

**A G R E E M E N T
ESTABLISHING AN ASSOCIATION
BETWEEN
THE EUROPEAN ECONOMIC COMMUNITY
AND
THE REPUBLIC OF NIGERIA
AND ANNEXED DOCUMENTS**

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AGREEMENT
ESTABLISHING AN ASSOCIATION
BETWEEN
THE EUROPEAN ECONOMIC COMMUNITY
AND
THE REPUBLIC OF NIGERIA

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P R E A M B L E

His Majesty the King of the Belgians,
The President of the Federal Republic of Germany,
The President of the French Republic,
The President of the Italian Republic,
His Royal Highness the Grand Duke of Luxembourg,
Her Majesty the Queen of the Netherlands,

Contracting Parties to the Treaty establishing
the European Economic Community signed at Rome
on 25 March 1957, hereinafter referred to as
"the Treaty",
whose States are hereinafter referred to as
the "Member States", and

The Council of the European Economic Community, which
Community is hereinafter referred to as
"the Community",

on the one hand, and

The Head of the National Military Government of the Republic
of Nigeria and Supreme Commander of the Armed
Forces,
whose State is hereinafter referred to as
"Nigeria",

on the other hand,

HAVING REGARD to the Treaty establishing the European Economic Community,

TAKING INTO CONSIDERATION the declaration of intention by the Member States on the occasion of the signature of the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community,

WISHING to demonstrate their common desire to maintain and strengthen their friendly relations, observing the principles of the United Nations Charter,

DESIROUS of contributing to the development of inter-African co-operation and trade and also of international economic relations,

HAVE DECIDED to conclude an agreement establishing an Association between the European Economic Community and the Republic of Nigeria, in accordance with Article 238 of the Treaty establishing the European Economic Community, and to this end have designated as Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Mr. André CHAVAL, Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Mr. Fritz NEEF, State Secretary, Ministry of Economic Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Mr. Jean de BROGLIE, State Secretary, Ministry of Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Mr. Franco Maria MALPATTI, Deputy State Secretary at the Ministry of Industry and Commerce;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Mr. Marcel FISCHBACH, Minister, Deputy to the Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Mr. J.M.A.H. LUNS, Minister for Foreign Affairs;

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY:

Mr. J.M.A.H. LUNS, President in Office of the Council of the European Economic Community;

Mr. Henri ROCHEREAU, Member of the Commission of the European Economic Community;

THE HEAD OF THE NATIONAL MILITARY GOVERNMENT OF THE REPUBLIC OF NIGERIA AND SUPREME COMMANDER OF THE ARMED FORCES:

Brigadier BABAFEMI OLATUNDE OGUNDIPE, Chief of Staff, Supreme Headquarters;

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED UPON THE FOLLOWING PROVISIONS:

ARTICLE 1

1. By this Agreement an Association is established between the Community and Nigeria.
2. The aim of the Association Agreement is to promote an increase of trade between the Community and Nigeria and thus contribute to the development of international trade.

TITLE I

TRADE

ARTICLE 2

1. Subject to the special provisions of Protocol No. 1 to this Agreement relating to cocoa beans, groundnut oil, palm oil and plywood, blockboard, laminboard, battenboard and veneered panels, goods originating in Nigeria shall, when imported into Member States, benefit from the elimination of customs duties and charges having equivalent effect resulting between Member States under the provisions of Articles 12, 13, 14, 15 and 17 of the Treaty and under any decisions which have been or may be taken to accelerate the attainment of the aims of the Treaty.
2. . Application of the provisions of this Article shall be without prejudice to the treatment to be applied to certain agricultural products by virtue of the provisions of Article 10 of this Agreement.

3. At the request of Nigeria there shall be consultations within the Association Council regarding the conditions of application of this Article.

ARTICLE 3

1. Goods originating in Member States shall, when imported into Nigeria, benefit under the terms of Protocol No. 2 to this Agreement from the elimination of customs duties and of charges having equivalent effect which Nigeria applies to imports of these goods into its territory.
2. Provided that Nigeria may retain or introduce customs duties and charges having equivalent effect which are necessary to meet its development needs or its industrialisation requirements or which are intended to contribute to its budget.
3. The customs duties and charges having equivalent effect imposed by Nigeria in accordance with the foregoing paragraph may not give rise, de jure or de facto, to any direct or indirect discrimination between Member States.
4. At the request of the Community, there shall be consultations within the Association Council regarding the conditions of application of this Article.

ARTICLE 4

1. In so far as Nigeria levies duties on exports of its products to Member States, these duties may not give rise, de jure or de facto, to any direct or indirect discrimination between Member States and may not be greater than those applied to products exported to the most favoured third country.
2. Without prejudice to the application of Article 12 (2) of this Agreement, the Association Council shall take suitable measures if the application of such duties leads to serious disturbances in the conditions of competition.

ARTICLE 5

1. With regard to the elimination of quantitative restrictions, Member States shall apply to the importation of goods originating in Nigeria the relevant provisions of the Treaty and of any decisions which have been or may be taken to accelerate the attainment of the aims of the Treaty and which they apply in their relations with each other.
2. At the request of Nigeria, there shall be consultations within the Association Council regarding the conditions of application of this Article.

ARTICLE 6

1. Nigeria shall not impose any quantitative restrictions or measures having equivalent effect on the importation of goods originating in Member States.
2. Notwithstanding the provisions of the foregoing paragraph, Nigeria may retain or introduce quantitative restrictions on the importation of goods originating in Member States in order to meet its development needs or industrialisation requirements or in the event of difficulties in its balance of payments.

Application of such restrictions may not give rise, de jure or de facto, to discrimination against Member States vis-à-vis third countries or lead to a ban on imports from Member States.

3. On the coming into force of this Agreement, Nigeria shall submit to the Association Council a list of the goods subject to quantitative restrictions on imports imposed by virtue of the provisions of paragraph 2 above.

