designate the United Kingdom as Chair; and Chile, Germany and Switzerland as Vice-Chairs of the Ministerial meeting;
- c) agreed to invite representatives of the Business and Industry Advisory Committee (BIAC) and the Trade Union Advisory Committee (TUAC) to participate as experts in the first plenary session of the Ministerial meeting;
- d) agreed to return, at a next session, to the preparation of this Ministerial meeting, on the basis of an update prepared by the Health Committee.

**192. IN-DEPTH EVALUATION OF THE FISHERIES COMMITTEE: MONITORING REPORT**

THE COUNCIL

- a) noted document [C\(2016\)98](#);
- b) noted that the response of the Fisheries Committee to the evaluation recommendations has been appropriate;
- c) invited the Chair of the Fisheries Committee, in the framework of a future dialogue with the Council, to report on any further progress made in implementing the recommendations.

**193. THE INTERNATIONAL PARTNERSHIP FOR ENERGY EFFICIENCY COOPERATION (IPEEC): ANNUAL REPORT BY THE INTERNATIONAL ENERGY AGENCY**

THE COUNCIL

- noted document [C\(2016\)124](#).

**194. COMMITTEE ON STATISTICS AND STATISTICAL POLICY: PROPOSED AMENDMENT TO THE PARTICIPATION PLAN**

THE COUNCIL

- a) noted document [C\(2016\)127](#);
- b) approved the amended Participation Plan of the Committee on Statistics and Statistical Policy set out in the Annex to document [C\(2016\)127](#);
- c) agreed to declassify the Participation Plan mentioned under b) in the format set out in paragraph 3 of document [C\(2016\)127](#).

**195. PERU: PARTICIPATION AS AN ASSOCIATE IN THE OECD WORKING GROUP ON BRIBERY IN INTERNATIONAL BUSINESS TRANSACTIONS AND ACCESSION TO THE OECD ANTI-BRIBERY CONVENTION**

THE COUNCIL

- a) noted document [C\(2016\)128](#);
- b) agreed to invite Peru to:
  - i) become an Associate (member), on the same basis as OECD Member countries, in the Working Group on Bribery in International Business Transactions;
  - ii) contribute financially to such activities in conformity with the terms and conditions set out by the Council;
  - iii) adhere, with the same rights and obligations as OECD Member countries, to the Recommendation of the Council on Further Combating Bribery of Foreign Public Officials in International Business Transactions [[C\(2009\)159/REV1/FINAL](#)], the Recommendation of the Council on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions [[C\(2009\)64](#)], the Recommendation of the Council on Bribery and Officially Supported Export Credits [[C\(2006\)163](#)] and any subsequent revision or replacement thereto;
- c) requested the Secretary-General to take the necessary measures to carry out the above-mentioned invitation on the basis of the terms and conditions set out in paragraph 14 of document [C\(2016\)128](#);
- d) agreed to amend the Participation Plan of the Working Group on Bribery in International Business Transactions accordingly.

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**196. DRAFT AGREEMENT BETWEEN THE REPUBLIC OF PERU AND THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT ON THE PRIVILEGES, IMMUNITIES AND FACILITIES GRANTED TO THE ORGANISATION**

THE COUNCIL

- a) noted document [C\(2016\)140](#), the introductory remarks by the Chair, the comments by Members of the Council and the replies by the Secretariat;
- b) approved the draft Agreement between the Republic of Peru and the Organisation on the Privileges, Immunities and Facilities granted to the Organisation, set out in the Annex to [C\(2016\)140](#);
- c) authorised the Secretary-General to sign the Agreement on behalf of the Organisation.

**197. FOLLOW-UP TO THE MCM 2016**

THE COUNCIL

- a) noted the introductory remarks by the Chair and Chile, in its capacity as MCM 2016 Chair [for reference, see [C/MIN\(2016\)8/FINAL](#)];
- b) noted the comments by Members of the Council and the replies by the Chair.

**198. PREPARATIONS FOR THE MCM 2017: DESIGNATION OF THE CHAIR**

THE COUNCIL

- a) noted Room Document No. 1, the introductory remarks by the Chair and the statement by the Dean;
- b) agreed to designate Denmark as Chair of the Council at Ministerial level in 2017;
- c) noted the comments by Denmark and Poland and by the Chair, indicating that consultations on the proposed dates of 7 and 8 June 2017 for the MCM and on the designation of the Vice-Chairs will follow.

