

Collection
of the Agreements
concluded by the
European Communities

Volume 8

1978

Part II

EUROPEAN COMMUNITIES

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ABBREVIATIONS

ECSC European Coal and Steel Community
(Treaty of Paris, signed 18.4.1951)
Member States: The Kingdom of Belgium, The Federal Republic of Germany, the French Republic, The Italian Republic, The Grand Duchy of Luxembourg, The Kingdom of the Netherlands

EEC European Economic Community
(Treaty of Rome, signed 25.3.1957)
Member States: The Kingdom of Belgium, The Federal Republic of Germany, the French Republic, The Italian Republic, The Grand Duchy of Luxembourg, The Kingdom of the Netherlands

Euratom or EAEC European Atomic Energy Community
(Treaty of Rome, signed 25.3.1957)
Member States: The Kingdom of Belgium, The Federal Republic of Germany, the French Republic, The Italian Republic, The Grand Duchy of Luxembourg, The Kingdom of the Netherlands

*

By the Treaty of Brussels of 22 January 1972, The Kingdom of Denmark, Ireland and The United Kingdom of Great Britain and Northern Ireland became members of the European Communities.

*

AASM Associated African States and Madagascar

ACP African, Caribbean and Pacific States

COST European Cooperation in the Field of Scientific and Technical Research

EAC	East African Community before 1976:
ESTAF	East African Federation
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
IEA	International Energy Agency
ILO	International Labour Organization
MFA	Arrangement regarding International Trade in Textiles (Multifibre Arrangement)
OECD	Organization for Economic Cooperation and Development
OJ	Official Journal of the European Communities
OJ ECSC	Official Journal of the European Coal and Steel Community
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near-East
d. ⁽¹⁾	deposit of instruments of ratification, acceptance, approval, etc.
e. ⁽¹⁾	exchange of instruments of ratification, acceptance, approval, etc.
n. ⁽¹⁾	notification of instruments of ratification, acceptance, approval, etc.

⁽¹⁾ Where the column 'Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.' is left blank, this means that the agreement in question makes no provision on the matter.

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CHAPTER III

**African, Caribbean and
Pacific States**

Agreements
between the EEC and the Republic of Tunisia

AGREEMENT ⁽¹⁾

extending the Interim Agreement between the European Economic Community and the Republic of Tunisia ⁽²⁾

COUNCIL REGULATION (EEC) No 2948/77

of 19 December 1977

on the conclusion of the Agreement extending the Interim Agreement between the European Economic Community and the Republic of Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Interim Agreement between the European Economic Community and the Republic of Tunisia, signed in Tunis on 25 April 1976 and extended on 30 June 1977, expires not later than 31 December 1977;

Whereas, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Republic of

(1) OJ No L 348, 30.12.1977.

(2) This Agreement appears in Volume 6, page 423.

Tunisia, signed in Tunis on 25 April 1976, it is necessary to extend the Interim Agreement again,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement extending the Interim Agreement between the European Economic Community and the Republic of Tunisia is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 19 December 1977.

For the Council
The President
H. SIMONET

AGREEMENT

extending the Interim Agreement between the European Economic Community and the Republic of Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE PRESIDENT OF THE REPUBLIC OF TUNISIA,

of the other part,

WHEREAS the Interim Agreement between the European Economic Community and the Republic of Tunisia signed in Tunis on 25 April 1976 and extended on 30 June 1977 expires not later than 31 December 1977,

WHEREAS, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia signed in Tunis on 25 April 1976, it is necessary to extend the Interim Agreement again,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Belgium,
Chairman of the Permanent Representatives Committee;

Klaus MEYER,
Director-General for Development,
Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF TUNISIA :

Ismail KHELIL,
Ambassador Extraordinary and Plenipotentiary,
Head of the Representation of the Republic of Tunisia to the European
Economic Community;

WHO, having exchanged their full powers, found in good and due form,
have agreed as follows:

Article 1

The date '31 December 1977' specified in the second subparagraph of Article 42 (2) of the Interim Agreement between the European Economic Community and the Republic of Tunisia is replaced by '30 June 1978'.

Article 2

The annual ceilings referred to in Article 5 (1) of the Interim Agreement are replaced by the following ceilings:

CCT heading No	Ceiling (tonnes)
27.10 } 27.11 } 27.12 } 27.13 } 27.14 }	183 750
40.02	52
45.03	52
45.04	824

Article 3

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 4

This Agreement shall enter into force on 1 January 1978.

AGREEMENT ⁽¹⁾

extending the Interim Agreement between the European Economic Community and the Republic of Tunisia ⁽²⁾

COUNCIL REGULATION (EEC) No 1456/78

of 26 June 1978

on the conclusion of the Agreement extending the Interim Agreement between the European Economic Community and the Republic of Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Interim Agreement between the European Economic Community and the Republic of Tunisia signed in Tunis on 25 April 1976, and extended successively on 30 June and 31 December 1977, expires not later than 30 June 1978;

Whereas, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Republic of

(1) OJ No L 175, 29.6.1978.

(2) This Agreement appears in Volume 6, page 423.

Tunisia signed in Tunis on 25 April 1976, it is necessary to extend the Interim Agreement again,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement extending the Interim Agreement between the European Economic Community and the Republic of Tunisia is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 26 June 1978.

For the Council
The President
K. B. ANDERSEN

AGREEMENT

extending the Interim Agreement between the European Economic Community and the Republic of Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE PRESIDENT OF THE REPUBLIC OF TUNISIA,

of the other part,

WHEREAS the Interim Agreement between the European Economic Community and the Republic of Tunisia, signed in Tunis on 25 April 1976, extended successively on 30 June and 31 December 1977, expires not later than 30 June 1978.

WHEREAS, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia, signed in Tunis on 25 April 1976, it is necessary to extend the Interim Agreement again,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gunnar RIBERHOLDT,

Ambassador Extraordinary and Plenipotentiary,

Permanent Representative of Denmark,

Chairman of the Permanent Representatives Committee;

Klaus MEYER,

Director-General for Development, Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF TUNISIA :

Ismail KHELIL,
Ambassador Extraordinary and Plenipotentiary,
Head of the Representation of the Republic of Tunisia to the European
Economic Community;

WHO, having exchanged their full powers, found in good and due form,
have agreed as follows:

Article 1

The date '30 June 1978' specified in the second subparagraph of Article 42 (2) of the Interim Agreement between the European Economic Community and the Republic of Tunisia is replaced by '31 December 1978'.

Article 2

The text of Annex C to the Interim Agreement concerning the minimum prices for prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff is replaced by the text given in the Annex. The prices for the period beginning 1 July 1978 shall be not lower than those specified in the said Annex thus amended, as updated by exchange of letters between the Contracting Parties to take account of cost trends for the products in question.

Article 3

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 4

This Agreement shall enter into force on 1 July 1978.

ANNEX

ANNEX C

Minimum prices applicable from 1 July 1978

Size		Net weight		Semi-gross weight	Capacity	Coefficients	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specifications	Total height (mm)	Ounces	Grams	Grams	cm ³		Community	
							In olive oil	Other
Rectangular base:								
$\frac{1}{8}$ club	20	2	56	95	53	0.60	12.30	11.40
$\frac{1}{4}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	14.35	13.30
$\frac{1}{2}$ reduced	18	2 $\frac{1}{2}$	74	130	73	0.77	15.79	14.63
$\frac{1}{2}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	16.40	15.20
$\frac{1}{2}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	17.43	16.15
$\frac{1}{2}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	18.45	17.10
$\frac{1}{2}$ club	30	4 $\frac{1}{2}$	125	190	125			

‡ P 25				176	125	1-00		
‡ usual	22	3‡	105	180	106		20-50	19-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125		22-55	20-90
‡ usual	30	5‡	150	240	169	1-10		
‡ club	40	6‡	175	250	178	1-30	26-65	24-70
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	32-80	30-40
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	36-90	34-20
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	45-10	41-80
‡ usual long	40	11‡	325	423	313	2-50	51-25	47-50
‡ usual	48	11	310	390	297	2-60	53-30	49-40
‡ large	40	11‡	325	460	330			
‡ P				476	375	2-70	55-35	51-30
‡				902	750			
‡	80	27‡	780	950	771	4-65	95-33	88-35
Oval base:								
‡ oval	40	15	425	555	452	3-40	69-70	64-60

COOPERATION AGREEMENT

between the European Economic Community and the
Republic of Tunisia ⁽¹⁾

COUNCIL REGULATION (EEC) No 2212/78

of 26 September 1978

concerning the conclusion of the Cooperation Agreement between the
European Economic Community and the Republic of Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the Opinion of the European Parliament ⁽²⁾,

Whereas the Cooperation Agreement between the European Economic
Community and the Republic of Tunisia signed in Tunis on 25 April
1976 should be concluded,

(1) OJ No L 265, 27.9.1978.

(2) OJ No C 259, 4.11.1976.

HAS ADOPTED THIS REGULATION:

Article 1

The Cooperation Agreement between the European Economic Community and the Republic of Tunisia is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council of the European Communities shall give the notification provided for in Article 59 of the Agreement.

Article 3

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

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

Done at Brussels, 26 September 1978.

For the Council

The President

J. ERTL

COOPERATION AGREEMENT

between the European Economic Community and the Republic of Tunisia

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE REPUBLIC OF TUNISIA,

of the other part,

PREAMBLE

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

1955

RESOLVED to establish wide-ranging cooperation which will contribute to Tunisia's economic and social development and help to strengthen relations between the Community and Tunisia,

RESOLVED to promote, having regard to their respective levels of development, economic and trade cooperation between Tunisia and the Community and to provide a sound basis therefor in conformity with their international obligations,

RESOLVED to establish a new model for relations between developed and developing States, compatible with the aspirations of the international community towards a more just and more balanced economic order,

NOTING that Article 14 of the Association Agreement signed in Tunis on 28 March 1969 provides for the conclusion on a wider basis of a new Agreement,

HAVE DECIDED to conclude this Agreement, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Robert VANDEKERCKHOVE,
Minister for Institutional Reforms;

HER MAJESTY THE QUEEN OF DENMARK:

Mogens WANDEL-PETERSEN,
Ambassador,
Director-General;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Hans-Jürgen WISCHNEWSKI,
Minister of State, Federal Foreign Office;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Jean FRANÇOIS-PONCET,
State Secretary for Foreign Affairs;

THE PRESIDENT OF IRELAND:

Garret FITZGERALD,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Francesco CATTANEI,
State Secretary for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Gaston THORN,
President-in-Office of the Council of the European Communities,
President and Minister for Foreign Affairs of the Government of the
Grand Duchy of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

L. J. BRINKHORST,
State Secretary for Foreign Affairs;

**HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND:**

J. E. TOMLINSON,
Parliamentary Under-Secretary of State;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gaston THORN,
President-in-Office of the Council of the European Communities,
President and Minister for Foreign Affairs of the Government of the
Grand Duchy of Luxembourg;

Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF TUNISIA:

Habib CHATY,
Minister for Foreign Affairs.

Article 1

The aim of this Agreement between the European Economic Community and Tunisia is to promote overall cooperation between the Contracting Parties with a view to contributing to the economic and social development of Tunisia and helping to strengthen relations between the Parties. To this end provisions and measures will be adopted and implemented in the field of economic, technical and financial cooperation, and in the trade and social fields.

TITLE I

ECONOMIC, TECHNICAL AND FINANCIAL COOPERATION

Article 2

The Community and Tunisia shall institute cooperation with the aim of contributing to the development of Tunisia by efforts complementary to those made by Tunisia itself, and of strengthening existing economic links on as broad a basis as possible for the mutual benefit of the Parties.

Article 3

In order to achieve the cooperation referred to in Article 2, account shall be taken, in particular, of the following:

- the objectives and priorities of Tunisia's development plans and programmes;
- the importance of schemes into which different operations are integrated;
- the importance of promoting regional cooperation between Tunisia and other States.

Article 4

1. The purpose of cooperation between the Community and Tunisia shall be to promote, in particular:

- participation by the Community in the efforts made by Tunisia to develop its production and economic infrastructure in order to diversify its economic structure. Such participation should be connected, in particular, with the industrialization of Tunisia and the modernization of its agriculture;
- the marketing and sales promotion of products exported by Tunisia;
- industrial cooperation aimed at boosting the industrial production of Tunisia through measures:
 - to encourage participation by the Community in the implementation of Tunisia's industrial development programmes,
 - to foster the organization of contacts and meetings between Tunisian and Community industrial policy-makers, promoters and firms in order to promote the establishment of new relations in the industrial field in conformity with the objectives of the Agreement,
 - to facilitate the acquisition on favourable terms of patents and other industrial property by means of financing in conformity with Protocol I and/or by other appropriate arrangements with undertakings and institutions in the Community,
 - to permit the removal of non-tariff and non-quota barriers likely to impede access to either market;
- cooperation in the fields of science, technology and the protection of the environment;
- as regards energy, the participation by Community operators in programmes for the exploration, production and processing of Tunisia's energy resources and any activities which would develop

these resources on the spot, and the proper performance of long-term contracts for the delivery of oil, gas or petroleum products between their operators;

- cooperation in the fisheries sector;
 - the encouragement of private investments which are in the mutual interest of both Parties;
 - exchange of information on the economic and financial situation, and on the trend thereof, as required for the proper functioning of the Agreement.
2. The Contracting Parties may decide on further areas of cooperation .

Article 5

1. The Cooperation Council shall periodically define the guidelines of cooperation for the purpose of attaining the aims set out in the Agreement.
2. The Cooperation Council shall be responsible for seeking ways and means of establishing cooperation in the areas defined in Article 4. To that end it is empowered to make decisions.

Article 6

The Community shall participate in the financing of any measures to promote the development of Tunisia under the conditions laid down in Protocol I on technical and financial cooperation.

Article 7

The Contracting Parties shall facilitate the proper performance of cooperation and investment contracts which are of interest to both Parties and come within the framework of the Agreement.

TITLE II
TRADE COOPERATION

Article 8

In the field of trade, the object of this Agreement is to promote trade between the Contracting Parties, taking account of their respective levels of development and of the need to ensure a better balance in their trade, with a view to increasing the rate of growth of Tunisia's trade and improving the conditions of access for its products to the Community market.

A. Industrial products

Article 9

1. Subject to the special provisions of Articles 11, 12 and 14, products originating in Tunisia which are not listed in Annex II to the Treaty establishing the European Economic Community shall be imported into the Community free of quantitative restrictions and measures having equivalent effect, and of customs duties and charges having equivalent effect.

2. The new Member States shall apply the provisions of paragraph 1, it being understood that in no case may they apply more favourable treatment to Tunisia than to the Community as originally constituted.

Article 10

1. In the case of customs duties comprising a protective element and a fiscal element, Article 9 shall apply to the protective element.

2. The United Kingdom shall replace the fiscal element of the customs duties referred to in paragraph 1 by an internal tax in accordance with Article 38 of the Act concerning the conditions of accession and the adjustments to the Treaties of 22 January 1972.

Article 11

The measures provided for in Article 1 of Protocol 7 to the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10 on imports of motor vehicles and the motor vehicle assembly industry in Ireland shall apply to Tunisia.

Article 12

1. Imports of the following products shall be subject to annual ceilings above which the customs duties actually applied in respect of third countries may be reintroduced in accordance with paragraphs 2 to 5, the ceiling fixed for the year of the entry into force of the Agreement being indicated in each case.

CCT heading No	Description	Ceiling (tonnes)
27.10	<p>Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:</p> <p>A. Light oils: III. For other purposes</p> <p>B. Medium oils: III. For other purposes</p> <p>C. Heavy oils: I. Gas oils: c) For other purposes</p>	

CCT heading No	Description	Ceiling (tonnes)
27.10 (cont'd)	II. Fuel oils: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27 d) For other purposes	175 000
27.11	Petroleum gases and other gaseous hydrocarbons: A. Propane of a purity not less than 99%: I. For use as power or heating fuel B. Other: I. Commercial propane and commercial butane: c) For other purposes	
27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other	
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	
45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	50
45.03	Articles of natural cork	50
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	800

2. As from the second year after the entry into force of the Agreement, the ceilings shown in paragraph 1 shall be increased annually by 3% for heading Nos 45.02, 45.03 and 45.04 and by 5% for the other tariff headings.

3. When a ceiling fixed for imports of a product referred to in paragraph 1 is reached, the customs duties actually applied in respect of third countries may be reimposed on imports of the product in question until the end of the calendar year.

When imports into the Community of a product subject to ceilings reach 75% of the level fixed, the Community shall inform the Cooperation Council.

4. After 1 July 1977 the Contracting Parties shall examine within the Cooperation Council the possibility of increasing the percentage by which the ceilings for articles of cork of heading No 45.02, 45.03 or 45.04 are raised.

5. The ceilings provided for in this Article shall be abolished by 31 December 1979 at the latest.

Article 13

1. The Community reserves the right to modify the arrangements applicable to the petroleum products falling within subheadings and heading Nos 27.10, 27.11 A and B I, 27.12, 27.13 B or 27.14 of the Common Customs Tariff:

- upon adoption of a common definition of origin for petroleum products,
- upon adoption of decisions under a common commercial policy, or
- upon establishment of a common energy policy.

2. In that event the Community shall ensure that imports of these products will enjoy advantages equivalent to those provided for in this Agreement.

For the application of this paragraph consultations shall be held within the Cooperation Council at the request of the other Party.

3. Subject to paragraph 1, this Agreement shall not affect the non-tariff rules applied to imports of petroleum products.

Article 14

For goods resulting from the processing of agricultural products listed in Annex A, the reductions specified in Article 9 shall apply to the fixed component of the charge levied on imports of these products into the Community.

B. Agricultural products

Article 15

1. Customs duties on imports into the Community of the products originating in Tunisia which are listed below shall be reduced by the rates indicated for each of them.

CCT heading No	Description	Rate of reduction
01.01	Live horses, asses, mules and hinnies: A. Horses: II. For slaughter (a) III. Other	80 % 80 %
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: ex IV. Other: — Excluding meat of domestic sheep	100 %

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities of the Community.

CCT heading No	Description	Rate of reduction
02.04	Other meat and edible meat offals, fresh, chilled or frozen	100%
Chapter 3	Fish, crustaceans and molluscs	100%
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips: ex D. Other: — Rose trees and bushes, excluding cuttings of rose trees and bushes	60%
07.01	Vegetables, fresh or chilled: A. Potatoes: II. New potatoes: ex a) From 1 January to 15 May: — From 1 January to 31 March F. Leguminous vegetables, shelled or unshelled: I. Peas: ex a) From 1 September to 31 May: — From 1 October to 30 April II. Beans (of the species Phaseolus): ex a) From 1 October to 30 June: — From 1 November to 30 April G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots, from 1 January to 31 March ex H. Onions, shallots and garlic: — Onions, from 15 February to 15 May ex L. Artichokes: — From 1 October to 31 December M. Tomatoes: ex I. From 1 November to 14 May: — From 15 November to 30 April S. Sweet peppers ex T. Other: — Aubergines, from 1 December to 30 April — Courgettes, from 1 December to the last day of February	40% 60% 60% 40% 60% 40%
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption:	

CCT heading No	Description	Rate of reduction
07.03 (cont'd)	A. Olives: I. For uses other than the production of oil (a) B. Capers	60% 90%
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: A. For sowing: ex I. Peas (including chick peas) and beans (of the species <i>Phaseolus</i>): — Peas ex III. Other: — Broad beans and horse beans B. Other	60% 60% 100%
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mango-steens, fresh or dried, shelled or not: ex A. Dates: — In immediate containers of a net capacity of 35 kg or less	100%
08.02	Citrus fruit, fresh or dried: ex A. Oranges: — Fresh ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Fresh ex C. Lemons: — Fresh D. Grapefruit	80% 80% 80% 80%
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes: ex a) From 1 November to 14 July: — From 15 November to 30 April	60%
08.07	Stone fruit, fresh: D. Plums: ex II. From 1 October to 30 June: — From 1 November to 15 June	60%

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities of the Community.

CCT heading No	Description	Rate of reduction
08.08	Berries, fresh: A. Strawberries: ex II. From 1 August to 30 April: — From 1 November to 31 March ex D. Raspberries, black currants and red currants: — Raspberries, from 15 May to 15 June	60% 50%
ex 08.09	Other fruit, fresh: — Melons, from 1 November to 31 May — Watermelons, from 1 April to 15 June	50% 50%
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: ex B. Oranges: — Comminuted ex E. Other: — Comminuted citrus fruit	80% 80%
09.04	Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta': A. Neither crushed nor ground: II. Pimento B. Crushed or ground	100% 100%
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper	100%
09.10	Thyme, saffron and bay leaves; other spices	100%
12.03	Seeds, fruit and spores, of a kind used for sowing: E. Other (a)	60%
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered	100%
12.08	Locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading	100%

(a) This concession is solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

CCT heading No	Description	Rate of reduction
13.03	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products: ex B. Pectic substances, pectinates and pectates: — Pectic substances and pectinates	25%
16.04	Prepared or preserved fish, including caviar and caviar substitutes: A. Caviar and caviar substitutes B. Salmonidae C. Herring E. Tunny F. Bonito (<i>Sarda sp.p.</i>) mackerel and anchovies G. Other	100% 100% 100% 60% 100% 100%
16.05	Crustaceans and molluscs, prepared or preserved	100%
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard: ex B. Other: — Without added sugar, with the exception of gherkins	100%
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: A. Mushrooms: — Cultivated mushrooms — Other B. Truffles ex C. Tomatoes: — Peeled tomatoes D. Asparagus F. Capers and olives G. Peas: beans in pod H. Other, including mixtures: — Carrots and mixtures — Others	50% 60% 70% 30% 20% 100% 20% 20% 50%
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: A. Chestnut purée and paste: II. Other B. Jams and marmalades of citrus fruit: III. Other C. Other: III. Other	50% 50% 50%

CCT heading No	Description	Rate of reduction
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:	
	B. Other:	
	II. Not containing added spirit:	
	a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:	
	2. Grapefruit segments	80%
	ex 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids:	
	— Comminuted	80%
	ex 7. Peaches and apricots:	
	— Apricots	20%
	ex 8. Other fruits:	
	— Comminuted oranges and lemons	80%
	b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:	
	2. Grapefruit segments	80%
	ex 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids:	
	— Comminuted	80%
	ex 8. Other fruits:	
	— Comminuted oranges and lemons	80%
	c) Not containing added sugar, in immediate packings of a net capacity:	
	1. Of 4.5 kg or more:	
	ex aa) Apricots:	
	— Apricot halves	50%
	ex bb) Peaches (including nectarines) and plums:	
	— Peach halves and nectarine halves	50%
	ex dd) Other fruits:	
	— Grapefruit segments	80%
	— Citrus pulp	40%
	— Comminuted citrus fruit	80%

CCT heading No	Description	Rate of reduction
20.06 <i>(cont'd)</i>	<p>2. Of less than 4.5 kg:</p> <p>ex bb) Other fruits and mixtures of fruit:</p> <ul style="list-style-type: none"> — Apricot halves, peach halves and nectarine halves — Grapefruit segments — Comminuted citrus fruit 	<p>50%</p> <p>80%</p> <p>80%</p>
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15°C:</p> <p>III. Other:</p> <p>ex a) Of a value exceeding 30 u.a. per 100 kg net weight:</p> <ul style="list-style-type: none"> — Orange juice — Grapefruit juice — Other citrus fruit juices <p>ex b) Of a value not exceeding 30 u.a. per 100 kg net weight:</p> <ul style="list-style-type: none"> — Orange juice — Grapefruit juice — Other citrus fruit juices <p>B. Of a specific gravity of 1.33 or less at 15°C:</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight:</p> <ul style="list-style-type: none"> 1. Orange juice 2. Grapefruit juice <p>ex 3. Lemon juice and other citrus fruit juices:</p> <ul style="list-style-type: none"> — Other citrus fruit juices (excluding lemon juice) <p>b) Of a value of 30 u.a. or less per 100 kg net weight:</p> <ul style="list-style-type: none"> 1. Orange juice 2. Grapefruit juice 	<p>70%</p> <p>70%</p> <p>60%</p> <p>70%</p> <p>70%</p> <p>60%</p> <p>70%</p> <p>70%</p> <p>60%</p> <p>70%</p> <p>70%</p>
23.01	<p>Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves</p>	<p>100%</p>

2. As from the implementation of Community rules on potatoes, the tariff reduction provided for in paragraph 1 for the products of subheading 07.01 A II ex a) shall be 50% and shall be applicable for the period from 1 January to 15 April.

3. Paragraph 1 shall apply to fresh lemons of subheading 08.02 ex C of the Common Customs Tariff on condition that on the internal Community market the prices of lemons imported from Tunisia are, after customs clearance and deduction of import charges other than customs duties, not less than the reference price plus the incidence on that reference price of the customs duties actually applied in respect of third countries and a fixed amount of 1.20 units of account per 100 kilograms.

4. The import charges other than customs duties referred to in paragraph 3 shall be those laid down for calculating the entry prices referred to in Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables.

However, the Community shall be entitled to calculate the amount to be deducted in respect of the import charges other than customs duties referred to in paragraph 3 in such a way, according to origin, as to avoid difficulties which may arise from the incidence of those charges on entry prices.

Articles 23 to 28 of Regulation (EEC) No 1035/72 shall continue to apply.

Article 16

1. Provided that Tunisia levies a special charge on exports of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff and provided also that this special charge is reflected in the import price, the Community shall take the necessary measures to ensure that:

(a) the levy on imports into the Community of the said olive oil, wholly obtained in Tunisia and transported direct from that country to the

Community, is the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, less 0.5 unit of account per 100 kilograms;

(b) the amount of the levy calculated in the manner described under a) is reduced by an amount equal to that of the special charge paid but not exceeding 10 units of account per 100 kilograms.

2. If Tunisia does not levy the charge referred to in paragraph 1, the Community shall take the necessary measures to ensure that the levy on imports into the Community of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, is the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, less 0.5 unit of account per 100 kilograms.

3. Each Contracting Party shall take the measures necessary for implementation of paragraph 1 and, in the event of difficulties and at the request of the other Contracting Party, shall supply the information required for the proper operation of the system.

4. Consultations on the functioning of the system provided for in this Article shall take place within the Cooperation Council at the request of one of the Contracting Parties.

Article 17

Without prejudice to the collection of the variable component of the levy calculated in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component shall not be imposed on imports into the Community of olive oil having undergone a refining process, falling

within subheading 15.07 A I of the Common Customs Tariff, wholly obtained in Tunisia and transported direct from that country to the Community.

Article 18

1. From 1 July 1976 prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff originating in Tunisia may be imported into the Community free of customs duties subject to observance of the minimum prices fixed in accordance with the following paragraphs.

2. For the period 1 July 1976 to 30 June 1978 the minimum prices referred to in paragraph 1 shall be those specified in Annex C. The prices for the period beginning 1 July 1978 shall be not lower than those specified in the said Annex as updated by exchange of letters between the Contracting Parties in order to take account of the trend of costs for the products in question.

3. From 1 July 1979 the minimum prices referred to in paragraph 1 shall be agreed by annual exchanges of letters between the Contracting Parties.

4. Exemption from the customs duties referred to in paragraph 1 shall apply only from the date and for the periods determined by the exchanges of letters laying down the technical rules for applying this Article.

Article 19

1. Customs duties on imports into the Community of the products originating in Tunisia which are listed below shall be reduced by the following rates:

CCT heading No	Description	Rate of reduction
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: ex C. Tomatoes: — Tomato concentrates	30%
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: ex 9. Mixtures of fruit: — Fruit salad b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less: ex 9. Mixtures of fruit: — Fruit salad	55%

2. The tariff reduction referred to in paragraph 1 shall apply only from the date and for the periods determined by exchanges of letters to be concluded annually between the Contracting Parties for the purpose of establishing the conditions and detailed rules for such reduction.

Article 20

1. Customs duties on imports into the Community of wine of fresh grapes falling within heading No ex 22.05 of the Common Customs Tariff originating in Tunisia shall be reduced by 80%, provided that the import prices of such wine plus the customs duties actually levied are not less at any given time than the Community reference prices for such wine.

2. Wine referred to in paragraph 1 which is entitled to a designation of origin under Tunisian law, is listed in an exchange of letters to be concluded between the Contracting Parties, and put up in bottles, shall be exempt from customs duties on importation into the Community

within the limit of an annual Community tariff quota of 50 000 hectolitres.

In order to qualify for the treatment specified in the first subparagraph the wine must be put up in containers holding two litres or less.

For the purposes of applying this paragraph, Tunisia shall be responsible for verifying the identity of the above wine in accordance with its national rules, particularly as regards analysis criteria. To this end, all the wine concerned shall be accompanied by a certificate of designation of origin issued by the relevant Tunisian authority, in accordance with the model given in Annex D to this Agreement.

3. The tariff reduction provided for in paragraph 2 shall be applicable once the exchange of letters referred to in paragraph 2 has been concluded following verification of the equivalence of Tunisian and Community legislation with regard to wine entitled to a designation of origin; it shall be applied from the date fixed in that exchange of letters.

Article 21

1. Customs duties on imports into the Community of the following products originating in Tunisia shall be reduced by 30% within the limits of an annual Community tariff quota of 4 300 tonnes.

CCT heading No	Description
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4.5 kg or more: ex aa) Apricots: — Apricot pulp

2. If paragraph 1 does not apply to a full calendar year, the tariff quota shall be opened *pro rata*.

Article 22

1. The Community shall take all necessary measures to ensure that the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Tunisia, is the import levy calculated in accordance with Article 2 of Regulation (EEC) No 1052/68 on the import and export system for products processed from cereals and from rice, less a fixed amount equivalent to 60% of the variable component of the levy, and that the fixed component is not imposed.

2. The provisions of paragraph 1 shall apply provided that Tunisia levies on exports of the products referred to therein a special charge equal to the amount by which the levy is reduced and that this charge is reflected in the Community import price.

3. Detailed rules for the application of this Article shall be laid down in an exchange of letters between the Community and Tunisia.

4. Consultations on the functioning of the arrangement provided for in this Article shall take place within the Cooperation Council at the request of one of the Contracting Parties.

Article 23

1. The rates of reduction specified in Articles 15, 18, 19, 20 and 21 shall apply to the customs duties actually applied in respect of third countries.

2. However, the duties resulting from the reductions made by Denmark, Ireland and the United Kingdom may in no case be lower than

those applied by the said countries to the Community as originally constituted.

3. In derogation from paragraph 1, should the application thereof temporarily result in tariff movements away from alignment on the final duty, Denmark, Ireland and the United Kingdom may maintain their duties until the level of these duties has been reached on the occasion of a subsequent alignment, or they may apply the duty resulting from a subsequent alignment as soon as a tariff movement reaches or passes the said level.

4. The reduced duties calculated in accordance with Articles 15, 18, 19, 20 and 21 shall be rounded off to the first decimal place.

However, subject to the application by the Community of Article 39 (5) of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10 as regards the specific duties or the specific part of the mixed duties in the customs tariffs of Ireland and of the United Kingdom the reduced duties shall be rounded off to the fourth decimal place.

5. In the new Member States the variable component of the levy referred to in Article 22 shall be calculated taking into account the rates actually applied in respect of third countries.

Article 24

1. Should specific rules be introduced as a result of implementation of its agricultural policy or modification of the existing rules, or should the provisions on the implementation of its agricultural policy be modified or developed, the Community may modify the arrangements laid down in the Agreement in respect of the products concerned.

In such cases the Community shall take appropriate account of the interests of Tunisia.

2. If the Community, in applying paragraph 1, modifies the arrangements made by this Agreement for products covered by Annex II to the

Treaty establishing the European Economic Community, it shall accord imports originating in Tunisia an advantage comparable to that provided for in this Agreement.

3. Any modification of the arrangements made by this Agreement shall be the subject, at the request of the other Contracting Party, of consultations within the Cooperation Council.

C. Common provisions

Article 25

1. The products originating in Tunisia referred to in this Agreement may not enjoy more favourable treatment when imported into the Community than that applied by the Member States of the Community between themselves.

2. For the application of paragraph 1, account shall not be taken of the customs duties and charges having equivalent effect resulting from the application of Articles 32, 36 and 59 of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10.

Article 26

1. Subject to the special provisions relating to frontier-zone trade, Tunisia shall grant the Community in the field of trade treatment no less favourable than most-favoured-nation treatment.

2. Paragraph 1 shall not apply in the case of the maintenance or establishment of customs unions or free-trade areas.

3. Furthermore, Tunisia may derogate from the provisions of paragraph 1 in the case of measures adopted with a view to the economic integration of the Maghreb, or measures benefiting the developing countries. Such measures shall be notified to the Community.

Article 27

1. The Contracting Parties shall inform each other within three months of the date of signature of this Agreement of the provisions relating to the trade arrangements they apply.

2. Tunisia shall be entitled to introduce into its trade arrangements with the Community new customs duties or charges having equivalent effect and new quantitative restrictions or measures having equivalent effect and to increase the duties or charges and the quantitative restrictions or measures having equivalent effect applied to products originating in or going to the Community, where such measures are necessitated by Tunisia's industrialization and development requirements. Such measures shall be notified to the Community.

For the application of these measures consultations shall be held within the Cooperation Council at the request of the other Contracting Party.

Article 28

Where Tunisia applies quantitative restrictions in the form of quotas to a given product in accordance with its own legislation it shall treat the Community as a single entity.

Article 29

On the occasion of the reviews provided for in Article 54 of the Agreement the Contracting Parties shall seek opportunities to make progress towards the removal of obstacles to trade, while having regard to Tunisia's essential development requirements.

Article 30

The concept of 'originating products' for the purposes of implementing this title and the methods of administrative cooperation relating thereto are laid down in Protocol 2.

Article 31

In the event of modifications to the nomenclature of the customs tariffs of the Contracting Parties affecting products referred to in this Agreement, the Cooperation Council may adapt the tariff nomenclature of these products to conform with such modifications, subject to the maintenance of the real advantages resulting from the Agreement.

Article 32

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

Article 33

Payments relating to commercial transactions carried out in accordance with foreign trade and exchange regulations and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Tunisia shall be free from any restrictions.

Article 34

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public

policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures of artistic, historic or archaeological value; the protection of industrial and commercial property, or rules relating to gold or silver. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 35

1. If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the Agreement on implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 37.

2. In the event of measures being directed against bounties or subsidies the Contracting Parties undertake to respect the provisions of Article VI of the General Agreement on Tariffs and Trade.

Article 36

If serious disturbances arise in any sector of the economy or if difficulties arise which might bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take the necessary safeguard measures under the conditions and in accordance with the procedures laid down in Article 37.

Article 37

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Article 36 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 35 and 36, before taking the measures provided for therein or, in the cases to which paragraph 3 (b) applies, as soon as possible, the Contracting Party in question shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. Such measures must not exceed the limits of what is strictly necessary to counteract the difficulties which have arisen.

The safeguard measures shall be notified immediately to the Cooperation Council and shall be the subject of periodic consultations within the Cooperation Council, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

- (a) as regards Articles 35 and 36, consultation in the Cooperation Council shall take place before the Contracting Party concerned takes the appropriate measures;
- (b) where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 35 and 36, apply forthwith such precautionary measures as are strictly necessary to remedy the situation.

Article 38

Where one or more Member States of the Community or Tunisia is in serious difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. They shall be notified immediately to the other Contracting Party and shall be the subject of periodic consultations within the Cooperation Council, particularly with a view to their abolition as soon as circumstances permit.

TITLE III
COOPERATION IN THE FIELD OF LABOUR

Article 39

The treatment accorded by each Member State to workers of Tunisian nationality employed in its territory shall be free from any discrimination based on nationality, as regards working conditions or remuneration, in relation to its own nationals.

Tunisia shall accord the same treatment to workers who are nationals of a Member State and employed in its territory.

Article 40

1. Subject to the provisions of the following paragraphs, workers of Tunisian nationality and any members of their families living with them shall enjoy, in the field of social security, treatment free from any discrimination based on nationality in relation to nationals of the Member States in which they are employed.

2. All periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions and annuities in respect of old age, death and invalidity, and also for that of medical care for the workers and for members of their families resident in the Community.

3. The workers in question shall receive family allowances for members of their families who are resident in the Community.

4. The workers in question shall be able to transfer freely to Tunisia, at the rates applied by virtue of the law of the debtor Member State or

States, any pensions or annuities in respect of industrial accident, occupational disease, old age or death, or of invalidity resulting from industrial accident or occupational disease.

5. Tunisia shall accord to workers who are nationals of a Member State and employed in its territory, and to the members of their families, treatment similar to that specified in paragraphs 1, 3 and 4.

Article 41

1. Before the end of the first year following the entry into force of this Agreement, the Cooperation Council shall adopt provisions to implement the principles set out in Article 40.

2. The Cooperation Council shall adopt detailed rules for administrative cooperation providing the necessary management and control guarantees for the application of the provisions referred to in paragraph 1.

Article 42

The provisions adopted by the Cooperation Council in accordance with Article 41 shall not affect any rights or obligations arising from bilateral agreements linking Tunisia and the Member States where those agreements provide for more favourable treatment of nationals of Tunisia or of the Member States.

TITLE IV

GENERAL AND FINAL PROVISIONS

Article 43

1. A Cooperation Council is hereby established which shall have the power, for the purpose of attaining the objectives set out in the Agreement, to take decisions in the cases provided for in the Agreement.

The decisions taken shall be binding on the Contracting Parties, which shall take such measures as are required to implement them.

2. The Cooperation Council may also formulate any resolutions, recommendations or opinions which it considers desirable for the attainment of the common objectives and the smooth functioning of the Agreement.
3. The Cooperation Council shall adopt its rules of procedure.

Article 44

1. The Cooperation Council shall be composed, on the one hand, of the members of the Council of the European Communities and of members of the Commission of the European Communities and, on the other hand, of members of the Government of the Republic of Tunisia.
2. Members of the Cooperation Council may be represented as laid down in the rules of procedure.
3. The Cooperation Council shall act by mutual agreement between the European Economic Community on the one hand and Tunisia on the other.