At the request of the Community, there shall be consultations within the Association Council regarding the conditions of application of these restrictions.

4. Without prejudice to the application of the measures referred to in Article 12, the introduction by Nigeria of new quantitative restrictions imposed by virtue of the provisions of paragraph 2 above shall be subject to prior consultation within the Association Council. The Association Council must initiate such consultation within two months from the date on which Nigeria requests concurrence to introduce the measures in question. If consultation has not taken place within this time-limit, Nigeria may introduce the measures for which concurrence has been requested.

5. Not later than the end of the first and of the seventh month of each calendar year, Nigeria shall notify the Association Council of the value or volume of quotas opened for the importation of goods subject to quantitative restrictions imposed by virtue of the provisions of paragraph 2 above.

At the request of the Community, the Association Council shall examine the use made of these quotas.

6. On the coming into force of this Agreement, Nigeria shall notify the Association Council of the foreign trade regulations applicable to Member States.

The Association Council shall be notified of any change in these regulations.

ARTICLE 7

Without prejudice to the special provisions for border trade, the treatment that Nigeria applies by virtue of this Title to goods originating in Member States shall in no case be less favourable than that applied to goods originating in the most favoured third country.

ARTICLE 8

This Agreement shall not preclude the maintenance or establishment of customs unions or free trade areas between Nigeria and one or more third countries in so far as such customs unions or free trade areas neither are nor prove to be incompatible with the principles and provisions of the said Agreement.

ARTICLE 9

The provisions of Articles 2, 3, 5 and 6 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy, public security, the protection of human, animal or plant life or health, the protection of national treasures possessing artistic, historic or archaeological value, or the protection of industrial and commercial property; provided that such prohibitions or restrictions shall not be used as a means of arbitrary discrimination or as a disguised restriction on trade.

ARTICLE 10

1. Within the framework of its common agricultural policy, the Community shall take the interests of Nigeria into consideration as regards products similar to, and competitive with, European products.
2. The Community shall, after consultation within the Association Council, determine the treatment applicable to imports into the Community of such products originating in Nigeria.

ARTICLE 11

1. On matters of commercial policy the Contracting Parties shall keep each other informed and, should one of them so request, shall consult within the Association Council, for the purpose of giving proper effect to this Agreement.
2. The information given and the consultations held shall bear on measures concerning trade with third countries if these measures are likely to harm the interests of any Contracting Party.

ARTICLE 12

1. If serious disturbances occur in a sector of the economy of Nigeria or jeopardize its external financial stability, or if difficulties arise which may result in a serious deterioration in the economic situation of a region in Nigeria, Nigeria may, notwithstanding the provisions of Articles 3 and 6, take the necessary protective measures.

These measures and the methods of applying them shall be notified immediately to the Association Council.

2. If serious disturbances occur in a sector of the economy of the Community or of one or more of its Member States, or jeopardize their external financial stability, or if difficulties arise which may result in a serious deterioration in the economic situation of a region, the Community may take, or may authorize the Member State or States concerned to take, such measures as may prove necessary in their relations with Nigeria, notwithstanding the provisions of Articles 2 and 5.

These measures and the methods of applying them shall be notified immediately to the Association Council.

3. For the purpose of implementing paragraphs 1 and 2 of this Article, priority shall be given to such measures as will least disturb the functioning of the Association.

These measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

4. There shall be consultations within the Association Council regarding the measures taken in implementation of paragraphs 1 and 2 of this Article. Such consultations shall be held at the request of the Community in respect of measures under paragraph 1, and at the request of Nigeria in respect of those under paragraph 2.

ARTICLE 13

Without prejudice to the special provisions laid down in this Agreement, and in particular those of Article 3 above, each Contracting Party shall refrain from any measure or practice of an internal fiscal nature that directly or indirectly leads to discrimination between its own products and similar products originating in the territory of the other Contracting Party.

TITLE II

RIGHT OF ESTABLISHMENT AND SERVICES

ARTICLE 14

Nigeria shall ensure that the system applied to the right of establishment and to provision of services does not discriminate between nationals or between companies of Member States.

ARTICLE 15

Should Nigeria grant nationals or companies of a non-Member State more favourable treatment as regards the right of establishment or provision of services, such treatment shall be extended to nationals or companies of the Member States, except where it arises out of regional agreements.

Nevertheless, nationals or companies of a Member State may not benefit from the provisions of this Article if the State to which they belong does not grant Nigerian nationals or companies, as regards the right of establishment or provision of services, the same advantages as those obtained by Nigeria by way of an agreement with the non-Member State in question.

ARTICLE 16

Subject to the provisions relating to movements of capital, the right of establishment within the meaning of this Agreement shall include the right to engage in and carry on non-wage-earning activities; to set up and manage undertakings and, in particular, companies; and to set up agencies, branches or subsidiaries.

ARTICLE 17

Services within the meaning of this Agreement shall be deemed to be services normally provided against remuneration, in so far as they are not governed by the provisions relating to trade, the right of establishment and movements of capital. Services shall include in particular activities of an industrial character, activities of a commercial character, artisan activities and activities of the liberal professions, excluding wage-earning activities.

ARTICLE 18

1. Companies within the meaning of this Agreement shall be deemed to be companies under civil or commercial law, including co-operative societies and other legal persons under public or private law, but not including non-profit-making companies.

2. "Company of a Member State or of Nigeria" means any company constituted in accordance with the law of a Member State or of Nigeria and having its registered office, central administration, or main establishment in a Member State or in Nigeria; nevertheless, should it have only its registered office in a Member State or in Nigeria, its business must be actively and continuously linked with the economy of that Member State or of Nigeria.