**199. STRATEGIC REFLECTION: THE OECD'S GLOBAL RELEVANCE, REACH AND IMPACT**

THE COUNCIL

- a) noted document [C\(2016\)134](#) and its ADD1 and the introductory remarks by the Chair and the comments by Members of the Council, as well as Room Document No. 11 prepared in the light of the discussion;

- b) adopted the Draft Resolution to create a Council Working Group on the Future Size and Membership of the Organisation set out in Room Document No. 11 [see also [C\(2016\)134/REV1](#)].

**200. DESIGNATION OF A MEMBER OF THE EVALUATION COMMITTEE**

THE COUNCIL

- a) noted Room Document No. 2 and the introductory remarks by the Dean;
- b) agreed to designate Ms. Serrano (Chile), as member of the Evaluation Committee, for the remainder of 2016.

**201. AUDIT COMMITTEE: REPORT BY THE CHAIR ON THE COMMITTEE MEETING OF 5 JULY**

THE COUNCIL

- a) noted document [C\(2016\)119](#) & CORR1, as well as the update following the meeting of the Committee on 20 September set out in Room Document No. 3, and the introductory remarks by the Chair of the Audit Committee;
- b) noted the comments by Members of the Council and the Chair of the Budget Committee, and the replies by the Secretariat.

**202. DAF LEADERSHIP: TRANSITION MEASURES AND ADDITIONAL HR INFORMATION**

[\[C/M\(2016\)13/ADD1\]](#)

**203. INDICATIVE WORK PROGRAMME OF THE COUNCIL AND INDICATIVE DRAFT AGENDA FOR THE NEXT SESSION**

THE COUNCIL

noted the indicative work programme of the Council along with the indicative draft agenda for the next session set out in Room Document No. 5 and the introductory remarks by the Chair.

**204. PREPARATIONS FOR THE GSG 2016: DRAFT AGENDA**

THE COUNCIL

- a) noted document [C\(2016\)137](#) and the introductory remarks by the Chair and the GSG Chair;



- b) noted the comments by Members of the Council, and the replies by the GSG Chair and the Chair, inviting Members who wish to provide comments in writing to do so by 4 October, with a view to returning to the GSG preparations at the October session.

**205. ACTIVITY REPORTS**

THE COUNCIL

**i) Report by the Secretary-General**

- a) noted the report by the Secretary-General and the additional information provided by Members of the Council;
- b) noted the comments by other Members of the Council and the replies by the Secretary-General;

**ii) Contributions of the Organisation to the G20**

- c) noted the introductory remarks by the Secretary-General and the presentation by OECD Chief of Staff & Sherpa to the G20 Ramos;
- d) noted the comments by Members of the Council and the replies by the Secretary-General and OECD Chief of Staff & Sherpa to the G20 Ramos.

**206. THE ECONOMIC, FINANCIAL AND SOCIAL SITUATION: LATEST DEVELOPMENTS, INCLUDING THE INTERNATIONAL MIGRATION OUTLOOK 2016**

THE COUNCIL

- a) noted the presentations by the Secretariat;
- b) noted the comments by Members of the Council and the replies by the Chair and the Secretariat.

**207. “KNOW YOUR OECD” PRESENTATION: OECD LEADERS PROGRAMME**

THE COUNCIL

agreed, due to lack of time, to postpone this item to its October session.

**208. OTHER BUSINESS**

THE COUNCIL

**i) Preparations for the Ambassadors Seminar**

- a) noted the remarks by the Dean on the preparations for the programme of the Ambassadors Seminar which will take place on 4-6 November in Nantes and the comments by France;

**ii) LAC Programme**

- b) noted the remarks by Chile on the upcoming meeting of the Steering Group of the LAC Programme which will take place on 13 October in Santiago;

**iii) Update on the Friends of Inclusive Growth Initiative**

- c) noted the update by the United States on the preparations for the upcoming Inclusive Business event of 15 November and the second meeting of the Champion Mayors for Inclusive Growth which will take place on 21 November in Paris;
- d) noted the comments by Members of the Council and the Secretariat;

**iv) *Journées du Patrimoine* 2016 at the OECD**

- e) noted the introductory remarks by the Secretariat and the Secretary-General and the comments by France on the 2016 *Journées du Patrimoine* at the OECD;

**v) OECD/CoE Convention on Mutual Administrative Assistance in Tax Matters**

- f) noted the remarks by the Secretary-General on the requests by Grenada and Panama to be invited to sign and ratify the Convention on Mutual Administrative Assistance in Tax Matters as amended by the Protocol;

**vi) Report on Missions of the Deputy Secretaries-General**

- g) noted the missions of the Deputy Secretaries-General since 13 July;

**vii) Next session**

- h) agreed to hold its next session on Thursday, 20 October 2016.