Article 45

1. The office of President of the Cooperation Council shall be held alternately by a member of the Council of the European Communities and a member of the Government of the Republic of Tunisia.
2. Meetings of the Cooperation Council shall be called once a year by its President.

The Cooperation Council shall, in addition, meet whenever necessary, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

Article 46

1. The Cooperation Council shall be assisted in the performance of its duties by a Cooperation Committee composed, on the one hand, of one representative of each Member State and one representative of the Commission of the European Communities and, on the other, of representatives of the Republic of Tunisia.
2. The Cooperation Council may decide to set up any other committee that can assist it in carrying out its duties.
3. In its rules of procedure, the Cooperation Council shall determine the composition and duties of such committees and how they shall function.

Article 47

The Cooperation Council shall take any appropriate measures to facilitate the necessary cooperation and contacts between the European parliamentary assembly and the Chamber of Representatives of the Republic of Tunisia.

Article 48

Either Contracting Party shall, if so requested by the other Contracting Party, provide all relevant information on any agreements it concludes involving tariff or trade provisions, and on any amendments to its customs tariff or external trade arrangements.

Where such amendments or agreements have a direct and particular incidence on the functioning of the Agreement, appropriate consultations shall be held within the Cooperation Council at the request of the other Contracting Party so that the interests of the Contracting Parties may be taken into consideration.

Article 49

1. When the Community concludes an Association Agreement having a direct and particular incidence on the functioning of the Agreement appropriate consultations shall be held within the Cooperation Council so that the Community may take into consideration the interests of the Contracting Parties as defined by this Agreement.

2. In the event of a third State acceding to the Community, appropriate consultations shall be held within the Cooperation Council so that the interests of the Contracting Parties as defined by this Agreement may be taken into consideration.

Article 50

1. The Contracting Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.

2. If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures. Before so doing, it shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. These measures shall be notified immediately to the Cooperation Council and shall be the subject of consultations within the Cooperation Council if the other Contracting Party so requests.

Article 51

1. Any dispute which arises between the Contracting Parties concerning the interpretation of the Agreement may be placed before the Cooperation Council.

2. If the Cooperation Council fails to settle the dispute at its next meeting, 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 Cooperation Council shall appoint a third arbitrator.

The decisions of the arbitrators shall be taken by majority vote.

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

Article 52

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its security in time of war or serious international tension.

Article 53

In the fields covered by the Agreement:

- the arrangements applied to Tunisia in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms,

- the arrangements applied by the Community in respect of Tunisia shall not give rise to any discrimination between Tunisian nationals, companies or firms.

Article 54

The Contracting Parties shall review, in accordance with the procedure adopted for negotiating the Agreement itself, in the first place from the beginning of 1978 and again from the beginning of 1983, the results of the Agreement and any improvements which could be made by either side as from 1 January 1979 and 1 January 1984, on the basis of the experience gained during the functioning of the Agreement and of the objectives defined therein.

Article 55

Protocols 1 and 2 and Annexes A, B, C and D shall form an integral part of the Agreement. The declarations and exchanges of letters shall appear in the Final Act, which shall form an integral part of the Agreement.

Article 56

Either Contracting Party may denounce this Agreement by notifying the other Contracting Party. The Agreement shall cease to apply six months after the date of such notification.

Article 57

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Economic Community applies under the conditions laid down in that Treaty and, on the other, to the territory of the Republic of Tunisia.

Article 58

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 59

This Agreement will be approved by the Contracting Parties in accordance with their own procedures.

This Agreement shall enter into force on the first day of the second month following notification that the procedures referred to in the first paragraph have been completed.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

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.

واثباتنا لذلك، وقع المفوضون اسفل هذا الاتفاق .

Udfærdiget i Tunis, den femogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Tunis am fünfundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Tunis this twenty-fifth day of April in the year one thousand nine hundred and seventy-six.

Fait à Tunis, le vingt-cinq avril mil neuf cent soixante-seize.

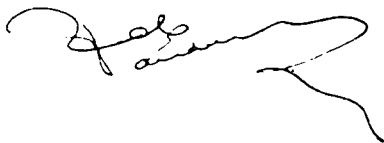
Fatto a Tunisi, addi venticinque aprile millenovecentosettantasei.

Gedaan te Tunis, de vijftiwintigste april negentienhonderd zesenzeventig.

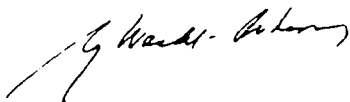
حور بنتونس ، في الخامس والعشرين من شهر ابريل سنة الف وتسعمائة وستة وسبعين

Pour Sa Majesté le roi des Belges

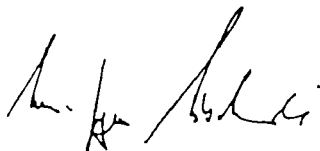
Voor Zijne Majesteit de Koning der Belgen



For Hendes Majestæt dronningen af Danmark



Für den Präsidenten der Bundesrepublik Deutschland



Pour le président de la République française

Jean François-Lucet

For the President of Ireland

Garnet P. Gould

Per il presidente della Repubblica italiana

Francesco Cossiga

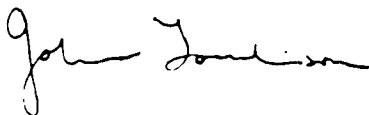
Pour Son Altesse Royale le grand-duc de Luxembourg

Henri de Luxembourg

Voor Hare Majesteit de Koningin der Nederlanden

Beatrix

For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland



På Rådet for De europæiske Fællesskabers vegne

Im Namen des Rates der Europäischen Gemeinschaften

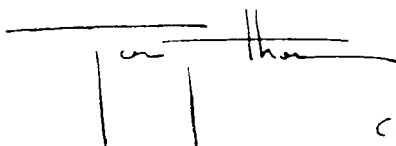
In the name of the Council of the European Communities

Au nom du Conseil des Communautés européennes

A nome del Consiglio delle Comunità europee

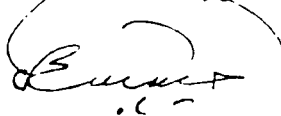
Namens de Raad van de Europese Gemeenschappen

باسم مجلس المجتمعات الأوروبية



C. Chayon

من رئيس المحكمة الدستورية



ANNEX A

relating to the products referred to in Article 14

CCT heading No	Description
ex 17.04	Sugar confectionery, not containing cocoa, but not including liquorice extract containing more than 10% by weight of sucrose but not containing other added substances
18.06	Chocolate and other food preparations containing cocoa
19.01	Malt extract
19.02	Preparations of flour, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa
19.03	Macaroni, spaghetti and similar products
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
ex 21.01	Roasted chicory and other roasted coffee substitutes, extracts, essences and concentrates thereof: — Excluding roasted chicory and extracts thereof
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: II. Bakers' yeast
ex 21.07	Food preparations not elsewhere specified or included, containing sugar, dairy products, cereals or products based on cereals ⁽¹⁾

⁽¹⁾ This heading covers only products which, on importation into the Community, are subject to the duty laid down in the Common Customs Tariff, comprising an *ad valorem* duty constituting the fixed component and a variable component.

CCT heading No	Description
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07: — Containing milk or milkfats
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols: II. Mannitol III. Sorbitol
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries: A. Prepared glazings and prepared dressings: I. With a basis of amylaceous substances
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included: T. Sorbitol, other than that falling within subheading 29.04 C III: I. In aqueous solution: a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content b) Other II. Other: a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content b) Other

ANNEX B

concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff

1. In order to take account of:

- the importance of olive oil for the Tunisian economy,
- the programmes and efforts undertaken by Tunisia to rationalize and improve the conditions on its olive-oil market,
- the traditional trade flows in this product between Tunisia and the European Economic Community,

the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Agreement concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff may be increased by an additional amount under the same conditions and arrangements as laid down for the application of Article 16 (1) (b) of the Agreement.

- 2. The additional amount provided for in paragraph 1, if any, shall be fixed for each year of application by an exchange of letters between the Contracting Parties in the light of conditions on the olive-oil market.**
- 3. In view of the exceptional conditions currently affecting the olive-oil market, the additional amount shall be fixed at 10 units of account for the period ending 31 October 1977.**

ANNEX C (I)

from 1 July 1976 to 30 June 1977

Size		Net weight		Semi-gross weight	Capacity	Coefficient	Minimum prices (customs duties included) in u.a. per carton of 100 tins			
Trade specification	Total height (mm)	Ounces	Grams	Grams	cm ³		Community excluding United Kingdom and Denmark:		United Kingdom and Denmark:	
							In olive oil	Other	In olive oil	Other
Rectangular bottom:										
$\frac{1}{10}$ club	20	2	56	95	53	0.60	11.10	10.20	10.66	9.79
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	12.95	11.90	12.43	11.42
$\frac{1}{4}$ reduced	18	2 $\frac{1}{8}$	74	130	73	0.77	14.25	13.09	13.68	12.56
$\frac{1}{4}$ club	30	3 $\frac{1}{4}$	90	140	93	0.80	14.80	13.60	14.21	13.06
$\frac{1}{2}$ special	25	3 $\frac{1}{8}$	90	140	90	0.85	15.73	14.45	15.10	13.87
$\frac{1}{2}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	16.65	15.30	15.98	14.69
$\frac{1}{2}$ club	30	4 $\frac{1}{4}$	125	190	125					

‡ P 25				176	125					
‡ usual	22	3‡	105	180	106	1-00	18-50	17-00	17-76	16-32
‡ (club 30)				188	130					
‡ usual	24	4‡	125	195	125	1-10	20-35	18-70	19-54	17-95
‡ usual	30	5‡	150	240	169					
‡ club	40	8‡	175	250	178	1-30	24-05	22-10	23-09	21-22
‡ P 30				250	187					
‡ American	30	7	200	300	207	1-60	29-60	27-20	28-42	26-11
‡ usual	40	9‡	260	326	250					
‡ P				337	250	1-80	33-30	30-60	31-97	29-38
‡ club long	40	8‡	248	320	241					
‡ low	30	9‡	260	370	245	2-20	40-70	37-40	39-07	35-90
‡ usual long	40	11‡	325	423	313	2-50	46-25	42-50	44-40	40-80
‡ usual	48	11	310	390	297	2-60	48-10	44-20	46-18	42-43
‡ large	40	11‡	325	460	330	2-70	49-95	45-90	47-95	44-06
‡ P				476	375					
‡				902	750					
‡	80	27‡	780	950	771	4-65	86-03	79-05	82-58	75-89
Oval bottom:										
‡ oval	40	15	425	555	452	3-40	62-90	57-80	60-38	55-49

ANNEX C (2)

from 1 July 1977 to 30 June 1978

Size		Net weight		Semi-gross weight	Capacity	Coefficient	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specification	Total height (mm)	Ounces	Grams	Grams	cm ³		Community:	
							In olive oil	Other
Rectangular bottom:								
$\frac{1}{10}$ club	20	2	56	95	53	0.60	11.70	10.80
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	13.65	12.60
$\frac{1}{4}$ reduced	18	2 $\frac{1}{8}$	74	130	73	0.77	15.02	13.86
$\frac{1}{4}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	15.60	14.40
$\frac{1}{4}$ special	25	3 $\frac{1}{8}$	90	140	90	0.85	16.58	15.30
$\frac{1}{4}$ low plat	24	3 $\frac{1}{8}$	95	145	96	0.90	17.55	16.20
$\frac{1}{4}$ club	30	4 $\frac{1}{8}$	125	190	125			

‡ P 25				176	125			
‡ usual	22	3‡	105	180	106	1-00	19-50	18-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125	1-10	21-45	19-80
‡ usual	30	5‡	150	240	169			
‡ club	40	6‡	175	250	178	1-30	25-35	23-40
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	31-20	28-80
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	35-10	32-40
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	42-90	39-60
‡ usual long	40	11‡	325	423	313	2-50	48-75	45-00
‡ usual	48	11	310	390	297	2-60	50-70	46-80
‡ large	40	11‡	325	460	330	2-70	52-65	48-60
‡ P				476	375			
‡				902	750			
‡	80	27‡	780	950	771	4-65	90-68	83-70
Oval bottom:								
‡ oval	40	15	425	555	452	3-40	66-30	61-20

ANNEX C (3)

from 1 July 1978 to 30 June 1979

Size		Net weight		Semi-gross weight	Capacity	Coefficient	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specification	Total height (mm)	Ounces	Grams	Grams	cm ³		Community:	
							In olive oil	Other
Rectangular bottom:								
$\frac{1}{8}$ club	20	2	56	95	53	0.60	12.30	11.40
$\frac{1}{4}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	14.35	13.30
$\frac{1}{4}$ reduced	18	2 $\frac{1}{4}$	74	130	73	0.77	15.79	14.63
$\frac{1}{2}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	16.40	15.20
$\frac{1}{4}$ special	25	3 $\frac{1}{8}$	90	140	90	0.85	17.43	16.15
$\frac{1}{4}$ low plat	24	3 $\frac{1}{4}$	95	145	96	0.90	18.45	17.10
$\frac{1}{4}$ club	30	4 $\frac{1}{4}$	125	190	125			

½ P 25				176	125			
¼ usual	22	3½	105	180	106	1-00	20-50	19-00
½ (club 30)				188	130			
¼ usual	24	4½	125	195	125	1-10	22-55	20-90
¼ usual	30	5½	150	240	169			
¼ club	40	6½	175	250	178	1-30	26-65	24-70
¼ P 30				250	187			
¼ American	30	7	200	300	207	1-60	32-80	30-40
¼ usual	40	9½	260	326	250			
¼ P				337	250	1-80	36-90	34-20
¼ club long	40	8½	248	320	241			
¼ low	30	9½	260	370	245	2-20	45-10	41-80
¼ usual long	40	11½	325	423	313	2-50	51-25	47-50
¼ usual	48	11	310	390	297	2-60	53-30	49-40
¼ large	40	11½	325	460	330			
¼ P				476	375	2-70	55-35	51-30
½				902	750			
¾	80	27½	780	950	771	4-65	95-33	88-35
Oval bottom:								
¼ oval	40	15	425	555	452	3-40	69-70	64-60

ANNEX D

1. المصدر - Eksportør - Ausführer - Exporter - Exportateur - Esportatore - Exporteur:	2. الرقم - Nummer - Nummer - Nummer - Numéro - Numero - Nummer	00000
4. المرسل اليه - Modtager - Empfänger - Consignee - Destinataire - Destinataro - Geadresseerde:	3. (Name of authority guaranteeing the designation of origin)	
6. وسيلة النقل - Transportmiddel - Beförderungsmittel - Means of transport - Moyen de transport - Mezzo di trasporto - Vervoermiddel:	5. شهادة التسمية الاصلية CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG	
8. مكان الافراغ - Losningssted - Entladungsort - Place of unloading - Lieu de déchargement - Luogo di sbarco - Plaats van lossing:	7. (Designation of origin)	
9. الانواع والارقام ، عدد ونوع الطرود Mærker og numre, kolloenes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e numero, quantità e natura dei colli Merken en nummers, aantal en soort der colli	10. الوزن الخام Bruttovægt Rohgewicht Gross weight Poids brut Peso lordo Brutogewicht	11. لترات Liter Liter Litres Litres Litri Liter

--	--	--

12. لترات (بالحروف) - Liter (i bogstaver) - Liter (in Buchstaben) - Litres (in words) - Litres (en lettres) - Litri (in lettere) -
 Liter (voluit):

13. تأشيرة الهيئة المرسله - Påtegning fra udstedende organ - Bescheinigung der erteilenden Stelle - Certificate of the
 issuing authority - Visa de l'organisme émetteur - Visto dell'organismo emittente - Visum van de instantie van afgifte:

14. تأشيرة الحمارك - Toldstedets attest - Sichtvermerk der
 Zollstelle - Customs stamp - Visa de la douane - Visto della
 dogana - Visum van de douane

(Oversættelse se nr. 15 - Über-
 setzung siehe Nr. 15 - see the translation under No 15 -
 Voir traduction au n° 15 - Vedi traduzione al n. 15 - Zie voor
 vertaling nr. 15)

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i området og ifølge tunesisk lovgivning er berettiget til oprindelsesbetegnelsen: ».....«.

Alkohol tilsat denne vin er alkohol fremstillet af vin.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk gewonnen wurde und ihm nach tunesischem Gesetz die Ursprungsbezeichnung „.....“ zuerkannt wird.

Der diesem Wein zugefugte Alkohol ist aus Wein gewonnener Alkohol.

We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Tunisian legislation as entitled to the designation of origin

The alcohol added to this wine is alcohol of vinous origin.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de et est reconnu, suivant la loi tunisienne, comme ayant droit à la dénomination d'origine «.....».

L'alcool ajouté à ce vin est de l'alcool d'origine vinique.

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella zona di ed è riconosciuto, secondo la legge tunisina, come avente diritto alla denominazione di origine («.....»).

L'alcole aggiunto a questo vino è alcole di origine vinica.

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het wijndistrict van en dat volgens de Tunesische wetgeving de benaming van oorsprong „.....“ erkend wordt.

De aan deze wijn toegevoegde alcohol is alcohol, uit wijn gewonnen.

16. (*)



يحتفظ بهذه الخانة لبيانات اخرى من الدولة المصدرة

(1) Rubrik forbeholdt eksportlandets andre angivelser.

(1) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.

(1) Space reserved for additional details given in the exporting country.

(1) Case reservee pour d'autres indications du pays exportateur.

(1) Spazio riservato per altre indicazioni del paese esportatore.

(1) Ruimte bestemd voor andere gegevens van het land van uitvoer.

PROTOCOL 1
on technical and financial cooperation

Article 1

The Community shall participate, within the framework of financial and technical cooperation, in the financing of measures such as to contribute to the economic and social development of Tunisia.

Article 2

1. For the purposes specified in Article 1, and for a period expiring on 31 October 1981, an aggregate amount of 95 million units of account may be committed as follows:

- (a) 41 million units of account in the form of loans from the European Investment Bank, hereinafter called 'the Bank', granted from its own resources on the terms set out in its Statute;
- (b) 39 million units of account in the form of loans on special terms;
- (c) 15 million units of account in the form of grants.

Provision may be made for contributions to risk capital formation, to be charged against the amount shown in (b).

2. The loans referred to in paragraph 1 (a) shall generally be combined with 2% interest rate subsidies financed by means of the funds shown in paragraph 1 (c).

Article 3

1. The amount fixed in Article 2 shall be used for the financing or part-financing of:

- capital projects in the fields of production and economic infrastructure, aimed in particular at diversifying the economic structure of Tunisia and, especially, at promoting its industrialization and modernizing its agriculture;
- technical cooperation as a preliminary or complement to capital projects drawn up by Tunisia;
- technical cooperation in the field of training.

2. Community aids shall be used to cover costs necessarily incurred in carrying out approved projects or measures. They may not be used to cover current administrative, maintenance or operational expenditure.

Article 4

1. Capital projects shall be eligible for financing either by loans from the Bank, combined with interest rate subsidies on the terms set out in Article 2, or by loans on special terms, or by a combination of these two means.
2. Technical cooperation shall normally be financed by grants.

Article 5

1. The amounts to be committed each year for each of the various forms of aid shall be distributed as evenly as possible throughout the period of application of this Protocol. During the initial period of application, however, a proportionately higher amount may, within reasonable limits, be committed.
2. Any funds not committed by the end of the fifth year following the entry into force of the Agreement shall be used, until exhausted, in accordance with the same arrangements as provided for in this Protocol.

Article 6

1. Loans granted by the Bank from its own resources shall be subject to terms as to duration established on the basis of the economic and financial characteristics of the projects for which such loans are intended. The interest rate shall be that applied by the Bank at the time of signature of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).
2. Loans on special terms shall be granted for 40 years with an amortization period of 10 years. The interest rate shall be fixed at 1%.
3. The loans may be granted through the intermediary of the State or appropriate Tunisian bodies, on condition that they onlend the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Tunisia, take the form of co-financing in which, in particular, credit and development bodies and institutions of Tunisia, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation:

(a) in general:

— the Tunisian State;

(b) with the agreement of the Tunisian State, for projects or measures approved by it:

— Tunisian official development agencies,

- private agencies working in Tunisia for economic and social development,
- undertakings carrying on their activities in accordance with the methods of industrial and business management which are set up as companies or firms under Tunisian law,
- groups of producers who are nationals of Tunisia, and exceptionally, where no such groups exist, the producers themselves,
- scholarship holders and trainees sent by Tunisia under the training schemes referred to in Article 3.

Article 9

1. Upon the entry into force of the Agreement the Community and Tunisia shall establish by mutual agreement the specific objectives of financial and technical cooperation, by reference to the priorities set by Tunisia's development plan.

These objectives may be reviewed by mutual agreement to take account of changes in Tunisia's economic situation or in the objectives and priorities set by its development plan.

2. Within the framework established pursuant to paragraph 1, financial and technical cooperation shall apply to projects and measures drawn up by Tunisia or by other beneficiaries approved by that country.

Article 10

1. For each request for financial aid under this Protocol, a dossier shall be submitted to the Community by the beneficiary referred to in Article 8 (a) or, with the agreement of Tunisia, by those referred to in Article 8 (b).

2. The Community shall appraise the requests for financing in collaboration with the Tunisian State and the beneficiaries in accordance with

the objectives set out in Article 9 (1), and shall inform them of the decisions taken on such requests.

Article 11

The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Tunisia or the other beneficiaries referred to in Article 8 of this Protocol.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

Article 12

1. As regards projects and measures financed by the Community, participation in tendering procedures and other procedures for the award of contracts shall be open, on equal terms, to all natural or legal persons of Tunisia and of the Member States.

2. To promote participation by Tunisian undertakings in the performance of works contracts, an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used at the proposal of the relevant Community body where the works in question, because of their scale, are mainly of interest to Tunisian undertakings.

This accelerated procedure may be used for invitations to tender whose value is estimated at less than one million units of account.

3. Participation by other countries in contracts financed by the Community may be decided by mutual agreement in exceptional cases.

Participation by third countries may also be decided, in the same circumstances, where the Community participates in the financing of schemes together with other sources of funds.

Article 13

Under its national law in force, Tunisia shall apply to contracts awarded for the execution of projects or measures financed by the Community fiscal and customs arrangements as favourable as those applied in respect of other international organizations.

Article 14

Where a loan is accorded to a beneficiary other than the Tunisian State, the provision of a guarantee by the latter or of other adequate guarantees may be required by the Community as a condition of the grant of the loan.

Article 15

Throughout the duration of the loans accorded pursuant to this Protocol, Tunisia shall undertake to make available to debtors enjoying such loans the foreign currency necessary for the payment of interest and commission and the repayment of principal.

Article 16

The results of financial and technical cooperation shall be examined annually by the Cooperation Council. The latter shall define, where appropriate, the general guidelines of such cooperation.

Article 17

Before the end of the fifth year following the entry into force of the Agreement, the Contracting Parties shall examine what arrangements could be made for financial and technical cooperation during a possible further period.

PROTOCOL 2

concerning the definition of the concept of 'originating products' and methods of administrative cooperation

TITLE I

Definition of the concept of 'originating products'

Article 1

1. For the purpose of implementing the Agreement and without prejudice to paragraphs 2 and 3, on condition that they were transported in conformity with Article 5, the following shall be considered as:

(a) products originating in Tunisia:

- products wholly obtained in Tunisia,
- products obtained in Tunisia, in the manufacture of which products other than those wholly obtained in Tunisia are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3;

(b) products originating in the Community:

- products wholly obtained in the Community,
- products obtained in the Community, in the manufacture of which products other than those wholly obtained in the Community are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purpose of implementing the first indent of paragraph 1 (a), when products wholly obtained in Algeria, in Morocco or in the Community undergo working or processing in Tunisia, they shall be considered as having been wholly obtained in Tunisia.

For the purpose of implementing the second indent of paragraph 1 (a), working or processing carried out in Algeria, in Morocco or in the

Community shall be considered as having been carried out in Tunisia, when the products obtained undergo subsequent working or processing in Morocco.

This paragraph shall apply subject to the condition that the products concerned are transported in conformity with Article 5.

3. For the purpose of implementing the first indent of paragraph 1 (b) when products wholly obtained in Tunisia undergo working or processing in the Community, they shall be considered as having been wholly obtained in the Community.

For the purposes of implementing the second indent of paragraph 1 (b), working or processing carried out in Tunisia shall be considered as having been carried out in the Community, when the products obtained undergo subsequent working or processing in the Community.

This paragraph shall apply subject to the condition that the products concerned are transported in conformity with Article 5.

4. In derogation from paragraph 1 where, pursuant to the provisions of the above paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the originating products are obtained in two or more of the States referred to in these provisions or in the Community, they shall be considered as originating products of the State or the Community according to where the last working or processing took place. For this purpose the working or processing referred to in Article 3 (3) shall not be considered as working or processing.

5. The products in List C in Annex IV shall be temporarily excluded from the scope of this Protocol.

6. The provisions contained in paragraph 2 shall only be applicable to Algeria and Morocco in so far as the rules governing trade between Tunisia, Algeria and Morocco, in the field of these provisions, are identical to the provisions of this Protocol, and on condition that the necessary administrative cooperation between Tunisia, Algeria and Morocco for the control of these provisions is established.

Article 2

The following shall be considered as 'wholly obtained' in Tunisia, Algeria, Morocco or the Community within the meaning of Article 1 (1), (2) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1, the following shall be considered as sufficient working or processing:

- (a) working or processing as a result of which the goods obtained receive a classification under a heading other than that covering each of the products worked or processed, except, however, working or processing specified in List A in Annex II, where the special provisions of that list apply;
- (b) working or processing specified in List B in Annex III.

'Sections', 'chapters' and 'headings' shall mean the sections, chapters and headings in the Brussels Nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits in Lists A and B the value of the materials and parts which can be used, the total value of these materials and parts, whether or not they have changed heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purpose of implementing Article 1, the following shall always be considered as insufficient working or processing to confer the status of originating product, whether or not there is a change of heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up;
- (c) (i) changes of packaging and breaking up and assembly of consignments,
(ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packaging operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;

- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in this Protocol to enable them to be considered as originating in Tunisia, Algeria, Morocco or the Community;
- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where Lists A and B referred to in Article 3 provide that goods obtained in Tunisia or in the Community shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for such a percentage shall be:

- on the one hand,
as regards products whose importation can be proved: their customs value at the time of importation;

as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the Contracting Party where manufacture takes place;
- and on the other hand,
the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

1. For the purpose of implementing Article 1 (1), (2) and (3), originating products whose transport is effected without entering into territory other than that of Tunisia, Algeria, Morocco or the Community shall be considered as transported directly from Tunisia to the Community or

from the Community to Tunisia. However, goods originating in Tunisia, Algeria, Morocco or the Community and constituting one single consignment which is not split up may be transported through territory other than that of these countries or the Community with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons and that the goods have remained under the surveillance of the customs authorities in the country of transit or warehousing, that they have not entered into commerce of such countries nor been delivered for home use there and have not undergone operations other than unloading, reloading or any operation designed to maintain them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community or in Tunisia by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
 - giving an exact description of the goods,
 - stating the dates of unloading and re-loading of the goods or of their embarkation or disembarkation, identifying the ships used,
 - certifying the conditions under which the goods remained in the transit country;
- (c) or failing these, any substantiating documents.

TITLE II

Arrangements for administrative cooperation

Article 6

1. Evidence of originating status of products, within the meaning of this Protocol, is given by a movement certificate EUR. 1 of which a specimen is given in Annex V to this Protocol.

However, the evidence of originating status, within the meaning of this Protocol, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per consignment, may be given by a form EUR. 2, of which a specimen is given in Annex VI to this Protocol.

The unit of account (u.a.) has a value of 0.88867088 gram of fine gold. Should the unit of account be changed, the Contracting Parties shall make contact with each other at the level of the Cooperation Council to redefine the value in terms of gold.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 7

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after exportation of the goods to which it relates if it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances. In this case, the certificate shall bear a special reference to the conditions in which it was issued.

3. A movement certificate EUR. 1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen is given in Annex V to this Protocol, which shall be completed in accordance with this Protocol.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Agreement.

5. Applications for movement certificates EUR. 1 must be preserved for at least two years by the customs authorities of the exporting State.

Article 8

1. The movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State, if the goods can be considered 'originating products' within the meaning of the Agreement.

2. For the purpose of verifying whether the conditions stated in paragraph 1 have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

3. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are duly

completed. In particular, they shall check whether the space reserved for the description of the goods has been completed in such a manner as to exclude all possibility of fraudulent additions. To this end, the description of the goods must be indicated without leaving any blank lines. Where the space is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

4. The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

Article 9

Movement certificates EUR. 1 shall be made out on the form of which a specimen is given in Annex V to this Protocol. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 or minus 5 mm in the length being allowed. The paper used must be white, sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.
2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR. 1.

Article 11

A movement certificate EUR. 1 must be submitted, within five months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing State after the final date for presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 1 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the goods shall not *ipso facto* render the certificate null and void if it is duly established that the certificate does correspond to the goods submitted.

Article 15

It shall always be possible to replace one or more movement certificates by one or more certificates, provided that this is done at the customs office where the goods are located.

Article 16

Form EUR. 2, a specimen of which is given in Annex VI, shall be completed by the exporter or, under his responsibility, by his authorized representative. It shall be made out in one of the languages in which the Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters. If the goods contained in the consignment have already been subject to verification in the exporting State by reference to the definition of the concept of 'originating products' the exporter may refer to this check in the 'Remarks' box of form EUR.2.

Form EUR. 2 shall measure 210 × 148 mm, a tolerance of up to plus 8 or minus 5 mm in the length being allowed. The paper used shall be white, sized writing paper not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case each form must include a reference to such approval. In addition, each form must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment.

These provisions do not exempt exporters from complying with any other formalities required by customs or postal regulations.

Article 17

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR. 1 or the completion of a form EUR. 2, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, and where there is no doubt as to the veracity of such declaration.

2. Importations which are occasional and consist solely of goods for the personal use of the recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no commercial purpose is in view.

Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of travellers' personal luggage.

Article 18

1. Goods sent from the Community or from Tunisia for exhibition in a country other than Algeria and Morocco and sold after the exhibition for importation into Tunisia or into the Community shall benefit on importation from the provisions of the Agreement on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in Tunisia and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from the Community or from Tunisia to the country in which the exhibition is held and has exhibited them there;
- (b) the goods have been sold or otherwise disposed of by that exporter to someone in Tunisia or in the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter to Tunisia or to the Community in the state in which they were sent for exhibition;
- (d) the goods have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A movement certificate EUR. 1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the goods and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods, and during which the goods remain under customs control.

Article 19

1. When a certificate is issued within the meaning of Article 7 (2) of this Protocol after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Protocol:

- indicate the place and date of exportation of the goods to which the certificate relates;
- certify that no movement certificate EUR. 1 was issued at the time of exportation of the goods in question, and state the reasons.

2. The customs authorities may issue a movement certificate EUR. 1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

Certificates issued retrospectively must be endorsed with one of the following phrases: 'NACHTRÄGLICH AUSGESTELLT', 'DÉLIVRÉ A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE', 'إصدار لاحقاً'.

Article 20

In the event of the theft, loss or destruction of a movement certificate EUR. 1, the exporter may apply to the customs authorities which issued

it for a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed with one of the following words: 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE', 'تكرار'.

Article 21

1. When paragraphs 2, 3 and 4 of Article 1 are applied for the issue of a movement certificate EUR. 1 the competent customs office in the State requested to issue the certificate for products in the manufacture of which products coming from Algeria, Morocco, or the Community are used, shall take into consideration the declaration, of which a specimen is given in Annex VII, given by the exporter in the State from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in Article 22 and of which a specimen is given in Annex VIII, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

Article 22

The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in Article 21 (2), or at the initiative of this exporter, by the competent customs office in the State from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of

the movement certificate EUR. 1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least two years.

Article 23

Tunisia and the Community shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 24

In order to ensure the proper application of this title, Tunisia, Algeria, Morocco and the Community shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the information concerning the actual origin of the products concerned and the declarations by exporters on forms EUR. 2 and the authenticity and accuracy of the information certificates referred to in Article 21.

Article 25

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up or causes to be drawn up, either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 or a form EUR. 2 containing incorrect particulars.

Article 26

1. Subsequent verifications of movement certificates EUR. 1 and of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR. 1 or the form EUR. 2, or a photocopy thereof, to the customs authorities of the exporting State, giving, where appropriate, the reasons of form or substance for an inquiry. The invoice, if it has been submitted, or a copy thereof shall be attached to the form EUR. 2 and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

If the customs authorities of the importing State decide to suspend execution of the Agreement while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. The customs authorities of the importing State shall be informed of the results of the verification as soon as possible. These results must be such as to make it possible to determine whether the disputed movement certificate EUR. 1 or form EUR. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

When such disputes cannot be settled between the customs authorities of the importing State and those of the exporting State, or when they raise a question as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee provided for in Article 29.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

Article 27

The subsequent verification of the information certificate referred to in Article 21 shall be carried out in the circumstances envisaged in Article 26 following a similar procedure to that envisaged in that Article.

Article 28

The Cooperation Council shall examine annually the application of the provisions of this Protocol and their economic effect with a view to making any necessary changes. This examination may be carried out at more frequent intervals at the request either of the Community or Tunisia.

Article 29

1. A Customs Cooperation Committee shall be set up, charged with carrying out administrative cooperation with a view to the correct and uniform application of this Protocol and with carrying out any other task in the customs field which may be entrusted to it.

2. The Committee shall be composed on the one hand of customs experts of the Member States and of officials of the departments of the Commission of the European Communities who are responsible for customs questions, and on the other hand of Tunisian customs experts.

Article 30

1. The Community and Tunisia shall take any measures necessary to enable movement certificates EUR. 1 as well as forms EUR. 2 to be

submitted, in accordance with Articles 11 and 12 of this Protocol, from the day on which the Agreement enters into force.

2. The certificates of type A.TN.1 as well as forms A.TN.2 may be used until stocks are exhausted and at the latest up to and including 30 June 1977, under the conditions laid down by this Protocol.

3. The movement certificates EUR. 1 and the forms EUR. 2 printed in the Member States before the date of the entry into force of the Agreement, and which do not conform to the models in Annexes V and VI to this Protocol, may continue to be used until stocks are exhausted, under the conditions laid down by this Protocol.

Article 31

The Community and Tunisia shall each take the steps necessary to implement this Protocol.

Article 32

The Annexes to this Protocol shall form an integral part thereof.

Article 33

The provisions of the Agreement may be applied to goods which comply with the provisions of Title I and which on the date of the entry into force of the Agreement are either in transit or are in the Community or in Tunisia in temporary storage in bonded warehouses or in free zones subject to the submission to the customs authorities of the importing State within four months of that date of a certificate A.TN.1 issued under the conditions of Article 30 (2) or of a certificate EUR. 1 endorsed

retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

Article 34

The endorsements referred to in Articles 19 and 20 shall be inserted in the 'Remarks' box of the certificate.

ANNEX I

Explanatory Notes

Note 1 — Articles 1 and 2

The terms 'the Community' or 'Tunisia' shall also cover the territorial waters of the Member States of the Community or of Tunisia respectively.

Vessels operating on the high seas, including factory ships, on which fish caught is worked or processed, shall be considered as part of the territory of the State to which they belong provided that they satisfy the conditions set out in Explanatory Note 6.

Note 2 — Article 1

In order to determine whether goods originate in the Community, Tunisia, Algeria or Morocco, it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Article 1

Where a percentage rule is applied in determining originating status of a product obtained in a Member State, Tunisia, Algeria or Morocco, the value added by the working or processing referred to in Article 1 shall correspond to the ex-works price of the product obtained less the customs value of third products imported into the Community, Tunisia, Algeria or Morocco.

Note 4 — Articles 3 (1), (2) and 4

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of heading for any non-originating product used.

Note 5 — Article 1

Packing shall be considered as forming a whole with the goods contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed and which has intrinsic utilization value and is of a durable nature, apart from its function as packing.

Note 6 — Article 2 (f)

The term 'their vessels' shall apply only to vessels:

- which are registered or recorded in a Member State, Tunisia, Algeria or Morocco,
- which sail under the flag of a Member State, Tunisia, Algeria or Morocco,
- which are owned to an extent of at least 50% by nationals of the Member States, Tunisia, Algeria or Morocco or by a company with its head office in a Member State, Tunisia, Algeria or Morocco, of which the manager, managers, chairman of the board of directors or of the supervisory board, and the majority of the members of such board are nationals of the Member States, Tunisia, Algeria or Morocco, of which, in addition in the case of partnerships or limited companies, at least half the capital belongs to the Member States, Tunisia, Algeria or Morocco or to public bodies or nationals of the Member States, Tunisia, Algeria or Morocco,
- of which at least 50% of the crew, captain and officers included, are nationals of the Member States, Tunisia, Algeria or Morocco.

Note 7 — Article 4

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the Convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

Note 8 — Article 5

For the purposes of applying Article 5, the ports of embarkation of products originating in Tunisia for destination in the Community are for example:

Algiers — Al-Hoceima — Agadir — Annaba — Arzew — Azilah — Bajaia — Beni-Saf — Bizerta — Casablanca — Ceuta — Constantine — Dellys — El Jadida — Essaouira — Gabès — Ghazaouet — Ifni — Kenitra — Larache — Melilla — Mohammedia — Oran — Rabat — Safi — Sfax — Sikda — Sousse — Tangier — Tarfaya — Ténès — Tunis.

Note 9 — Article 24

The authorities consulted shall furnish any information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various Member States and in Tunisia, Algeria and Morocco.