TITLE III

PAYMENTS AND CAPITAL

ARTICLE 19

The Member States and Nigeria shall authorize payments relating to trade in goods and in services, and also the transfer of such payments to Nigeria or to the Member State in which the creditor or the beneficiary is resident, in so far as the movement of goods and services has been liberalized in pursuance of this Agreement.

ARTICLE 20

Nigeria shall treat nationals and companies of Member States on an equal footing in respect of investments made by them, of capital movements and of current payments resulting therefrom, and also of transfers connected with such transactions.

TITLE IV

PROVISIONS REGARDING INSTITUTIONS

ARTICLE 21

1. For the purpose of attaining the aims set out in this Agreement, and in the cases provided for therein, the Association Council shall have the power to take decisions and such decisions shall be binding on the Contracting Parties. The Contracting Parties shall take such measures as are required to implement these decisions.

The Association Council may examine all matters relating to the implementation of this Agreement and may also formulate appropriate recommendations.

2. The Association Council shall periodically review the results of the Association arrangements, taking into account the objectives of this Association.
3. The Association Council shall lay down its rules of procedure.

ARTICLE 22

1. The Association Council shall be composed, on the one hand, of the members of the Council and of members of the Commission of the Community and, on the other hand, of members of the Government of Nigeria. Any member of the Association Council may be represented by an alternate in accordance with the conditions which will be laid down in its rules of procedure.

2. Proceedings of the Association Council shall be valid only if half the members of the Council of the Community, one member of the Commission and one member of the Government of Nigeria are present.
3. The Association Council shall act by mutual agreement between the Community on the one hand and Nigeria on the other.

ARTICLE 23

The office of the President of the Association Council shall be held alternately by a member of the Council of the Community and a member of the Government of Nigeria.

ARTICLE 24

Meetings of the Association Council shall be called once a year on the initiative of its President.

Nevertheless the Association Council shall meet whenever necessary, in accordance with the conditions to be laid down in its rules of procedure.

ARTICLE 25

1. Any dispute concerning the interpretation or the application of this Agreement which arises between one or more Member States or the Community on the one hand, and Nigeria on the other, may be brought before the Association Council for settlement.

2. If the Association Council fails to settle the dispute at its next session, either Party may notify the other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within two months. For the application of this procedure, the Community and the Member States shall be deemed to be one Party to the dispute.

The Association Council shall appoint a third arbitrator.

The decisions of the arbitrators are taken by majority vote.

3. Each Party must take the measures required for the implementation of the arbitrators' decision.

ARTICLE 26

The Contracting Parties shall facilitate any contacts which may be established between the European Parliamentary Assembly and the Parliament of Nigeria.

TITLE V

GENERAL AND FINAL PROVISIONS

ARTICLE 27

No treaty, convention, agreement or arrangement of any kind between one or more Member States and Nigeria may impede the implementation of the provisions of this Agreement.

ARTICLE 28

The Association Council shall be informed of any request made by a State for membership of or association with the Community.

ARTICLE 29

This Agreement shall apply to the European territory of the Member States of the Community and to the French overseas departements on the one hand, and to the territory of Nigeria on the other.

ARTICLE 30

1. As far as the Community is concerned, this Agreement shall be validly concluded by a decision of the Council of the Community taken in conformity with the provisions of the Treaty and notified to the Parties to this Agreement. It shall be ratified by the Signatory States in conformity with their respective constitutional requirements.

2. The instruments of ratification of the Signatory States and the act of notification of the conclusion of this Agreement by the Community shall be exchanged in Brussels.

ARTICLE 31

This Agreement shall come into force on the first day of the second month following the date on which the instruments of ratification and the act of notification have been exchanged.

ARTICLE 32

1. This Agreement shall be valid until 31 May 1969.
2. This Agreement may be denounced by the Community or by Nigeria by giving six months' notice.

ARTICLE 33

1. One year before the expiry of this Agreement, the Contracting Parties shall examine, under conditions that shall be determined by mutual consent, the provisions that might be made for a further period.
2. The Association Council shall if necessary take any transitional measures required until a new Agreement comes into force.

ARTICLE 34

The Protocols annexed to this Agreement shall form an integral part thereof.

ARTICLE 35

This Agreement shall be drawn up in two copies in the German, French, Italian, Dutch and English languages, each of these texts being equally authentic.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Accord.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Accordo.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

Geschehen zu Lagos am sechzehnten Juli neunzehnhundertsech-
undsechzig.

Fait à Lagos, le seize juillet mil neuf cent soixante-six.

Fatto a Lagos, addì sedici luglio millenovecentosessantasei.

Gedaan te Lagos, de zestiende juli negentienhonderd zes en zestig.

Done at Lagos on the sixteenth day of July in the year one
thousand nine hundred and sixty-six.

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,

André CHAVAL

Für den Präsidenten der Bundesrepublik Deutschland,

Fritz NEEF

Pour le Président de la République Française,

Jean de BROGLIE

Per il Presidente della Repubblica Italiana,

Franco Maria MALFATTI

Pour Son Altesse Royale le Grand-Duc de Luxembourg,

Marcel FISCHBACH

Voor Hare Majesteit de Koningin der Nederlanden,

Joseph M. A. H. LUNS

Im Namen des Rates der Europäischen Wirtschaftsgemeinschaft,
Pour le Conseil de la Communauté Economique Européenne,
Per il Consiglio della Comunità Economica Europea,
Voor de Raad der Europese Economische Gemeenschap,

Joseph M.A.H. LUNS

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Gemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragspartnern notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté ne sera définitivement engagée qu'après notification aux autres Parties contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'aspletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Economic Community have been completed.