**209. FAREWELL TO THE PERMANENT REPRESENTATIVE OF THE EUROPEAN UNION**

THE COUNCIL

paid tribute to Ambassador Spatolisano for the manner in which she carried out her duties as Permanent Representative of the EU, and offered her its best wishes for the future.

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## DOCUMENTS APPROVED UNDER THE WRITTEN PROCEDURE

The following conclusions were approved by the Council under the written procedure on 29 July 2016 [[CES/PE\(2016\)6](#) & ADD1]:

### **210. COSTA RICA: PARTICIPATION AS AN ASSOCIATE IN THE OECD WORKING GROUP ON BRIBERY IN INTERNATIONAL BUSINESS TRANSACTIONS AND ACCESSION TO THE ANTI-BRIBERY CONVENTION**

THE COUNCIL

- a) noted document [C\(2016\)109](#);
- b) agreed to invite Costa Rica to:
  - i) become an Associate (member), on the same basis as Member countries, in the Working Group on Bribery in International Business Transactions;
  - ii) contribute financially to such activities in conformity with the terms and conditions set out by the Council;
  - iii) adhere, with the same rights and obligations as OECD Member countries, to the Recommendation of the Council on Further Combating Bribery of Foreign Public Officials in International Business Transactions [[C\(2009\)159/REV1/FINAL](#)], the Recommendation of the Council on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions [[C\(2009\)64](#)], the Recommendation of the Council on Bribery and Officially Supported Export Credits [[C\(2006\)163](#)] and any subsequent revision or replacement thereto;
- c) requested the Secretary-General to take the necessary measures to carry out the above invitation on the basis of the terms and conditions set out in paragraph 13 of document [C\(2016\)109](#);
- d) agreed to amend the Participation Plan of the Working Group on Bribery accordingly.

### **211. DRAFT DECISION SUPPLEMENTING THE DECISION OF THE COUNCIL CONCERNING THE MUTUAL ACCEPTANCE OF DATA IN THE ASSESSMENT OF CHEMICALS [C(81)30(FINAL)] - PROPOSAL FOR THE ADOPTION OF NEW, UPDATED OR CORRECTED TEST GUIDELINES AND FOR THE DELETION OF A TEST GUIDELINE**

THE COUNCIL

- a) noted document [C\(2016\)103](#);
- b) adopted the draft Decision supplementing the Decision of the Council concerning the Mutual Acceptance of Data in the Assessment of Chemicals [C(81)30(Final), as amended], set out in Annex I to [C\(2016\)103](#).

## ANNEX I

### APPROVAL OF THE SUMMARY RECORDS

#### Statement by Turkey

“We welcome the outcome of the 2016 MCM.

The meeting and the resulting Ministerial Statement and Declaration were important steps in the Organisation's future work especially on the linkage between productivity and inclusive growth.

It is important that we build on this preliminary work and follow up on our decisions.

However it is also important for us that we focus on the texts that have been negotiated and therefore are acceptable to all the members in this follow-up.

I would like to once again reiterate that only documents that have been negotiated by members can be referred to in the future work and key decisions of the Organisation.

There are sections in the MCM Chair's Summary that do not accurately reflect the discussions that took place before and during the meeting. For example there is reference to an OECD report that the Chair's Summary was welcomed by Ministers where in fact this was not the case.

That is why we have disagreement with parts of the Chair's Summary. Therefore I would like to request that this statement is appended to the summary record of this meeting.

Thank you.”

**ANNEX II**

**LIST OF ROOM DOCUMENTS**

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For this session the following room documents were made available:

**FOR DECISION**

- Room Document No. 1 – Preparations for the MCM 2017: Designation of the Chair
- Room Document No. 2 – Designation of a Member of the Evaluation Committee
- Room Document No. 11 – Strategic Reflection: The OECD's Global Relevance, Reach and Impact – Draft Revised Resolution to Create a Council Working Group on the Future Size and Membership of the Organisation

**FOR INFORMATION**

- Room Document No. 3 – Audit Committee: Report by the Chair on the Committee Meeting of 20 September
- Room Document No. 5 – Indicative Work Programme of the Council and Indicative Draft Agenda for the Next Session
- Room Document No. 6 – OECD Contributions to the G20 – September Status Report
- Room Document No. 7 – Interim Economic Outlook Handout
- Room Document No. 9 – Ambassadors' Seminar Nantes Participants Programme
- Room Document No. 10 – Deputy Secretaries-General Missions