ANNEX II

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine; smoking of fish, whether cooked or not	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
07.03	Vegetables, provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation cutting, grinding, powdering of vegetables of heading Nos 07.01 to 07.03	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.09	
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05	Drying of fruit	
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals	

11.03	Flours of the leguminous vegetables falling within heading No 07.05	Manufacture from dried leguminous vegetables
11.04	Flours of the fruits falling within any heading in Chapter 8	Manufacture from fruits of Chapter 8
11.05	Flour, meal and flakes of potato	Manufacture from potatoes
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06	Manufacture from products of heading No 07.06
11.07	Malt, roasted or not	Manufacture from cereals
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, or from potatoes or other products of Chapter 7
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Manufacture from products of heading Nos 02.01 and 02.06
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of third countries
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	Manufacture from products of Chapter 2

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtle-wax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products	Manufacture from products of Chapters 7 and 12	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2	
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2	
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3	
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of Chapter 3	
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel	Manufacture from any product	
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	

17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
19.01	Malt extract	Manufacture from products of heading No 11.07	
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa	Manufacture from cereals and derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
19.03	Macaroni, spaghetti and similar products		Manufacture from durum wheat
19.04	Tapioca and sago; tapioca and sago substitutes from potato or other starches	Manufacture from potato starch	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn-flakes and similar products)	Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product	
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products	Manufacture from products of Chapter 11	

(¹) This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit	Manufacture from products of Chapter 11	
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	Manufacture from products of Chapter 11	
20.01	Vegetables and fruit prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.04	Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.06	Fruit otherwise prepared or preserved whether or not containing added sugar or spirit:		

	A. Nuts		Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product
	B. Other fruits	Manufactured from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.07	Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 21.01	Roasted chicory and extracts thereof	Manufacture from chicory roots, fresh or dried	
21.05	Soups and broths in liquid, solid or powder forms; homogenized food preparations	Manufacture from products of heading No 20.02	
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07	Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
ex 23.03	Residues from the manufacture of maize starch (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % dry weight	Manufacture from maize or maize flour	
23.04	Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture from products of heading No 24.01 of which at least 70 % by quantity are 'originating products'

ex 28.38	Aluminium sulphate		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
30.03	Medicaments (including veterinary medicaments)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
31.05	Other fertilizers; goods of Chapter 31 in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
32.06	Colour lakes	Manufacture from materials of heading No 32.04 or 32.05(1)	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk barium carbonate and satin white(1)	
33.05	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	Manufacture from products of heading No 33.01(1)	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues		Manufacture from maize or potatoes
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paper-board or cloth	Manufacture from products of heading No 37.02(1)	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01(1)	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02(1)	

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

38.15	Prepared rubber accelerators	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble salts; esters of sulphonaphthenic acids; — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; — Mixed alkybenzenes and mixed alkylnaphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; 	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 38.19 (cont'd)	<ul style="list-style-type: none"> — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures — Sorbitol other than sorbitol of heading No 29.04 		
ex 39.02	Polymerization products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50% of the value of the finished product
43.03	Articles of furskin	Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) (1)	
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings		Manufacture from boards not cut to size
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings	Manufacture from products of heading No 49.11	
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks	Manufacture from products of heading No 49.11	
50.04(1)	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products other than those of heading No 50.04
50.05(1)	Yarn spun from silk waste other than noil, not put up for retail sale		Manufacture from products of heading No 50.03
50.06(1)	Yarn spun from noil silk, not put up for retail sale		Manufacture from products of heading No 50.03
50.07(1)	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale		Manufacture from products of heading Nos 50.01 to 50.03
ex 50.08(1)	Imitation catgut of silk		Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed
50.09(2)	Woven fabrics of silk or of waste silk other than noil		Manufacture from products of heading No 50.02 or 50.03

50.10(2)	Woven fabrics of noil silk	Manufacture from products of heading No 50.02 or 50.03
51.01(1)	Yarn of man-made fibres (continuous), not put up for retail sale	Manufacture from chemical products or textile pulp
51.02(1)	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials	Manufacture from chemical products or textile pulp
51.03(1)	Yarn of man-made fibres (continuous), put up for retail sale	Manufacture from chemical products or textile pulp
51.04(2)	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	Manufacture from chemical products or textile pulp

- (1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
52.01(1)	Metallized yarn, being textile yarn spun with metal or covered with metal by any process		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
52.02(2)	Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
53.06(1)	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.07(1)	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.08(1)	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair of heading No 53.02
53.09(1)	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03
53.10(1)	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04
53.11(2)	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading Nos 53.01 to 53.05
53.12(2)	Woven fabrics of coarse animal hair other than horsehair		Manufacture from products of heading Nos 53.02 to 53.05

53.13(2)	Woven fabrics of horsehair	Manufacture from horsehair of heading No 05.03
54.03(1)	Flax or ramie yarn, not put up for retail sale	Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02
54.04(1)	Flax or ramie yarn, put up for retail sale	Manufacture from materials of heading No 54.01 or 54.02
54.05(2)	Woven fabrics of flax or of ramie	Manufacture from materials of heading No 54.01 or 54.02
55.05(1)	Cotton yarn, not put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.06(1)	Cotton yarn, put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.07(2)	Cotton gauze	Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.08(2)	Terry towelling and similar terry fabrics, of cotton	Manufacture from materials of heading No 55.01, 55.03 or 55.04

- (1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
55.09(1)	Other woven fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05(2)	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06(2)	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07(1)	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of heading Nos 56.01 to 56.03
57.05(2)	Yarn of true hemp		Manufacture from raw true hemp

57.06 ⁽²⁾	Yarn of jute or of other textile bast fibres of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.07 ⁽²⁾	Yarn of other vegetable textile fibres	Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04
57.08	Paper yarn	Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste, neither carded nor combed
57.09 ⁽¹⁾	Woven fabrics of true hemp	Manufacture from products of heading No 57.01
57.10 ⁽¹⁾	Woven fabrics of jute or of other textile bast fabrics of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.11 ⁽¹⁾	Woven fabrics of other vegetable textile fibres	Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07

- (1) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (2) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
57.12	Woven fabrics of paper yarn		Manufacture from paper, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste
58.01(1)	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02(1)	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from coir yarn of heading No 57.07
58.04(1)	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp
58.05(1)	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
58.06(1)	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp

58.07 ⁽¹⁾	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.08 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.09 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; mechanically made lace, in the piece, in strips or in motifs	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.10	Embroidery, in the piece, in strips or in motifs	Manufacture in which the value of the product used does not exceed 50% of the value of the finished product
59.01 ⁽¹⁾	Wadding and articles of wadding; textile flock and dust and mill neps	Manufacture either from natural fibres or from chemical products or textile pulp
59.02 ⁽¹⁾	Felt and articles of felt, whether or not impregnated or coated	Manufacture either from natural fibres or from chemical products or textile pulp

- (1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.02(1)	Needled felt, whether or not impregnated or coated		Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product
59.03(1)	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
59.04(1)	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.05(1)	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.06(1)	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn

59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil	Manufacture from yarn
59.10 ⁽¹⁾	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not	Manufacture either from yarn or from textile fibres
59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods	Manufacture from yarn
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
59.13 ⁽¹⁾	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15 ⁽¹⁾	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.16 ⁽¹⁾	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.17 ⁽¹⁾	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
ex Chapter 60 ⁽¹⁾	Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by		Manufacture from yarn ⁽²⁾

	the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	
ex 60.03	Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾
ex 60.04	Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾

- (1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (2) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.06	Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
61.01	Men's and boys' outer garments		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.01	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, not embroidered		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.02	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾

61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs	Manufacture from yarn ⁽¹⁾ (2)
61.04	Women's, girls' and infants' under garments	Manufacture from yarn ⁽¹⁾ (2)
ex 61.05	Handkerchiefs, not embroidered	Manufacture from unbleached single yarn ⁽¹⁾ (2) (3)
ex 61.05	Handkerchiefs, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered	Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ (2)
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.07	Ties, bow ties and cravats	Manufacture from yarn ⁽¹⁾ (2)
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered	Manufacture from yarn ⁽¹⁾ (2)

(1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

(2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

(3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.10	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn ⁽¹⁾ ⁽²⁾
62.01	Travelling rugs and blankets		Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered		Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product

62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾
62.04	Tarpaulins, sails, awnings, sun-blinds, tents and camping goods		Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	

(1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

(2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

(3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
64.04	Footwear with outer soles of other materials	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	Manufacture from textile fibres
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	Manufacture either from yarn or from textile fibres
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved) whether or not surface ground or polished; multiple-walled insulating glass		
70.08	Safety glass consisting of toughened or laminated glass, shaped or not		

70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel	Manufacture from products of heading No 73.06	
73.08	Iron or steel coils re-rolling	Manufacture from products of heading No 73.07	
73.09	Universal plates of iron or steel	Manufacture from products of heading No 73.07 or 73.08	
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel	Manufacture from products of heading No 73.07	
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13	
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09 or 73.13	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
73.14	Iron or steel wire, whether or not coated, but not insulated	Manufacture from products of heading No 73.10	Manufacture from products of heading No 73.06
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bed-plates, ties and other material specialized for joining or fixing rails		
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits		
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		
74.04	Wrought plates, sheets and strip, of copper		
			Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07
			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.06	Copper powder and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas) of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.12	Expanded metal, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.13	Chain and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.14	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
74.19	Other articles of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
75.06	Other articles of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.05	Aluminium powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.08	Structures, complete or incomplete, whether or not assembled, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers,		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium	
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.11	Containers of aluminium for compressed or liquified gas	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.14	Expanded metal, of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.16	Other articles of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.03	Other articles of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.03	Wrought plates, sheets and strip, of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m ² ; lead powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

78.05	Tubes and pipes and blanks therefor, of lead; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends)	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.06	Other articles of lead	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.06	Other articles of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
80.03	Wrought plates, sheets and strip, of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² : tin powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾

82.06	Knives and cutting blades, for machines or for mechanical appliances	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾
ex Chapter 84	Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41)	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
84.15	Refrigerators and refrigerating equipment (electrical and other)	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products
ex 84.41	Sewing machines, including furniture for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

⁽²⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 84.41 (cont'd)			<p>(a) at least 50% in value of the materials and parts⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p>
ex Chapter 85	Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15		Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers		<p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product⁽²⁾</p>
85.15	Radiotelegraphic and radio-telephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

	incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
87.09	Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 90	Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
90.05	Refracting telescopes (monocular and binocular), prismatic or not		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.07	Photographic cameras; photographic flashlight apparatus		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.08	Cinematographic cameras projectors, sound recorders and sound reproducers; any combination of these articles		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value

		of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product

- (1) In determining the value of products, materials and parts, the following must be taken into account:
- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
 - (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
91.04	Other clocks		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
91.08	Clock movements, assembled		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles; excluding products of heading No 92.11		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record players and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

Chapter 93	Arms and ammunition; parts thereof	(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap fasteners and press-studs; blanks and parts of such articles	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

ANNEX III

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
		Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50	Manufacture from alcohol deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent products does not exceed 15% of the value of the manufactured product

ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble squared by sawing, of a thickness not exceeding 25 cm	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex Chapters 28 to 37	Products of the chemical and allied industries excluding calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03) and essential oils other than of citrus fruit, terpenes (ex 33.01)	Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product
ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermally
ex 33.01	Essential oils, other than of citrus fruit, terpenes	Deterpenation of essential oils other than of citrus fruit
ex Chapter 38	Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine, refined (ex 38.07)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification consisting of the distillation or refining of raw sulphate turpentine
ex Chapter 39	Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished products

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 39.02	Ionomer film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lambskins without the wool	Removing wool from sheep and lambskins in the wool
ex 41.02	Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08	Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned
ex 41.03	Retanned sheep and lambskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of sheep and lambskin leather, not further prepared than tanned
ex 41.04	Retanned goat and kidskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of goat and kidskin leather, not further prepared than tanned
ex 41.05	Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08	Retanning of other kinds of leather, not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins
ex 50.03	Silk waste carded or combed	Carding or combing waste silk

ex 50.09 } ex 50.10 } ex 51.04 } ex 53.11 } ex 53.12 } ex 53.13 } ex 54.05 } ex 55.07 } ex 55.08 } ex 55.09 } ex 56.07 }	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5% of the value of the finished product
ex 59.14	Incandescent gas mantles	Manufacture from tubular gas mantle fabric
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	Cutting of bottles the value of which does not exceed 50% of the value of the finished product
70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses	Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 71.05	Silver and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.05	Silver, including silver gilt and platinum-plated silver, unwrought	Alloying or electrolytic separation of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.07	Gold, including platinum-plated gold, unwrought	Alloying or electrolytic separation of unwrought gold or gold alloys
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum or other metals of the platinum group
ex 71.09	Platinum and other metals of the platinum group, unwrought	Alloying or electrolytic separation of unwrought platinum or other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled platinum or other unwrought platinum group metals or precious metal
ex 73.15	Alloy steel and high carbon steel: — in the forms mentioned in heading Nos 73.07 to 73.13 — in the forms mentioned in heading No 73.14	Manufacture from products in the forms mentioned in heading No 73.06 Manufacture from products in the forms mentioned in heading No 73.06 or 73.07

ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap
ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes of heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 75.01	Unwrought nickel except nickel alloys	Refining of waste by electrolysis, by melting or by chemical means of waste and scrap
ex 76.01	Unwrought aluminium	Manufacture by thermal or electrolytic treatment of unalloyed aluminium and scrap
ex 77.04	Beryllium, wrought	Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product
ex 78.01	Refined lead	Manufacture by thermal refining from bullion lead
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product
ex 83.06	Indoor ornaments made from base metals other than statuettes	Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
84.06	Internal combustion piston engines	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature, for wood, paper pulp, paper and paperboard manufacturing industries	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.33	Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product

ex 84.41	Sewing machines, including furniture specially designed for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products
85.14	Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio, broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
87.06	Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03	Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product

- (1) In determining the value of products, materials and parts, the following must be taken into account:
- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
 - (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.
- (2) The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 94.01	Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 95.01	Articles of tortoise-shell	Manufacture from worked tortoise-shell
ex 95.02	Articles of mother of pearl	Manufacture from worked mother of pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone (excluding whalebone)	Manufacture from worked bone (excluding whalebone)
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

ANNEX IV

LIST C

List of products excluded from the scope of this Protocol

CCT heading No	Description
ex 27.07	Assimilated aromatic oils as defined in Note 2 to Chapter 27, of which more than 65% by volume distils at a temperature of up to 250° C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
27.09 to 27.16 }	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 29.01	Hydrocarbons: — acyclic — cyclanes and cyclenes, excluding azulenes — benzene, toluene, xylenes for use as power or heating fuels
ex 34.03	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants

ANNEX V
MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR.1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	<p style="text-align: center;">2. Certificate used in preferential trade between</p> <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">and</p> <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">(insert appropriate countries, groups of countries or territories)</p>		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages (1); Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

(1) If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

--	--

(4) Complete only where the regulations of the exporting country or territory require.

11. CUSTOMS ENDORSEMENT

Declaration certified
Export document (2)

Stamp

Form No

Customs office

Issuing country or territory

Date

(Signature)

12. DECLARATION BY THE EXPORTER

I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.

Place and date:

(Signature)

13. REQUEST FOR VERIFICATION, to	14. RESULT OF VERIFICATION,
Verification of the authenticity and accuracy of this certificate is requested.	Verification carried out shows that this certificate ⁽¹⁾ <input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).
..... (Place and date) Stamp (Place and date) Stamp
..... (Signature) (Signature) ⁽¹⁾ Insert X in the appropriate box.

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
3. Consignee (Name, full address, country) (Optional)	See notes overleaf before completing this form		
	2. Application for a certificate to be used in preferential trade between and (insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾ ; Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

(Front)

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DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....

.....

.....

.....

SUBMIT the following supporting documents (!):

.....

.....

.....

.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX VI

Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between ⁽¹⁾ and	
		2 Exporter (Name, full address, country)	
4 Consignee (Name, full address, country)		3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.	
		5 Place and date	
7 Remarks ⁽²⁾		6 Signature of exporter	
		8 Country of origin ⁽¹⁾	9 Country of destination ⁽¹⁾
		10 Gross weight (kg)	
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country ⁽¹⁾ responsible for verification of the declaration by the exporter	

(1) Insert the countries, groups of countries or territories concerned.

(2) Refer to any verification already carried out by the appropriate authorities.

(3) The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating.

(4) The term 'country' means country, group of countries or territory of destination.

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that (1)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>(1) Insert X in the appropriate box.</p>
---	---

(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR. 2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR. 2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

ANNEX VII

Specimen of Declaration

I, the undersigned, declare that the goods listed on this invoice were obtained in

and (as appropriate):

- (a) ⁽¹⁾ satisfy the rules on the definition of the concept of 'wholly obtained products'
- or
- (b) ⁽¹⁾ were produced from the following products:

Description	Country of origin ⁽²⁾	Value ⁽¹⁾
.....
.....
.....
.....

and have undergone the following processes:
.....(indicate processings)

in
.....

Done at..... (Signature)

⁽¹⁾ Complete if necessary.
⁽²⁾ Complete if necessary. In the event that:
—the goods originate in a country covered by the Agreement or Convention concerned: indicate the country;
—the products originate in another country: indicate 'third country'.

ANNEX VI

1. Supplier ⁽¹⁾	<p style="text-align: center;">INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the</p> <div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>EUROPEAN ECONOMIC COMMUNITY and</p> <p><small>(in block letters)</small></p> </div>	
2. Consignee ⁽¹⁾		
3. Processor ⁽¹⁾	4. State in which the working or processing has been carried out	
6. Customs office of importation ⁽²⁾	5. For official use	
7. Import document ⁽²⁾ Form No Series Date <input type="text"/> <input type="text"/> <input type="text"/>		
GOODS SENT TO THE MEMBER STATE OF DESTINATION		
8. Marks, numbers, quantity and kind of package	9. Tariff heading number and description of goods	10. Quantity ⁽²⁾

IMPORTED GOODS USED

12. Tariff heading number and description	13. Country of origin ⁽¹⁾	14. Quantity ⁽²⁾	15. Value ⁽²⁾ ; ⁽³⁾				
16. Nature of the working or processing carried out							
17. Remarks							
18. CUSTOMS ENDORSEMENT Declaration certified Document Form No Customs office Date <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> <div style="border: 1px solid black; width: 80px; height: 80px; margin-left: auto; margin-right: auto; text-align: center; padding: 5px;"> Official stamp </div> (Signature)				19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate (Place) <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> (Date) (Signature)			

⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ See footnotes on verso.

REQUEST FOR VERIFICATION

The undersigned customs official requests verification of the authenticity and accuracy of this information certificate

.....
(Place and date)

Official
stamp

.....
(Official's signature)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs official shows that this information certificate:

- (a) was issued by the customs office indicated and that the information contained therein is accurate (*)
- (b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)

.....
(Place and date)

Official
stamp

.....
(Official's signature)

.....
(*) Delete where not applicable.

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) Complete if necessary. In the event that:
 - the goods originate in a country covered by the Agreement or Convention concerned: indicate the country;
 - the products originate in another country: indicate 'third country'.
- (6) The value must be indicated in accordance with the provisions on rules of origin.

ANNEX IX

Joint declaration

For the implementation of Article 28 of this Protocol, the Community is prepared to examine any request from Tunisia for derogations to the rules of origin after the signature of the Agreement.

FINAL ACT

The Plenipotentiaries of

His Majesty the King of the Belgians,

Her Majesty the Queen of Denmark,

The President of the Federal Republic of Germany,

The President of the French Republic,

The President of Ireland,

The President of the Italian Republic,

His Royal Highness the Grand Duke of Luxembourg,

Her Majesty the Queen of the Netherlands,

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland,

and the Council of the European Communities,

of the one part, and of

The President of the Republic of Tunisia

of the other part,

meeting at Tunis this twenty-fifth day of April in the year one thousand nine hundred and seventy-six for the purpose of signing the Cooperation Agreement between the European Economic Community and the Republic of Tunisia, and the Agreement between the Member States of the European Coal and Steel Community and the Republic of Tunisia,

have, on signing these Agreements,

— adopted the following joint declarations by the Contracting Parties :

1. Joint declaration by the Contracting Parties on Article 12 (1) of the Agreement,
 2. Joint declaration by the Contracting Parties on Article 15 of the Agreement,
 3. Joint declaration by the Contracting Parties on the provisions of Article 15 of the Agreement in respect of certain products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff,
 4. Joint declaration by the Contracting Parties on Annex B concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff,
 5. Joint declaration by the Contracting Parties on olive oil,
 6. Joint declaration by the Contracting Parties on wines entitled to a designation of origin,
 7. Joint declaration by the Contracting Parties on agricultural products,
 8. Joint declaration by the Contracting Parties on the consultations provided for in Articles 13, 24, 27, 48 and 49 of the Agreement,
 9. Joint declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community,
 10. Declaration by the Contracting Parties on the interpretation of the term 'Contracting Parties' as used in the Agreement;
- taken note of the following declarations:
1. Declaration by the European Economic Community on Article 20 (2) of the Agreement,
 2. Declaration by the European Economic Community on the regional application of certain provisions of the Agreement,

3. Declaration by the European Economic Community on the unit of account referred to in Article 2 of Protocol I,
 4. Declaration by the representative of the Federal Republic of Germany on the definition of German nationality,
 5. Declaration by the representative of the Federal Republic of Germany on the application of the Agreement to Berlin;
- and taken note of the following exchanges of letters:
1. Exchange of letters on scientific and technological cooperation and the protection of the environment,
 2. Exchange of letters on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff,
 3. Exchange of letters on Articles 15 and 49 of the Agreement,
 4. Exchange of letters on Tunisian labour employed in the Community,
 5. Exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation,
 6. Exchange of letters on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State,
 7. Exchange of letters on Articles 34 and 53 of the Agreement.

The declarations and exchanges of letters listed above are annexed to this Final Act.

The Plenipotentiaries have agreed that the declarations and exchanges of letters shall be subjected, in the same manner as the Cooperation Agreement, to any procedures that may be necessary to ensure their validity.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne slutakt.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlußakte gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Final Act.

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.

وأما لذلك ، وقع المفوضون ني سباه هذا الاتفاق النهائي

Udfærdiget i Tunis, den femogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Tunis am fünfundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Tunis this twenty-fifth day of April in the year one thousand nine hundred and seventy-six.

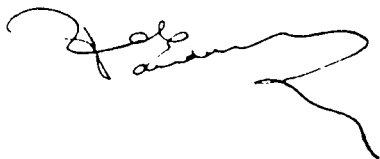
Fait à Tunis, le vingt-cinq avril mil neuf cent soixante-seize.

Fatto a Tunisi, addì venticinque aprile millenovecentosettantasei.

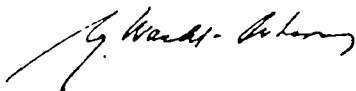
Gedaan te Tunis, de vijfentwintigste april negentienhonderd zesenzeventig.

حدر بتونس ، في الخامس والعشرين من شهر ابريل سنة الف وتسعمائة وستة وسبعين

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



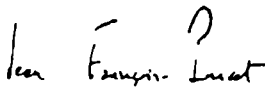
For Hendes Majestæt dronningen af Danmark




Für den Präsidenten der Bundesrepublik Deutschland



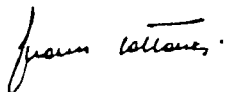
Pour le président de la République française



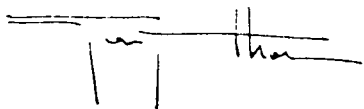
For the President of Ireland



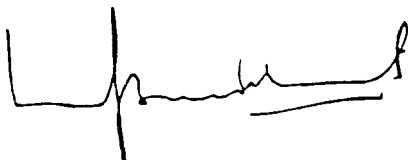
Per il presidente della Repubblica italiana

A handwritten signature in black ink, appearing to read "Juan Carlos I". The signature is written in a cursive style with a horizontal line above the name.

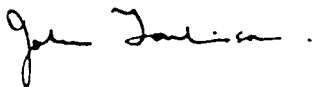
Pour Son Altesse Royale le grand-duc de Luxembourg

A handwritten signature in black ink, consisting of a horizontal line with several vertical strokes extending downwards from it, and a cursive flourish on the right side.

Voor Hare Majesteit de Koningin der Nederlanden

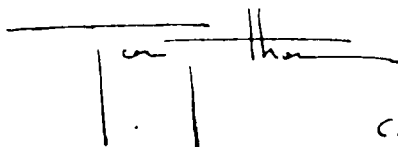
A handwritten signature in black ink, featuring a large, stylized initial 'L' followed by a cursive name and a horizontal line at the end.

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

A handwritten signature in black ink, appearing to read "John Taylor". The signature is written in a cursive style.

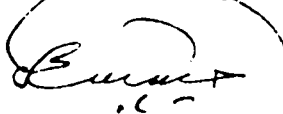
På Rådet for De europæiske Fællesskabers vegne
Im Namen des Rates der Europäischen Gemeinschaften
In the name of the Council of the European Communities
Au nom du Conseil des Communautés européennes
A nome del Consiglio delle Comunità europee
Namens de Raad van de Europese Gemeenschappen

باسم مجلس المجتمعات الأوروبية

A handwritten signature in black ink, appearing to be 'C. Chayron', written over a horizontal line. The signature is stylized and cursive.

C. Chayron

مجلس المجتمعات الأوروبية للتونسية

A second handwritten signature in black ink, identical to the one above, written over a horizontal line. The signature is stylized and cursive.

Joint Declaration by the Contracting Parties on Article 12 (1) of the Agreement

The Contracting Parties agree that, should the date of entry into force of the Agreement not coincide with the beginning of the calendar year, the ceilings referred to in Article 12 (1) of the Agreement will be applied *pro rata*.

Joint Declaration by the Contracting Parties on Article 15 of the Agreement

The Contracting Parties agree that, without prejudice to the implementation of the first subparagraph of Article 22 (2) of Regulation (EEC) No 1035/72, the products listed in Article 15 of the Agreement and set out in Annex III to that Regulation shall be admitted into the Community during the period for which the reductions in duty are applicable free of quantitative restrictions and measures having equivalent effect.

Furthermore, the Contracting Parties agree that, where reference is made in the Agreement to the provisions of Articles 23 to 28 of Regulation (EEC) No 1035/72, the Community is referring to the arrangements applicable to third countries at the time of importation of the products in question.

Joint Declaration by the Contracting Parties on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff

The Contracting Parties agree that if, in the light of the results of the Agreement and taking into account the trend of trade flows between the Community and the Mediterranean countries, the advantages accruing from the provisions of Article 15 in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs

Tariff are or are likely to be jeopardized by abnormal conditions of competition, the situation shall be examined within the Cooperation Council in order to identify the problems and seek appropriate solutions.

Joint Declaration by the Contracting Parties on Annex B concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff

The Contracting Parties agree that the additional amount, if any, to be applied for the 1977/78 marketing year could be maintained at its previous level should the exceptional situation, because of which the additional amount of 10 units of account per 100 kilograms was fixed for the period ending on 31 October 1977, still exist at that time.

Joint Declaration by the Contracting Parties on olive oil

The Contracting Parties agree to cooperate closely in order to identify any difficulties which might arise in respect of olive oil and to seek appropriate solutions.

To this end, the Contracting Parties will hold periodic consultations to follow the trend of the olive-oil market.

Joint Declaration by the Contracting Parties on wines entitled to a designation of origin

The Contracting Parties agree that as regards the wines entitled to a designation of origin referred to in Article 20 (2) of the Agreement, the results of the application of the provision in question will be examined annually.

Joint Declaration by the Contracting Parties on agricultural products

1. The Contracting Parties declare their readiness to foster, so far as their agricultural policies allow, the harmonious development of trade in agricultural products to which the Agreement does not apply.

As regards veterinary, health and plant health matters the Contracting Parties shall apply their rules in a non-discriminatory fashion and shall refrain from introducing any new measures that have the effect of unduly obstructing trade.

2. They shall examine within the Cooperation Council any difficulties that might arise in their trade in agricultural products and shall endeavour to seek appropriate solutions.

Joint Declaration by the Contracting Parties on the consultations provided for in Articles 13, 24, 27, 48 and 49 of the Agreement

For the implementation of the consultations provided for in Articles 13, 24, 27, 48 and 49 of the Agreement, the Community and Tunisia propose to lay down in the rules of procedure of the Cooperation Council suitable procedures in order to ensure appropriate consultations.

Joint Declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community

The Contracting Parties to the Agreement will consult when the provisions of the Agreement that relate to trade are presented and examined under GATT.

**Declaration by the Contracting Parties on the interpretation of the term
'Contracting Parties' as used in the Agreement**

The Contracting Parties agree to interpret the Agreement to the effect that the expression 'Contracting Parties' appearing therein means on the one hand the Community and the Member States, or either the Member States or the Community alone, and on the other hand the Republic of Tunisia. The meaning to be attributed to this expression in each case is to be deduced from the provisions in question of the Agreement and from the corresponding provisions of the Treaty establishing the Community.

**Declaration by the European Economic Community on the provisions of
Article 20 (2) of the Agreement**

Until such time as Tunisia has sufficient plant to bottle the wine entitled to a designation of origin referred to in Article 20 (2) the Community is willing to apply the abovementioned provisions for a period of two years to wine exported in bulk in respect of quantities corresponding to the future capacity of the plant under construction, up to a volume not exceeding 20 000 hectolitres in the first year and 10 000 hectolitres in the second year.

**Declaration by the European Economic Community on the regional
application of certain provisions of the Agreement**

The European Economic Community declares that the application of any measures it may take under Articles 35 and 36 of the Agreement, in accordance with the procedure and under the arrangements set out in Article 37, or under Article 38, may be limited to one of its regions by virtue of Community rules.

Declaration by the European Economic Community on the unit of account referred to in Article 2 of Protocol 1

The unit of account used to express the amounts specified in Article 2 of Protocol 1 is defined as the sum of the following amounts in the currencies of the Member States of the Community:

German mark	0·828
Pound sterling	0·0885
French franc	1·15
Italian lira	109
Dutch guilder	0·286
Belgian franc	3·66
Luxembourg franc	0·14
Danish krone	0·217
Irish pound	0·00759

The value of the unit of account in any given currency is equal to the sum of the equivalent in that currency of the amounts of currency referred to in the first paragraph. It is calculated by the Commission using daily market exchange rates.

The daily values of the unit of account in the various national currencies are made available every day and are published periodically in the *Official Journal of the European Communities*.

Declaration by the representative of the Federal Republic of Germany on the definition of German nationality

Every German person, within the meaning of the basic constitutional law applying in the Federal Republic of Germany, is considered as a national of the Federal Republic of Germany.

**Declaration by the representative of the Federal Republic of Germany on
the application of the Agreement to Berlin**

The Agreement shall also apply to Land Berlin provided that no statement to the contrary by the Government of the Federal Republic of Germany is addressed to the other Contracting Parties within three months of the entry into force of the Agreement.

Exchange of letters on scientific and technological cooperation and the protection of the environment

Tunis, 25 April 1976.

Sir,

Further to the wishes expressed by the Tunisian delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Tunisia, I have the honour to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Tunisia may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

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

(s.) Jean DURIEUX
*Head of the delegation
of the European Economic Community*

Tunis, 25 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'Further to the wishes expressed by the Tunisian delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Tunisia, I have the honour to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Tunisia may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Ismaïl KHELIL

Head of the Tunisian delegation

Exchange of letters on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff

Tunis, 25 April 1976.

Sir,

Tunisia considers that the advantages accruing from the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff should enable it to consolidate its competitive position on the Community market.

Should abnormal conditions of competition or market disturbances jeopardize these advantages the purpose of the examination provided for in the Joint Declaration on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff would be to seek solutions to enable Tunisia to maintain its competitive position in relation to other Community suppliers.

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

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

(s.) **Ismaïl KHELIL**

Head of the Tunisian delegation

Tunis, 25 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'Tunisia considers that the advantages accruing from the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff should enable it to consolidate its competitive position on the Community market.

Should abnormal conditions of competition or market disturbances jeopardize these advantages the purpose of the examination provided for in the Joint Declaration on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff would be to seek solutions to enable Tunisia to maintain its competitive position in relation to other Community suppliers.

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

I have the honour to acknowledge receipt of your letter. I confirm that in the sector in question the Community is resolved to make every effort to ensure the proper functioning of its organization of the market.

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Exchange of letters on Articles 15 and 49 of the Agreement

Tunis, 25 April 1976.

Sir,

Because of the importance of citrus fruits for the Tunisian economy, Tunisia considers that in the event of the Community being enlarged to include other Mediterranean countries there will be a re-examination, in accordance with Article 49 of the Agreement between the Community and the Republic of Tunisia, of the arrangements provided for in Article 15 of that Agreement in order to safeguard the advantages resulting from its implementation.

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

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

(s.) Ismaïl KHELIL

Head of the Tunisian delegation

Tunis, 25 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'Because of the importance of citrus fruits for the Tunisian economy, Tunisia considers that in the event of the Community being enlarged to include other Mediterranean countries there will be a re-examination, in accordance with Article 49 of the Agreement between the Community and the Republic of Tunisia, of the arrangements provided for in Article 15 of that Agreement in order to safeguard the advantages resulting from its implementation.

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

I have the honour to acknowledge receipt of your letter and to assure you that in the event of the accession of another State to the Community appropriate consultations will be held in the Cooperation Council in accordance with Article 49 (2) of the Agreement.

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Exchange of letters on Tunisian labour employed in the Community

Tunis, 25 April 1976.

Sir,

I have the honour to inform you on behalf of the Member States of the Community that the latter are ready to hold exchanges of views, in the context of talks to be arranged for that purpose, on Tunisian labour employed in the Community.

The purpose of these exchanges of views would be to examine the possibilities of making progress towards the attainment of equality of treatment for Community and non-Community workers and the members of their families in respect of living and working conditions, having regard to the Community provisions in force.

Such exchanges of views, which would not be concerned with matters covered by the Agreement, would deal in particular with social and cultural questions.

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

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Tunis, 25 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you on behalf of the Member States of the Community that the latter are ready to hold exchanges of views, in the context of talks to be arranged for that purpose, on Tunisian labour employed in the Community.

The purpose of these exchanges of views would be to examine the possibilities of making progress towards the attainment of equality of treatment for Community and non-Community workers and the members of their families in respect of living and working conditions, having regard to the Community provisions in force.

Such exchanges of views, which would not be concerned with matters covered by the Agreement, would deal in particular with social and cultural questions.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Ismaïl KHELIL

Head of the Tunisian delegation

Exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation

Tunis, 25 April 1976.

Sir,

I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your Government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement;
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Tunisia or, with Tunisia's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Tunis, 25 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your Government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement;
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Tunisia or, with Tunisia's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

I have the honour to acknowledge receipt of your letter.

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

Ismaïl KHELIL

Head of the Tunisian delegation

Exchange of letters on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State

Tunis, 25 April 1976.

Sir,

I have the honour to inform you that the Representatives of the Governments of the Member States of the European Economic Community have made the following declaration:

1. For those products originating in and coming from Tunisia which are not specified in Title II (Trade cooperation) of the Agreement between that country and the European Economic Community the Protocol on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State, annexed to the Treaty establishing the European Economic Community, shall remain applicable.
2. For the products specified in Title II, the application of the Protocol referred to in paragraph 1 shall be suspended for the duration of the Agreement and shall take effect again once the Agreement is no longer in force.
3. However, a derogation shall be made for certain products from the suspension referred to in paragraph 2 pending the review which is to take place in 1978 in accordance with Article 54.'

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

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Tunis, 25 April 1976.

Sir,

In your letter of today's date you inform me as follows:

- ' "1. For those products originating in and coming from Tunisia which are not specified in Title II (Trade cooperation) of the Agreement between that country and the European Economic Community the Protocol on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State, annexed to the Treaty establishing the European Economic Community, shall remain applicable.
2. For the products specified in Title II, the application of the Protocol referred to in paragraph 1 shall be suspended for the duration of the Agreement and shall take effect again once the Agreement is no longer in force.
3. However, a derogation shall be made for certain products from the suspension referred to in paragraph 2 pending the review which is to take place in 1978 in accordance with Article 54."

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Ismaïl KHELIL

Head of the Tunisian delegation

Exchange of letters on Articles 34 and 53 of the Agreement

Tunis, 25 April 1976.

Sir,

I have the honour to inform you of the following declaration by my Government on Articles 34 and 53 of the Agreement:

'The Republic of Tunisia hereby declares that in applying Articles 34 and 53 of the Agreement its undertakings do not require it to repeal laws and regulations in force in so far as they remain necessary for the protection of its essential security interests. Tunisia will see to it that such laws and regulations are applied in such a way as to ensure compliance with Article 50 (1) of the Agreement.'

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

(s.) Ismaïl KHELIL
Head of the Tunisian delegation

Tunis, 25 April 1976.

Sir,

In your letter of today's date you communicate to me a declaration by your Government on Articles 34 and 53 of the Agreement.

I have the honour to inform you of the following declaration by the European Economic Community on Articles 34 and 53 of the Agreement:

1. The European Economic Community notes the declaration by the Republic of Tunisia.
2. The European Economic Community expects the principles set out in the Agreement, including those in Articles 34 and 53 of the Agreement, to be put into full application.

The European Economic Community considers in particular that the application of the principle of non-discrimination should ensure the correct and smooth application of the Agreement.'

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning certain wines originating in Tunisia and entitled to a designation of origin ⁽¹⁾

COUNCIL REGULATION (EEC) No 2457/78

of 16 October 1978

concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning certain wines originating in Tunisia and entitled to a designation of origin

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia⁽²⁾ was signed on 25 April 1976;

Whereas the Interim Agreement ⁽³⁾ signed on the same day entered into force on 1 July 1976 with a view to the advance implementation of the trade provisions of the Cooperation Agreement;

(1) OJ No L 296, 21.10.1978.

(2) See page 1953 of this volume.

(3) This Agreement appears in Volume 6, page 423.

Whereas an Agreement should be approved in the form of an exchange of letters, referred to in Article 20 (2) of the Cooperation Agreement and Article 13 (2) of the Interim Agreement concerning the application of the arrangements provided for in the said Articles in respect of wine entitled to a designation of origin under Tunisian law and exempt from customs duties on importation into the Community within the limits of an annual Community tariff quota of 50 000 hectolitres,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning certain wines originating in Tunisia and entitled to a designation of origin is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

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

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

Done at Luxembourg, 16 October 1978.