For the Head of the National Military Government of the
Republic of Nigeria and Supreme Commander of the Armed Forces,

BABAFEMI OLATUNDE OGUNDIPE

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PROTOCOLS

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PROTOCOL No. 1

CONCERNING THE IMPLEMENTATION OF ARTICLE 2 OF THE AGREEMENT

The Contracting Parties have agreed upon the following provisions which are annexed to the Agreement:

ARTICLE 1

Within the limits of the tariff quotas which will be opened each year by the Community, the annual volume of which is fixed in Article 3 below, the Member States shall apply to imports of cocoa beans (No. 18.01 of the common customs tariff) and plywood, blockboard, lamin-board, battenboard and veneered panels (No. ex 44.15 of the common customs tariff) originating in Nigeria the customs duties which they apply to these products in trade among themselves.

ARTICLE 2

Within the limits of the tariff quotas which will be opened each year by the Community, the annual volume of which is fixed in Article 3 below, and without prejudice to the decisions finally taken by the Community under its common agricultural policy, the Member States

shall apply to imports of groundnut oil (No. ex 15.07 B II c of the common customs tariff) and palm oil (No. 15.07 B II b of the common customs tariff) originating in Nigeria the customs duties which they apply to these products in trade among themselves.

ARTICLE 3

The volume of the tariff quotas applicable to the products referred to in the preceding Articles is fixed as follows :

a) Cocoa beans

1966	70 900 metric tons
1967	73 000 metric tons
1968	75 200 metric tons
1969 (first five months)	32 300 metric tons

b) Groundnut oil

1966	6 900 metric tons
1967	7 100 metric tons
1968	7 300 metric tons
1969 (first five months)	3 100 metric tons

c) Palm oil

1966	32 900 metric tons
1967	33 900 metric tons
1968	34 900 metric tons
1969 (first five months)	15 000 metric tons

d) Plywood, blockboard, laminboard, battenboard and veneered panels

1966	590 metric tons
1967	610 metric tons
1968	620 metric tons
1969 (first five months)	270 metric tons

Should the Agreement not come into force at the beginning of the calendar year, the tariff quotas shall be adjusted pro rata as from the first day of the quarter of the calendar year during which the Agreement comes into force.

ARTICLE 4

At the request of Nigeria, the Association Council shall examine the use made of these quotas.

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PROTOCOL No. 2

CONCERNING THE IMPLEMENTATION OF ARTICLE 3 OF THE AGREEMENT

The Contracting Parties have agreed upon the following provisions which are annexed to the Agreement:

ARTICLE 1

For the purpose of implementing Article 3 of the Agreement, Nigeria shall proceed as set out hereunder to eliminate customs duties and charges having equivalent effect applicable to the importation of goods originating in the Member States:

1. On the coming into force of the Agreement, Nigeria shall eliminate all customs duties and charges having equivalent effect other than those which are necessary to meet its development needs or its industrialisation requirements or which are intended to contribute to its budget.

2. Provided always that, in respect of the following products:

- a) Sardines
- b) Other prepared or preserved fish, crustaceans and molluscs, caviar and caviar substitutes
- c) Tomato purée and paste
- d) Beer (including ale, porter and other fermented beverages prepared from grain)
- e) Pile and chenille fabrics of silk
- f) Domestic radiograms
- g) Watches,

such customs duties and charges having equivalent effect shall be eliminated gradually as follows:

- i) a 50% reduction on the coming into force of the Agreement;
- ii) a 25% reduction one year, and a further 25% reduction two years, after the coming into force of the Agreement.

ARTICLE 2

In respect of the products specified in the schedule annexed to this Protocol, the elimination of customs duties and charges having equivalent effect required under Article 1 above shall be carried out on the basis of the rates that have been duly noted and appearing in the said schedule.

ARTICLE 3

On the coming into force of the Agreement, Nigeria shall communicate to the Association Council its customs tariff as established by application of the foregoing provisions. At the request of the Community, consultations on this tariff shall take place within the Association Council.

ARTICLE 4

Nigeria shall notify the Association Council of any amendment to the tariff so established, in particular any increase in customs duties or charges having equivalent effect made to meet its development needs or its industrialisation requirements or which is intended to contribute to its budget.

ANNEX

List of the products to which Article 2 of Protocol No. 2 to the Agreement applies

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key			
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity	
			Full	EEC				
04.03	Butter	the lb. £0-1s-5d	the lb. £0-0s-1d	Free	023.00		Cwt.	
07.01/03	Vegetables, fresh or chilled, vegetables (whether or not cooked), preserved by freezing; vegetables provisionally preserved in brine, in sulphur water or in any other preservative solution, but not specially prepared for immediate consumption				054.10 054.40 054.50 054.60	Fresh or chilled Potatoes Tomatoes Other Other, including vegetables preserved by freezing	Cwt. Cwt. Cwt. Cwt.	
	A. Potatoes	71%	4%	Free				
	B. Other	75%	Free	Free				
19.03	Macaroni, spaghetti and similar products	35%	5%	Free	048.30		Cwt.	
22.04/05	Wine of fresh grapes containing not more than 20 per cent by volume of pure ethyl alcohol; grape must in fermentation or with fermentation arrested:							
	A. Grape must and still wine	the gallon £2-8s-0d		Free	Free	112.11	Still wine and grape must	Gallon
	B. Sparkling wine	the gallon £7-3s-0d	the gallon £0-1s-0d	Free	Free	112.12		Gallon
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts and containing not more than 20 per cent by volume of pure ethyl alcohol	the gallon £2-4s-0d	the gallon £0-4s-0d	Free	Free	112.13		Gallon