## ANNEX III

## PRESENT

M./Mr. Gurría	Président / Chair
M./Mr. Hoffmann	Allemagne/Germany
Mme/Ms. Wülker-Mirbach	"
M./Mr. Pontifex	Australie/Australia
Mme/Ms. McGrath	"
Mme/Ms. Stubits-Weidinger	Autriche/Austria
Mme/Ms. Herta	"
M./Mr. Schittecatte	Belgique/Belgium
Mme/Ms. Meert	"
Mme/Ms. D'Auray	Canada
Mme/Ms. Serrano	Chili/Chile
M./Mr. Yoon	Corée/Korea
M./Mr. Holm	Danemark/Denmark
M./Mr. Wert	Espagne/Spain
M./Mr. Säilik	Estonie/Estonia
M./Mr. Ideon	"
M./Mr. Yohannes	Etats-Unis/United States
M./Mr. Haas	"
M./Mr. Puustinen	Finlande/Finland
M./Mr. Sinuvuori	"
M./Mr. Duquesne	France
M./Mr. Krimpas	Grèce/Greece
M./Mr. Cséfalvay	Hongrie/Hungary
M./Mr. Horrath	"
M./Mr. Nolan	Irlande/Ireland
M./Mr. Stefánsson	Islande/Iceland
M./Mr. Haraldsson	"
M./Mr. Sosnitsky	Israël/Israel
M./Mr. Checchia	Italie/Italy
Mme/Ms. Aghilarre	"
M./Mr. Suzuki	Japon/Japan
Mme/Ms. Burmistre	Lettonie/Latvia
M./Mr. Dühr	Luxembourg
M./Mr. Pérez-Jácome	Mexique/Mexico
M./Mr. Hernandez Basave	"
Mme/Ms. Johansen	Norvège/Norway
M./Mr. Myklebust	"
M./Mr. Kember	Nouvelle-Zélande/New Zealand
M./Mr. Dungan	"
M./Mr. van Hulst	Pays-Bas/Netherlands
Mme/Ms. Smalbrugge	"
M./Mr. Surdej	Pologne/Poland
Mme/Ms. Lesnodorska	"
M./Mr. Pinheiro	Portugal
Mme/Ms. Alvarenga	"

M./Mr. Tomas	République slovaque/Slovak Republic
M./Mr. Rozsypal	République tchèque/Czech Republic
M./Mr. Halaxa	"
M./Mr. Sharrock	Royaume Uni/United Kingdom
M./Mr. Jarc	Slovénie/Slovenia
Mme/Ms. Markovic	Suède/Sweden
Mme/Ms. Isaksson	"
M./Mr. Lohr	Suisse/Switzerland
M./Mr. Pittet	"
M./Mr. Başı	Turquie/Turkey
Mme/Ms. Zeynep	"
M./Mr. Tuncer	"
Mme/Ms. Spatolisano	Union européenne/European Union
M./Mr. Pierros	"
M./Mr. Tamaki	Secrétaire général adjoint/ Deputy Secretary-General
Mme/Ms. Kiviniemi	Secrétaire générale adjointe/ Deputy Secretary-General
Mme/Ms. Ramos	Conseillère spéciale du Secrétaire général, Directrice de cabinet et Sherpa du G20/Special Counsellor to the Secretary-General, OECD Chief of Staff and G20 Sherpa
M./Mr. van Haute	Directeur/Director, SGE/CES
M./Mr. Bonucci	Directeur/Director, SGE/LEG
M./Mr. Scarpetta	Directeur/Director, ELS
M./Mr. Pereira	Directeur/Director, ECO/CS
Mme/Ms. Elliott	Directrice de l'Audit interne et evaluation/Director of Internal Audit and Evaluation, SGE/EVIA
M./Mr. Schaal	Directeur par interim/Acting Director, SGE/GRS
M./Mr. Yermo	Directeur adjoint du Cabinet/ Deputy Chief of Staff, SGE
M./Mr. Laboul	Directeur adjoint ad interim/ Acting Deputy Director, DAF
Mme/Ms. Pagé	Chef de la Gestion des Ressources Humaines/Head of Human Resource Management, EXD/HRM
Mme/Ms. Kamal-Chaoui	Conseillère Principale/ Senior Advisor, SGE