For the Council
The President
K. von DOHNANYI

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning certain wines originating in Tunisia and entitled to a designation of origin

Letter No 1

Brussels,

Sir,

I have the honour to inform you that the necessary conditions have been fulfilled for the application, subject to observance of the reference prices, of the concession provided for in Article 20 (2) of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia signed on 25 April 1976 and in Article 13 (2) of the Interim Agreement, signed on the same date, with a view to the importation into the Community of wine which is entitled, under Tunisian law, to one of the designations of origin listed below and in respect of which you have requested implementation of the above provisions:

- Coteaux de Tebourba,
- Sidi-Salem,
- Kelibia,
- Thibar,
- Mornag,
- Grand cru Mornag.

By reason of the date of the entry into force of the latest provisions of the Tunisian legislation relating to the wine in question, the quota entitlement will be confined to wines produced from the 1977 harvest.

In addition, I am taking this opportunity to inform you that, for the purposes of application of the Community declarations on the provisions of the aforementioned Articles, wine in bulk must, in order to qualify for the arrangements in question, meet the following requirements:

- (a) the containers must be suitable for transporting wine and be used solely for that purpose;
- (b) the containers must be completely filled;
- (c) the means of closing the containers must be such that they cannot be tampered with and must ensure that no operations can take place during transportation or storage other than those carried out under the supervision of the authorities of either Tunisia or of the Member States of the Community;
- (d) each container must be labelled in such a way as to permit identification of the quality wine it contains;
- (e) the wine in question may be transported only in containers of a capacity not exceeding 25 hectolitres.

This Agreement in the form of an exchange of letters shall form an integral part of the Cooperation Agreement and of the Interim Agreement.

The Community will take all necessary steps to ensure that the above arrangements apply with effect from 1 November 1978.

I should be grateful if you would confirm the agreement of your Government to the foregoing.

Please accept, Your Excellency, the assurance of my highest consideration.

*For the Council of
the European Communities*

Letter No 2

Brussels,.....

Sir,

I have the honour to acknowledge receipt of your letter of today's date, in which you inform me as follows:

'I have the honour to inform you that the necessary conditions have been fulfilled for the application, subject to observance of the reference prices, of the concession provided for in Article 20 (2) of the Cooperation Agreement between the European Economic Community and the Republic of Tunisia signed on 25 April 1976 and in Article 13 (2) of the Interim Agreement, signed on the same date, with a view to the importation into the Community of wine which is entitled, under Tunisian law, to one of the designations of origin listed below and in respect of which you have requested implementation of the above provisions:

- Coteaux de Tebourba,
- Sidi-Salem,
- Kelibia,
- Thibar,
- Mornag,
- **Grand cru Mornag.**

By reason of the date of entry into force of the latest provisions of the Tunisian legislation relating to the wine in question, the quota entitlement will be confined to wines produced from the 1977 harvest.

In addition, I am taking this opportunity to inform you that, for the purposes of application of the Community declarations on the provisions of the aforementioned Articles, wine in bulk must, in order to qualify for the arrangements in question, meet the following requirements:

- (a) the containers must be suitable for transporting wine and be used solely for that purpose;
- (b) the containers must be completely filled;

- (c) the means of closing the containers must be such that they cannot be tampered with and must ensure that no operations can take place during transportation or storage other than those carried out under the supervision of the authorities of either Tunisia or of the Member States of the Community;
- (d) each container must be labelled in such a way as to permit identification of the quality wine it contains;
- (e) the wine in question may be transported only in containers of a capacity not exceeding 25 hectolitres.

This Agreement in the form of an exchange of letters shall form an integral part of the Cooperation Agreement and of the Interim Agreement.

The Community will take all necessary steps to ensure that the above arrangements apply with effect from 1 November 1978.

I should be grateful if you would confirm the agreement of your Government to the foregoing.'

I can confirm the agreement of my Government to the foregoing.

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

*For the Government of
the Republic of Tunisia*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November 1978 to 31 October 1979 ⁽¹⁾

COUNCIL REGULATION (EEC) No 2762/78

of 23 November 1978

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November 1978 to 31 October 1979

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia, signed on 25 April 1976, and to the Interim Agreement ⁽²⁾, which entered into force on

⁽¹⁾ OJ No L 332, 29.11.1978.

⁽²⁾ OJ No L 141, 28.5.1976.

1 July 1976 and whose term of validity was extended by the Agreement annexed to Regulation (EEC) No 1456/78 ⁽¹⁾, and in particular to Annex B to each of those Agreements,

Whereas it is necessary to approve the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Tunisia, for the period 1 November 1978 to 31 October 1979,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Tunisia, for the period 1 November 1978 to 31 October 1979, is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

(1) OJ No L 175, 29.6.1978.

Article 3

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

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

Done at Brussels, 23 November 1978.

For the Council

The President

J. ERTL

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November 1978 to 31 October 1979

Letter No 1

Sir,

Annex B to the Cooperation Agreement and Annex B to the Interim Agreement between the European Economic Community and the Republic of Tunisia stipulate that for untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff, the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement and Article 9 (1) (b) of the Interim Agreement is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annexes, the Community will take the necessary steps to maintain the additional amount at 10 units of account per 100 kilograms for the period 1 November 1978 to 31 October 1979.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

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

*On behalf of the Council of
the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Annex B to the Cooperation Agreement and Annex B to the Interim Agreement between the European Economic Community and the Republic of Tunisia stipulate that for untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff, the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement and Article 9 (1) (b) of the Interim Agreement is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annexes, the Community will take the necessary steps to maintain the additional amount at 10 units of account per 100 kilograms for the period 1 November 1978 to 31 October 1979.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing.

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

*For the Government of
the Republic of Tunisia*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia ⁽¹⁾

COUNCIL REGULATION (EEC) No 3144/78

of 18 December 1978

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia ⁽²⁾ was signed on 25 April 1976 and entered into force on 1 November 1978;

⁽¹⁾ OJ No L 373, 20.12.1978.

⁽²⁾ See page 1953 of this volume.

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 18 December 1978.

For the Council
The President

H.-D. GENSCHER

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia

Sir,

With a view to implementing the 55% reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the Republic of Tunisia, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1979 do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Office de Commerce de Tunisie' (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Tunisian Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

For the Tunisian Government

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

'With a view to implementing the 55% reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the Republic of Tunisia, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1979 do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the "Office de Commerce de Tunisie" (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Tunisian Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55% reduction in the Common Customs Tariff duties will apply from 1 January to 31 December 1979 to the quantities of preserved fruit salads originating in Tunisia referred to in your letter.

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

*On behalf of the Council
of the European Communities*

INFORMATION CONCERNING

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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— the AGREEMENT ⁽¹⁾ extending the Interim Agreement between the European Economic Community and the Republic of Tunisia ⁽²⁾

EEC	31.12.1977	—	1.1.1978	until 30.6.1978
TUNISIA				

— the AGREEMENT ⁽³⁾ extending the Interim Agreement between the European Economic Community and the Republic of Tunisia ⁽²⁾

EEC	30.6.1978	—	1.7.1978	until the entry into force of the Cooperation Agreement or until 31.12.1978, whichever is the earlier
TUNISIA				

⁽¹⁾ OJ No L 348, 30.12.1977.

⁽²⁾ This Agreement appears in Volume 6, page 423.

⁽³⁾ OJ No L 175, 29.6.1978.

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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— the COOPERATION AGREEMENT between the European Economic Community and the Republic of Tunisia (1)

EEC and Member States	25.4.1976	n. 28.9.1978	1.11.1978(2)	indefinite
TUNISIA				

— the AGREEMENT in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning certain wines originating in Tunisia and entitled to a designation of origin (3)

EEC	23.10.1978	—	23.10.1978	indefinite
TUNISIA				

— the AGREEMENT in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November 1978 to 31 October 1979 (4)

EEC	30.11.1978	—	30.11.1978	until 31.10.1979
TUNISIA				

— the AGREEMENT in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia ⁽¹⁾

EEC	30.12.1978	—	30.12.1978	until 31.12.1979
TUNISIA				

(1) OJ No L 265, 27.9.1978.

(2) OJ No L 295, 20.10.1978.

(3) OJ No L 296, 21.10.1978.

(4) OJ No L 332, 29.11.1978.

(5) OJ No L 373, 20.12.1978.

Agreements
between the EEC and the
Arab Republic of Egypt

AGREEMENT (1)

extending the Interim Agreement between the European Economic Community and the Arab Republic of Egypt (2)

COUNCIL REGULATION (EEC) No 1457/78

of 26 June 1978

on the conclusion of the Agreement extending the Interim Agreement between the European Economic Community and the Arab Republic of Egypt

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Interim Agreement between the European Economic Community and the Arab Republic of Egypt, signed in Brussels on 18 January 1977, expires not later than 30 June 1978;

Whereas, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt, signed in Brussels on the same day, it is necessary to extend the Interim Agreement,

(1) OJ No L 175, 29.6.1978.

(2) This Agreement appears in Volume 7, page 981.

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement extending the Interim Agreement between the European Economic Community and the Arab Republic of Egypt is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 26 June 1978.

For the Council
The President
K. B. ANDERSEN

AGREEMENT

extending the Interim Agreement between the European Economic Community and the Arab Republic of Egypt

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE PRESIDENT OF THE ARAB REPUBLIC OF EGYPT,

of the other part,

WHEREAS the Interim Agreement between the European Economic Community and the Arab Republic of Egypt, signed in Brussels on 18 January 1977, expires not later than 30 June 1978;

WHEREAS, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt, signed in Brussels on the same day, it is necessary to extend the Interim Agreement,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gunnar RIBERHOLDT,

Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Denmark,
Chairman of the Permanent Representatives Committee;

Klaus MEYER,

Director-General for Development, Commission of the European Communities;

THE PRESIDENT OF THE ARAB REPUBLIC OF EGYPT:

Mohamed Kamal Eldin KHALIL,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the Arab Republic of Egypt to the European
Communities;

WHO, having exchanged their full powers, found in good and due form, have agreed as follows:

Article 1

The date '30 June 1978' specified in the second subparagraph of Article 41 (2) of the Interim Agreement between the European Economic Community and the Arab Republic of Egypt is replaced by '31 December 1978'.

Article 2

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 3

This Agreement shall enter into force on 1 July 1978.

COOPERATION AGREEMENT

**between the European Economic Community and the Arab
Republic of Egypt ⁽¹⁾**

COUNCIL REGULATION (EEC) No 2213/78

of 26 September 1978

**concerning the conclusion of the Cooperation Agreement between the
European Economic Community and the Arab Republic of Egypt**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

**Having regard to the Treaty establishing the European Economic
Community, and in particular Article 238 thereof,**

Having regard to the recommendation from the Commission,

Having regard to the Opinion of the European Parliament ⁽²⁾,

**Whereas the Cooperation Agreement between the European Economic
Community and the Arab Republic of Egypt signed at Brussels on
18 January 1977 should be concluded,**

(1) OJ No L 266, 27.9.1978.

(2) OJ No C 133, 6.6.1977.

HAS ADOPTED THIS REGULATION:

Article 1

The Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council of the European Communities shall give the notification provided for in Article 51 of the Agreement.

Article 3

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

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

Done at Brussels, 26 September 1978.

For the Council
The President
J. ERTL

COOPERATION AGREEMENT

between the European Economic Community and the Arab Republic of
Egypt

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE ARAB REPUBLIC OF EGYPT,

of the other part,

PREAMBLE

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

RESOLVED to establish wide-ranging cooperation which will contribute to Egypt's economic and social development and help to strengthen relations between the Community and Egypt,

RESOLVED to promote, having regard to their respective levels of development, economic and trade cooperation between the Community and Egypt and to provide a sound basis therefor in conformity with their international obligations,

RESOLVED to establish a new model for relations between developed and developing States, compatible with the aspirations of the international community towards a more just and more balanced economic order,

NOTING that Article 17 of the Agreement signed in Brussels on 18 December 1972 provides for the conclusion on a wider basis of a new Agreement,

HAVE DECIDED to conclude this Agreement, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Renaat VAN ELSLANDE,
Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF DENMARK:

Jens CHRISTENSEN,
Ambassador,
Permanent Under-Secretary;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY

Hans-Dietrich GENSCHER,
Federal Minister for Foreign Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Louis de GUIRINGAUD,
Minister for Foreign Affairs;

THE PRESIDENT OF IRELAND:

Garret FITZGERALD,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Arnaldo FORLANI,
Minister for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Gaston THORN,
President and Minister for Foreign Affairs of the Government of the
Grand Duchy of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Max van der STOEL,
Minister for Foreign Affairs of the Kingdom of the Netherlands;

**HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND:**

Anthony CROSLAND, MP,
Secretary of State for Foreign and Commonwealth Affairs of the
United Kingdom of Great Britain and Northern Ireland;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Anthony CROSLAND, MP,
President-in-Office of the Council of the European Communities,
Secretary of State for Foreign and Commonwealth Affairs of the
United Kingdom of Great Britain and Northern Ireland;

Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE ARAB REPUBLIC OF EGYPT:

Zakareya Tawfik ABDEL-FATTAH,
Minister for Foreign Trade of the Arab Republic of Egypt.

Article 1

The object of this Agreement between the Community and Egypt is to promote overall cooperation between the Contracting Parties with a view to contributing to the economic and social development of Egypt and helping to strengthen relations between the Parties. To this end provisions and measures will be adopted and implemented in the fields of economic, technical and financial cooperation and of trade.

TITLE I

ECONOMIC, TECHNICAL AND FINANCIAL COOPERATION

Article 2

The Community and Egypt shall institute cooperation with the aim of contributing to Egypt's development by means of efforts complementary to those made by Egypt itself, and of strengthening existing economic links on as broad a basis as possible for the mutual benefit of the Parties.

Article 3

In order to achieve the cooperation referred to in Article 2, account shall be taken, in particular, of the following:

- the objectives and priorities of Egypt's development plans and programmes,
- the importance of schemes into which different operations are integrated,
- the importance of promoting regional cooperation between Egypt and other States.

Article 4

1. The purpose of cooperation between the Community and Egypt shall be to promote, in particular:

- participation by the Community in the efforts made by Egypt to develop its production and economic infrastructure in order to diversify its economic structure. Such participation should be connected, in particular, with the industrialization of Egypt and the modernization of its agriculture;
- the marketing and promotion of sales of products exported by Egypt;
- industrial cooperation aimed at boosting Egypt's industrial production through measures:
 - to encourage participation by the Community in the implementation of Egypt's industrial development programmes,
 - to foster the organization of contacts and meetings between Egyptian and Community industrial policy-makers, promoters and firms in order to promote the establishment of new relations in the industrial field in conformity with the objectives of the Agreement,
 - to facilitate the acquisition on favourable terms of patents and other industrial property by means of financing in conformity with Protocol I and/or by other appropriate arrangements with undertakings and institutions in the Community,
 - to permit the removal of non-tariff and non-quota barriers likely to impede access to either market;
- cooperation in the fields of science, technology and the protection of the environment;
- participation by Community operators in programmes for the exploration, production and processing of Egypt's resources and any

activities which would develop these resources on the spot, and the proper performance of cooperation and investment contracts concluded for this purpose between their operators:

- cooperation in the fisheries sector;
 - the encouragement of private investments which are in the mutual interest of both Parties;
 - exchange of information on the economic and financial situation, and on developments therein, as required for the proper functioning of the Agreement.
2. The Contracting Parties may decide on further areas of cooperation.

Article 5

1. The Cooperation Council shall periodically define the guidelines of cooperation for the purpose of attaining the aims set out in the Agreement.
2. The Cooperation Council shall be responsible for seeking ways and means of establishing cooperation in the areas defined in Article 4. To that end it is empowered to make decisions.

Article 6

The Community shall participate in the financing of any measures to promote Egypt's development under the conditions laid down in Protocol 1 on technical and financial cooperation, account being taken of the possibilities offered by triangular cooperation.

Article 7

The Contracting Parties shall facilitate the proper performance of cooperation and investment contracts which are of interest to both Parties and come within the framework of the Agreement.

TITLE II

TRADE COOPERATION

Article 8

In the field of trade, the object of this Agreement is to promote trade between the Contracting Parties, taking account of their respective levels of development and of the need to ensure a better balance in their trade, with a view to increasing the rate of growth of Egypt's trade and improving the conditions of access for its products to the Community market.

A. Industrial products

Article 9

Subject to the provisions of Articles 13, 14 and 16, customs duties and charges having equivalent effect on imports into the Community of products originating in Egypt other than those listed in Annex II to the Treaty establishing the European Economic Community, and other than those listed in Annex A, shall be abolished in accordance with the following timetable:

Timetable	Rate of reduction (%)
On the date of the entry into force of the Agreement	80
From 1 July 1977	100

Article 10

1. For each product, the basic duties to which the reductions provided for in Article 9 are to be applied are:

- for the Community as originally constituted: those duties actually applied in respect of Egypt on 1 January 1975 pursuant to the provisions of Annex I to the Agreement of 18 December 1972 between the Community and Egypt,
- for Denmark, Ireland and the United Kingdom: those duties actually applied in respect of Egypt on 1 January 1972.

2. The reduced duties calculated in accordance with Article 9 shall be applied, rounded off to the first decimal place.

However, subject to the application by the Community of Article 39 (5) of the Act concerning the conditions of accession and the adjustments to the Treaties of 22 January 1972, as regards the specific duties or the specific part of the mixed duties in the customs tariffs of Ireland and of the United Kingdom, Article 9 shall be applied, rounded off to the fourth decimal place.

Article 11

1. In the case of customs duties comprising a protective element and a fiscal element, Article 9 shall apply to the protective element.

2. The United Kingdom shall replace customs duties of a fiscal nature and the fiscal element of such duties by an internal tax, in accordance with Article 38 of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10.

Article 12

Quantitative restrictions on imports into the Community of products originating in Egypt other than those listed in Annex II to the Treaty

establishing the European Economic Community, and other than those listed in Annex B, shall be removed on the date of the entry into force of the Agreement, and measures having an effect equivalent to quantitative restrictions on imports shall be abolished on the date of the entry into force of the Agreement.

Article 13

The measures provided for in Article 1 of Protocol 7 to the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10 concerning imports of motor vehicles and the motor vehicle assembly industry in Ireland shall apply to Egypt.

Article 14

1. Imports of the following products shall be subject to annual ceilings above which the customs duties actually applied in respect of third countries may be reintroduced in accordance with paragraphs 2 to 6, the ceiling fixed for the year of the entry into force of the Agreement being indicated in each case.

CCT heading No	Description	Ceiling (tonnes)
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: A. Light oils: III. For other purposes B. Medium oils: III. For other purposes	

CCT heading No	Description	Ceiling (tonnes)
27.10 (cont'd)	C. Heavy oils: I. Gas oils: c) For other purposes II. Fuel oils: c) For other purposes C. III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27 d) For other purposes	
27.11	Petroleum gases and other gaseous hydrocarbons: A. Propane of a purity not less than 99 %: I. For use as power or heating fuel B. Other: I. Commercial propane and commercial butane: c) For other purposes	} 450 000
27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other	
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	
31.03	Mineral or chemical fertilizers, phosphatic	35 000
55.05	Cotton yarn, not put up for retail sale	7 000
55.09	Other woven fabrics of cotton	3 250

2. From the following year, the ceilings indicated in paragraph 1 shall be raised annually by 5%.

3. For the products falling within subheading 28.40 B II (phosphates, including polyphosphates, other than of ammonia) and Chapter 76

(aluminium) of the Common Customs Tariff, the Community reserves the right to introduce ceilings.

4. When a ceiling fixed for imports of a product covered by this Article is reached, the customs duties actually applied in respect of third countries may be reimposed on imports of the product in question until the end of the calendar year.

5. When imports into the Community of a product subject to ceilings reach 75% of the level fixed, the Community shall inform the Co-operation Council.

6. The ceilings provided for in this Article shall be abolished not later than 31 December 1979.

Article 15

1. The Community reserves the right to modify the arrangements applicable to the petroleum products falling within subheadings and heading Nos 27.10, 27.11 A and B I, 27.12, 27.13 B and 27.14 of the Common Customs Tariff:

- upon the adoption of a common definition of origin for petroleum products,
- upon the adoption of decisions under a common commercial policy, or
- upon the establishment of a common energy policy.

2. In that event the Community shall ensure that imports of these products will enjoy advantages equivalent to those provided for in this Agreement.

For the application of this paragraph consultations shall be held within the Co-operation Council at the request of the other Party.

3. Subject to paragraph 1, this Agreement shall not affect the non-tariff rules applied to imports of petroleum products.

Article 16

For goods resulting from the processing of agricultural products listed in Annex C, the reductions specified in Article 9 shall apply to the fixed component of the charge levied on imports of these products into the Community.

B. Agricultural products

Article 17

1. Customs duties on imports into the Community of the following products originating in Egypt shall be reduced by the rates indicated for each of them:

CCT heading No	Description	Rate of reduction (%)
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water: A. Crustaceans: ex IV. Shrimps and prawns: — Fresh or frozen	50
05.04	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof	80
07.01	Vegetables, fresh or chilled: A. Potatoes: II. New potatoes: ex a) From 1 January to 15 May — From 1 January to 31 March F. Leguminous vegetables, shelled or unshelled: II. Beans (of the species <i>Phaseolus</i>): ex a) From 1 October to 30 June: — From 1 November to 30 April	40 60

CCT heading No	Description	Rate of reduction (%)
07.01 (cont'd)	ex H. Onions, shallots and garlic: — Onions, From 1 February to 30 April — Garlic, From 1 February to 31 May M. Tomatoes: ex I. From 1 November to 14 May: — From 1 December to 31 March ex S. Sweet peppers: — From 15 November to 30 April	60 50 60 40
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: B. Other (than for sowing)	80
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mango-steens, fresh or dried, shelled or not: ex A. Dates: — Dried H. Other (mangoes, guavas, and mangosteens)	80 40
08.02	Citrus fruit, fresh or dried: ex A. Oranges: — Fresh ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Fresh ex C. Lemons: — Fresh: D. Grapefruit: ex E. Other — Limes	60 60 40 80 80
08.04	Grapes fresh or dried: A. Fresh: I. Table grapes: ex a) From 1 November to 14 July: — From 1 December to 30 April	60
ex 08.09	Other fruit, fresh: — Watermelons, from 1 April to 15 June	50
08.12	Fruit, dried, other than that falling within heading Nos 08.01, 08.02, 08.03, 08.04 and 08.05: E. Papaws	50
09.04	Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta'	80

CCT heading No	Description	Rate of reduction (%)
09.09	Seeds of anise, badian, fennel, coriander, cummin, caraway and juniper	80
12.03	Seeds, fruits and spores, of a kind used for sowing: E. Other (a)	50
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered: A. Pyrethrum (flowers, leaves, stems, peel and roots) B. Liquorice roots C. Tonquin beans ex D. Other: — Camomile, mint, cinchowa bark, quassia amara (wood and bark), calabar beans, cubeb powder, coca leaves, other wood, roots and bark; mosses, lichens and algae	80 80 80 80
12.08	Locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading	80
16.05	Crustaceans and molluscs, prepared or preserved: ex B. Other: — Shrimps and prawns	50
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard: A. Mango chutney	80

(a) This concession is solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

2. Paragraph 1 shall apply to fresh lemons of subheading 08.02 ex C of the Common Customs Tariff on condition that on the internal Community market the prices of lemons imported from Egypt are, after customs clearance and the deduction of import charges other than customs duties, not less than the reference price plus the incidence on that reference price of the customs duties actually applied in respect of third countries and a fixed amount of 1.20 units of account per 100 kilograms.

3. The import charges other than customs duties referred to in paragraph 2 shall be those to be used for the calculation of the entry prices referred to in Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables.

However, the Community shall be entitled to calculate the amount to be deducted in respect of the import charges other than customs duties referred to in paragraph 2 in such a way, according to origin, as to avoid difficulties which may arise from the incidence of those charges on entry prices.

Articles 23 to 28 of Regulation (EEC) No 1035/72 shall continue to apply.

4. By way of derogation from paragraph 1, Denmark, Ireland and the United Kingdom shall be authorized to apply, until 1 January 1978, to imports of fresh oranges of subheading 08.02 ex A of the Common Customs Tariff and of fresh mandarins (including tangerines and satsumas), clementines, wilkings and other similar citrus hybrids of subheading 08.02 ex B of the Common Customs Tariff, duties which may not be lower than those set out in Annex D.

Article 18

Customs duties on imports into the Community of the following products originating in Egypt shall be applied at the following rates:

CCT heading No	Description	Rate of duty (%)
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared:	
	A. Onions	15
	ex B. Other:	
	— Garlic	14

Article 19

1. The Community shall take all necessary measures to ensure that the levy on imports into the Community of rice falling within heading No 10.06 of the Common Customs Tariff and originating in Egypt is the import levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 on the common organization of the market in rice, less an amount calculated in accordance with paragraph 3.

2. The provisions of paragraph 1 shall apply to an annual quantity not exceeding 32 000 tonnes, provided that Egypt levies a special charge on exports of the products referred to in that paragraph and provided also that this special charge which is equal to the amount by which the levy is reduced is reflected in the import price into the Community.

3. The amount by which the levy is reduced shall be fixed each quarter by the Community. It shall be equal to 25% of the average level of levies applicable during a reference period. This reference period and the rules for applying this Article shall be fixed in an exchange of letters between the Contracting Parties.

4. Consultations on the functioning of the system provided for in this Article may be held in the Cooperation Council.

Article 20

1. The Community shall take all necessary measures to ensure that the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals falling within subheading 23.02 A of the Common Customs Tariff and originating in Egypt, is the import levy calculated in accordance with Article 2 of Regulation (EEC) No 2744/75 on the import and export

system for products processed from cereals and from rice, less a fixed amount equivalent to 60% of the variable component of the levy.

2. The provisions of paragraph 1 shall apply provided that Egypt levies on exports of the products referred to therein a special charge equal to the amount by which the levy is reduced and that this charge is reflected in the Community import price.

3. Detailed rules for the application of this Article shall be laid down in an exchange of letters between the Community and Egypt.

4. Consultations on the functioning of the system provided for in this Article shall take place within the Cooperation Council at the request of either Contracting Party.

Article 21

1. The rates of reduction specified in Article 17 shall apply to the customs duties actually applied in respect of third countries.

2. However, the duties resulting from the reductions made by Denmark, Ireland and the United Kingdom may in no case be lower than those applied by the said countries to the Community as originally constituted.

3. In derogation from paragraph 1, should the application thereof temporarily result in tariff movements away from alignment on the final duty, Denmark, Ireland and the United Kingdom may maintain their duties until the level of these duties has been reached on the occasion of a subsequent alignment, or they may apply the duty resulting from a subsequent alignment as soon as a tariff movement reaches or passes the said level.

4. The reduced duties calculated in accordance with Article 17 shall be applied, rounded off to the first decimal place.

However, subject to the application by the Community of Article 39 (5) of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10, as regards the specific duties or the specific part of the mixed duties in the Customs Tariffs of Ireland and of the United Kingdom, the reduced duties shall be applied, rounded off to the fourth decimal place.

5. The levy to which the new Member States shall apply the reduction provided for in Article 19 shall be the levy actually applied in respect of third countries.

6. In the new Member States the variable component of the levy referred to in Article 19 shall be calculated taking into account the rates actually applied in respect of third countries.

Article 22

1. Should specific rules be introduced as a result of the implementation of its agricultural policy or modification of the existing rules, or should the provisions on the implementation of its agricultural policy be modified or developed, the Community may modify the arrangements laid down in the Agreement in respect of the products concerned.

In such cases the Community shall take appropriate account of Egypt's interests.

2. If the Community, in applying paragraph 1, modifies the arrangements made by this Agreement for products covered by Annex II to the Treaty establishing the European Economic Community, it shall accord imports originating in Egypt an advantage comparable to that provided for in this Agreement.

3. The application of this Article may be the subject of consultations in the Cooperation Council.

C. Common provisions

Article 23

1. The products originating in Egypt referred to in this Agreement may not enjoy more favourable treatment when imported into the Community than that applied by the Member States between themselves.
2. For the application of paragraph 1, account shall not be taken of the customs duties and charges having equivalent effect resulting from the application of Articles 32, 36 and 59 of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10.

Article 24

1. Subject to the special provisions relating to frontier-zone trade, Egypt shall grant the Community treatment, in the field of trade, no less favourable than most-favoured-nation treatment.
2. Paragraph 1 shall not apply in the case of the maintenance or establishment of customs unions or free-trade areas.
3. Furthermore, Egypt may derogate from the provisions of paragraph 1 in the case of measures adopted with a view to regional economic integration or measures benefiting the developing countries. The Community shall be notified of such measures.

Article 25

1. The Contracting Parties shall inform each other on the occasion of the signing of this Agreement of the provisions they apply under their trade arrangements.
2. Egypt shall be entitled to introduce into its trade arrangements with the Community new customs duties or charges having equivalent

effect and new quantitative restrictions or measures having equivalent effect and to increase the duties and the quantitative restrictions or charges or measures having equivalent effect applied to products originating in or going to the Community, where such measures are necessitated by Egypt's industrialization and development requirements. The Community shall be notified of such measures.

For the application of these measures consultations shall be held within the Cooperation Council at the request of the other Contracting Party.

Article 26

Where Egypt applies quantitative restrictions in the form of quotas or currency allocations to a given product in accordance with its own legislation it shall treat the Community as a single entity.

Article 27

On the occasion of the reviews provided for in Article 46 of the Agreement, the Contracting Parties shall seek opportunities to make progress towards the removal of obstacles to trade, while having regard to Egypt's essential development requirements.

Article 28

For the purposes of implementing this Title, Protocol 2 to this Agreement shall determine the rules of origin.

Article 29

In the event of modifications to the nomenclature of the customs tariffs of the Contracting Parties affecting products referred to in this Agreement, the Cooperation Council may adapt the tariff nomenclature of these products to conform with such modifications.

Article 30

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed upon them.

Article 31

Payments relating to commercial transactions carried out in accordance with foreign trade and exchange regulations and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Egypt shall be free from any restrictions.

Article 32

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of the health and life of humans, animals or plants; the protection of national treasures of artistic, historical or archaeological value; the protection of industrial and commercial property, or rules relating to gold or silver. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 33

1. If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the Agreement on implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 35.

2. In the event of measures being directed against bounties or subsidies, the Contracting Parties undertake to respect the provisions of Article VI of the General Agreement on Tariffs and Trade.

Article 34

If serious disturbances arise in any sector of the economy or if difficulties arise which might bring about a serious deterioration in the economic situation of a region, the Contracting Party concerned may take the necessary safeguard measures under the conditions and in accordance with the procedures laid down in Article 35.

Article 35

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Article 34 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 33 and 34, before taking the measures provided for therein, or as soon as possible in cases to which paragraph 3 (b) applies, the Contracting Party in question shall supply the Co-operation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. Such measures must not exceed the limits of what is strictly necessary to counteract the difficulties which have arisen.

The Cooperation Council shall be notified immediately of any safeguard measures, and these shall be the subject of periodic consultations within the Cooperation Council particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

- (a) as regards Articles 33 and 34, consultation in the Cooperation Council shall take place before the Contracting Party concerned takes the appropriate measures;
- (b) where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 33 and 34, apply forthwith such precautionary measures as are strictly necessary to remedy the situation.

Article 36

Where one or more Member States of the Community or Egypt is in serious difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. The other Contracting Party shall be notified of them immediately and they shall be the subject of periodic consultations within the Cooperation Council particularly with a view to their abolition as soon as circumstances permit.

TITLE III

GENERAL AND FINAL PROVISIONS

Article 37

1. A Cooperation Council is hereby established which, for the purpose of attaining the objectives set out in the Agreement, shall have the power to take decisions in the cases provided for in the Agreement.

The decisions taken shall be binding on the Contracting Parties, which shall take such measures as are required to implement them.

2. The Cooperation Council may also formulate any resolutions, recommendations or opinions which it considers desirable for the attainment of the common objectives and the smooth functioning of the Agreement.
3. The Cooperation Council shall adopt its rules of procedure.

Article 38

1. The Cooperation Council shall be composed, on the one hand, of representatives of the Community and of its Member States and, on the other of, representatives of Egypt.
2. The Cooperation Council shall act by mutual agreement between the Community on the one hand and Egypt on the other.

Article 39

1. The office of President of the Cooperation Council shall be held alternately by the Contracting Parties, in accordance with the modalities to be laid down in the rules of procedure.
2. Meetings of the Cooperation Council shall be called once a year by its President.

The Cooperation Council shall in addition, meet whenever necessary, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

Article 40

1. The Cooperation Council may decide to set up any committee that can assist it in carrying out its duties.
2. In its rules of procedure, the Cooperation Council shall determine the composition and duties of such committees and how they shall function.

Article 41

The Cooperation Council shall take any appropriate measures to facilitate the necessary cooperation and contacts between the European Parliament and the representatives of the People's Assembly of Egypt.

Article 42

Either Contracting Party shall, if so requested by the other Contracting Party, provide all relevant information on any agreements it concludes involving tariff or trade provisions, and on any amendments to its customs tariff or external trade arrangements.

Where such amendments or agreements have a direct and particular effect on the functioning of the Agreement, appropriate consultations shall be held within the Cooperation Council at the request of the other Contracting Party so that the interests of the Contracting Parties may be taken into consideration.

Article 43

1. The Contracting Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall ensure that the objectives set out in the Agreement are attained.
2. If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures. Before so doing, it shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. The Cooperation Council

shall be notified immediately of such measures, which shall be the subject of consultations within the Cooperation Council if the other Contracting Party so requests.

Article 44

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its security in time of war or serious international tension.

Article 45

In the fields covered by the Agreement:

- the arrangements applied by Egypt in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms,
- the arrangements applied by the Community in respect of Egypt shall not give rise to any discrimination between Egyptian nationals, companies, or firms.

Article 46

The Contracting Parties shall, in accordance with the procedure adopted for the negotiation of the Agreement itself, in the first place from the

beginning of 1979 and again from the beginning of 1984, review the results of the Agreement and any improvements which could be made by either side as from 1 January 1980 and 1 January 1985, on the basis of the experience gained during the functioning of the Agreement and of the objectives defined therein.

Article 47

Protocols 1 and 2 and Annexes A, B, C and D shall form an integral part of the Agreement. The declarations and exchanges of letters shall appear in the Final Act, which shall form an integral part of the Agreement.

Article 48

Either Contracting Party may denounce this Agreement by notifying the other Contracting Party. The Agreement shall cease to apply 12 months after the date of such notification.

Article 49

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Economic Community applies under the conditions laid down in that Treaty and, on the other, to the territories of the Arab Republic of Egypt.

Article 50

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 51

This Agreement will be approved by the Contracting Parties in accordance with their own procedures.

This Agreement shall enter into force on the first day of the second month following notification that the procedures referred to in the first paragraph have been completed.

The Agreement of 18 December 1972 between the European Economic Community and the Arab Republic of Egypt shall cease to apply on the same date.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

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.

وأشانا لما تقدم ، ومع السيد هون الفورون نوجههم اسفل هذا الاتفاق .

Udfærdiget i Bruxelles, den attende januar nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtzehnten Januar neunzehnhundertsiebundsiebzig.

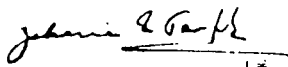
Done at Brussels on the eighteenth day of January in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le dix-huit janvier mil neuf cent soixante-dix-sept.

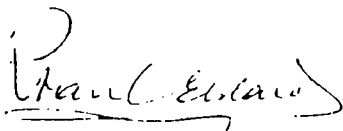
Fatto a Bruxelles, addì diciotto gennaio millenovecentosettantasette.

Gedaan te Brussel, de achttiende januari negentienhonderd zevenenzeventig.

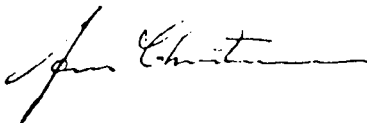
حرر في بروكسل في اليوم الثامن عشر من يناير سنة ألف وتسعمائة


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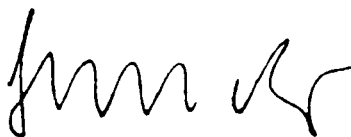
Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen



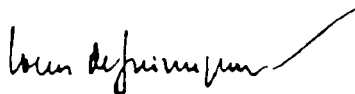
For Hendes Majestæt dronningen af Danmark



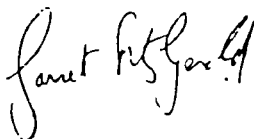
Für den Präsidenten der Bundesrepublik Deutschland



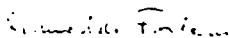
Pour le président de la République française



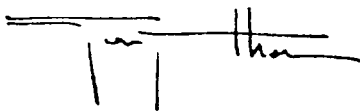
For the President of Ireland



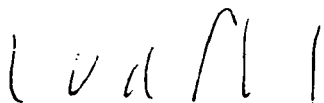
Per il presidente della Repubblica italiana



Pour Son Altesse Royale le grand-duc de Luxembourg



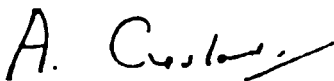
Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland



For Rådet for De europæiske Fællesskaber,
Für den Rat der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità europee,
Voor de Raad van de Europese Gemeenschappen,



C. Cheyrou
من رئيس مجموعة من الخبراء
Johanna & Paul

ANNEX A

relating to the products referred to in Article 9 excluded from the Agreement

CCT heading No	Description
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel: A. Lactose and lactose syrup: I. Containing, in the dry state, 99 % or more by weight of the pure product B. Glucose and glucose syrup: I. Containing, in the dry state, 99 % or more by weight of the pure product
22.03	Beer made from malt
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages: B. Compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages C. Spirituous beverages
35.01	Casein, caseinates and other casein derivatives; casein glues: A. Casein C. Other
35.02	Albumins, albuminates and other albumin derivatives: A. Albumins: II. Other: a) Ovalbumin and lactalbumin

ANNEX B

Products to which the provisions of Article 12 do not apply

CCT heading No	Description
55.07	Cotton gauze
55.08	Terry towelling and similar terry fabrics of, cotton
55.09	Other woven fabrics of cotton
58.02	Other carpets, carpeting, rugs, mats and matting and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not): A. Carpets, carpeting, rugs, mats and matting: ex II. Other: — Of cotton
ex 58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05): — Of cotton
ex 58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06: — Of cotton
ex 58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain: — Of cotton
ex 58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs: — Of cotton
ex 58.10	Embroidery, in the piece, in strips or in motifs: — Of cotton
ex 59.01	Wadding and articles of wadding; textile flock and dust and mill neps: — Of cotton
ex 59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads: — Of cotton
60.01	Knitted or crocheted fabrics, not elastic or rubberized: ex C. Of other textile materials: — Of cotton
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized: — Of cotton

CCT heading No	Description
60.04	Under garments, knitted or crocheted, not elastic or rubberized: A. Of cotton
ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: — Of cotton
ex 60.06	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings): —Of cotton
ex 61.01	Men's and boys' outer garments: — Of cotton
ex 61.02	Women's, girls' and infants' outer garments: — Of cotton
ex 61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs: — Of cotton
ex 61.04	Women's, girls' and infants' under garments: — Of cotton
61.05	Handkerchiefs: A. Of cotton fabric, of a value of more than 15 u.a. per kg net weight
	ex B. Other: — Of cotton
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like: — Of cotton
ex 61.07	Ties, bow ties and cravats: — Of cotton
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments: — Of cotton
ex 61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic: — Of cotton
ex 61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods: — Of cotton
ex 61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets): — Of cotton

CCT heading No	Description
62.01	Travelling rugs and blankets: B. Other: I. Of cotton
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: — Of cotton
62.03	Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: ex II. Other: — Of cotton
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods: A. Of cotton
62.05	Other made up textile articles (including dress patterns): ex B. Floor cloths, dish cloths, dusters and the like: — Of cotton fabric

ANNEX C

relating to the products referred to in Article 16

CCT heading No	Description
ex 17.04	Sugar confectionery, not containing cocoa, but not including liquorice extract containing more than 10% by weight of sucrose but not containing other added substances
18.06	Chocolate and other food preparations containing cocoa
19.01	Malt extract
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa
19.03	Macaroni, spaghetti and similar products
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
ex 21.01	Roasted chicory and other roasted coffee substitutes; extracts, essences and concentrates thereof: — Excluding roasted chicory and extracts thereof
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: II. Bakers' yeast
ex 21.07	Food preparations not elsewhere specified or included, containing sugar, dairy products, cereals or products based on cereals (1)
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07: — Containing milk or milk fats

(1) This heading covers only products which, on importation into the Community, are subject to the duty laid down in the Common Customs Tariff, comprising an *ad valorem* duty constituting the fixed component and a variable component.