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity
			Full	EEO			
22.09	*Spirits (other than those of heading No. 22.03); liqueurs and other spirituous beverages; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages;				112.41 112.45 112.44 112.45 112.46 112.49	Brandy rum Whisky Schnapps and gin Bitters and liqueurs Other	} Gallon
	A. Brandy, bitters and liqueurs	the gallon £10-5s-0d	the gallon £0-5s-0d	Free			
	B. Other:						
	(1) Gin, rum, schnapps and Whisky	the gallon £10-10s-0d	Free	Free			
	(2) Other	the gallon £10-10s-0d or 100%	Free	Free			
65.03/06	Hats and other head-gear whether or not lined or trimmed:				841.51	Of felt	No.
	A. Plaited	35%	5%	Free	841.52	Plaited	No.
	B. Other	40%	Free	Free	841.59	Other	No.
68.01/03	Worked monumental or building stone (including road and paving sets, curbs and flagstones) and articles thereof (including articles of agglomerated slate and mosaic cubes), other than goods falling within Chapter 69:				661.30		Cwt.
	A. Articles of furniture not falling within Chapter 94	75%	Free	Free			
	B. Tiles	66 2/3%	Free	Free			
	C. Other, including tombstones	31 1/3%	2%	Free			

*Spirits imported in casks or drums are subject to the payment of an additional fiscal charge of 2s-4d per liquid gallon for every one per cent of pure alcohol by volume in excess of forty-three per cent.

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity
			Full	EEC			
70.19	Glass beads, imitation pearls, imitation precious and semi-precious stones, fragments and chippings, and similar fancy or decorative glass smallwares, and articles of glassware made therefrom ; glass cubes and small glass plates, whether or not on a backing, for mosaics and similar decorative purposes ; artificial eyes, of glass, including those for toys but excluding those for wear by humans ; ornaments and other fancy articles of lamp-worked glass ; glass grains (ballotini) ;				665.81 665.82	Beads Other	Cwt. Cwt.
	A. Imitation pearls, imitation precious and semi-precious stones ; made-up articles thereof for personal adornment	100%	Free	Free			
	B. Beads	the lb. gross £0-0s-10d or 3%	the lb. gross £0-0s-2d or 5%	Free			
	C. Mosaics	66 2/3%	Free	Free			
	D. Ornaments and other fancy glassware of a kind used for domestic purposes ; artificial eyes for toys	40%	Free	Free			
	E. Other	33 1/3%	Free	Free			
71.16	Imitation jewellery	95%	5%	Free	697.20		-
73.39	Iron or steel wool ; pot scourers and scouring and polishing pads, gloves and the like, of iron or steel	31 1/3%	2%	Free	697.90		Cwt.
84.06	Internal combustion piston engines :					Aircraft engines and parts :	

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quan- tity
			Full	ESC			
	A. Engines specialised for use in aircraft and parts therefor	Free	Free	Free	711.41	Engines	No. and Cwt.
					711.42	Parts	
	B. Engines, propulsion or auxiliary, specially designed for marine use:				711.51	Stationary engines; Diesel and semi-diesel engines not exceeding 100 brake horsepower	No. and Cwt.
	(1) Outboard engines	33 1/3%	Free	Free	711.52	Diesel and semi-diesel engines exceeding 100 brake horse-power	No. and Cwt.
	(2) Other	Free	Free	Free	711.53	Other marine engines	No. and Cwt.
	(3) Parts:				711.54	Outboard engines	No. and Cwt.
	(a) For (2) imported by a local boatyard approved in that behalf by the Ministry	20%	Free	Free	711.55	Other:	No. and Cwt.
					711.56	For vessels not exceeding 250 tons gross	No. and Cwt.
	(b) Other	33 1/3%	Free	Free		For vessels exceeding 250 tons gross	No. and Cwt.
	C. Road motor vehicle engines and parts therefor	31 1/3%	2%	Free	711.57	Vehicle engines: For road vehicles described in group 732 of the Import and Export list	No. and Cwt.
	D. Other:						
	(1) Industrial	Free	Free	Free			
	(2) Identifiable parts for (1)	5%	Free	Free	711.58	Other	No. and Cwt.

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity
			Full	EEC			
	(3) Other, including parts	33 1/3%	Free	Free	711.80	Other internal combustion engines	No. and Cwt.
					711.59	Parts of internal combustion engines (other than aircraft engines)	Cwt.
34.58	Automatic vending machines (for example, stamp, cigarette, chocolate and food machines), not being games of skill or chance	31 1/3%	2%	Free	719.65		No. and Cwt.
34.63/64	Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), fly-wheels, pulleys and pulley blocks, clutches and shaft couplings; gaskets and similar joints of metal sheeting combined with other material (for example, asbestos, felt and paper-board) or laminated metal foil; sets or assortments of washers and similar joints, dissimilar in composition, for engines, pipes, tubes and the like, put up in pouches, envelopes or similar packings;				719.90		
	A. Stern tubes, propeller-shafts:						
	(1) Imported for the construction of steam or motor vessels, by a local boatyard approved in that behalf by the Ministry	20%	Free	Free			
	(2) Other	33 1/3%	Free	Free			
	B. Other	33 1/3%	Free	Free			

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity
			Full	EEC			
84.65	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features and not falling within any other heading in this chapter:				719.90		
	A. Propellers:						
	(1) Imported for the construction of steam or motor vessels, by a local boatyard approved in that behalf by the Ministry	18 %	2 %	Free			
	(2) Other	31 1/3 %	2 %	Free			
	B. Other	31 1/3 %	2 %	Free			
89.05	Floating structures other than vessels (e.g. coffer dams, landing stages, buoys and beacons):				735.93		No.
	A. Buoys and beacons	Free	Free	Free			
	B. Other	28 1/3 %	5 %	Free			
92.10	Parts and accessories of musical instruments (other than strings), including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds						
		31 1/3 %	2 %	Free	891.90		
98.11	Smoking pipes; pipe bowls, stems and other parts of smoking pipes (including roughly shaped blocks of wood or root); cigar and cigarette holders and parts thereof	48 %	2 %	Free	899.35		
16.04/ 05	Fish, crustaceans and molluscs, prepared or preserved (including caviar and caviar substitutes)	60 %	15 %	7,5 %	032.03 032.09	Sardines Other	Cwt. Cwt.

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key			
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity	
			Full	EEC				
20.01/ 02	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard; vegetables prepared or preserved otherwise than by vinegar or acetic acid including tomato juice the dry weight content of which is seven per cent or more:				055.93	Tomato purée paste and concentrates	Cwt.	
					055.90	Other	Cwt.	
		A. Tomato purée and paste	57%	18%	9%			
		B. Other	75%	Free	Free			
22.03	Beer made from malt:							
	A. Stouts:							
	(1) Of an original gravity of not more than 1,040°	the gallon 20-16-0d	Free	Free	112.31	Stout	Gallon	
	(2) Of an original gravity of more than 1,040°	the gallon 20-16-0d plus 20-0sMd per gallon for each additional degree of original gravity above 1,040°	Free	Free				
	B. Other:							
	(1) Of an original gravity of not more than 1,040°	the gallon 20-14-10d	the gallon 20-1-2d	the gallon 20-0s7d	112.39	Other beer (including ale and porter)	Gallon	
(2) Of an original gravity of more than 1,040°	the gallon 20-14-10d plus 20-0sMd per gallon for each additional degree of original gravity above 1,040°	the gallon 20-14-2d plus 20-0s-Md per gallon for each additional degree of original gravity above 1,040°	the gallon 20-0s-7d plus 20-0s-Md per gallon for each additional degree of original gravity above 1,040°					

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quan- tity
			Full	EEC			
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No.55.07/09 and fabrics falling within heading No.58.05); A. Of silk B. Other				652.23	Of cotton	} Sq. yard & lb.
					653.13	Of silk	
					653.20	Of wool	
					653.53	Of synthetic fibres	} Sq.yd. & lb.
		the sq.yard £0-4s-4d or 45%	the sq.yard £2-0s-8d or 5%	the sq.yard £0-0s-4d or 2.5%	653.63	Of regenerated fibres	
	the sq.yard £0-5s-0d or 50%	Free	Free	653.90	Of other textile fibres	lb.	
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including those incorporating gramophones) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus; A. Radio-gramophones B. Radio receiving sets (including combined transmitting and receiving sets) and television sets				724.10	Television receivers, whether or not combined with a gramophone or radio	No.
					724.21	Radio receiving sets for fitting to road motor vehicles	No.
					724.22	Radio-gramophones	No.
		61 2/3%	5%	2.5%	724.29	Radio receiving sets, domestic	No.
		50%	Free	Free	724.93	Television cameras	No.
					724.94	Transmitting sets (radio, telegraphic or television)	No.

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity
			Full	EEC			
	C. Other	Free	Free	Free			
	D. Parts:						
	(1) Spare parts imported for the maintenance of radio-gramophones, radio receiving sets (including combined transmitting and receiving sets) and television sets	33 1/3%	Free	Free	724.05	Combined transmitting and receiving sets, non-domestic	No.
					724.06	Radio-navigation-aid apparatus; radar apparatus; remote control apparatus	Cwt.
					724.08	Other	
	(2) Components (excluding cabinets) imported for use in the assembly of radio-gramophones, radio receiving sets and television sets by a manufacturer approved in that behalf by the Ministry	15%	Free	Free			
	(3) Cabinets imported for A and B:						
	(a) Wooden	75%	Free	Free			
	(b) Plastic	66 2/3%	Free	Free			
	(4) Other	Free	Free	Free			

Nigerian Tariff No.	Tariff Description	Charges			Statistical Key		
		Fiscal Entry	Customs Duty		Code No.	Description	Unit of Quantity
			Full	EEO			
91.01/ 02	<p>Pocket-watches, wristwatches and other watches (including stop-watches); clocks with watch movements (other than instrument panel clocks and clocks of a similar type, for vehicles, aircraft or vessels) :</p> <p>A. Watches decorated with jewels, pearls, semi-precious stones or imitation precious or semi-precious stones; watches mounted in rings or brooches</p> <p>B. Other</p>	100 %	Free	Free	864.30		No.
		each £0-6s-10d or 45%	each £0-0s-8d or 5%	each £0-0s-4d or 2.5%			

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PROTOCOL No. 3

CONCERNING THE CONCEPT OF "GOODS ORIGINATING IN ..."
FOR THE PURPOSE OF IMPLEMENTING THE AGREEMENT

The Contracting Parties have agreed upon the following provisions which are annexed to the Agreement:

ARTICLE 1

On the basis of a draft prepared by the Commission of the Community, the Association Council shall lay down at its first session the definition of the concept of "goods originating in ..." for the purpose of implementing Title I of the Agreement. It shall also determine the methods of administrative co-operation.

ARTICLE 2

Until the implementation of the provisions referred to in Article 1 of this Protocol, the Member States and Nigeria shall apply their respective systems.

ZU URKUND DESSEN haben die Bevollmächtigten der Vertragsparteien die drei vorstehenden Protokolle unterschrieben.

EN FOI DE QUOI, les plénipotentiaires des Parties contractantes ont signé les trois protocoles dont le texte précède.

IN FEDE DI CHE, i plenipotenziari delle Parti Contraenti hanno firmato i tre Protocolli il cui testo precede.

TEN BLIJKE WAARVAN de gevollmachtigden van de Overeenkomstsluitende Partijen de drie bovenstaande Protocollen hebben ondertekend.

IN WITNESS WHEREOF, the Plenipotentiaries of the Contracting Parties have signed the three foregoing Protocols.

Geschehen zu Lagos am sechzehnten Juli neunzehnhundertsechundsechzig.

Fait à Lagos, le seize juillet mil neuf cent soixante-six.

Fatto a Lagos, addì sedici luglio millenovecentosessantasei.

Gedaan te Lagos, de zestiende juli negentienhonderd zes en zestig.

Done at Lagos on the sixteenth day of July in the year one thousand nine hundred and sixty-six.