CCT heading No	Description
29.04	<p>Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>C. Polyhydric alcohols:</p> <p> II. Mannitol</p> <p> III. Sorbitol</p>
35.05	<p>Dextrins and dextrin glues; soluble or roasted starches; starch glues</p>
38.12	<p>Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:</p> <p>A. Prepared glazings and prepared dressings:</p> <p> I. With a basis of amylaceous substances</p>
39.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:</p> <p>T. Sorbitol, other than that falling within subheading 29.04 C III</p>

ANNEX D

Minimum residual duties which may be applied under the terms of Article 17 (4)

I. DENMARK

Danish Customs Tariff heading No	Description	Rate of duty
1	2	3
08.02	Citrus fruit, fresh or dried: A. Oranges: I. Sweet oranges, fresh: a) From 1 to 30 April b) From 1 to 15 May c) From 16 May to 15 October d) From 16 October to 31 March II. Other: ex a) From 1 April to 15 October: — Fresh ex b) From 16 October to 31 March: — Fresh ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Fresh	2.6% 1.2% 0.8% 4% 3% 4% 4%

II. IRELAND

Irish Customs Tariff heading No	Description	Rate of duty
1	2	3
08.02	Citrus fruit, fresh or dried: A. Oranges: I. Sweet oranges, fresh: a) From 1 to 30 April b) From 1 to 15 May c) From 16 May to 15 October d) From 16 October to 31 March	2.6% 1.2% 0.8% 4%

Irish Customs Tariff heading No	Description	Rate of duty
1	2	3
08.02 (cont'd)	II. Other: a) From 1 April to 15 October: I. Fresh b) From 16 October to 31 March: I. Fresh B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: I. Fresh	 3% 4% 4%

III. UNITED KINGDOM

United Kingdom Customs Tariff heading No	Description	Rate of duty
1	2	3
08.02	Citrus fruit, fresh or dried: A. Oranges: I. Sweet oranges, fresh: a) From 1 to 30 April b) From 1 to 15 May c) From 16 May to 15 October	 2.6% with a minimum charge of £0.0688/ 100 kg 1.2% with a minimum charge of £0.0688/ 100 kg 0.8% with a minimum charge of £0.0688/ 100 kg

United Kingdom Customs Tariff heading No	Description	Rate of duty
1	2	3
08.02 (cont'd)	<p>d) From 16 October to 31 March:</p> <p>1. From 16 October to 30 November</p> <p>2. From 1 December to 31 March</p> <p>II. Other:</p> <p>a) From 1 April to 15 October:</p> <p>1. Fresh</p> <p>b) From 16 October to 31 March:</p> <p>1. Fresh:</p> <p>aa) From 16 October to 30 November</p> <p>bb) From 1 December to 31 March</p> <p>B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids:</p> <p>1. Fresh:</p> <p>a) From 1 April to 30 November</p> <p>b) From 1 December to 31 March</p>	<p>4% with a minimum charge of £0.0688/ 100 kg 4.4%</p> <p>3% with a minimum charge of £0.0688/ 100 kg</p> <p>4% with a minimum charge of £0.0688/ 100 kg 4.4%</p> <p>4% with a minimum charge of £0.0688/ 100 kg 4.4%</p>

PROTOCOL 1
on technical and financial cooperation

Article 1

The Community shall participate, within the framework of financial and technical cooperation, in the financing of measures such as will contribute to Egypt's economic and social development.

Article 2

1. For the purposes specified in Article 1, and for a period expiring on 31 October 1981, a total amount of 170 million European units of account may be committed as follows:

- (a) 93 million European units of account in the form of loans from the European Investment Bank, hereinafter called 'the Bank', granted from its own resources on the terms set out in its Statute;
- (b) 14 million European units of account in the form of loans on special terms;
- (c) 63 million European units of account in the form of grants.

Provision may be made for contributions to risk capital formation, to be charged against the amounts shown in (b).

2. The loans referred to in paragraph 1 (a) shall generally be combined with interest rate subsidies of up to 2% financed by means of the funds: shown in paragraph 1 (c).

Article 3

1. The total amount fixed in Article 2 shall be used for the financing or part-financing of:

- capital projects in the fields of production and economic infrastructure, aimed in particular at diversifying Egypt's economic structure and, especially, at promoting its industrialization and modernizing its agriculture;
- technical cooperation as a preliminary or complement to capital projects drawn up by Egypt;
- technical cooperation in the field of training.

2. Community aids shall be used to cover costs necessarily incurred in carrying out approved projects or measures. They may not be used to cover current administrative, maintenance or operational expenditure.

Article 4

The conditions of financing or part-financing of the projects and schemes mentioned in Article 3 shall be determined, taking into account the provisions of Articles 2 and 6, according to the nature and particular characteristics of each project or scheme.

Article 5

1. The amounts to be committed each year for each of the various forms of aid shall be distributed as evenly as possible throughout the period of application of this Protocol. During the initial period of application, however, a proportionately higher amount may, within reasonable limits, be committed.

2. Any funds not committed by the end of the period referred to in Article 2 (1) shall be used, until exhausted, in accordance with the same arrangements as provided for in this Protocol.

Article 6

1. Loans granted by the Bank from its own resources shall be subject to terms as to duration established on the basis of the economic and financial characteristics of the projects for which such loans are intended. The interest rate shall be that applied by the Bank at the time of the signing of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).
2. Loans on special terms shall be granted for 40 years with an amortization period of 10 years. The interest rate shall be fixed at 1%.
3. The loans may be granted through the intermediary of the State or appropriate Egyptian bodies, on condition that they onlend the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Egypt, take the form of co-financing in which, in particular, credit and development bodies and institutions of Egypt, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation:

- (a) in general:
 - the Egyptian State;
- (b) with the agreement of the Egyptian State, for projects or measures approved by it:
 - Egyptian official development agencies,
 - private agencies working in Egypt for economic and social development,

- undertakings carrying on their activities in accordance with industrial and business management methods and set up as companies or firms under Egyptian law,
- groups of producers who are nationals of Egypt and exceptionally, where no such groups exist, the producers themselves,
- scholarship holders and trainees sent by Egypt under the training schemes referred to in Article 3.

Article 9

1. Upon the entry into force of the Agreement the Community and Egypt shall establish by mutual agreement the specific objectives of financial and technical cooperation, by reference to the priorities set by Egypt's development plan.

These objectives may be reviewed by mutual agreement to take account of changes in Egypt's economic situation or in the objectives and priorities set by its development plan.

2. Within the framework established pursuant to paragraph 1, financial and technical cooperation shall apply to projects and measures drawn up by Egypt or by other beneficiaries approved by that country.

Article 10

1. For each request for financial aid under this Protocol, a dossier shall be submitted to the Community by the beneficiary referred to in Article 8 (a) or, with Egypt's agreement, by those referred to in Article 8 (b).

2. The Community shall appraise the requests for financing in collaboration with the Egyptian State and the beneficiaries, in accordance with the objectives set out in Article 9 (1), and shall inform them of the decisions taken on such requests.

Article 11

The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Egypt or the other beneficiaries referred to in Article 8 of this Protocol.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

Article 12

1. As regards projects and measures financed by the Community, participation in tendering procedures and other procedures for the award of contracts shall be open, on equal terms, to all natural or legal persons of the Member States and of Egypt.

2. To promote participation by Egyptian undertakings in the performance of works contracts, an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used at the proposal of the relevant Community body where the works in question, because of their scale, are mainly of interest to Egyptian undertakings.

This accelerated procedure may be used for invitations to tender the value of which is estimated at less than one million European units of account.

3. Participation by other countries in contracts financed by the Community may be decided by mutual agreement in exceptional cases.

Participation by third countries may also be decided on, in the same circumstances, where the Community participates in the financing of schemes together with other sources of funds.

Article 13

Under its national law in force, Egypt shall apply to contracts awarded for the execution of projects or measures financed by the Community fiscal and customs arrangements as favourable as those applied in respect of other international organizations.

Article 14

Where a loan is accorded to a beneficiary other than the Egyptian State, the provision of a guarantee by the latter or of other adequate guarantees may be required by the Community as a condition of the grant of the loan.

Article 15

Throughout the duration of the loans accorded pursuant to this Protocol, Egypt shall undertake to make available to debtors enjoying such loans the foreign currency necessary for the payment of interest and commission and the repayment of principal.

Article 16

The results of financial and technical cooperation shall be examined annually by the Cooperation Council. The latter shall define, where appropriate, the general guidelines of such cooperation.

PROTOCOL 2

concerning the definition of the concept of 'originating products' and methods of administrative cooperation

TITLE I

Definition of the concept of 'originating products'

Article 1

For the purpose of implementing the Agreement, provided that they were transported directly within the meaning of Article 5, the following products shall be considered as:

1. products originating in Egypt:
 - (a) products wholly obtained in Egypt,
 - (b) products obtained in Egypt, in the manufacture of which products other than those wholly obtained in Egypt are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in the Community;
2. products originating in the Community:
 - (a) products wholly obtained in the Community,
 - (b) products obtained in the Community, in the manufacture of which products other than those wholly obtained in the Community are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not apply, however, to products which, within the meaning of this Protocol, originate in Egypt.

The products in List C in Annex IV shall be temporarily excluded from the scope of this Protocol.

Article 2

The following shall be considered as 'wholly obtained' either in Egypt or in the Community, within the meaning of Article 1 (1) (a) and (2) (a):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there, fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing the provisions of Article 1 (1) (b) and (2) (b), the following shall be considered as sufficient working or processing:

- (a) working or processing as a result of which the goods obtained receive classification under a heading other than that covering each of the products worked or processed, except, however, working or processing specified in List A in Annex II, where the special provisions of that list apply;
- (b) working or processing specified in List B in Annex III.

'Sections', 'chapters' and 'headings' shall mean the sections, chapters and headings in the Brussels Nomenclature for the classification of goods in customs tariffs.

2. When for a given product obtained, a percentage rule limits in Lists A and B the value of the materials and parts which can be used, the total value of these materials and parts, whether or not they have changed heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purposes of implementing Article 1 (1) (b) and (2) (b), the following shall always be considered as insufficient working or processing to confer the status of originating product, whether or not there is a change of heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up;
- (c) (i) changes of packaging and breaking up and assembly of consignments,
(ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packaging operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in this Protocol to enable them to be considered as originating;

- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where Lists A and B referred to in Article 3 provide that goods obtained in Egypt or in the Community shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for determining such a percentage shall be:

— on the one hand:

as regards products the importation of which can be proved: their customs value at the time of importation,

as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the Contracting Party where manufacture takes place;

— and on the other hand:

the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

1. For the purpose of implementing Article 1, originating products the transport of which is effected without their entering into territory other than that of the Contracting Parties are considered as transported directly from Egypt to the Community or from the Community to Egypt. However, goods originating in Egypt or in the Community and constituting one single consignment which is not split up may be transported through territories other than those of the Contracting Parties with, should the occasion arise, transshipment or temporary warehousing in such territories, provided that the crossing of the latter territories is justified for geographical reasons, that the goods have remained under

the surveillance of the customs authorities in the countries of transit or warehousing, that they have not been put on the markets of such countries or been released for home use there and have not undergone operations other than unloading, reloading or any operation designed to maintain them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community or in Egypt by the production of:

- (a) a through bill of lading issued in the exporting country covering the passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
 - giving an exact description of the goods,
 - stating the dates of unloading and reloading of the goods or of their embarkation or disembarkation, identifying the ships used,
 - certifying the conditions under which the goods remained in the transit country;
- (c) or failing these, any substantiating documents.

TITLE II

Arrangements for administrative cooperation

Article 6

1. Evidence of the originating status of products, within the meaning of this Protocol, is given by a movement certificate EUR. 1, a specimen of which is given in Annex V to this Protocol.

However, evidence of the originating status of products, within the meaning of this Protocol, which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per

consignment, may be given by a form EUR. 2, a specimen of which is given in Annex VI to this Protocol.

The unit of account (u.a.) has a value of 0.88867088 gram of fine gold. Should the unit of account be changed, the Contracting Parties shall make contact with each other at the level of the Cooperation Council to redefine the value in terms of gold.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced are regarded as one with the piece of equipment, machine apparatus or vehicle in question.

Article 7

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after the exportation of the goods to which it relates if it was not issued at the time of exportation because of errors, involuntary omissions or special circumstances. In this case, the certificate shall bear a special reference to the conditions in which it was issued.

3. A movement certificate EUR. 1 shall be issued only where application has been made in writing by the exporter. Such application shall be made on a form, a specimen of which is given in Annex V to this Protocol, which shall be completed in accordance with this Protocol.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Agreement.

5. Applications for movement certificates EUR. 1 must be preserved for at least two years by the customs authorities of the exporting State.

Article 8

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State, if the goods can be considered 'originating products' within the meaning of this Protocol.

2. For the purpose of verifying whether the conditions stated in paragraph 1 have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

3. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are duly completed. In particular, they shall check whether the space reserved for the description of the goods has been completed in such a manner as to exclude all possibility of fraudulent additions. To this end, the description of the goods must be indicated without leaving any blank lines. Where the space is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

4. The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

Article 9

Movement certificates EUR. 1 shall be made out on the form of which a specimen is given in Annex V to this Protocol. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 × 297 mm. A tolerance of up to plus 8 mm or minus 5 mm in the length shall be allowed. The paper used must be white writing paper, sized, not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.
2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR.1.

Article 11

A movement certificate EUR. 1 must be submitted, within five months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing State after the final date for presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 1 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the goods shall not *ipso facto* render the certificate null and void if it is duly established that the certificate does correspond to the goods submitted.

Article 15

It shall always be possible to replace one or more movement certificates EUR. 1 by one or more other movement certificates EUR. 1 provided that this is done at the customs office where the goods are located.

Article 16

Form EUR. 2, a specimen of which is given in Annex VI, shall be completed by the exporter or, under his responsibility, by his authorized representative. It shall be made out in one of the languages in which the Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters. If the goods contained in the consignment have already been subject to verification in the exporting country by reference to the definition of the concept of 'originating products' the exporter may refer to this check in the 'remarks' box of form EUR. 2.

Form EUR. 2 shall measure 210 × 148 mm. A tolerance of up to plus 8 mm or minus 5 mm in the length shall be allowed. The paper used shall be white writing paper, sized, not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case each form must include a reference to such approval. In addition, the form must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment.

These provisions do not exempt exporters from complying with any other formalities required by customs or postal regulations.

Article 17

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR. 1 or the completion of a form EUR. 2, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, and where there is no doubt as to the veracity of such declaration.

2. Importations which are occasional and consist solely of goods for the personal use of the recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no commercial purpose is in view. Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of travellers' personal luggage.

Article 18

1. Goods sent from the Community or from Egypt for exhibition in another country and sold after the exhibition for importation into Egypt or into the Community shall benefit on importation from the provisions of the Agreement on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in Egypt and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from the Community or from Egypt to the country in which the exhibition is held and has exhibited them there;
- (b) the goods have been sold or otherwise disposed of by that exporter to someone in Egypt or in the Community;

- (c) the goods have been consigned during the exhibition or immediately thereafter to Egypt or to the Community in the state in which they were sent for exhibition;
- (d) the goods have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A movement certificate EUR. 1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the goods and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods, and during which the goods remain under customs control.

Article 19

1. When a certificate is issued within the meaning of Article 7 (2) of this Protocol after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Protocol:

- indicate the place and date of exportation of the goods to which the certificate relates
- certify that no movement certificate EUR. 1 was issued at the time of exportation of the goods in question, and state the reasons.

2. The customs authorities may issue a movement certificate EUR. 1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

Certificates issued retrospectively must be endorsed with one of the following phrases: 'NACHTRÄGLICH AUSGESTELLT', 'DÉLIVRÉ A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE', 'تمت في وقت لاحق'.

Article 20

In the event of the theft, loss or destruction of a movement certificate EUR. 1, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed with one of the following words: 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE', 'مكرر'. 'مكرر'.

Article 21

Egypt and the Community shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1 which in the course of transport use a free zone situated in their territory are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 22

In order to ensure the proper application of this Title, Egypt and the Community shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the information concerning the actual origin of the products concerned and the declarations by exporters on forms EUR. 2.

Article 23

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up or causes to be drawn up either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 or a form EUR. 2 containing incorrect particulars.

Article 24

1. Subsequent verification of movement certificates EUR. 1 and of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR. 1 or the form EUR. 2, or a photocopy thereof, to the customs authorities of the exporting State, giving, where appropriate, the reasons of form or substance for an inquiry. The invoice, if it has been submitted, or a copy thereof, shall be attached to the form EUR. 2 and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

If the customs authorities of the importing State decide to suspend implementation of Title I of the Agreement while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. The customs authorities of the importing State shall be informed of the results of the verification as quickly as possible. These results must be such as to make it possible to determine whether the disputed movement certificate EUR. 1 or form EUR. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

If such disputes cannot be settled between the customs authorities of the importing State and those of the exporting State, or if they raise a question as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the importing State.

Article 25

The Cooperation Council may decide to amend the provisions of this Protocol.

Article 26

1. The Community and Egypt shall take any measures necessary to enable movement certificates EUR. 1 as well as forms EUR. 2 to be submitted, in accordance with Articles 11 and 12 of this Protocol, from the day on which it enters into force.
2. The certificates of type A.ET. 1 as well as forms A.ET. 2 may be used until stocks are exhausted and at the latest up to and including 30 June 1977 under the conditions laid down by this Protocol.
3. The movement certificates EUR. 1 and the forms EUR. 2 printed in the Member States before the date of the entry into force of this Protocol which do not conform to the models in Annexes V and VI to this Protocol may continue to be used until stocks are exhausted, under the conditions laid down by this Protocol.

Article 27

The Community and Egypt shall each take the steps necessary to implement this Protocol.

Article 28

The Annexes to this Protocol shall form an integral part thereof.

Article 29

The provisions of the Agreement may be applied to goods which comply with the provisions of Title I and which, on the date of the entry into force of the Agreement, are either in transit, or are in the Community or in Egypt in temporary storage, in bonded warehouses or in free zones, subject to the submission to the customs authorities of the importing State within four months from that date of a certificate A.ET. 1 issued under the conditions of Article 26 (2) or of a certificate EUR. 1 endorsed retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

Article 30

The endorsements referred to in Articles 19 and 20 shall be inserted in the 'remarks' box of the certificate.

ANNEX I

Explanatory notes

Note 1 — Articles 1 and 2:

The terms 'the Community' and 'Egypt' shall also cover the territorial waters of the Member States of the Community and of Egypt respectively.

Vessels operating on the high seas, including factory ships, on which fish caught are worked or processed, shall be considered as part of the territory of the State of which they belong provided that they satisfy the conditions set out in Explanatory Note 5.

Note 2 — Article 1:

In order to determine whether goods originate in the Community or in Egypt it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Articles 3 (1) and (2) and 4:

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of heading for any non-originating product used.

Note 4 — Article 1:

Packing shall be considered as forming a whole with the goods contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed, and which has intrinsic utilization value, and is of a durable nature, apart from its function as packing.

Note 5 — Article 2 (f):

The term 'their vessels' shall apply only to vessels:

- which are registered or recorded in a Member State or in Egypt,
- which sail under the flag of a Member State or of Egypt,
- at least 50% of which are owned by nationals of the Member States and Egypt or by a company which has its head office in a Member State or in Egypt, of which the manager, managers, chairman of the board, and the majority of the members of such board are nationals of the Member States or Egypt and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to the Member States or Egypt or to public bodies or nationals of the Member States or of Egypt,
- of which the captain and officers are all nationals of the Member States or of Egypt,
- of which at least 75% of the crew are nationals of the Member States or of Egypt.

Note 6 — Article 4:

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the Convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

ANNEX II

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine; smoking of fish, whether cooked or not	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
07.03	Vegetables, provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation cutting, grinding, powdering of vegetables of heading Nos 07.01 to 07.03	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.09	
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.04 or 08.05	Drying of fruit	
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals	

11.03	Flours of the leguminous vegetables falling within heading No 07.05	Manufacture from dried leguminous vegetables
11.04	Flours of the fruits falling within any heading in Chapter 8	Manufacture from fruits of Chapter 8
11.05	Flour, meal and flakes of potato	Manufacture from potatoes
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06	Manufacture from products of heading No 07.06
11.07	Malt, roasted or not	Manufacture from cereals
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, or from potatoes or other products of Chapter 7
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Manufacture from products of heading Nos 02.01 and 02.06
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of third countries
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	Manufacture from products of Chapter 2

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtle-wax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products	Manufacture from products of Chapters 7 and 12	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2	
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2	
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3	
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of Chapter 3	
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel	Manufacture from any product	
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of Chapter 17 the value of which exceeds 30 % of the value of the finished product	

17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
19.01	Malt extract	Manufacture from products of heading No 11.07	
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa	Manufacture from cereals and derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
19.03	Macaroni, spaghetti and similar products		Manufacture from durum wheat
19.04	Tapioca and sago; tapioca and sago substitutes from potato or other starches	Manufacture from potato starch	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn-flakes and similar products)	Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product	
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products	Manufacture from products of Chapter 11	

⁽¹⁾ This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit	Manufacture from products of Chapter 11	
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	Manufacture from products of Chapter 11	
20.01	Vegetables and fruit prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.04	Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.05	Jams, fruit jellies, marmalades, fruit pureés and fruit pastes, being cooked preparations, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.06	Fruit otherwise prepared or preserved whether or not containing added sugar or spirit:		

	A. Nuts		Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product
	B. Other fruits		
ex 20.07	Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 21.01	Roasted chicory and extracts thereof	Manufacture from chicory roots fresh or dried	
21.05	Soups and broths in liquid, solid or powder forms; homogenized food preparations	Manufacture from products of heading No 20.02	
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07	Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
ex 23.03	Residues from the manufacture of maize starch (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% dry weight	Manufacture from maize or maize flour	
23.04	Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture from products of heading No 24.01 of which at least 70% by quantity are 'originating products'

ex 28.38	Aluminium sulphate		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
30.03	Medicaments (including veterinary medicaments)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
32.06	Colour lakes	Manufacture from materials of heading No 32.04 or 32.05 ⁽¹⁾	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk barium carbonate and satin white ⁽¹⁾	
33.05	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	Manufacture from products of heading No 33.01 ⁽¹⁾	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues		Manufacture from maize or potatoes
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paper-board or cloth	Manufacture from products of heading No 37.02 ⁽¹⁾	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01 ⁽¹⁾	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

38.15	Prepared rubber accelerators		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble salts; esters of sulphonaphthenic acids; — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; — Mixed alkylbenzenes and mixed alkylnaphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; 		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 38.19 (cont'd)	<ul style="list-style-type: none"> — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures — Sorbitol other than sorbitol of heading No 29.04 		
ex 39.02	Polymerization products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product:
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50% of the value of the finished product
43.03	Articles of furskin	Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) (1)	
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings		Manufacture from boards not cut to size
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings	Manufacture from products of heading No 49.11	
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks	Manufacture from products of heading No 49.11	
50.04(1)	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products other than those of heading No 50.04
50.05(1)	Yarn spun from silk waste other than noil, not put up for retail sale		Manufacture from products of heading No 50.03
50.06(1)	Yarn spun from noil silk, not put up for retail sale		Manufacture from products of heading No 50.03
50.07(1)	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale		Manufacture from products of heading Nos 50.01 to 50.03
ex 50.08(1)	Imitation catgut of silk		Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed
50.09(2)	Woven fabrics of silk or of waste silk other than noil		Manufacture from products of heading No 50.02 or 50.03

50.10 ⁽²⁾	Woven fabrics of noil silk	Manufacture from products of heading No 50.02 or 50.03
51.01 ⁽¹⁾	Yarn of man-made fibres (continuous), not put up for retail sale	Manufacture from chemical products or textile pulp
51.02 ⁽¹⁾	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials	Manufacture from chemical products or textile pulp
51.03 ⁽¹⁾	Yarn of man-made fibres (continuous), put up for retail sale	Manufacture from chemical products or textile pulp
51.04 ⁽²⁾	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	Manufacture from chemical products or textile pulp

- (1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
52.01(1)	Metallized yarn, being textile yarn spun with metal or covered with metal by any process		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
52.02(2)	Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
53.06(1)	Yarn of carded sheep's or lambs' wool (woollen yarn) not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.07(1)	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.08(1)	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair of heading No 53.02
53.09(1)	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03
53.10(1)	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04
53.11(2)	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading Nos 53.01 to 53.05
53.12(2)	Woven fabrics of coarse animal hair other than horsehair		Manufacture from products of heading Nos 53.02 to 53.05

53.13(2)	Woven fabrics of horsehair	Manufacture from horsehair of heading No 05.03
54.03(1)	Flax or ramie yarn, not put up for retail sale	Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02
54.04(1)	Flax or ramie yarn, put up for retail sale	Manufacture from materials of heading No 54.01 or 54.02
54.05(2)	Woven fabrics of flax or of ramie	Manufacture from materials of heading No 54.01 or 54.02
55.05(1)	Cotton yarn, not put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.06(1)	Cotton yarn, put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.07(2)	Cotton gauze	Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.08(2)	Terry towelling and similar terry fabrics, of cotton	Manufacture from materials of heading No 55.01, 55.03 or 55.04

- (1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
55.09(1)	Other woven fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05(2)	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06(2)	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07(1)	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of heading Nos 56.01 to 56.03
57.05(2)	Yarn of true hemp		Manufacture from raw true hemp

57.06(2)	Yarn of jute or of other textile bast fibres of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.07(2)	Yarn of other vegetable textile fibres	Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04
57.08	Paper yarn	Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
57.09(1)	Woven fabrics of true hemp	Manufacture from products of heading No 57.01
57.10(1)	Woven fabrics of jute or of other textile bast fabrics of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.11(1)	Woven fabrics of other vegetable textile fibres	Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07

- (1) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (2) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
57.12	Woven fabrics of paper yarn		Manufacture from paper, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste
58.01(1)	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02(1)	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from coir yarn of heading No 57.07
58.04(1)	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp
58.05(1)	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
58.06(1)	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp

58.07 ⁽¹⁾	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.08 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.09 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.10	Embroidery, in the piece, in strips or in motifs	Manufacture in which the value of the product used does not exceed 50% of the value of the finished product
59.01 ⁽¹⁾	Wadding and articles of wadding; textile flock and dust and mill neps	Manufacture either from natural fibres or from chemical products or textile pulp
59.02 ⁽¹⁾	Felt and articles of felt, whether or not impregnated or coated	Manufacture either from natural fibres or from chemical products or textile pulp

- (1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.02(1)	Needled felt, whether or not impregnated or coated		Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product
59.03(1)	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
59.04(1)	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.05(1)	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.06(1)	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn

59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil	Manufacture from yarn
59.10 ⁽¹⁾	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not	Manufacture either from yarn or from textile fibres
59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods	Manufacture from yarn
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn

(1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
59.13(1)	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15(1)	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.16(1)	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.17(1)	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
ex Chapter 60(1)	Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by		Manufacture from yarn(2)

	the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	
ex 60.03	Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾
ex 60.04	Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾

(1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

(2) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.06	Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
61.01	Men's and boys' outer garments		Manufacture from yarn ⁽¹⁾ (2)
ex 61.01	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ (2)
ex 61.02	Women's, girls' and infants' outer garments, not embroidered		Manufacture from yarn ⁽¹⁾ (2)
ex 61.02	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ (2)
ex 61.02	Women's, girls' and infants' outer garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾

61.03	Men's and boys' under garments, including collars shirt fronts and cuffs	Manufacture from yarn ⁽¹⁾ (2)
61.04	Women's, girls' and infants' under garments	Manufacture from yarn ⁽¹⁾ (2)
ex 61.05	Handkerchiefs, not embroidered	Manufacture from unbleached single yarn ⁽¹⁾ (2) (3)
ex 61.05	Handkerchiefs, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered	Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ (2)
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.07	Ties, bow ties and cravats	Manufacture from yarn ⁽¹⁾ (2)
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered	Manufacture from yarn ⁽¹⁾ (2)

(1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

(2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

(3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.10	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn ⁽¹⁾ ⁽²⁾
62.01	Travelling rugs and blankets		Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered		Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product

62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾
62.04	Tarpaulins, sails, awnings, sun-blinds, tents and camping goods		Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	

- (1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.
- (2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.
- (3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
64.04	Footwear with outer soles of other materials	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	Manufacture from textile fibres
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)		
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved) whether or not surface ground or polished; multiple-walled insulating glass	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel	Manufacture from products of heading No 73.06	
73.08	Iron or steel coils for re-rolling	Manufacture from products of heading No 73.07	
73.09	Universal plates of iron or steel	Manufacture from products of heading No 73.07 or 73.08	
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel	Manufacture from products of heading No 73.07	
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13	
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09 or 73.13	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
73.14	Iron or steel wire, whether or not coated, but not insulated	Manufacture from products of heading No 73.10	Manufacture from products of heading No 73.06
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bed-plates, ties and other material specialized for joining or fixing rails		
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits		
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		
74.04	Wrought plates, sheets and strip, of copper		
			Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07
			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.06	Copper powder and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like of copper wire but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.12	Expanded metal, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.13	Chain and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.14	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.19	Other articles of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.06	Other articles of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.05	Aluminium powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.08	Structures, complete or incomplete, whether or not assembled, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers,		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium	
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of aluminium of a capacity exceeding 300 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.11	Containers of aluminium for compressed or liquefied gas	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.14	Expanded metal, of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.16	Other articles of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.03	Other articles of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.03	Wrought plates, sheets and strip, of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m ² ; lead powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

78.05	Tubes and pipes and blanks therefor, of lead; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends)	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.06	Other articles of lead	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product.
79.06	Other articles of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
80.03	Wrought plates, sheets and strip, of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² ; tin powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾

82.06	Knives and cutting blades, for machines or for mechanical appliances	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾
ex Chapter 84	Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41)	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
84.15	Refrigerators and refrigerating equipment (electrical and other)	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products
ex 84.41	Sewing machines, including furniture for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

(2) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 84.41 (cont'd)			<p>(a) at least 50% in value of the materials and parts⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p>
ex Chapter 85	Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15		Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers		<p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product⁽²⁾</p>
85.15	Radiotelegraphic and radio-telephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

	incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
87.09	Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 90	Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
90.05	Refracting telescopes (monocular and binocular), prismatic or not		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.07	Photographic cameras; photographic flashlight apparatus		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value

		of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
91.04	Other clocks		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
91.08	Clock movements, assembled		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles; excluding products of heading No 92.11		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record players and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

Chapter 93	Arms and ammunition; parts thereof	(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap fasteners and press-studs; blanks and parts of such articles	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

ANNEX III

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
		Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent products does not exceed 15% of the value of the manufactured product

ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble squared by sawing, of a thickness not exceeding 25 cm	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm	Sawing of granite, porphyry basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex Chapters 28 to 37	Products of the chemical and allied industries excluding calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03) and essential oils other than of citrus fruit, terpeneless (ex 33.01)	Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product
ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermally
ex 33.01	Essential oils, other than of citrus fruit, terpeneless	Deterpenation of essential oils other than of citrus fruit
ex Chapter 38	Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine refined	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification consisting of the distillation or refining of raw sulphate turpentine
ex Chapter 39	Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished products

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 39.02	Ionomer film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lambskins without the wool	Removing wool from sheep and lambskins in the wool
ex 41.02	Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08	Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned
ex 41.03	Retanned sheep and lambskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of sheep and lambskin leather, not further prepared than tanned
ex 41.04	Retanned goat and kidskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of goat and kidskin leather, not further prepared than tanned
ex 41.05	Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08	Retanning of other kinds of leather, not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins
ex 50.03	Silk waste carded or combed	Carding or combing waste silk

ex 50.09 } ex 50.10 } ex 51.04 } ex 53.11 } ex 53.12 } ex 53.13 } ex 54.05 } ex 55.07 } ex 55.08 } ex 55.09 } ex 56.07 }	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5% of the value of the finished product
ex 59.14	Incandescent gas mantles	Manufacture from tubular gas mantle fabric
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	Cutting of bottles the value of which does not exceed 50% of the value of the finished product
70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses	Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 71.05	Silver and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.05	Silver, including silver gilt and platinum-plated silver, unwrought	Alloying or electrolytic separation of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.07	Gold, including platinum-plated gold, unwrought	Alloying or electrolytic separation of unwrought gold or gold alloys
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum or other metals of the platinum group
ex 71.09	Platinum and other metals of the platinum group, unwrought	Alloying or electrolytic separation of unwrought platinum or other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled platinum or other unwrought platinum group metals or precious metal
ex 73.15	Alloy steel and high carbon steel:	
	— in the forms mentioned in heading Nos 73.07 to 73.13	Manufacture from products in the forms mentioned in heading No 73.06
	— in the forms mentioned in heading No 73.14	Manufacture from products in the forms mentioned in heading No 73.06 or 73.07

ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap
ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes of heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 75.01	Unwrought nickel except nickel alloys	Refining of waste by electrolysis, by melting or by chemical means of waste and scrap
ex 76.01	Unwrought aluminium	Manufacture by thermal or electrolytic treatment of unalloyed aluminium, waste and scrap
ex 77.04	Beryllium, wrought	Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product
ex 78.01	Refined lead	Manufacture by thermal refining from bullion lead
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product
ex 83.06	Indoor ornaments made from base metals other than statuettes	Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
84.06	Internal combustion piston engines	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature, for wood, paper pulp, paper and paper-board manufacturing industries	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.33	Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product

ex 84.41	Sewing machines, including furniture specially designed for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products
85.14	Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio, broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
87.06	Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03	Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product

- (1) In determining the value of products, materials and parts, the following must be taken into account:
- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products in the territory of the country where working, processing or assembly is carried out;
 - (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.
- (2) The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 94.01	Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 95.01	Articles of tortoise-shell	Manufacture from worked tortoise-shell
ex 95.02	Articles of mother of pearl	Manufacture from worked mother of pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone (excluding whalebone)	Manufacture from worked bone (excluding whalebone)
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

ANNEX IV

LIST C

List of products excluded from the scope of this Protocol

CCT heading No	Description
ex 27.07	Assimilated aromatic oils as defined in Note 2 to Chapter 27, of which more than 65% by volume distils at a temperature of up to 250° C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
27.09 to 27.16 } ex 29.01	Mineral oils and products of their distillation: bituminous substances; mineral waxes Hydrocarbons: — acyclic — cyclanes and cyclenes, excluding azulenes — benzene, toluene, xylenes for use as power or heating fuels
ex 34.03	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants

ANNEX V
MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Certificate used in preferential trade between		
	and		
	(insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾ ; Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

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(*) Complete only where the regulations of the exporting country or territory require.

11. CUSTOMS ENDORSEMENT

Declaration certified
Export document (*)

Stamp

Form No

Customs office

Issuing country or territory

.....

Date

(Signature)

12. DECLARATION BY THE EXPORTER

I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.

Place and date:

(Signature)

13. REQUEST FOR VERIFICATION, to	14. RESULT OF VERIFICATION,
Verification of the authenticity and accuracy of this certificate is requested.	Verification carried out shows that this certificate ⁽¹⁾ <input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).
..... (Place and date) Stamp (Place and date) Stamp
..... (Signature) (Signature)
	⁽¹⁾ Insert X in the appropriate box.

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Application for a certificate to be used in preferential trade between		
	and		
(insert appropriate countries, groups of countries or territories)			
6. Transport details (Optional)		4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾ ; Description of goods		7. Remarks	
		9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

(Front)

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DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....

.....

.....

.....

SUBMIT the following supporting documents (1):

.....

.....

.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

(Place and date)

(Signature)

(¹) For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX VI

Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between ⁽¹⁾ and	
		2 Exporter (Name, full address, country)	
4 Consignee (Name, full address, country)		3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.	
		5 Place and date	
7 Remarks ⁽²⁾		6 Signature of exporter	
		8 Country of origin ⁽¹⁾	9 Country of destination ⁽¹⁾
11 Marks; Numbers of consignment; Description of goods		10 Gross weight (kg)	
		12 Authority in the exporting country ⁽¹⁾ responsible for verification of the declaration by the exporter	

(1) Insert the countries, groups of countries or territories concerned

(2) Refer to any verification already carried out by the appropriate authorities

(3) The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating

(4) The term 'country' means country, group of countries or territory of destination

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that ⁽¹⁾</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p>
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(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR. 2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR. 2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

FINAL ACT

The Plenipotentiaries of

His Majesty the King of the Belgians,

Her Majesty the Queen of Denmark,

The President of the Federal Republic of Germany,

The President of the French Republic,

The President of Ireland,

The President of the Italian Republic,

His Royal Highness the Grand Duke of Luxembourg,

Her Majesty the Queen of the Netherlands,

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland,

and the Council of the European Communities,

of the one part, and of the President of the Arab Republic of Egypt,

of the other part,

meeting at Brussels on the eighteenth day of January in the year one thousand nine hundred and seventy-seven for the purpose of signing the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt, and the Agreement between the Member States of the European Coal and Steel Community and the Arab Republic of Egypt,

have, on signing this Agreement:

— adopted the following joint declarations by the Contracting Parties:

1. joint declaration by the Contracting Parties on Article 14 (1) of the Agreement,
2. joint declaration by the Contracting Parties on Article 17 of the Agreement,
3. joint declaration by the Contracting Parties on agricultural products,
4. joint declaration by the Contracting Parties on Article 12 of the Agreement,
5. joint declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community,
6. joint declaration by the Contracting Parties on Article 24 of the Agreement,
7. joint declaration by the Contracting Parties on bilateral cooperation,
8. declaration by the Contracting Parties on the interpretation of the term 'Contracting Parties' as used in the Agreement;

— taken note of the following declarations:

1. declaration by the European Economic Community on the regional application of certain provisions of the Agreement,
2. declaration by the European Economic Community on the European unit of account referred to in Article 2 of Protocol 1,
3. declaration by the representative of the Federal Republic of Germany on the definition of German nationality,
4. declaration by the representative of the Federal Republic of Germany on the application of the Agreement to Berlin,
5. declaration by the European Economic Community on Articles 46 and 17 of the Agreement;

— and taken note of the following exchanges of letters:

1. exchange of letters on cooperation on scientific and technological matters and on the protection of the environment,

2. exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation,
3. exchange of letters on Articles 32 and 45 of the Agreement,
4. exchange of letters on Article 19 of the Agreement,
5. exchange of letters on Article 20 of the Agreement.

The declarations and exchanges of letters listed above are annexed to this Final Act.

The Plenipotentiaries have agreed that the declarations and exchanges of letters shall be subjected, in the same manner as the Cooperation Agreement, to any procedures that may be necessary to ensure their validity.

Udfærdiget i Bruxelles, den attende januar nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtzehnten Januar neunzehnhundertsiebenundsiebzig.

Done at Brussels on the eighteenth day of January in the year one thousand nine hundred and seventy-seven.

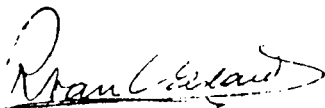
Fait à Bruxelles, le dix-huit janvier mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì diciotto gennaio millenovecentosettantasette.

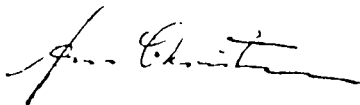
Gedaan te Brussel, de achttiende januari negentienhonderd zevenenzeventig.

مد في بروكسل في اليوم الثامن عشر من يناير سنة ألف وسبع مائة
سنة وسبعين .

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

A handwritten signature in black ink, appearing to read "Baudouin I", written in a cursive style.

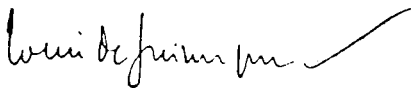
For Hendes Majestæt dronningen af Danmark

A handwritten signature in black ink, appearing to read "Margrethe II", written in a cursive style.

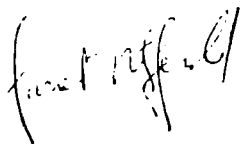
Für den Präsidenten der Bundesrepublik Deutschland

A handwritten signature in black ink, appearing to read "Helmut Kohl", written in a cursive style.

Pour le président de la République française

A handwritten signature in black ink, appearing to read "Valéry Giscard d'Estaing", written in a cursive style.

For the President of Ireland

A handwritten signature in black ink, appearing to read "James Haughey", written in a cursive style.

Per il presidente della Repubblica italiana

Giuseppe Filomeno

Pour Son Altesse Royale le grand-duc de Luxembourg

Giuseppe Filomeno

Voor Hare Majesteit de Koningin der Nederlanden

Giuseppe Filomeno

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

A. C. ...

For Rådet for De europæiske Fællesskaber,
Für den Rat der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità europee,
Voor de Raad van de Europese Gemeenschappen,

A. Costas
C. Cheyrou
من رئيس جمهورية مصر العربية
Jehania & Parff

Joint Declaration by the Contracting Parties on Article 14 (1) of the Agreement

The Contracting Parties agree that, should the date of the entry into force of the Agreement not coincide with the beginning of the calendar year, the ceilings referred to in Article 14 (1) of the Agreement will be applied *pro rata*.

Joint Declaration by the Contracting Parties on Article 17 of the Agreement

The Contracting Parties agree that, without prejudice to the implementation of the first subparagraph of Article 22 (2) of Regulation (EEC) No 1035/72, the products listed in Article 17 of the Agreement and set out in Annex III to that Regulation shall be admitted into the Community during the period for which the reductions in duty are applicable free of quantitative restrictions and measures having equivalent effect.

Furthermore, the Contracting Parties agree that, where reference is made in the Agreement to the provisions of Articles 23 to 28 of Regulation (EEC) No 1035/72, the Community is referring to the arrangements applicable to third countries at the time of the importation of the products in question.

Joint Declaration by the Contracting Parties on agricultural products

1. The Contracting Parties declare their readiness to foster, so far as their agricultural policies allow, the harmonious development of trade in agricultural products to which the Agreement does not apply.

As regards veterinary, health and plant health matters the Contracting Parties shall apply their rules in a nondiscriminatory fashion and

shall refrain from introducing any new measures that have the effect of unduly obstructing trade.

2. The Contracting Parties shall examine within the Cooperation Council any difficulties that might arise in their trade in agricultural products and shall endeavour to seek appropriate solutions.

Joint Declaration by the Contracting Parties on Article 12 of the Agreement

The Contracting Parties declare that as regards the quantitative restrictions for textile products listed in Annex B, the provisions of the Agreement between the European Economic Community and the Arab Republic of Egypt on trade in textiles signed in Brussels on 18 January 1977 shall apply.

Joint Declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community

The Contracting Parties to the Agreement will consult when the provisions of the Agreement that relate to trade are presented and examined under GATT.

Joint Declaration by the Contracting Parties on Article 24 of the Agreement

The expression 'regional economic integration' used in Article 24 of the Agreement includes all members of the Arab League.

Joint Declaration by the Contracting Parties on bilateral cooperation

The Contracting Parties recognize that the fact that certain areas of cooperation are envisaged under the Agreement concluded between the Community and Egypt does not prevent any of the Member States from agreeing bilaterally with Egypt to undertake cooperation projects in the same fields.

Declaration by the Contracting Parties on the interpretation of the term 'Contracting Parties' as used in the Agreement

The Contracting Parties agree to interpret the Agreement to the effect that the term 'Contracting Parties' appearing therein means on the one hand the Community and the Member States, or either the Member States or the Community alone, and on the other hand Egypt. The meaning to be attributed to this expression in each case is to be deduced from the relevant provisions of the Agreement and from the corresponding provisions of the Treaty establishing the Community.

Declaration by the European Economic Community on the regional application of certain provisions of the Agreement

The European Economic Community declares that the application of any measures it may take under Articles 33 and 34 of the Agreement, in accordance with the procedure and under the arrangements set out in Article 35, or under Article 36, may be limited to one of its regions by virtue of Community rules.

Declaration by the European Economic Community on the European unit of account referred to in Article 2 of Protocol 1

The European unit of account used to express the amounts specified in Article 2 of Protocol 1 is defined as the sum of the following amounts in the currencies of the Member States of the Community:

German mark	0·828
Pound sterling	0·0885
French franc	1·15
Italian lira	109
Dutch guilder	0·286
Belgian franc	3·66
Luxembourg franc	0·14
Danish krone	0·217
Irish pound	0·00759

The value of the European unit of account in any given currency is equal to the sum of the equivalent in that currency of the amounts of currency referred to in the first paragraph. It is calculated by the Commission using daily market exchange rates.

The daily values of the European unit of account in the various national currencies are made available every day and are published periodically in the *Official Journal of the European Communities*.

Declaration by the representative of the Federal Republic of Germany on the definition of German nationality

Every German person, within the meaning of the basic constitutional law applying in the Federal Republic of Germany, is considered as a national of the Federal Republic of Germany.

Declaration by the representative of the Federal Republic of Germany on the application of the Agreement to Berlin

The Agreement shall also apply to Land Berlin provided that no statement to the contrary by the Government of the Federal Republic of Germany is addressed to the other Contracting Parties within three months of the entry into force of the Agreement.

Declaration by the European Economic Community on Articles 46 and 17 of the Agreement

The Community is ready to consider, in the light of the results of the Agreement and taking into account the trend of trade flows between the Community and the Mediterranean countries, an improvement of the concession granted in Article 17 (1) of the Agreement for oranges, mandarins (including tangerines and satsumas), clementines, wilkings and other similar citrus hybrids to take effect from the marketing year 1977/78.

**Exchange of letters on cooperation on scientific and technological matters
and on the protection of the environment**

Sir,

Further to the wishes expressed by the Egyptian delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Egypt, I have the honour to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Egypt may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

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

(s.)

*Head of the delegation of
the European Economic Community*

Sir,

In your letter of today's date you inform me as follows:

'Further to the wishes expressed by the Egyptian delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Egypt, I have the honour to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Egypt may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

I have the honour to acknowledge receipt of your letter.

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

(s.)

*Head of the delegation of
the Arab Republic of Egypt*

Exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation

Sir,

I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement,
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Egypt or, with Egypt's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

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

(s.)

*Head of the delegation of
the European Economic Community*

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your Government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement,
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Egypt or, with Egypt's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

I have the honour to acknowledge receipt of your letter.

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

(s.)

*Head of the delegation of
the Arab Republic of Egypt*

Exchange of letters on Articles 32 and 45 of the Agreement

Sir,

I have the honour to inform you of the following declaration by my Government on Articles 32 and 45 of the Agreement:

'The Arab Republic of Egypt hereby declares that in applying Articles 32 and 45 of the Agreement its undertakings do not require it to repeal laws and regulations in force in so far as they remain necessary for the protection of its essential security interests. Egypt will ensure that such laws and regulations are applied in such a way as to ensure compliance with Article 43 (1) of the Agreement.'

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

(s.)

*Head of the delegation of
the Arab Republic of Egypt*

Sir,

In your letter of today's date you communicate to me a declaration by your Government on Articles 32 and 45 of the Agreement.

I have the honour to inform you of the following declaration by the European Economic Community on Articles 32 and 45 of the Agreement:

1. The European Economic Community notes the declaration by the Arab Republic of Egypt.
2. The European Economic Community expects the principles set out in the Agreement, including those in Articles 32 and 45 of the Agreement, to be put into full application.

The European Economic Community considers in particular that the application of the principle of non-discrimination should ensure the correct and smooth application of the Agreement.'

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

(s.)

*Head of the delegation of
the European Economic Community*

Exchange of letters on Article 19 of the Agreement

Sir,

I have the honour to inform you as follows:

For the implementation of Article 19 of the Agreement, it has been agreed that the following provisions be adopted:

1. The amount by which the levy is reduced shall be fixed no later than the 10th day of the month preceding the quarter during which it will be applicable. The reference period referred to in Article 19 (3) shall be the quarter preceding the month during which the said amount is fixed.
2. Egypt shall, by issuing an appropriate document or by adding a special note to the movement certificate accompanying each consignment of rice to the Community, attest that the special charge provided for in Article 19 (2) of the Agreement has been levied on the consignment. Egypt shall take the necessary measures to dispense with such attestation once the volume of 32 000 tonnes has been reached.

The document or special note attesting payment of the export charge shall be drawn up by common accord.

3. After 1 September of each year and until 31 August of the following year, imports of rice from Egypt shall be counted against the annual volume of 32 000 tonnes. As regards the 1976/77 marketing year, this volume shall be fixed *pro rata temporis* for the period between the entry into force of the Agreement and 31 August 1977.

I should be grateful if you would acknowledge receipt of this letter and confirm the agreement of your Government with its contents.

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

(s.)

*Head of the delegation of
the European Economic Community*

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you as follows:

For the implementation of Article 19 of the Agreement, it has been agreed that the following provisions be adopted:

1. The amount by which the levy is reduced shall be fixed no later than the 10th day of the month preceding the quarter during which it will be applicable. The reference period referred to in Article 19 (3) shall be the quarter preceding the month during which the said amount is fixed.
2. Egypt shall, by issuing an appropriate document or by adding a special note to the movement certificate accompanying each consignment of rice to the Community, attest that the special charge provided for in Article 19 (2) of the Agreement has been levied on the consignment. Egypt shall take the necessary measures to dispense with such attestation once the volume of 32 000 tonnes has been reached.

The document or special note attesting payment of the export charge shall be drawn up by common accord.

3. After 1 September of each year and until 31 August of the following year, imports of rice from Egypt shall be counted against the annual volume of 32 000 tonnes. As regards the 1976/77 marketing year, this volume shall be fixed *pro rata temporis* for the period between the entry into force of the Agreement and 31 August 1977.

I should be grateful if you would acknowledge receipt of this letter and confirm the agreement of your Government with its contents.'

I have the honour to acknowledge receipt of your letter and to confirm the agreement of my Government with its contents.

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

(s.)

*Head of the delegation of
the Arab Republic of Egypt*

Exchange of letters on Article 20 of the Agreement

Sir,

I have the honour to inform you as follows:

For the implementation of Article 20 of the Agreement, it has been agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or working of cereals, falling within subheading 23.02 A of the Common Customs Tariff and originating in Egypt, shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, reduced by the amount specified in item 3 below.
2. Item 1 shall apply provided that Egypt levies on exports of the products referred to a special charge equal to the amount by which the variable component of the levy is reduced and reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60% of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question is fixed.

The amount shall be fixed by the Commission not later than the 10th day of the month preceding the quarter during which the amount shall apply.

'Quarter' means a period of three months beginning on 1 February, 1 May, 1 August or 1 November.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month or months of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under 'Remarks' on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée

Særlig udførselsafgift opkrævet

Sonderausfuhrabgabe erhoben

Special export charge collected

Applicata tassa speciale all'esportazione

Bijzondere uitvoerheffing voldaan

• نتم بحصول الترخيص الخاصة على الصادرات .

(Signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.

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

(s.)

*Head of the Delegation of
the European Economic Community*

Sir,

In your letter of today's date, you inform me as follows:

I have the honour to inform you as follows:

For the implementation of Article 20 of the Agreement, it has been agreed that the following provisions be adopted:

1. The variable component of the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or working of cereals, falling within subheading 23.02 A of the Common Customs Tariff and originating in Egypt, shall be as calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice, reduced by the amount specified in item 3 below.
2. Item 1 shall apply provided that Egypt levies on exports of the products referred to a special charge equal to the amount by which the variable component of the levy is reduced and reflected in the Community import price.
3. The amount by which the variable component of the levy is reduced shall be equal to 60% of the average of the variable components of the levies in force during the three months preceding the month in which the amount in question is fixed.

The amount shall be fixed by the Commission not later than the 10th day of the month preceding the quarter during which the amount shall apply.

“Quarter” means a period of three months beginning on 1 February, 1 May, 1 August or 1 November.

However, should the entry into force of the Agreement not coincide with the beginning of one of these quarters, the first reduction in the levy shall be applicable for the month or months of the current quarter.

4. Proof that the special charge on exports has been collected shall be provided by the insertion by the customs authorities under "Remarks" on the movement certificate of one of the following endorsements:

Taxe spéciale à l'exportation appliquée

Særlig udførselsafgift opkrævet

Sonderausfuhrabgabe erhoben

Special export charge collected

Applicata tassa speciale all'esportazione

Bijzondere uitvoerheffing voldaan

تم تحصيل الترخيب الخاصة على الصادرات .

(Signature and official stamp)

I should be grateful if you would acknowledge this letter and confirm the agreement of your Government with its contents.'

I have the honour to acknowledge receipt of your letter and to confirm the agreement of my Government with its contents.

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

(s.)

*Head of the delegation of
the Arab Republic of Egypt*

INFORMATION CONCERNING

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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— the AGREEMENT ⁽¹⁾ extending the Interim Agreement between the European Economic Community and the Arab Republic of Egypt ⁽²⁾

EEC	30.6.1978	—	1.7.1978	until 31.12.1978
EGYPT				

— the COOPERATION AGREEMENT between the European Economic Community and the Arab Republic of Egypt ⁽³⁾

EEC and Member States	18.1.1977	n. 28.9.1978	1.11.1978 ⁽⁴⁾	indefinite
EGYPT				

⁽¹⁾ OJ No L 175, 29.6.1978.

⁽²⁾ This Agreement appears in Volume 7, page 981.

⁽³⁾ OJ No L 266, 27.9.1978.

⁽⁴⁾ OJ No L 295, 20.10.1978.

Agreements
between the EEC and the Kingdom of Morocco

AGREEMENT ⁽¹⁾

extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco ⁽²⁾

COUNCIL REGULATION (EEC) No 2947/77

of 19 December 1977

on the conclusion of the Agreement extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Interim Agreement between the European Economic Community and the Kingdom of Morocco, signed in Rabat on 27 April 1976 and extended on 30 June 1977, expires not later than 31 December 1977;

Whereas, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco, signed in Rabat on 27 April 1976, it is necessary to extend the Interim Agreement again,

(1) OJ No L 348, 30.12.1977.

(2) This Agreement appears in Volume 6, page 583.

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 19 December 1977.

For the Council

The President

H. SIMONET

AGREEMENT

extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

HIS MAJESTY THE KING OF MOROCCO,

of the other part,

WHEREAS the Interim Agreement between the European Economic Community and the Kingdom of Morocco signed in Rabat on 27 April 1976 and extended on 30 June 1977 expires not later than 31 December 1977,

WHEREAS, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco signed in Rabat on 27 April 1976, it is necessary to extend the Interim Agreement again,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Belgium,
Chairman of the Permanent Representatives Committee;

Klaus MEYER,
Director-General for Development,
Commission of the European Communities;

HIS MAJESTY THE KING OF MOROCCO:

Zine El Abidine SEBTI,
Ambassador Extraordinary and Plenipotentiary,
Head of the Representation of the Kingdom of Morocco to the
European Economic Community;

WHO, having exchanged their full powers, found in good and due form,
have agreed as follows:

Article 1

The date '31 December 1977' specified in the second subparagraph of
Article 43 (2) of the Interim Agreement between the European Economic
Community and the Kingdom of Morocco is replaced by '30 June 1978'.

Article 2

The annual ceilings referred to in Article 5 (1) of the Interim Agreement
are replaced by the following ceilings:

CCT heading No	Ceiling (tonnes)
27.10	183 750
27.11	
27.12	
27.13	
27.14	
45.02	52
45.03	618
45.04	2 060

Article 3

The text of the declaration by the European Economic Community on
Article 14 (2) of the Interim Agreement, which appears in the Final Act,
is replaced by the following:

'Until such time as Morocco has sufficient plant to bottle the wines entitled to a designation of origin referred to in Article 14 (2), the Community is willing to apply the abovementioned provisions to wine exported in bulk in respect of quantities corresponding to the future capacity of the plant under construction up to a volume not exceeding 20 000 hl during the first year's utilization of the quota and up to 10 000 hl during the second year.'

Article 4

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 5

This Agreement shall enter into force on 1 January 1978.

AGREEMENT ⁽¹⁾

extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco ⁽²⁾

COUNCIL REGULATION (EEC) No 1455/78

of 26 June 1978

on the conclusion of the Agreement extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Interim Agreement between the European Economic Community and the Kingdom of Morocco signed in Rabat on 27 April 1976, and extended successively on 30 June and 31 December 1977, expires not later than 30 June 1978;

Whereas, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco signed in Rabat on 27 April 1976, it is necessary to extend the Interim Agreement again,

(1) OJ No L 175, 29.6.1978.

(2) This Agreement appears in Volume 6, page 583.

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 26 June 1978.

For the Council
The President
K. B. ANDERSEN

AGREEMENT

extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

HIS MAJESTY THE KING OF MOROCCO,

of the other part,

WHEREAS the Interim Agreement between the European Economic Community and the Kingdom of Morocco signed in Rabat on 27 April 1976, extended successively on 30 June and 31 December 1977, expires not later than 30 June 1978.

WHEREAS, pending the entry into force of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco signed in Rabat on 27 April 1976, it is necessary to extend the Interim Agreement again,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gunnar RIBERHOLDT,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Denmark,
Chairman of the Permanent Representatives Committee;

Klaus MEYER,
Director-General for Development, Commission of the European Communities;

HIS MAJESTY THE KING OF MOROCCO;

Zine El Abidine SEBTI,
Ambassador Extraordinary and Plenipotentiary,
Head of the Representation of the Kingdom of Morocco to the
European Economic Community;

WHO, having exchanged their full powers, found in good and due form,
have agreed as follows:

Article 1

The date '30 June 1978' specified in the second subparagraph of Article 43 (2) of the Interim Agreement between the European Economic Community and the Kingdom of Morocco is replaced by '31 December 1978'.

Article 2

The text of Annex C to the Interim Agreement concerning the minimum prices for prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff is replaced by the text given in the Annex. The prices for the period beginning 1 July 1978 shall be not lower than those specified in the said Annex thus amended, as updated by exchange of letters between the Contracting Parties to take account of cost trends for the products in question.

Article 3

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 4

This Agreement shall enter into force on 1 July 1978.



ANNEX

ANNEX C

Minimum prices applicable from 1 July 1978

Size		Net weight		Semi-gross weight	Capacity	Coefficients	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specifications	Total height (mm)	Ounces	Grams	Grams	cm ³		Community	
							In olive oil	Other
Rectangular base:								
$\frac{1}{8}$ club	20	2	56	95	53	0.60	12.30	11.40
$\frac{1}{4}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	14.35	13.30
$\frac{1}{4}$ reduced	18	2 $\frac{1}{2}$	74	130	73	0.77	15.79	14.63
$\frac{1}{2}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	16.40	15.20
$\frac{1}{2}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	17.43	16.15
$\frac{1}{2}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	18.45	17.10
$\frac{3}{4}$ club	30	4 $\frac{1}{2}$	125	190	125			

‡ P 25				176	125			
‡ usual	22	3‡	105	180	106	1-00	20-50	19-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125	1-10	22-55	20-90
‡ usual	30	5‡	150	240	169			
‡ club	40	6‡	175	250	178	1-30	26-65	24-70
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	32-80	30-40
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	36-90	34-20
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	45-10	41-80
‡ usual long	40	11‡	325	423	313	2-50	51-25	47-50
‡ usual	48	11	310	390	297	2-60	53-30	49-40
‡ large	40	11‡	325	460	330			
‡ P				476	375	2-70	55-35	51-30
‡				902	750			
‡	80	27‡	780	950	771	4-65	95-33	88-35
Oval base:								
‡ oval	40	15	425	555	452	3-40	69-70	64-60

COOPERATION AGREEMENT

between the European Economic Community and the
Kingdom of Morocco ⁽¹⁾

COUNCIL REGULATION (EEC) No 2211/78

of 26 September 1978

concerning the conclusion of the Cooperation Agreement between the
European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the Opinion of the European Parliament ⁽²⁾,

Whereas the Cooperation Agreement between the European Economic
Community and the Kingdom of Morocco signed in Rabat on 27 April
1976 should be concluded,

(1) OJ No L 264, 27.9.1978.

(2) OJ No C 259, 4.11.1976.

HAS ADOPTED THIS REGULATION:

Article 1

The Cooperation Agreement between the European Economic Community and the Kingdom of Morocco is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council of the European Communities shall give the notification provided for in Article 60 of the Agreement.

Article 3

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

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

Done at Brussels, 26 September 1978.

For the Council
The President
J. ERTL

COOPERATION AGREEMENT

between the European Economic Community and the Kingdom of Morocco

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

HIS MAJESTY THE KING OF MOROCCO,

of the other part,

PREAMBLE

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

RESOLVED to establish wide-ranging cooperation which will contribute to Morocco's economic and social development and help to strengthen relations between the Community and Morocco,

RESOLVED to promote, having regard to their respective levels of development, economic and trade cooperation between Morocco and the Community and to provide a sound basis therefor in conformity with their international obligations,

RESOLVED to establish a new model for relations between developed and developing States, compatible with the aspirations of the international community towards a more just and more balanced economic order,

NOTING that Article 14 of the Association Agreement signed in Rabat on 31 March 1969 provides for the conclusion on a wider basis of a new Agreement,

HAVE DECIDED to conclude this Agreement, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Robert VANDEKERCKHOVE
Minister for Institutional Reforms;

HER MAJESTY THE QUEEN OF DENMARK:

Mogens WANDEL-PETERSEN,
Ambassador,
Director-General;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Hans-Jürgen WISCHNEWSKI,
Minister of State, Federal Foreign Office;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Jean FRANÇOIS-PONCET,
State Secretary for Foreign Affairs;

THE PRESIDENT OF IRELAND:

Garret FITZGERALD,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Francesco CATTANEI,
State Secretary for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Gaston THORN,
President-in-Office of the Council of the European Communities,
President and Minister for Foreign Affairs of the Government of the
Grand Duchy of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

L. J. BRINKHORST,
State Secretary for Foreign Affairs;

**HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND:**

J. E. TOMLINSON,
Parliamentary Under-Secretary of State;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gaston THORN,
President-in-Office of the Council of the European Communities,
President and Minister for Foreign Affairs of the Government of the
Grand Duchy of Luxembourg;

Claude CHEYSSON,
Member of the Commission of the European Communities;

HIS MAJESTY THE KING OF MOROCCO:

Dr Ahmed LARAKI,
Minister of State responsible for Foreign Affairs.

Article 1

The object of this Agreement between the European Economic Community and Morocco is to promote overall cooperation between the Contracting Parties with a view to contributing to the economic and social development of Morocco and helping to strengthen relations between the Parties. To this end provisions and measures will be adopted and implemented in the field of economic, technical and financial cooperation, and in the trade and social fields.

TITLE I

ECONOMIC, TECHNICAL AND FINANCIAL COOPERATION

Article 2

The Community and Morocco shall institute cooperation with the aim of contributing to the development of Morocco by efforts complementary to those made by Morocco itself, and of strengthening existing economic links on as broad a basis as possible for the mutual benefit of the Parties.

Article 3

In order to achieve the cooperation referred to in Article 2, account shall be taken, in particular, of the following:

- the objectives and priorities of Morocco's development plans and programmes;
- the importance of schemes into which different operations are integrated;
- the importance of promoting regional cooperation between Morocco and other States.

Article 4

1. The purpose of cooperation between the Community and Morocco shall be to promote, in particular:

- participation by the Community in the efforts made by Morocco to develop its production and economic infrastructure in order to diversify its economic structure. Such participation should be connected, in particular, with the industrialization of Morocco and the modernization of its agriculture;
- the marketing and sales promotion of products exported by Morocco;
- industrial cooperation aimed at boosting the industrial production of Morocco through measures:
 - to encourage participation by the Community in the implementation of Morocco's industrial development programmes,
 - to foster the organization of contacts and meetings between Moroccan and Community industrial policy-makers, promoters and firms in order to promote the establishment of new relations in the industrial field in conformity with the objectives of the Agreement.
 - to facilitate the acquisition on favourable terms of patents and other industrial property by means of financing in conformity with Protocol 1 and/or by other appropriate arrangements with undertakings and institutions in the Community,

-
- to permit the removal of non-tariff and non-quota barriers likely to impede access to either market;
 - cooperation in the fields of science, technology and the protection of the environment;
 - cooperation in the fisheries sector;
 - the encouragement of private investments which are in the mutual interest of both Parties;
 - exchange of information on the economic and financial situation, and on the trend thereof, as required for the proper functioning of the Agreement.
2. The Contracting Parties may decide on further areas of cooperation.

Article 5

1. The Cooperation Council shall periodically define the guidelines of cooperation for the purpose of attaining the aims set out in the Agreement.
2. The Cooperation Council shall be responsible for seeking ways and means of establishing cooperation in the areas defined in Article 4. To that end it is empowered to make decisions.

Article 6

The Community shall participate in the financing of any measures to promote the development of Morocco under the conditions laid down in Protocol 1 on technical and financial cooperation.

Article 7

The Contracting Parties shall facilitate the proper performance of cooperation and investment contracts which are of interest to both Parties and come within the framework of the Agreement.

TITLE II

TRADE COOPERATION

Article 8

In the field of trade, the object of this Agreement is to promote trade between the Contracting Parties, taking account of their respective levels of development and of the need to ensure a better balance in their trade, with a view to increasing the rate of growth of Morocco's trade and improving the conditions of access for its products to the Community market.

A. Industrial products

Article 9

1. Subject to the special provisions of Articles 11, 12 and 14, products originating in Morocco which are not listed in Annex II to the Treaty establishing the European Economic Community shall be imported into the Community free of quantitative restrictions and measures having equivalent effect, and of customs duties and charges having equivalent effect.
2. The new Member States shall apply the provisions of paragraph 1, it being understood that in no case may they apply more favourable treatment to Morocco than to the Community as originally constituted.

Article 10

1. In the case of customs duties comprising a protective element and a fiscal element, Article 9 shall apply to the protective element.

2. The United Kingdom shall replace the fiscal element of the customs duties referred to in paragraph 1 by an internal tax in accordance with Article 38 of the Act concerning the conditions of accession and the adjustments to the Treaties of 22 January 1972.

Article 11

The measures provided for in Article 1 of Protocol 7 to the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10 on imports of motor vehicles and the motor vehicle assembly industry in Ireland shall apply to Morocco.

Article 12

1. Imports of the following products shall be subject to annual ceilings above which the customs duties actually applied in respect of third countries may be reintroduced in accordance with paragraphs 2 to 5, the ceiling fixed for the year of the entry into force of the Agreement being indicated in each case.

CCT heading No	Description	Ceiling (tonnes)
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: A. Light oils: III. For other purposes	

CCT heading No	Description	Ceiling (tonnes)
27.10 (cont'd)	B. Medium oils: III. For other purposes C. Heavy oils: I. Gas oils: c) For other purposes II. Fuel oils: c) For other purposes III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27 d) For other purposes	
27.11	Petroleum gases and other gaseous hydrocarbons: A. Propane of a purity not less than 99%: I. For use as power or heating fuel B. Other: I. Commercial propane and commercial butane: c) For other purposes	175 000
27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other	
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	
45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	50
45.03	Articles of natural cork	600
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	2 000

2. As from the second year after the entry into force of the Agreement, the ceilings shown in paragraph 1 shall be increased annually by 3% for heading Nos 45.02, 45.03 and 45.04 and by 5% for the other tariff headings.

3. When a ceiling fixed for imports of a product referred to in paragraph 1 is reached, the customs duties actually applied in respect of third countries may be reimposed on imports of the product in question until the end of the calendar year.

When imports into the Community of a product subject to ceilings reach 75% of the level fixed, the Community shall inform the Cooperation Council.

4. After 1 July 1977 the Contracting Parties shall examine within the Cooperation Council the possibility of increasing the percentage by which the ceilings for articles of cork of heading No 45.02, 45.03 or 45.04 are raised.

5. The ceilings provided for in this Article shall be abolished by 31 December 1979 at the latest.

Article 13

1. The Community reserves the right to modify the arrangements applicable to the petroleum products falling within subheadings and heading Nos 27.10, 27.11 A and B I, 27.12, 27.13 B or 27.14 of the Common Customs Tariff:

- upon adoption of a common definition of origin for petroleum products,
- upon adoption of decisions under a common commercial policy, or
- upon establishment of a common energy policy.

2. In that event the Community shall ensure that imports of these products will enjoy advantages equivalent to those provided for in this Agreement.

For the application of this paragraph consultations shall be held within the Cooperation Council at the request of the other Party.

3. Subject to paragraph 1, this Agreement shall not affect the non-tariff rules applied to imports of petroleum products.

Article 14

For goods resulting from the processing of agricultural products listed in Annex A, the reductions specified in Article 9 shall apply to the fixed component of the charge levied on imports of these products into the Community.

B. Agricultural products

Article 15

1. Customs duties on imports into the Community of the products originating in Morocco which are listed below shall be reduced by the rates indicated for each of them.

CCT heading No	Description	Rate of reduction
01.01	Live horses, asses, mules and hinnies: A. Horses: II. For slaughter (a) III. Other	80% 80%
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: I. Of horses, asses, mules and hinnies	80%

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities of the Community.

CCT heading No	Description	Rate of reduction
02.01 (<i>cont'd</i>)	ex IV. Other: — Excluding meat of domestic sheep	100%
02.04	Other meat and edible meat offals, fresh, chilled or frozen	100%
Chapter 3	Fish, crustaceans and molluscs	100%
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips: ex D. Other: — Rose trees and bushes, excluding cuttings of rose trees and bushes	60%
07.01	Vegetables, fresh or chilled: A. Potatoes: II. New potatoes: ex a) From 1 January to 15 May: — From 1 January to 31 March F. Leguminous vegetables, shelled or unshelled: I. Peas: ex a) From 1 September to 31 May: — From 1 October to 30 April II. Beans (of the species <i>Phaseolus</i>): ex a) From 1 October to 30 June: — From 1 November to 30 April ex H. Onions, shallots and garlic: — Onions, from 15 February to 15 May ex L. Artichokes: — From 1 October to 31 December M. Tomatoes: ex I. From 1 November to 14 May: — From 15 November to 30 April S. Sweet peppers ex T. Other: — Aubergines, from 1 December to 30 April — Courgettes, from 1 December to the last day of February	40% 60% 60% 60% 60% 60% 60%
07.02	Vegetables (whether or not cooked), preserved by freezing: ex B. Other: — Peas	30%

CCT heading No	Description	Rate of reduction
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: A. Olives: I. For uses other than the production of oil (a) B. Capers	 60% 90%
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: A. For sowing: ex I. Peas (including chick peas) and beans (of the species <i>Phaseolus</i>): — Peas ex III. Other: — Broad beans and horse beans B. Other	 60% 60% 100%
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mango-steens, fresh or dried, shelled or not: ex A. Dates: — In immediate containers of a net capacity of 35 kg or less D. Avocados	 100% 80%
08.02	Citrus fruit, fresh or dried: ex A. Oranges: — Fresh ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Fresh ex C. Lemons: — Fresh D. Grapefruit	 80% 80% 80% 80%
08.04	Grapes, fresh or dried. A. Fresh: I. Table grapes: ex a) From 1 November to 14 July: — From 15 November to 30 April	 60%

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities of the Community.

CCT heading No	Description	Rate of reduction
08.07	Stone fruit, fresh: D. Plums: ex II. From 1 October to 30 June: — From 1 November to 15 June	60%
08.08	Berries, fresh: A. Strawberries: ex II. From 1 August to 30 April: — From 1 November to 31 March ex D. Raspberries, black currants and red currants: — Raspberries, from 15 May to 15 June	60%
ex 08.09	Other fruit, fresh: — Melons, from 1 November to 31 May — Watermelons, from 1 April to 15 June	50%
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	30%
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: ex B. Oranges: — Comminuted ex E. Other: — Comminuted citrus fruit	80%
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: A. Apricots B. Peaches, including nectarines E. Papaws F. Fruit salads: I. Not containing prunes G. Other	60%
09.04	Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta': A. Neither crushed nor ground: II. Pimento B. Crushed or ground	100%
09.09	Seeds of anise, badian, fennel, coriander, cummin, caraway and juniper	100%
09.10	Thyme, saffron and bay leaves; other spices	100%

CCT heading No	Description	Rate of reduction
12.03	Seeds, fruit and spores, of a kind used for sowing: E. Other (a)	60%
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes fresh or dried, whole, cut, crushed, ground or powdered	100%
12.08	Locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading	100%
13.03	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products: ex B. Pectic substances, pectinates and pectates: — Pectic substances and pectinates	25%
16.04	Prepared or preserved fish, including caviar and caviar substitutes: A. Caviar and caviar substitutes B. Salmonidae C. Herring E. Tunny F. Bonito (<i>Sarda</i> sp.p.) mackerel and anchovies G. Other	100% 100% 100% 60% 100% 100%
16.05	Crustaceans and molluscs, prepared or preserved	100%
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard: ex B. Other: — Without added sugar, with the exception of gherkins	100%
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: A. Mushrooms: — Cultivated mushrooms — Other B. Truffles	50% 60% 70%

(a) This concession is solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

CCT heading No	Description	Rate of reduction
20.02 (<i>cont'd</i>)	ex C. Tomatoes: — Peeled tomatoes D. Asparagus F. Capers and olives G. Peas: beans in pod H. Other, including mixtures: — Carrots and mixtures — Others	30% 20% 100% 20% 20% 50%
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar: A. Chestnut purée and paste: II. Other B. Jams and marmalades of citrus fruit: III. Other C. Other: III. Other	50% 50% 50%
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 2. Grapefruit segments ex 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Comminuted ex 7. Peaches and apricots: — Apricots ex 8. Other fruits: — Comminuted oranges and lemons b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less: 2. Grapefruit segments ex 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Comminuted	80% 80% 20% 80% 80% 80%

CCT heading No	Description	Rate of reduction
20.06 (cont'd)	<p>ex 8. Other fruits: — Comminuted oranges and lemons</p> <p>c) Not containing added sugar, in immediate packings of a net capacity:</p> <p>1. 4.5 kg or more:</p> <p>ex aa) Apricots: — Apricot halves</p> <p>ex bb) Peaches (including nectarines) and plums: — Peach halves and nectarine halves</p> <p>ex dd) Other fruits: — Grapefruit segments — Citrus pulp — Comminuted citrus fruit</p> <p>2. Of less than 4.5 kg:</p> <p>ex bb) Other fruits and mixtures of fruit: — Apricot halves, peach halves and nectarine halves — Grapefruit segments — Comminuted citrus fruit</p>	<p>80 %</p> <p>50 %</p> <p>50 %</p> <p>80 % 40 % 80 %</p> <p>50 % 80 % 80 %</p>
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p>III. Other:</p> <p>ex a) Of a value exceeding 30 u.a. per 100 kg net weight: — Orange juice — Grapefruit juice — Other citrus fruit juices</p> <p>ex b) Of a value not exceeding 30 u.a. per 100 kg net weight: — Orange juice — Grapefruit juice — Other citrus fruit juices</p> <p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>a) Of a value exceeding 30 u.a. per 100 kg net weight:</p> <p>1. Orange juice 2. Grapefruit juice</p> <p>ex 3. Lemon juice and other citrus fruit juices: — Other citrus fruit juices (excluding lemon juice)</p>	<p>70 % 70 % 60 %</p> <p>70 % 70 % 60 %</p> <p>70 % 70 %</p> <p>60 %</p>

CCT heading No	Description	Rate of reduction
20.07 (cont'd)	b) Of a value of 30 u.a. or less per 100 kg net weight: 1. Orange juice 2. Grapefruit juice	70% 70%
23.01	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves	100%

2. As from the implementation of Community rules on potatoes, the tariff reduction provided for in paragraph 1 for the products of sub-heading 07.01 A II ex a) shall be 50% and shall be applicable for the period from 1 January to 15 April.