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,

André CHAVAL

Für den Präsidenten der Bundesrepublik Deutschland,

Fritz NEEF

Pour le Président de la République Française,

Jean de BROGLIE

Per il Presidente della Repubblica Italiana,

Franco Maria MALFATTI

Pour Son Altesse Royale le Grand-Duc de Luxembourg,

Marcel FISCHBACH

Voor Hare Majesteit de Koningin der Nederlanden,

Joseph M.A.H. LUNS

Im Namen des Rates der Europäischen Wirtschaftsgemeinschaft,
Pour le Conseil de la Communauté Economique Européenne,
Per il Consiglio della Comunità Economica Europea,
Voor de Raad der Europese Economische Gemeenschap,

Joseph M.A.H. LUNS

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Gemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté ne sera définitivement engagée qu'après notification aux autres Parties contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'adempimento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Economic Community have been completed.

For the Head of the National Military Government of the
Republic of Nigeria and Supreme Commander of the Armed Forces,

BABAFEMI OLATUNDE OGUNDIPE

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FINAL ACT

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FINAL ACT

The Plenipotentiaries of

His Majesty the King of the Belgians,
The President of the Federal Republic of Germany,
The President of the French Republic,
The President of the Italian Republic,
His Royal Highness the Grand Duke of Luxembourg,
Her Majesty the Queen of the Netherlands, and
The Council of the European Economic Community, which Community
is hereinafter referred to as "the Community",

on the one hand, and of
The Head of the National Military Government of the Republic of
Nigeria and Supreme Commander of the Armed Forces,
whose State is hereinafter referred to as "Nigeria",

on the other hand,
assembled at Lagos on the sixteenth day of July in the year
one thousand nine hundred and sixty-six,
for the purpose of signing an Agreement establishing an
Association between the European Economic Community and
the Republic of Nigeria, have adopted the following
instruments:

- (i) The Agreement establishing an Association between
the European Economic Community and the Republic
of Nigeria, hereinafter referred to as "the Agreement";
- (ii) The Protocols listed below:
Protocol No.1 concerning the implementation of
Article 2 of the Agreement;
Protocol No.2 concerning the implementation of
Article 3 of the Agreement;
Protocol No.3 concerning the concept of "goods
originating in ..." for the purpose of implementing
the Agreement.

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The Plenipotentiaries have equally adopted the declarations which are enumerated below and annexed to this Final Act:

1. Declaration concerning the implementation of Article 4(2) of the Agreement (Annex I);
2. Declaration concerning the implementation of Article 6(4) of the Agreement (Annex II);
3. Declaration concerning the implementation of Article 10 of the Agreement (Annex III);
4. Declaration concerning information on foreign trade regulations applicable to Nigeria (Annex IV);
5. Declaration concerning nuclear products (Annex V).

The Plenipotentiaries have furthermore taken note of the declarations which are enumerated below and annexed to this Final Act:

1. Declarations by the Delegation of the Community and the Delegation of Nigeria concerning the implementation of Protocol No. 3 to the Agreement (Annex VI);
2. Declaration by the Delegation of the Community concerning the implementation of Protocol No. 1 to the Agreement (Annex VII);
3. Declarations by the Delegation of Nigeria concerning the implementation of Article 6 of the Agreement (Annex VIII);
4. Declarations by the Delegation of Nigeria concerning the implementation of Protocol No. 2 to the Agreement (Annex IX);
5. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the definition of German nationals (Annex X);
6. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin (Annex XI).

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlussakte gesetzt.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Acte final.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Atto finale.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte hebben gesteld.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have affixed their signatures below this Final Act.

Geschehen zu Lagos am sechzehnten Juli neunzehnhundertsechundsechzig.

Fait à Lagos, le seize juillet mil neuf cent soixante-six.

Fatto a Lagos, addì sedici luglio millenovecentosessantasei.

Gedaan te Lagos, de zestiende juli negentienhonderd zes en zestig.

Done at Lagos on the sixteenth day of July in the year one thousand nine hundred and sixty-six.

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,

André CHAVAL

Für den Präsidenten der Bundesrepublik Deutschland,

Fritz NEEF

Pour le Président de la République Française,

Jean de BROGLIE

Per il Presidente della Repubblica Italiana,

Franco Maria MALFATTI

Pour Son Altesse Royale le Grand-Duc de Luxembourg,

Marcel FISCHBACH

Voor Hare Majesteit de Koningin der Nederlanden,

Joseph M.A.H. LUNS

Im Namen des Rates der Europäischen Wirtschaftsgemeinschaft,
Pour le Conseil de la Communauté Economique Européenne,
Per il Consiglio della Comunità Economica Europea,
Voor de Raad der Europese Economische Gemeenschap,

Joseph M.A.H. LUNS

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Gemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté ne sera définitivement engagée qu'après notification aux autres Parties contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Economic Community have been completed.

For the Head of the National Military Government of the
Republic of Nigeria and Supreme Commander of the Armed Forces,

BABAFEMI OLATUNDE OGUNDIPE

ANNEX I

Declaration concerning the implementation of Article 4(2)
of the Agreement

The "suitable measures" referred to in Article 4(2)
shall not be such as to impede the industrialisation of
Nigeria.