3. Paragraph 1 shall apply to fresh lemons of subheading 08.02 ex C of the Common Customs Tariff on condition that on the internal Community market the prices of lemons imported from Morocco are, after customs clearance and deduction of import charges other than customs duties, not less than the reference price plus the incidence on that reference price of the customs duties actually applied in respect of third countries and a fixed amount of 1.20 units of account per 100 kilograms.

4. The import charges other than customs duties referred to in paragraph 3 shall be those laid down for calculating the entry prices referred to in Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables.

However, the Community shall be entitled to calculate the amount to be deducted in respect of the import charges other than customs duties referred to in paragraph 3 in such a way, according to origin, as to avoid difficulties which may arise from the incidence of those charges on entry prices.

Articles 23 to 28 of Regulation (EEC) No 1035/72 shall continue to apply.

Article 16

The Community shall take all measures necessary to ensure that the levy on imports into the Community of durum wheat falling within subheading 10.01 B of the Common Customs Tariff and originating in Morocco is the levy calculated in accordance with Article 13 of Regulation No 120/67/EEC on the common organization of the market in cereals, less 0.5 unit of account per tonne.

Article 17

1. Provided that Morocco levies a special charge on exports of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff and provided also that this special charge is reflected in the import price, the Community shall take the necessary measures to ensure that:

- (a) the levy on imports into the Community of the said olive oil, wholly obtained in Morocco and transported direct from that country to the Community, is the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, less 0.5 unit of account per 100 kilograms;
- (b) the amount of the levy calculated in the manner described under (a) is reduced by an amount equal to that of the special charge paid but not exceeding 10 units of account per 100 kilograms.

2. If Morocco does not levy the charge referred to in paragraph 1, the Community shall take the necessary measures to ensure that the levy on imports into the Community of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, is the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a

common organization of the market in oils and fats, less 0.5 unit of account per 100 kilograms.

3. Each Contracting Party shall take the measures necessary for implementation of paragraph 1 and, in the event of difficulties and at the request of the other Contracting Party, shall supply the information required for the proper operation of the system.

4. Consultations on the functioning of the system provided for in this Article shall take place within the Cooperation Council at the request of either Contracting Party.

Article 18

Without prejudice to the collection of the variable component of the levy calculated in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component shall not be imposed on imports into the Community of olive oil having undergone a refining process, falling within subheading 15.07 A I of the Common Customs Tariff, wholly obtained in Morocco and transported direct from that country to the Community.

Article 19

1. From 1 July 1976 prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff originating in Morocco may be imported into the Community free of customs duties subject to observance of the minimum prices fixed in accordance with the following paragraphs.

2. For the period 1 July 1976 to 30 June 1978 the minimum prices referred to in paragraph 1 shall be those specified in Annex C. The prices for the period beginning 1 July 1978 shall be not lower than those specified in the said Annex as updated by exchange of letters between the Contracting Parties in order to take account of the trend of costs for the products in question.

3. From 1 July 1979 the minimum prices referred to in paragraph 1 shall be agreed by annual exchanges of letters between the Contracting Parties.

4. Exemption from the customs duties referred to in paragraph 1 shall apply only from the date and for the periods determined by the exchanges of letters laying down the technical rules for applying this Article.

Article 20

1. Customs duties on imports into the Community of the products originating in Morocco which are listed below shall be reduced by the following rates:

CCT heading No	Description	Rate of reduction
20.06	<p>Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:</p> <p>B. Other:</p> <p style="padding-left: 20px;">II. Not containing added spirit:</p> <p style="padding-left: 40px;">a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <p style="padding-left: 60px;">ex 9. Mixtures of fruit: — Fruit salad</p> <p style="padding-left: 40px;">b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:</p> <p style="padding-left: 60px;">ex 9. Mixtures of fruit: — Fruit salad</p>	<p style="text-align: center; padding-left: 120px;">55%</p> <p style="text-align: center; padding-left: 120px;">55%</p>

2. The tariff reduction referred to in paragraph 1 shall apply only from the date and for the periods determined by exchanges of letters to be concluded annually between the Contracting Parties for the purpose of establishing the conditions and detailed rules for such reduction.

Article 21

1. Customs duties on imports into the Community of wine of fresh grapes falling within heading No ex 22.05 of the Common Customs Tariff originating in Morocco shall be reduced by 80 %, provided that the import prices of such wine plus the customs duties actually levied are not less at any given time than the Community reference prices for such wine.

2. Wine referred to in paragraph 1 which is entitled to a designation of origin under Moroccan law, is listed in an exchange of letters to be concluded between the Contracting Parties, and is put up in bottles, shall be exempt from Customs duties on importation into the Community within the limit of an annual Community tariff quota of 50 000 hectolitres.

In order to qualify for the treatment specified in the first subparagraph the wine must be put up in containers holding two litres or less.

For the purposes of applying this paragraph, Morocco shall be responsible for verifying the identity of the above wine in accordance with its national rules, particularly as regards analysis criteria. To this end, all the wine concerned shall be accompanied by a certificate of designation of origin issued by the relevant Moroccan authority, in accordance with the model given in Annex D to this Agreement.

3. The tariff reduction provided for in paragraph 2 shall be applicable once the exchange of letters referred to in paragraph 2 has been concluded following verification of the equivalence of Moroccan and Community legislation with regard to wine entitled to a designation of origin; it shall be applied from the date fixed in that exchange of letters.

Article 22

1. Customs duties on imports into the Community of the following products originating in Morocco shall be reduced by 30 % within the limits of an annual Community tariff quota of 8 250 tonnes.

CCT heading No	Description
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: c) Not containing added sugar, in immediate packings of a net capacity: 1. Of 4.5 kg or more: ex aa) Apricots: — Apricot pulp

2. If paragraph 1 does not apply to a full calendar year, the tariff quota shall be opened *pro rata*.

Article 23

1. The Community shall take all necessary measures to ensure that the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Morocco, is the import levy calculated in accordance with Article 2 of Regulation (EEC) No 1052/68 on the import and export system for products processed from cereals and from rice, less a fixed amount equivalent to 60% of the variable component of the levy, and that the fixed component not imposed.

2. The provisions of paragraph 1 shall apply provided that Morocco levies on exports of the products referred to therein a special charge equal to the amount by which the levy is reduced and that this charge is reflected in the Community import price.

3. Detailed rules for the application of this Article shall be laid down in an exchange of letters between the Community and Morocco.

4. Consultations on the functioning of the arrangement provided for in this Article shall take place within the Cooperation Council at the request of either Contracting Party.

Article 24

1. The rates of reduction specified in Articles 15, 19, 20, 21 and 22 shall apply to the customs duties actually applied in respect of third countries.

2. However, the duties resulting from the reductions made by Denmark, Ireland and the United Kingdom may in no case be lower than those applied by the said countries to the Community as originally constituted.

3. In derogation from paragraph 1, should the application thereof temporarily result in tariff movements away from alignment on the final duty, Denmark, Ireland and the United Kingdom may maintain their duties until the level of these duties has been reached on the occasion of a subsequent alignment, or they may apply the duty resulting from a subsequent alignment as soon as a tariff movement reaches or passes the said level.

4. The reduced duties calculated in accordance with Articles 15, 19, 20, 21 and 22 shall be rounded off to the first decimal place.

However, subject to the application by the Community of Article 39 (5) of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10, as regards the specific duties or the specific part of the mixed duties in the customs tariffs of Ireland and of the United Kingdom the reduced duties shall be rounded off to the fourth decimal place.

5. In the new Member States the variable component of the levy referred to in Article 23 shall be calculated taking into account the rates actually applied in respect of third countries.

Article 25

1. Should specific rules be introduced as a result of implementation of its agricultural policy or modification of the existing rules, or should the provisions on the implementation of its agricultural policy be modified or developed, the Community may modify the arrangements laid down in the Agreement in respect of the products concerned.

In such cases the Community shall take appropriate account of the interests of Morocco.

2. If the Community, in applying paragraph 1, modifies the arrangements made by this Agreement for products covered by Annex II to the Treaty establishing the European Economic Community, it shall accord imports originating in Morocco an advantage comparable to that provided for in this Agreement.

3. Any modification of the arrangements made by this Agreement shall be the subject, at the request of the other Contracting Party, of consultations within the Cooperation Council.

C. Common provisions

Article 26

1. The products originating in Morocco referred to in this Agreement may not enjoy more favourable treatment when imported into the Community than that applied by the Member States between themselves.

2. For the application of paragraph 1, account shall not be taken of the customs duties and charges having equivalent effect resulting from the application of Articles 32, 36 and 59 of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10.

Article 27

1. Subject to the special provisions relating to frontier-zone trade, Morocco shall grant the Community in the field of trade treatment no less favourable than most-favoured-nation treatment.
2. Paragraph 1 shall not apply in the case of the maintenance or establishment of customs unions or free-trade areas.
3. Furthermore, Morocco may derogate from the provisions of paragraph 1 in the case of measures adopted with a view to the economic integration of the Maghreb, or measures benefiting the developing countries. Such measures shall be notified to the Community.

Article 28

1. The Contracting Parties shall inform each other at the time of signature of this Agreement of the provisions relating to the trade arrangements they apply.
2. Morocco shall be entitled to introduce into its trade arrangements with the Community new customs duties or charges having equivalent effect and new quantitative restrictions or measures having equivalent effect and to increase the duties or charges and the quantitative restrictions or measures having equivalent effect applied to products originating in or going to the Community, where such measures are necessitated by Morocco's industrialization and development requirements. Such measures shall be notified to the Community.

For the application of these measures consultations shall be held within the Cooperation Council at the request of the other Contracting Party.

Article 29

Where Morocco applies quantitative restrictions in the form of quotas to a given product in accordance with its own legislation it shall treat the Community as a single entity.

Article 30

On the occasion of the reviews provided for in Article 55 of the Agreement the Contracting Parties shall seek opportunities to make progress towards the removal of obstacles to trade, while having regard to Morocco's essential development requirements.

Article 31

The concept of 'originating products' for the purposes of implementing this title and the methods of administrative cooperation relating thereto are laid down in Protocol 2.

Article 32

In the event of modifications to the nomenclature of the customs tariffs of the Contracting Parties affecting products referred to in this Agreement, the Cooperation Council may adapt the tariff nomenclature of these products to conform with such modifications, subject to the maintenance of the real advantages resulting from this Agreement.

Article 33

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed upon them.

Article 34

Payments relating to commercial transactions carried out in accordance with foreign trade and exchange regulations and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Morocco shall be free from any restrictions.

Article 35

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures of artistic, historic or archaeological value; the protection of industrial and commercial property, or rules relating to gold or silver. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 36

1. If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the Agreement on implementation of Article VI of the General Agreement on tariffs and trade, under the conditions and in accordance with the procedures laid down in Article 38.

2. In the event of measures being directed against bounties or subsidies the Contracting Parties undertake to respect the provisions of Article IV of the General Agreement on tariffs and trade.

Article 37

If serious disturbances arise in any sector of the economy or if difficulties arise which might bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take the necessary safeguard measures under the conditions and in accordance with the procedures laid down in Article 38.

Article 38

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Article 37 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 36 and 37, before taking the measures provided for therein or, in cases to which paragraph 3 (b) applies, as soon as possible, the Contracting Party in question shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. Such measures must not exceed the limits of what is strictly necessary to counteract the difficulties which have arisen.

The safeguard measures shall be notified immediately to the Cooperation Council and shall be the subject of periodic consultations within the Cooperation Council, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

- (a) as regards Articles 36 and 37, consultation in the Cooperation Council shall take place before the Contracting Party concerned takes the appropriate measures;

- (b) where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 36 and 37, apply forthwith such precautionary measures as are strictly necessary to remedy the situation.

Article 39

Where one or more Member States of the Community or Morocco is in serious difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. They shall be notified immediately to the other Contracting Party and shall be the subject of periodic consultations within the Cooperation Council, particularly with a view to their abolition as soon as circumstances permit.

TITLE III

COOPERATION IN THE FIELD OF LABOUR

Article 40

The treatment accorded by each Member State to workers of Moroccan nationality employed in its territory shall be free from any discrimination based on nationality, as regards working conditions or remuneration, in relation to its own nationals.

Morocco shall accord the same treatment to workers who are nationals of a Member State and employed in its territory.

Article 41

1. Subject to the provisions of the following paragraphs, workers of Moroccan nationality and any members of their families living with them shall enjoy, in the field of social security, treatment free from any discrimination based on nationality in relation to nationals of the Member States in which they are employed.
2. All periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions and annuities in respect of old age, invalidity and death and also for that of medical care for the workers and for members of their families resident in the Community.
3. The workers in question shall receive family allowances for members of their families who are resident in the Community.
4. The workers in question shall be able to transfer freely to Morocco, at the rates applied by virtue of the law of the debtor Member State or States, any pensions or annuities in respect of old age, death, industrial accident or occupational disease, or of invalidity resulting from industrial accident or occupational disease.
5. Morocco shall accord to workers who are nationals of a Member State and employed in its territory, and to the members of their families, treatment similar to that specified in paragraphs 1, 3 and 4.

Article 42

1. Before the end of the first year following entry into force of this Agreement, the Cooperation Council shall adopt provisions to implement the principles set out in Article 41.
2. The Cooperation Council shall adopt detailed rules for administrative cooperation providing the necessary management and control guarantees for the application of the provisions referred to in paragraph 1.

Article 43

The provisions adopted by the Cooperation Council in accordance with Article 42 shall not effect any rights or obligations arising from bilateral agreements linking Morocco and the Member States where those agreements provide for more favourable treatment of nationals of Morocco or of the Member States.

TITLE IV

GENERAL AND FINAL PROVISIONS

Article 44

1. A Cooperation Council is hereby established which shall have the power, for the purpose of attaining the objectives set out in the Agreement, to take decisions in the cases provided for in the Agreement.

The decisions taken shall be binding on the Contracting Parties, which shall take such measures as are required to implement them.

2. The Cooperation Council may also formulate any resolutions, recommendations or opinions which it considers desirable for the attainment of the common objectives and the smooth functioning of the Agreement.

3. The Cooperation Council shall adopt its rules of procedure.

Article 45

1. The Cooperation Council shall be composed, on the one hand, of the members of the Council of the European Communities and of members of the Commission of the European Communities and, on the other hand, of members of the Government of the Kingdom of Morocco.

2. Members of the Cooperation Council may be represented as laid down in the rules of procedure.

3. The Cooperation Council shall act by mutual agreement between the Community on the one hand and Morocco on the other.

Article 46

1. The office of President of the Cooperation Council shall be held alternately by a member of the Council of the European Communities and a member of the Government of the Kingdom of Morocco.

2. Meetings of the Cooperation Council shall be called **once** a year by its President.

The Cooperation Council shall, in addition, meet whenever necessary, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

Article 47

1. The Cooperation Council shall be assisted in the performance of its duties by a Cooperation Committee composed, on the one hand, of one representative of each Member State and one representative of the Commission of the European Communities and, on the other, of representatives of the Kingdom of Morocco.

2. The Cooperation Council may decide to set up any other committee that can assist it in carrying out its duties.

3. In its rules of procedure, the Cooperation Council shall determine the composition and duties of such committees and how they shall function.

Article 48

The Cooperation Council shall take any appropriate measures to facilitate the necessary cooperation and contacts between the European parliamentary assembly and the Chamber of Representatives of the Kingdom of Morocco.

Article 49

Either Contracting Party shall, if so requested by the other Contracting Party, provide all relevant information on any agreements it concludes involving tariff or trade provisions, and on any amendments to its customs tariff or external trade arrangements.

Where such amendments or agreements have a direct and particular incidence on the functioning of the Agreement, appropriate consultations shall be held within the Cooperation Council at the request of the other Contracting Party so that the interests of the Contracting Parties may be taken into consideration.

Article 50

1. When the Community concludes an Association Agreement having a direct and particular incidence on the functioning of the Agreement appropriate consultations shall be held within the Cooperation Council so that the Community may take into consideration the interests of the Contracting Parties as defined by this Agreement.

2. In the event of a third State acceding to the Community, appropriate consultations shall be held within the Cooperation Council so that the interests of the Contracting Parties as defined by this Agreement may be taken into consideration.

Article 51

1. The Contracting Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.
2. If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures. Before so doing, it shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. These measures shall be notified immediately to the Cooperation Council and shall be the subject of consultations within the Cooperation Council if the other Contracting Party so requests.

Article 52

1. Any dispute which arises between the Contracting Parties concerning the interpretation of the Agreement may be placed before the Cooperation Council.
2. If the Cooperation Council fails to settle the dispute at its next meeting, 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 Cooperation Council shall appoint a third arbitrator.

The decisions of the arbitrators shall be taken by majority vote.

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

Article 53

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions, or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its security in time of war or serious international tension.

Article 54

In the fields covered by the Agreement:

- the arrangements applied by Morocco in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms,
- the arrangements applied by the Community in respect of Morocco shall not give rise to any discrimination between Moroccan nationals, companies or firms.

Article 55

The Contracting Parties shall review, in accordance with the procedure adopted for negotiating the Agreement itself, in the first place from the beginning of 1978 and again from the beginning of 1983, the results of the Agreement and any improvements which could be made by either side as from 1 January 1979 and 1 January 1984, on the basis of the experience gained during the functioning of the Agreement and of the objectives defined therein.

Article 56

Protocols 1 and 2 and Annexes A, B, C and D shall form an integral part of the Agreement. The declarations and exchanges of letters shall appear in the Final Act, which shall form an integral part of the Agreement.

Article 57

Either Contracting Party may denounce this Agreement by notifying the other Contracting Party. The Agreement shall cease to apply six months after the date of such notification.

Article 58

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Economic Community applies under the conditions laid down in that Treaty and, on the other, to the territory of the Kingdom of Morocco.

Article 59

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 60

This Agreement will be approved by the Contracting Parties in accordance with their own procedures.

This Agreement shall enter into force on the first day of the second month following notification that the procedures referred to in the first paragraph have been completed.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

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.

وَأَشَاءُ لِذَلِكَ ، وَنَعْمَ الْعَرَبُونَ امْتَلَأْ هَذَا الْإِثْمَانِ .

Udfærdiget i Rabat, den syvogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Rabat am siebenundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Rabat this twenty-seventh day of April in the year one thousand nine hundred and seventy-six.

Fait à Rabat, le vingt-sept avril mil neuf cent soixante-seize.

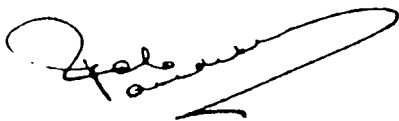
Fatto a Rabat, addì ventisette aprile millenovecentosettantasei.

Gedaan te Rabat, de zevenentwintigste april negentienhonderdzesen-zeventig.

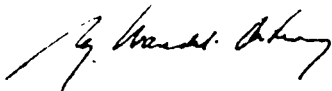
حَدِّثْ بِالرِّبَاطِ ، فِي السَّابِعِ وَالْمِئْتَيْنِ مِنْ شَهْرِ إِسْرَائِيلَ سَنَةِ الْفَرْسِ سِتِّ مِئَةٍ وَسَبْعِينَ

Pour Sa Majesté le roi des Belges

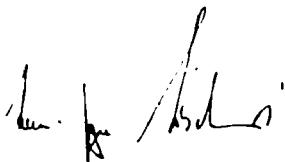
Voor Zijne Majesteit de Koning der Belgen



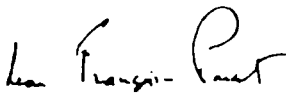
For Hendes Majestæt dronningen af Danmark



Für den Präsidenten der Bundesrepublik Deutschland



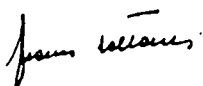
Pour le président de la République française



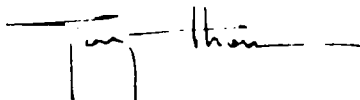
For the President of Ireland



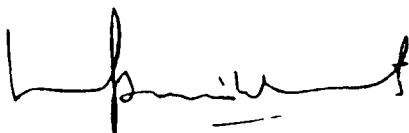
Per il presidente della Repubblica italiana

A handwritten signature in black ink, appearing to read "Giovanni Leone". The signature is written in a cursive style with a horizontal line above the name.

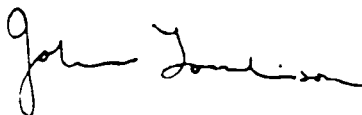
Pour Son Altesse Royale le grand-duc de Luxembourg

A handwritten signature in black ink, appearing to read "Jean". The signature is written in a cursive style with a horizontal line above the name.

Voor Hare Majesteit de Koningin der Nederlanden

A handwritten signature in black ink, appearing to read "Beatrix". The signature is written in a cursive style with a horizontal line below the name.

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

A handwritten signature in black ink, appearing to read "John Taylor". The signature is written in a cursive style.

På Rådet for De europæiske Fællesskabers vegne
Im Namen des Rates der Europäischen Gemeinschaften
In the name of the Council of the European Communities
Au nom du Conseil des Communautés européennes
A nome del Consiglio delle Comunità europee
Namens de Raad van de Europese Gemeenschappen

باسم مجلس المجتمعات الأوروبية

من صاحب الصلافة طه المحمود

C. Chayman

ANNEX A

relating to the products referred to in Article 14

CCT heading No	Description
ex 17.04	Sugar confectionery, not containing cocoa, but not including liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances
18.06	Chocolate and other food preparations containing cocoa
19.01	Malt extract
19.02	Preparations of flour, starch, or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa
19.03	Macaroni, spaghetti and similar products
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
ex 21.01	Roasted chicory and other roasted coffee substitutes, extracts, essences and concentrates thereof: — Excluding roasted chicory and extracts thereof
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: II. Bakers' yeast
ex 21.07	Food preparations not elsewhere specified or included, containing sugar, dairy products, cereals or products based on cereals (1)

(1) This heading covers only products which, on importation into the Community, are subject to the duty laid down in the Common Customs Tariff, comprising an *ad valorem* duty constituting the fixed component and a variable component.

CCT heading No	Description
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07: — Containing milk or milkfats
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrated derivatives: C. Polyhydric alcohols: II. Mannitol III. Sorbitol
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries: A. Prepared glazings and prepared dressings: I. With a basis of amylaceous substances
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included: T. Sorbitol, other than that falling within subheading 29.04 C III: I. In aqueous solution: a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content b) Other II. Other: a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content b) Other

ANNEX B

concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff

1. In order to take account of:

- the importance of olive oil for the Moroccan economy,
- the programmes and efforts undertaken by Morocco to rationalize and improve the conditions on its olive-oil market,
- the traditional trade flows in this product between Morocco and the European Economic Community,

the amount to be deducted from the amount of the levy in accordance with Article 17 (1) (b) of the Agreement concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff may be increased by an additional amount under the same conditions and arrangements as laid down for the application of Article 17 (1) (b) of the Agreement.

2. The additional amount provided for in paragraph 1, if any, shall be fixed for each year of application by an exchange of letters between the Contracting Parties in the light of conditions on the olive-oil market.
3. In view of the exceptional conditions currently affecting the olive-oil market, the additional amount shall be fixed at 10 units of account for the period ending 31 October 1977.

ANNEX C (I)

from 1 July 1976 to 30 June 1977

Size		Net weight		Semi-gross weight	Capacity	Coefficient	Minimum prices (customs duties included) in u.a. per carton of 100 tins			
Trade specification	Total height (mm)	Ounces	Grams	Grams	cm ³		Community excluding United Kingdom and Denmark:		United Kingdom and Denmark:	
							In olive oil	Other	In olive oil	Other
Rectangular bottom:										
$\frac{1}{16}$ club	20	2	56	95	53	0.60	11.10	10.20	10.66	9.79
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	12.95	11.90	12.43	11.42
$\frac{1}{4}$ reduced	18	2 $\frac{1}{2}$	74	130	73	0.77	14.25	13.09	13.68	12.56
$\frac{1}{8}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	14.80	13.60	14.21	13.06
$\frac{1}{4}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	15.73	14.45	15.10	13.87
$\frac{1}{4}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	16.65	15.30	15.98	14.69
$\frac{1}{4}$ club	30	4 $\frac{1}{2}$	125	190	125					

‡ P 25				176	125					
‡ usual	22	3‡	105	180	106	1-00	18-50	17-00	17-76	16-32
‡ (club 30)				188	130					
‡ usual	24	4‡	125	195	125	1-10	20-35	18-70	19-54	17-95
‡ usual	30	5‡	150	240	169					
‡ club	40	8‡	175	250	178	1-30	24-05	22-10	23-09	21-22
‡ P 30				250	187					
‡ American	30	7	200	300	207	1-60	29-60	27-20	28-42	26-11
‡ usual	40	9‡	260	326	250					
‡ P				337	250	1-80	33-30	30-60	31-97	29-38
‡ club long	40	8‡	248	320	241					
‡ low	30	9‡	260	370	245	2-20	40-70	37-40	39-07	35-90
‡ usual long	40	11‡	325	423	313	2-50	46-25	42-50	44-40	40-80
‡ usual	48	11	310	390	297	2-60	48-10	44-20	46-18	42-43
‡ large	40	11‡	325	460	330	2-70	49-95	45-90	47-95	44-06
‡ P				476	375					
‡				902	750					
‡	80	27‡	780	950	771	4-65	86-03	79-05	82-58	75-89
Oval bottom:										
‡ oval	40	15	425	555	452	3-40	62-90	57-80	60-38	55-49

ANNEX C (2)

from 1 July 1977 to 30 June 1978

Size		Net weight		Semi-gross weight	Capacity	Coefficient	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specification	Total height (mm)	Ounces	Grams	Grams	cm ³		Community:	
							In olive oil	Other
Rectangular bottom:								
$\frac{1}{16}$ club	20	2	56	95	53	0.60	11.70	10.80
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	13.65	12.60
$\frac{1}{4}$ reduced	18	2 $\frac{1}{2}$	74	130	73	0.77	15.02	13.86
$\frac{1}{8}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	15.60	14.40
$\frac{1}{4}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	16.58	15.30
$\frac{1}{8}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	17.55	16.20
$\frac{1}{4}$ club	30	4 $\frac{1}{2}$	125	190	125			

‡ P 25				176	125			
‡ usual	22	3‡	105	180	106	1-00	19-50	18-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125	1-10	21-45	19-80
‡ usual	30	5‡	150	240	169			
‡ club	40	6‡	175	250	178	1-30	25-35	23-40
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	31-20	28-80
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	35-10	32-40
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	42-90	39-60
‡ usual long	40	11‡	325	423	313	2-50	48-75	45-00
‡ usual	48	11	310	390	297	2-60	50-70	46-80
‡ large	40	11‡	325	460	330	2-70	52-65	48-60
‡ P				476	375			
‡				902	750			
‡	80	27‡	780	950	771	4-65	90-68	83-70
Oval bottom:								
‡ oval	40	15	425	555	452	3-40	66-30	61-20

ANNEX C (3)

from 1 July 1978 to 30 June 1979

Size		Net weight		Semi-gross weight	Capacity	Coefficient	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specification	Total height (mm)	Ounces	Grams	Grams	cm ³		Community:	
							In olive oil	Other
Rectangular bottom:								
$\frac{1}{8}$ club	20	2	56	95	53	0.60	12.30	11.40
$\frac{1}{4}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	14.35	13.30
$\frac{1}{4}$ reduced	18	2 $\frac{1}{2}$	74	130	73	0.77	15.79	14.63
$\frac{1}{4}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	16.40	15.20
$\frac{1}{4}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	17.43	16.15
$\frac{1}{4}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	18.45	17.10
$\frac{1}{4}$ club	30	4 $\frac{1}{2}$	125	190	125			

‡ P 25				176	125			
‡ usual	22	3‡	105	180	106	1-00	20-50	19-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125	1-10	22-55	20-90
‡ usual	30	5‡	150	240	169			
‡ club	40	6‡	175	250	178	1-30	26-65	24-70
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	32-80	30-40
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	36-90	34-20
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	45-10	41-80
‡ usual long	40	11‡	325	423	313	2-50	51-25	47-50
‡ usual	48	11	310	390	297	2-60	53-30	49-40
‡ large	40	11‡	325	460	330			
‡ P				476	375	2-70	55-35	51-30
‡				902	750	4-65		
‡	80	27‡	780	950	771		95-33	88-35
Oval bottom:								
‡ oval	40	15	425	555	452	3-40	69-70	64-60

ANNEX D

1. المصدر - Eksportør - Ausfühler - Exporter - Exportateur - Esportatore - Exporteur:	2. الرقم - Nummer - Nummer - Number - Numéro - Numero - Nummer	00000
4. المرسل اليه - Modtager - Empfänger - Consignee - Destinataire - Destinario - Geadresseerde:	3. (Name of authority guaranteeing the designation of origin)	
6. وسيلة النقل - Transportmiddel - Beförderungsmittel - Means of transport - Moyen de transport - Mezzo di trasporto - Vervoermiddel:	5. شهادة التسمية الاصلية CERTIFIKAT FOR OPRIDELSESBEDEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG	
8. مكان الافراغ - Losningssted - Entladungsart - Place of unloading - Lieu de déchargement - Luogo di sbarco - Plaats van lossing:	7. (Designation of origin)	
9. الانواع والارقام ، عدد ونوع الطرود Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e numero, quantità e natura dei colli Merken en nummers, aantal en soort der colli	10. الوزن الخام Bruttovægt Rongewicht Gross weight Poids brut Peso lordo Brutogewicht	11. لترات Liter Liter Litres Litres Litre Liter

<p>12. لترات (بالحروف) - Liter (i bogstaver) - Liter (in Buchstaben) - Litres (in words) - Litres (en lettres) - Litri (in lettere) - Liter (voluit):</p>		
<p>13. تأشيرة الهيئة المرسلّة - Påtegning fra udstedende organ - Bescheinigung der erteilenden Stelle - Certificate of the issuing authority - Visa de l'organisme émetteur - Visto dell'organismo emittente - Visum van de instantie van afgifte:</p>		
<p>14. تأشيرة الحمارك - Toldstedets attest - Sichtvermerk der Zollstelle - Customs stamp - Visa de la douane - Visto della dogana - Visum van de douane</p>	<p>(Oversættelse se nr. 15 - Übersetzung siehe Nr. 15 - see the translation under No 15 - Voir traduction au n° 15 - Vedi traduzione al n. 15 - Zie voor vertaling nr. 15)</p>	

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i området og ifølge marokkansk lovgivninger berettiget til oprindelsesbetegnelsen:».....«.

Alkohol tilsat denne vin er alkohol fremstillet af vin.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk gewonnen wurde und ihm nach marokkanischem Gesetz die Ursprungsbezeichnung „.....“ zuerkannt wird.

Der diesem Wein zugefügte Alkohol ist aus Wein gewonnener Alkohol.

We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Moroccan legislation as entitled to the designation of origin ".....".

The alcohol added to this wine is alcohol of vinous origin.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de et est reconnu, suivant la loi marocaine, comme ayant droit à la dénomination d'origine «.....».

L'alcool ajouté à ce vin est de l'alcool d'origine vinique.

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella zona di ed è riconosciuto, secondo la legge marocchina, come avente diritto alla denominazione di origine «.....».

L'alcole aggiunto a questo vino è alcole di origine vinica.

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het wijndistrict van en dat volgens de Marokkaanse wetgeving de benaming van oorsprong „.....“ erkend wordt.

De aan deze wijn toegevoegde alcohol is alcohol, uit wijn gewonnen.

16. (!)

يحتفظ بهذه الخانة لبيانات اخرى من الدولة المصدرة (1)

(1) Rubrik forbeholdt eksportlandets andre angivelser

(1) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten

(1) Space reserved for additional details given in the exporting country

(1) Case reservee pour d'autres indications du pays exportateur

(1) Spazio riservato per altre indicazioni del paese esportatore

(1) Ruimte bestemd voor andere gegevens van het land van uitvoer.

PROTOCOL 1
on technical and financial cooperation

Article 1

The Community shall participate, within the framework of financial and technical cooperation, in the financing of measures such as to contribute to the economic and social development of Morocco.

Article 2

1. For the purposes specified in Article 1, and for a period expiring on 31 October 1981, an aggregate amount of 130 million units of account may be committed as follows;

- (a) 56 million units of account in the form of loans from the European Investment Bank, hereinafter called 'the Bank', granted from its own resources on the terms set out in its Statute;
- (b) 58 million units of account in the form of loans on special terms;
- (c) 16 million units of account in the form of grants.

Provision may be made for contributions to risk capital formation, to be charged against the amount shown in (b).

2. The loans referred to in paragraph 1 (a) shall generally be combined with 2% interest rate subsidies financed by means of the funds shown in paragraph 1 (c).

Article 3

1. The amount fixed in Article 2 shall be used for the financing or part-financing of:

- capital projects in the fields of production and economic infrastructure, aimed in particular at diversifying the economic structure of Morocco and, especially, at promoting its industrialization and modernizing its agriculture;
 - technical cooperation as a preliminary or complement to capital projects drawn up by Morocco;
 - technical cooperation in the field of training.
2. Community aids shall be used to cover costs necessarily incurred in carrying out approved projects or measures. They may not be used to cover current administrative, maintenance or operational expenditure.

Article 4

1. Capital projects shall be eligible for financing either by loans from the Bank, combined with interest rate subsidies on the terms set out in Article 2, or by loans on special terms, or by a combination of these two means.
2. Technical cooperation shall normally be financed by grants.

Article 5

1. The amounts to be committed each year for each of the various forms of aid shall be distributed as evenly as possible throughout the period of application of this Protocol. During the initial period of application however, a proportionately higher amount may, within reasonable limits, be committed.
2. Any funds not committed by the end of the fifth year following the entry into force of the Agreement shall be used, until exhausted, in accordance with the same arrangements as provided for in this Protocol.

Article 6

1. Loans granted by the Bank from its own resources shall be subject to terms as to duration established on the basis of the economic and financial characteristics of the projects for which such loans are intended. The interest rate shall be that applied by the Bank at the time of signature of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).
2. Loans on special terms shall be granted for 40 years with an amortization period of 10 years. The interest rate shall be fixed at 1%.
3. The loans may be granted through the intermediary of the State or appropriate Moroccan bodies, on condition that they onlend the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Morocco, take the form of co-financing in which, in particular, credit and development bodies and institutions of Morocco, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation :

- (a) in general:
 - the Moroccan State;
- (b) with the agreement of the Moroccan State, for projects or measures approved by it:
 - Moroccan official development agencies,

- private agencies working in Morocco for economic and social development,
- undertakings carrying on their activities in accordance with the methods of industrial and business management which are set up as companies or firms under Moroccan law,
- groups of producers who are nationals of Morocco, and exceptionally, where no such groups exist, the producers themselves,
- scholarship holders and trainees sent by Morocco under the training schemes referred to in Article 3.

Article 9

1. Upon the entry into force of the Agreement the Community and Morocco shall establish by mutual agreement the specific objectives of financial and technical cooperation, by reference to the priorities set by Morocco's development plan.

These objectives may be reviewed by mutual agreement to take account of changes in Morocco's economic situation or in the objectives and priorities set by its development plan.

2. Within the framework established pursuant to paragraph 1, financial and technical cooperation shall apply to projects and measures drawn up by Morocco or by other beneficiaries approved by that country.

Article 10

1. For each request for financial aid under this Protocol, a dossier shall be submitted to the Community by the beneficiary referred to in Article 8 (a) or, with the agreement of Morocco, by those referred to in Article 8 (b).

2. The Community shall appraise the requests for financing in collaboration with the Moroccan State and the beneficiaries in accordance with the objectives set out in Article 9 (1), and shall inform them of the decisions taken on such requests.

Article 11

The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Morocco or the other beneficiaries referred to in Article 8 of this Protocol.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

Article 12

1. As regards projects and measures financed by the Community, participation in tendering procedures and other procedures for the award of contracts shall be open, on equal terms, to all natural or legal persons of the Member States and of Morocco.

2. To promote participation by Moroccan undertakings in the performance of works contracts, an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used at the proposal of the relevant Community body where the works in question, because of their scale, are mainly of interest to Moroccan undertakings.

This accelerated procedure may be used for invitations to tender whose value is estimated at less than one million units of account.