ANNEX II

Declaration concerning the implementation of Article 6(4)
of the Agreement

1. The Delegation of Nigeria has drawn the attention of the Delegation of the Community to the fact that there might be cases of serious difficulties in the balance of payments where the circumstances are such as to make it impracticable to hold prior consultations as provided for in Article 6(4).
 2. Both Delegations agree that in such circumstances Nigeria may have recourse to the provisions of Article 12 of the Agreement.
 3. As soon as the notification provided for in Article 12(1) has been given, consultations shall be held within the Association Council on the quantitative restrictions applied to meet the difficulties referred to in paragraph 1. above.
-

ANNEX III

Declaration concerning the implementation of Article 10
of the Agreement

The Community will see to it that the relation between the commercial advantages resulting from the treatment to be determined by virtue of Article 10 of the Agreement governing the importation of palm oil and groundnut oil originating in Nigeria, on the one hand, and the commercial advantages resulting from the treatment to be determined by virtue of Article 11 of the Yaoundé Convention for the same products originating in the Associated African States and Madagascar, on the other hand, shall be at least equal to the relation between the advantages resulting from the application, respectively, of Protocol No. 1 annexed to the Agreement and Article 2 of the Yaoundé Convention.

ANNEX IV

Declaration concerning information
on foreign trade regulations applicable to Nigeria

At the request of Nigeria, the Member States of the
Community shall communicate to the Association Council all
information on foreign trade regulations applicable to Nigeria.

ANNEX V

Declaration concerning nuclear products

It follows from the combined provisions of the Treaty establishing the European Atomic Energy Community and the Treaty establishing the European Economic Community that the provisions of Title I of the Agreement shall apply to the goods and products covered by Articles 92 onwards of the Treaty establishing the European Atomic Energy Community.

ANNEX VI

Declarations by the Delegation of the Community and the
Delegation of Nigeria concerning the implementation of
Protocol No. 3 to the Agreement

1. During the negotiations the Delegation of the Community informed the Delegation of Nigeria of its intention that the definition of the concept of "goods originating in ..." for the purpose of implementing the Agreement should be analogous to the definition of the concept of "goods originating in ..." for the purpose of implementing the Yaoundé Convention.

 2. The Delegation of Nigeria took note of the above declaration of the Community, but stated, however, that it could not, having regard to the particular circumstances of Nigeria, commit itself in advance on this matter.
-

ANNEX VII

Declaration by the Delegation of the
Community concerning the implementation
of Protocol No. 1 to the Agreement

It is understood that the details regarding the opening of the tariff quotas fixed in Protocol No. 1 will be determined by the competent authorities of the Community, which will immediately inform the Government of Nigeria; furthermore, the Government of Nigeria will be kept informed of the use made of these tariff quotas.

ANNEX VIII

Declarations by the Delegation of Nigeria concerning
the implementation of Article 6 of the Agreement

1. Nigeria undertakes not to reduce by quantitative restrictions or by measures having equivalent effect the effect of the tariff advantages granted to the Community.
 2. Nigeria will refrain from taking administrative measures likely to hamper the satisfactory implementation of the provisions of the Agreement.
-

ANNEX IX

Declarations by the Delegation of Nigeria concerning
the implementation of Protocol No. 2 to the Agreement

1. In respect of the products contained in the schedule annexed to Protocol No. 2, the tariff advantages reserved for the Member States over third countries will not be reduced as long as the Agreement remains in force.

 2. In transforming the single column tariff into a two column tariff, the combined rate of duty in the two column tariff in respect of each product on importation into Nigeria will not be higher than the rate of duty in the single column tariff, except where the difference is solely due to the adoption of the Brussels Nomenclature or to the fact that the new rate may in certain cases be expressed in round figures.

 3. The new customs tariff referred to in paragraph 2 above will be transmitted to the Community as soon as possible after the date on which the Agreement is signed.
-

ANNEX X

Declaration by the Representative of the Government of
the Federal Republic of Germany concerning
the definition of German nationals

All Germans within the meaning of the Basic Law for
the Federal Republic of Germany shall be deemed to be
nationals of the Federal Republic of Germany.

ANNEX XI

Declaration by the Representative of the Government of
the Federal Republic of Germany concerning
the application of the Agreement to Berlin

The Agreement shall also apply to Land Berlin unless
the Government of the Federal Republic of Germany makes a
declaration to the contrary to the other Contracting Parties
within a period of three months from the coming into force
of the Agreement.

EXCHANGE OF LETTERS
BETWEEN THE HEADS
OF THE TWO DELEGATIONS
ON THE
SIGNING OF THE AGREEMENT

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COPY

<u>Letter from</u>	: Mr. OKIGBO, Head of the Delegation of the Republic of Nigeria
to:	: Mr. HENDUS, Head of the Delegation of the European Economic Community
dated	: 16 July 1966
Subject	: Discussions with regard to any amendments to the Nigerian customs tariff after the coming into force of the Agreement

Lagos, 16 July 1966

Sir,

With reference to the Agreement signed today establishing an Association between the European Economic Community and the Republic of Nigeria, I have the honour to inform you that the Government of the Republic of Nigeria is prepared, at the request of the Community to open discussions within the Association Council with regard to any amendments to its customs tariff notified in accordance with Article 4 of Protocol No. 2 to the said Agreement.

I should be grateful if you would kindly acknowledge receipt of this letter.

Please accept, Sir, the assurance of my highest consideration.

(signed) OKIGBO

Head of the Delegation of the
Republic of Nigeria

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COPY

Letter from	: Mr. HENDUS, Head of the Delegation of the European Economic Community
to	: Mr. OKIGBO, Head of the Delegation of the Republic of Nigeria
dated	: 16 July 1966
Subject	: Discussions with regard to any amendments to the Nigerian customs tariff after the coming into force of the Agreement

Lagos, 16 July 1966

Sir,

I have the honour to acknowledge receipt of your letter of 16 July 1966 in which you informed me as follows:

"With reference to the Agreement signed today establishing an Association between the European Economic Community and the Republic of Nigeria, I have the honour to inform you that the Government of the Republic of Nigeria is prepared, at the request of the Community, to open discussions within the Association Council with regard to any amendments to its customs tariff notified in accordance with Article 4 of Protocol No. 2 to the said Agreement."

Please accept, Sir, the assurance of my highest consideration

(signed) HENDUS

Head of the Delegation of the
European Economic Community