3. Participation by other countries in contracts financed by the Community may be decided by mutual agreement in exceptional cases.

Participation by third countries may also be decided, in the same circumstances, where the Community participates in the financing of schemes together with other sources of funds.

Article 13

Under its national law in force, Morocco shall apply to contracts awarded for the execution of projects or measures financed by the Community fiscal and customs arrangements as favourable as those applied in respect of other international organizations.

Article 14

Where a loan is accorded to a beneficiary other than the Moroccan State, the provision of a guarantee by the latter or of other adequate guarantees may be required by the Community as a condition of the grant of the loan.

Article 15

Throughout the duration of the loans accorded pursuant to this Protocol, Morocco shall undertake to make available to debtors enjoying such loans the foreign currency necessary for the payment of interest and commission and the repayment of principal.

Article 16

The results of financial and technical cooperation shall be examined annually by the Cooperation Council. The latter shall define, where appropriate, the general guidelines of such cooperation.

Article 17

Before the end of the fifth year following the entry into force of the Agreement, the Contracting Parties shall examine what arrangements could be made for financial and technical cooperation during a possible further period.

PROTOCOL 2

concerning the definition of the concept of 'originating products' and methods of administrative cooperation

TITLE I

Definition of the concept of 'originating products'

Article 1

1. For the purpose of implementing the Agreement and without prejudice to paragraphs 2 and 3, on condition that they were transported in conformity with Article 5, the following shall be considered as:

(a) products originating in Morocco:

- products wholly obtained in Morocco,
- products obtained in Morocco, in the manufacture of which products other than those wholly obtained in Morocco are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3;

(b) products originating in the Community:

- products wholly obtained in the Community,
- products obtained in the Community, in the manufacture of which products other than those wholly obtained in the Community are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purpose of implementing the first indent of paragraph 1 (a), when products wholly obtained in Algeria, in Tunisia or in the Community undergo working or processing in Morocco, they shall be considered as having been wholly obtained in Morocco.

For the purpose of implementing the second indent of paragraph 1 (a), working or processing carried out in Algeria, in Tunisia or in the Community shall be considered as having been carried out in Morocco, when the products obtained undergo subsequent working or processing in Morocco.

This paragraph shall apply subject to the condition that the products concerned are transported in conformity with Article 5.

3. For the purpose of implementing the first indent of paragraph 1 (b), when products wholly obtained in Morocco undergo working or processing in the Community, they shall be considered as having been wholly obtained in the Community.

For the purposes of implementing the second indent of paragraph 1 (b), working or processing carried out in Morocco shall be considered as having been carried out in the Community, when the products obtained undergo subsequent working or processing in the Community.

This paragraph shall apply subject to the condition that the products concerned are transported in conformity with Article 5.

4. In derogation from paragraph 1, where, pursuant to the provisions of the above paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the originating products are obtained in two or more of the States referred to in these provisions or in the Community, they shall be considered as originating products of the State or the Community according to where the last working or processing took place. For this purpose the working or processing referred to in Article 3 (3) shall not be considered as working or processing.

5. The products in List C in Annex IV shall be temporarily excluded from the scope of this Protocol.

6. The provisions contained in paragraph 2 shall only be applicable to Algeria and Tunisia in so far as the rules governing trade between Morocco, Algeria and Tunisia, in the field of these provisions, are identical to the provisions of this Protocol, and on condition that the

necessary administrative cooperation between Morocco, Algeria and Tunisia for the control of these provisions is established.

Article 2

The following shall be considered as 'wholly obtained' in Morocco, Algeria, Tunisia or the Community within the meaning of Article 1 (1), (2) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1, the following shall be considered as sufficient working or processing:

- (a) working or processing as a result of which the goods obtained receive a classification under a heading other than that covering each of the products worked or processed, except, however, working or

processing specified in List A in Annex II, where the special provisions of that list apply;

(b) working or processing specified in List B in Annex III.

'Sections', 'chapters' and 'headings' shall mean the sections, chapters and headings in the Brussels Nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits in Lists A and B the value of the materials and parts which can be used, the total value of these materials and parts, whether or not they have changed heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purpose of implementing Article 1, the following shall always be considered as insufficient working or processing to confer the status of originating product, whether or not there is a change of heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up;
- (c) (i) changes of packaging and breaking up and assembly of consignments,

- (ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packaging operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in this Protocol to enable them to be considered as originating in Morocco, Algeria, Tunisia or the Community;
- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where Lists A and B referred to in Article 3 provide that goods obtained in Morocco or in the Community shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for such a percentage shall be:

- on the one hand,
 - as regards products whose importation can be proved: their customs value at the time of importation;
 - as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the Contracting Party where manufacture takes place;
- and on the other hand,
 - the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

1. For the purpose of implementing Article 1 (1), (2) and (3), originating products whose transport is effected without entering into territory other than that of Morocco, Algeria, Tunisia or the Community shall be considered as transported directly from Morocco to the Community or from the Community to Morocco. However, goods originating in Morocco, Algeria, Tunisia or the Community and constituting one single consignment which is not split up may be transported through territory other than that of these countries or the Community with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons and that the goods have remained under the surveillance of the customs authorities in the country of transit or warehousing, that they have not entered into commerce of such countries nor been delivered for home use there and have not undergone operations other than unloading, reloading or any operation designed to maintain them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community or in Morocco by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
 - giving an exact description of the goods,
 - stating the dates of unloading and re-loading of the goods or of their embarkation or disembarkation, identifying the ships used,
 - certifying the conditions under which the goods remained in the transit country;
- (c) or failing these, any substantiating documents.

TITLE II

Arrangements for administrative cooperation

Article 6

1. Evidence of originating status of products, within the meaning of this Protocol, is given by a movement certificate EUR. 1 of which a specimen is given in Annex V to this Protocol.

However, the evidence of originating status, within the meaning of this Protocol, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per consignment, may be given by a form EUR. 2, of which a specimen is given in Annex VI to this Protocol.

The unit of account (u.a.) has a value of 0.88867088 gram of fine gold. Should the unit of account be changed, the Contracting Parties shall make contact with each other at the level of the Cooperation Council to redefine the value in terms of gold.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 7

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after exportation of the goods to which it relates if it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances. In this case the certificate shall bear a special reference to the conditions in which it was issued.

3. A movement certificate EUR. 1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen is given in Annex V to this Protocol, which shall be completed in accordance with this Protocol.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Agreement.

5. Applications for movement certificates EUR. 1 must be preserved for at least two years by the customs authorities of the exporting State.

Article 8

1. The movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State, if the goods can be considered 'originating products' within the meaning of the Agreement.

2. For the purpose of verifying whether the conditions stated in paragraph 1 have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

3. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are duly completed. In particular, they shall check whether the space reserved for the description of the goods has been completed in such a manner as to exclude all possibility of fraudulent additions. To this end, the description of the goods must be indicated without leaving any blank lines. Where the space is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

4. The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

Article 9

Movement certificates EUR. 1 shall be made out on the form of which a specimen is given in Annex V to this Protocol. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 or minus 5 mm in the length being allowed. The paper used must be white, sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.
2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR. 1.

Article 11

A movement certificate EUR. 1 must be submitted, within five months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing State after the final date for presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 1 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the goods shall not *ipso facto* render the certificate null and void if it is duly established that the certificate does correspond to the goods submitted.

Article 15

It shall always be possible to replace one or more movement certificates by one or more certificates, provided that this is done at the customs office where the goods are located.

Article 16

Form EUR. 2, a specimen of which is given in Annex VI, shall be completed by the exporter or, under his responsibility, by his authorized

representative. It shall be made out in one of the languages in which the Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters. If the goods contained in the consignment have already been subject to verification in the exporting State by reference to the definition of the concept of 'originating products' the exporter may refer to this check in the 'Remarks' box of form EUR. 2.

Form EUR. 2 shall measure 210 × 148 mm, a tolerance of up to plus 8 or minus 5 mm in the length being allowed. The paper used shall be white, sized writing paper not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case each form must include a reference to such approval. In addition, each form must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment.

These provisions do not exempt exporters from complying with any other formalities required by customs or postal regulations.

Article 17

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR. 1 or the completion of a form EUR. 2 provided that such goods are not

imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, and where there is no doubt as to the veracity of such declaration.

2. Importations which are occasional and consist solely of goods for the personal use of the recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no commercial purpose is in view.

Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of travellers' personal luggage.

Article 18

1. Goods sent from the Community or from Morocco for exhibition in a country other than Algeria and Tunisia and sold after the exhibition for importation into Morocco or into the Community shall benefit on importation from the provisions of the Agreement on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in Morocco and provided that it is shown to the satisfaction of the customs authorities that :

- (a) an exporter has consigned these goods from the Community or from Morocco to the country in which the exhibition is held and has exhibited them there;
- (b) the goods have been sold or otherwise disposed of by that exporter to someone in Morocco or in the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter to Morocco or to the Community in the state in which they were sent for exhibition;

(d) the goods have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A movement certificate EUR. 1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the goods and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods, and during which the goods remain under customs control.

Article 19

1. When a certificate is issued within the meaning of Article 7 (2) of this Protocol after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Protocol:

- indicate the place and date of exportation of the goods to which the certificate relates;
- certify that no movement certificate EUR. 1 was issued at the time of exportation of the goods in question, and state the reasons.

2. The customs authorities may issue a movement certificate EUR. 1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

Certificates issued retrospectively must be endorsed with one of the following phrases: 'NACHTRÄGLICH AUSGESTELLT', 'DÉLIVRÉ A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE', 'تـسـتـدـت مـي وـد لـا حـر'.

Article 20

In the event of the theft, loss or destruction of a movement certificate EUR. 1, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed with one of the following words: 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE', 'تـسـتـدـت مـي وـد لـا حـر'.

Article 21

1. When paragraphs 2, 3 and 4 of Article 1 are applied for the issue of a movement certificate EUR. 1 the competent customs office in the State requested to issue the certificate for products in the manufacture of which products coming from Algeria, Tunisia or the Community are used, shall take into consideration the declaration, of which a specimen is given in Annex VII, given by the exporter in the State from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in Article 22 and of which a specimen is given in Annex VIII, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

Article 22

The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in Article 21 (2), or at the initiative of this exporter, by the competent customs office in the State from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of the movement certificate EUR. 1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least two years.

Article 23

Morocco and the Community shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 24

In order to ensure the proper application of this title, Morocco, Algeria, Tunisia and the Community shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the information concerning the actual origin of the products concerned and the declarations by exporters on forms EUR. 2 and the authenticity and accuracy of the information certificates referred to in Article 21.

Article 25

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up or causes to be drawn up, either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 or a form EUR. 2 containing incorrect particulars.

Article 26

1. Subsequent verifications of movement certificates EUR. 1 and of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR. 1 or the form EUR. 2, or a photocopy thereof, to the customs authorities of the exporting State, giving the reasons of form or substance for an inquiry. The invoice, if it has been submitted, or a copy thereof shall be attached to the form EUR. 2 and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

If the customs authorities of the importing State decide to suspend execution of Title I of the Agreement while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. The customs authorities of the importing State shall be informed of the results of the verification as soon as possible. These results must be

such as to make it possible to determine whether the disputed movement certificate EUR. 1 or form EUR. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

When such disputes cannot be settled between the customs authorities of the importing State and those of the exporting State, or when they raise a question as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee provided for in Article 29.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

Article 27

The subsequent verification of the information certificate referred to in Article 21 shall be carried out in the circumstances envisaged in Article 26 following a similar procedure to that envisaged in that Article.

Article 28

The Cooperation Council shall examine annually the application of the provisions of this Protocol and their economic effect with a view to making any necessary changes. This examination may be carried out at more frequent intervals at the request either of the Community or Morocco.

Article 29

1. A Customs Cooperation Committee shall be set up, charged with carrying out administrative cooperation with a view to the correct and uniform application of this Protocol and with carrying out any other task in the customs field which may be entrusted to it.

2. The Committee shall be composed on the one hand of customs experts of the Member States and of officials of the departments of the Commission of the European Communities who are responsible for customs questions, and on the other hand of Moroccan customs experts.

Article 30

1. The Community and Morocco shall take any measures necessary to enable movement certificates EUR. 1 as well as forms EUR. 2 to be submitted, in accordance with Articles 11 and 12 of this Protocol, from the day on which the Agreement enters into force.

2. The certificates of type A.MA.1 as well as forms A.MA.2 may be used until stocks are exhausted and at the latest up to and including 30 June 1977, under the conditions laid down by this Protocol.

3. The movement certificates EUR. 1 and the forms EUR. 2 printed in the Member States before the date of the entry into force of the Agreement, and which do not conform to the models in Annexes V and VI to this Protocol, may continue to be used until stocks are exhausted, under the conditions laid down by this Protocol.

Article 31

The Community and Morocco shall each take the steps necessary to implement this Protocol.

Article 32

The Annexes to this Protocol shall form an integral part thereof.

Article 33

The provisions of the Agreement may be applied to goods which comply with the provisions of Title I and which on the date of the entry into force of the Agreement are either in transit or are in the Community or in Morocco in temporary storage in bonded warehouses or in free zones, subject to the submission to the customs authorities of the importing State within four months of that date of a certificate A.MA.1 issued under the conditions of Article 30 (2) or of a certificate EUR. 1 endorsed retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

Article 34

The endorsements referred to in Articles 19 and 20 shall be inserted in the 'Remarks' box of the certificate.

ANNEX I

Explanatory Notes

Note 1 — Articles 1 and 2

The terms 'the Community' or 'Morocco' shall also cover the territorial waters of the Member States of the Community or of Morocco respectively.

Vessels operating on the high seas, including factory ships, on which fish caught is worked or processed, shall be considered as part of the territory of the State to which they belong provided that they satisfy the conditions set out in Explanatory Note 6.

Note 2 — Article 1

In order to determine whether goods originate in the Community, Morocco, Algeria or Tunisia it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Article 1

Where a percentage rule is applied in determining originating status of a product obtained in a Member State, Morocco, Algeria or Tunisia, the value added by the working or processing referred to in Article 1 shall correspond to the ex-works price of the product obtained less the customs value of third products imported into the Community, Morocco, Algeria or Tunisia.

Note 4 — Articles 3 (1), (2) and 4

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of heading for any non-originating product used.

Note 5 — Article 1

Packing shall be considered as forming a whole with the goods contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed and which has intrinsic utilization value and is of a durable nature, apart from its function as packing.

Note 6 — Article 2 (f)

The term 'their vessels' shall apply only to vessels:

- which are registered or recorded in a Member State, Morocco, Algeria or Tunisia,
- which sail under the flag of a Member State, Morocco, Algeria or Tunisia,
- which are owned to an extent of at least 50% by nationals of the Member States, Morocco, Algeria or Tunisia or by a company with its head office in a Member State, Morocco, Algeria or Tunisia, of which the manager, managers, chairman of the board of directors or of the supervisory board, and the majority of the members of such board are nationals of the Member States, Morocco, Algeria or Tunisia and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to the Member States, Morocco, Algeria or Tunisia, or to public bodies or nationals of the Member States, Morocco, Algeria or Tunisia,
- of which at least 50% of the crew, captain and officers included, are nationals of the Member States, Morocco, Algeria or Tunisia.

Note 7 — Article 4

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the Convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

Note 8 — Article 5

For the purposes of applying Article 5, the ports of embarkation of products originating in Morocco for destination in the Community are for example:

Algiers — Al-Hoceima — Agadir — Annaba — Arzew — Azilah — Bajaia — Beni-Saf — Bizerta — Casablanca — Ceuta — Constantine — Dellys — El Jadida — Essaouira — Gabès — Ghazaouet — Ifni — Kenitra — Larache — Melilla — Mohammedia — Oran — Rabat — Safi — Sfax — Skikda — Sousse — Tangier — Tarfaya — Ténès — Tunis.

Note 9 — Article 24

The authorities consulted shall furnish any information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various Member States and in Morocco, Algeria and Tunisia.

ANNEX II

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

CCT heading No	Products obtained Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine; smoking of fish, whether cooked or not	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
07.03	Vegetables, provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation cutting, grinding, powdering of vegetables of heading Nos 07.01 to 07.03	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.09	
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05	Drying of fruit	
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals	

11.03	Flours of the leguminous vegetables falling within heading No 07.05	Manufacture from dried leguminous vegetables
11.04	Flours of the fruits falling within any heading in Chapter 8	Manufacture from fruits of Chapter 8
11.05	Flour, meal and flakes of potato	Manufacture from potatoes
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06	Manufacture from products of heading No 07.06
11.07	Malt, roasted or not	Manufacture from cereals
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, or from potatoes or other products of Chapter 7
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05
15.02	Fats of bovine cattle sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Manufacture from products of heading Nos 02.01 and 02.06
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of third countries
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	Manufacture from products of Chapter 2

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtle-wax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products	Manufacture from products of Chapters 7 and 12	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2	
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2	
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3	
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of Chapter 3	
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel	Manufacture from any product	
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	

17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
19.01	Malt extract	Manufacture from products of heading No 11.07	
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa	Manufacture from cereals and derivatives thereof, meat and milk or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
19.03	Macaroni, spaghetti and similar products		Manufacture from durum wheat
19.04	Tapioca and sago; tapioca and sago substitutes from potato or other starches	Manufacture from potato starch	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)	Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product	
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products	Manufacture from products of Chapter 11	

(1) This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit	Manufacture from products of Chapter 11	
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	Manufacture from products of Chapter 11	
20.01	Vegetables and fruit prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.04	Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.06	Fruit otherwise prepared or preserved whether or not containing added sugar or spirit:		

	A. Nuts		Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product
	B. Other fruits		Manufactured from products of Chapter 17 of which the value exceeds 30% of the value of the finished product
ex 20.07	Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit		Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product
ex 21.01	Roasted chicory and extracts thereof		Manufacture from chicory roots, fresh or dried
21.05	Soups and broths in liquid, solid or powder forms; homogenized food preparations		Manufacture from products of heading No 20.02
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07		Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts		Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength		Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
ex 23.03	Residues from the manufacture of maize starch (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% dry weight	Manufacture from maize or maize flour	
23.04	Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture from products of heading No 24.01 of which at least 70% by quantity are 'originating products'

ex 28.38	Aluminium sulphate		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
30.03	Medicaments (including veterinary medicaments)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
32.06	Colour lakes	Manufacture from materials of heading No 32.04 or 32.05 ⁽¹⁾	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk barium carbonate and satin white ⁽¹⁾	
33.05	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	Manufacture from products of heading No 33.01 ⁽¹⁾	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues		Manufacture from maize or potatoes
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paper-board or cloth	Manufacture from products of heading No 37.02 ⁽¹⁾	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01 ⁽¹⁾	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

38.15	Prepared rubber accelerators		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble salts; esters of sulphonaphthenic acids; — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; — Mixed alkylbenzenes and mixed alkylnaphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; 		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 38.19 (cont'd)	<ul style="list-style-type: none"> — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures — Sorbitol other than sorbitol of heading No 29.04 		
ex 39.02	Polymerization products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50% of the value of the finished product
43.03	Articles of furskin	Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) (1)	
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings		Manufacture from boards not cut to size
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings		Manufacture from products of heading No 49.11
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks		Manufacture from products of heading No 49.11
50.04(1)	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products other than those of heading No 50.04
50.05(1)	Yarn spun from silk waste other than noil, not put up for retail sale		Manufacture from products of heading No 50.03
50.06(1)	Yarn spun from noil silk, not put up for retail sale		Manufacture from products of heading No 50.03
50.07(1)	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale		Manufacture from products of heading Nos 50.01 to 50.03
ex 50.08(1)	Imitation catgut of silk		Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed
50.09(2)	Woven fabrics of silk or of waste silk other than noil		Manufacture from products of heading No 50.02 or 50.03

50.10(2)	Woven fabrics of noil silk	Manufacture from products of heading No 50.02 or 50.03
51.01(1)	Yarn of man-made fibres (continuous), not put up for retail sale	Manufacture from chemical products or textile pulp
51.02(1)	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials	Manufacture from chemical products or textile pulp
51.03(1)	Yarn of man-made fibres (continuous), put up for retail sale	Manufacture from chemical products or textile pulp
51.04(2)	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	Manufacture from chemical products or textile pulp

- (1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
52.01(1)	Metallized yarn, being textile yarn spun with metal or covered with metal by any process		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
52.02(2)	Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
53.06(1)	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.07(1)	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.08(1)	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair of heading No 53.02
53.09(1)	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03
53.10(1)	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04
53.11(2)	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading Nos 53.01 to 53.05
53.12(2)	Woven fabrics of coarse animal hair other than horsehair		Manufacture from products of heading Nos 53.02 to 53.05

53.13(2)	Woven fabrics of horsehair	Manufacture from horsehair of heading No 05.03
54.03(1)	Flax or ramie yarn, not put up for retail sale	Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02
54.04(1)	Flax or ramie yarn, put up for retail sale	Manufacture from materials of heading No 54.01 or 54.02
54.05(2)	Woven fabrics of flax or of ramie	Manufacture from materials of heading No 54.01 or 54.02
55.05(1)	Cotton yarn, not put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.06(1)	Cotton yarn, put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.07(2)	Cotton gauze	Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.08(2)	Terry towelling and similar terry fabrics, of cotton	Manufacture from materials of heading No 55.01, 55.03 or 55.04

- (1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
55.09(1)	Other woven fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05(2)	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06(2)	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07(1)	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of heading Nos 56.01 to 56.03
57.05(2)	Yarn of true hemp		Manufacture from raw true hemp

57.06(2)	Yarn of jute or of other textile bast fibres of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.07(2)	Yarn of other vegetable textile fibres	Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04
57.08	Paper yarn	Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
57.09(1)	Woven fabrics of true hemp	Manufacture from products of heading No 57.01
57.10(1)	Woven fabrics of jute or of other textile bast fabrics of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.11(1)	Woven fabrics of other vegetable textile fibres	Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07

- (1) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (2) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
57.12	Woven fabrics of paper yarn		Manufacture from paper, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste
58.01(1)	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02(1)	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from coir yarn of heading No 57.07
58.04(1)	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp
58.05(1)	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
58.06(1)	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp

58.07(1)	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.08(1)	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.09(1)	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.10	Embroidery, in the piece, in strips or in motifs	Manufacture in which the value of the product used does not exceed 50% of the value of the finished product
59.01(1)	Wadding and articles of wadding; textile flock and dust and mill neps	Manufacture either from natural fibres or from chemical products or textile pulp
59.02(1)	Felt and articles of felt, whether or not impregnated or coated	Manufacture either from natural fibres or from chemical products or textile pulp

- (1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.02(1)	Needled felt, whether or not impregnated or coated		Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product
59.03(1)	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
59.04(1)	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.05(1)	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.06(1)	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn

59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil	Manufacture from yarn
59.10(1)	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not	Manufacture either from yarn or from textile fibres
59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods	Manufacture from yarn
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn

- (1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
59.13(1)	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15(1)	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials	..	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.16(1)	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.17(1)	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
ex Chapter 60(1)	Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by		Manufacture from yarn ⁽²⁾

	the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	
ex 60.03	Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾
ex 60.04	Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾

(1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

(2) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.06	Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
61.01	Men's and boys' outer garments		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.01	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, not embroidered		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.02	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾

61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs	Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.04	Women's, girls' and infants' under garments	Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.05	Handkerchiefs, not embroidered	Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 61.05	Handkerchiefs, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered	Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ ⁽²⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.07	Ties, bow ties and cravats	Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered	Manufacture from yarn ⁽¹⁾ ⁽²⁾

(1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

(2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

(3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.10	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn ⁽¹⁾ ⁽²⁾
62.01	Travelling rugs and blankets		Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered		Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product

62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾
62.04	Tarpaulins, sails, awnings, sun-blinds, tents and camping goods		Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	

(1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

(2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

(3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
64.04	Footwear with outer soles of other materials	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	Manufacture from textile fibres
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)		
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved) whether or not surface ground or polished; multiple-walled insulating glass		
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		
73.07	Blooms, billets, slabs and sheet-bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel	Manufacture from products of heading No 73.06	
73.08	Iron or steel coils for re-rolling	Manufacture from products of heading No 73.07	
73.09	Universal plates of iron or steel	Manufacture from products of heading No 73.07 or 73.08	
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel	Manufacture from products of heading No 73.07	
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13	
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09 or 73.13	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
73.14	Iron or steel wire, whether or not coated, but not insulated	Manufacture from products of heading No 73.10	Manufacture from products of heading No 73.06
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bed-plates, ties and other material specialized for joining or fixing rails		
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits		
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		
74.04	Wrought plates, sheets and strip, of copper		
			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.06	Copper powder and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.12	Expanded metal, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.13	Chain and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.14	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.19	Other articles of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.06	Other articles of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.05	Aluminium powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.08	Structures, complete or incomplete, whether or not assembled, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers,		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium: plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium	
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.11	Containers of aluminium for compressed or liquefied gas	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.14	Expanded metal, of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.16	Other articles of aluminium		
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.03	Other articles of magnesium		
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.03	Wrought plates, sheets and strip, of lead		
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m ² ; lead powders and flakes		

78.05	Tubes and pipes and blanks therefor, of lead; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends)	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.06	Other articles of lead	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.06	Other articles of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
80.03	Wrought plates, sheets and strip, of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² ; tin powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾

82.06	Knives and cutting blades, for machines or for mechanical appliances		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾
ex Chapter 84	Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41)		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
84.15	Refrigerators and refrigerating equipment (electrical and other)		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products
ex 84.41	Sewing machines, including furniture for sewing machines		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

(2) In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 84.41 (cont'd)			(a) at least 50% in value of the materials and parts ⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products
ex Chapter 85	Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15		Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
85.15	Radiotelegraphic and radio-telephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

	incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	(a) at least 50% in value of the materials and parts(1) used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product(2)
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings, traffic signalling equipment of all kinds (not electrically powered)	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
87.09	Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts(1) used are originating products

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 90	Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
90.05	Refracting telescopes (monocular and binocular), prismatic or not		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.07	Photographic cameras; photographic flashlight apparatus		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value

		of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product

- (1) In determining the value of products, materials and parts, the following must be taken into account:
- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
 - (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
91.04	Other clocks		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
91.08	Clock movements, assembled		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles; excluding products of heading No 92.11		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record players and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

		(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
Chapter 93	Arms and ammunition; parts thereof	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap fasteners and press-studs; blanks and parts of such articles	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

ANNEX III

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
		Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent products does not exceed 15% of the value of the manufactured product

ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble squared by sawing, of a thickness not exceeding 25 cm	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex Chapters 28 to 37	Products of the chemical and allied industries excluding calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03) and essential oils other than of citrus fruit, terpenes (ex 33.01)	Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product
ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermally
ex 33.01	Essential oils, other than of citrus fruit, terpenes	Deterpenation of essential oils other than of citrus fruit
ex Chapter 38	Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine refined	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification consisting of the distillation or refining of raw sulphate turpentine
ex Chapter 39	Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished products

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 39.02	Ionomer film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lambskins without the wool	Removing wool from sheep and lambskins in the wool
ex 41.02	Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08	Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned
ex 41.03	Retanned sheep and lambskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of sheep and lambskin leather, not further prepared than tanned
ex 41.04	Retanned goat and kidskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of goat and kidskin leather, not further prepared than tanned
ex 41.05	Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08	Retanning of other kinds of leather, not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins
ex 50.03	Silk waste carded or combed	Carding or combing waste silk

ex 50.09 ex 50.10 ex 51.04 ex 53.11 ex 53.12 ex 53.13 ex 54.05 ex 55.07 ex 55.08 ex 55.09 ex 56.07	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5% of the value of the finished product
ex 59.14	Incandescent gas mantles	Manufacture from tubular gas mantle fabric
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	Cutting of bottles the value of which does not exceed 50% of the value of the finished product
70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses	Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 71.05	Silver and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.05	Silver, including silver gilt and platinum-plated silver, unwrought	Alloying or electrolytic separation of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.07	Gold, including platinum-plated gold, unwrought	Alloying or electrolytic separation of unwrought gold or gold alloys
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum or other metals of the platinum group
ex 71.09	Platinum and other metals of the platinum group, unwrought	Alloying or electrolytic separation of unwrought platinum or other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled platinum or other unwrought platinum group metals or precious metal
ex 73.15	Alloy steel and high carbon steel: — in the forms mentioned in heading Nos 73.07 to 73.13 — in the forms mentioned in heading No 73.14	Manufacture from products in the forms mentioned in heading No 73.06 Manufacture from products in the forms mentioned in heading No 73.06 or 73.07

ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap
ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes of heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 75.01	Unwrought nickel except nickel alloys	Refining of waste by electrolysis, by melting or by chemical means of waste and scrap
ex 76.01	Unwrought aluminium	Manufacture by thermal or electrolytic treatment of unalloyed aluminium, waste and scrap
ex 77.04	Beryllium, wrought	Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product
ex 78.01	Refined lead	Manufacture by thermal refining from bullion lead
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product
ex 83.06	Indoor ornaments made from base metals other than statuettes	Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
84.06	Internal combustion piston engines	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature, for wood, paper pulp, paper and paper-board manufacturing industries	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.33	Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product

ex 84.41	Sewing machines, including furniture specially designed for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products
85.14	Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio, broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
87.06	Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03	Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products in the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 94.01	Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25% of the value of the finished product ⁽¹⁾
ex 95.01	Articles of tortoise-shell	Manufacture from worked tortoise-shell
ex 95.02	Articles of mother of pearl	Manufacture from worked mother of pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone (excluding whalebone)	Manufacture from worked bone (excluding whalebone)
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

ANNEX IV

LIST C

List of products excluded from the scope of this Protocol

CCT heading No	Description
ex 27.07	Assimilated aromatic oils as defined in Note 2 to Chapter 27, of which more than 65% by volume distils at a temperature of up to 250° C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
27.09 to 27.16 } }	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 29.01	Hydrocarbons: — acyclic — cyclanes and cyclenes, excluding azulenes — benzene, toluene, xylenes for use as power or heating fuels
ex 34.03	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants

ANNEX V
MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR.1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Certificate used in preferential trade between and (insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages⁽¹⁾; Description of goods	9. Gross weight (kg) or other measure (litres, m³, etc.)	10. Invoices (Optional)	

⁽¹⁾ If goods are not packed, indicate number of articles or state in bulk as appropriate.

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11. CUSTOMS ENDORSEMENT

Declaration certified
Export document (2)

Stamp

Form No

Customs office

Issuing country or territory

Date

(Signature)

12. DECLARATION BY THE EXPORTER

I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.

Place and date:

(Signature)

(2) Complete only where the regulations of the exporting country or territory require.

13. REQUEST FOR VERIFICATION, to	14. RESULT OF VERIFICATION,
Verification of the authenticity and accuracy of this certificate is requested.	Verification carried out shows that this certificate ⁽¹⁾ <input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).
..... (Place and date) Stamp (Place and date) Stamp
..... (Signature) (Signature) ⁽¹⁾ Insert X in the appropriate box.

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
3. Consignee (Name, full address, country) (Optional)	See notes overleaf before completing this form		
	2. Application for a certificate to be used in preferential trade between and (insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating		5. Country, group of countries or territory of destination
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages (1); Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

(1) If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

(From)

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....

.....

.....

.....

SUBMIT the following supporting documents (!):

.....

.....

.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

.....
⁽⁴⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same State.

ANNEX VI

Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between (*) and	
		2 Exporter (Name, full address, country)	
4 Consignee (Name, full address, country)		3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.	
		5 Place and date	
		6 Signature of exporter	
7 Remarks (*)		8 Country of origin (*)	9 Country of destination (*)
		10 Gross weight (kg)	
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country (*) responsible for verification of the declaration by the exporter	

(*) Insert the countries, groups of countries or territories concerned

(*) Refer to any verification already carried out by the appropriate authorities

(*) The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating

(*) The term 'country' means country, group of countries or territory of destination

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that (1)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>(1) Insert X in the appropriate box</p>
--	---

(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR.2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR. 2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

ANNEX VII

Specimen of Declaration

I, the undersigned, declare that the goods listed on this invoice were obtained in

and (as appropriate):

(a) ⁽¹⁾ satisfy the rules on the definition of the concept of 'wholly obtained products'

or

(b) ⁽¹⁾ were produced from the following products:

Description	Country of origin ⁽²⁾	Value ⁽¹⁾
.....
.....
.....
.....

and have undergone the following processes:

.....(indicate processings)

in

.....

Done at
(Signature)

⁽¹⁾ Complete if necessary.

⁽²⁾ Complete if necessary. In the event that:
—the goods originate in a country covered by the Agreement or Convention concerned: indicate the country;
—the products originate in another country: indicate 'third country'.

ANNEX VIII

1. Supplier ⁽¹⁾	<p style="text-align: center;">INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the</p> <div style="border: 1px dashed black; padding: 10px; text-align: center;"> <p>EUROPEAN ECONOMIC COMMUNITY and <small>(in block letters)</small></p> </div>	
2. Consignee ⁽¹⁾		
3. Processor ⁽¹⁾	4. State in which the working or processing has been carried out	
6. Customs office of importation ⁽²⁾	5. For official use	
7. Import document ⁽²⁾ Form No Series Date <input type="text"/> <input type="text"/> <input type="text"/>		
GOODS SENT TO THE MEMBER STATE OF DESTINATION		
8. Marks, numbers, quantity and kind of package	9. Tariff heading number and description of goods	10. Quantity ⁽³⁾

IMPORTED GOODS USED

12. Tariff heading number and description	13. Country of origin	14. Quantity ^(*)	15. Value ^(*) ^(**)
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16. Nature of the working or processing carried out

17. Remarks

18. CUSTOMS ENDORSEMENT

Declaration certified

Document

Form No

Customs office

Date

Official
stamp

.....
(Signature)

19. DECLARATION BY THE SUPPLIER

I, the undersigned, declare that the information on this certificate is accurate

.....
(Place)
(Date)

.....
(Signature)

2497

(*) (**) (†) (‡) (§) (¶) See footnotes on verso.

(Front)

REQUEST FOR VERIFICATION

The undersigned customs official requests verification of the authenticity and accuracy of this information certificate

.....
(Place and date)

Official
stamp

.....
(Official's signature)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs official shows that this information certificate:

- (a) was issued by the customs office indicated and that the information contained therein is accurate (*)
- (b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)

.....
(Place and date)

Official
stamp

.....
(Official's signature)

.....
(*) Delete where not applicable.

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) Complete if necessary. In the event that:
 - the goods originate in a country covered by the Agreement or Convention concerned: indicate the country;
 - the products originate in another country: indicate 'third country'.
- (6) The value must be indicated in accordance with the provisions on rules of origin.

ANNEX IX

Joint declaration

For the implementation of Article 28 of the Protocol, the Community is prepared to examine any request from Morocco for derogations to the rules of origin after the signature of the Agreement.

FINAL ACT

The Plenipotentiaries of

His Majesty the King of the Belgians,

Her Majesty the Queen of Denmark,

The President of the Federal Republic of Germany,

The President of the French Republic,

The President of Ireland,

The President of the Italian Republic,

His Royal Highness the Grand Duke of Luxembourg,

Her Majesty the Queen of the Netherlands,

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland,

and the Council of the European Communities,

of the one part, and of

His Majesty the King of Morocco,

of the other part,

meeting at Rabat this twenty-seventh day of April in the year one thousand nine hundred and seventy-six for the purpose of signing the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco, and the Agreement between the Member States of the European Coal and Steel Community and the Kingdom of Morocco,

have, on signing these Agreements,

— adopted the following joint declarations by the Contracting Parties:

1. Joint declaration by the Contracting Parties on Article 12 (1) of the Agreement,
2. Joint declaration by the Contracting Parties on Article 15 of the Agreement,
3. Joint declaration by the Contracting Parties on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02, ex A, ex B, ex C and D of the Common Customs Tariff,
4. Joint declaration by the Contracting Parties on Annex B concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff,
5. Joint declaration by the Contracting Parties on olive oil,
6. Joint declaration by the Contracting Parties on wines entitled to a designation of origin,
7. Joint declaration by the Contracting Parties on agricultural products,
8. Joint declaration by the Contracting Parties on the consultations provided for in Articles 13, 25, 28, 49 and 50 of the Agreement,
9. Joint declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community,
10. Declaration by the Contracting Parties on the interpretation of the term 'Contracting Parties' as used in the Agreement;

— taken note of the following declarations:

1. Declaration by the European Economic Community on Article 21 (2) of the Agreement,
2. Declaration by the European Economic Community on the regional application of certain provisions of the Agreement,
3. Declaration by the European Economic Community on the unit of account referred to in Article 2 of Protocol 1,

4. Declaration by the representative of the Federal Republic of Germany on the definition of German nationality,
 5. Declaration by the representative of the Federal Republic of Germany on the application of the Agreement to Berlin;
- and taken note of the following exchanges of letters;
1. Exchange of letters on scientific and technological cooperation and the protection of the environment,
 2. Exchange of letters on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff,
 3. Exchange of letters on Articles 15 and 50 of the Agreement,
 4. Exchange of letters on Moroccan labour employed in the Community,
 5. Exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation,
 6. Exchange of letters on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State,
 7. Exchange of letters on Articles 35 and 54 of the Agreement.

The declarations and exchanges of letters listed above are annexed to this Final Act.

The Plenipotentiaries have agreed that the declarations and exchanges of letters shall be subjected, in the same manner as the Cooperation Agreement, to any procedures that may be necessary to ensure their validity.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne slutakt.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlußakte gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Final Act.

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.

وانشأنا لذلك، وقع المخرجون من نهابه هذا الاتفاق النهائي

Udfærdiget i Rabat, den syvogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Rabat am siebenundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Rabat this twenty-seventh day of April in the year one thousand nine hundred and seventy-six.

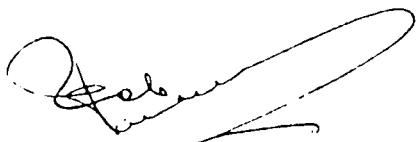
Fait à Rabat, le vingt-sept avril mil neuf cent soixante-seize.

Fatto a Rabat, addì ventisette aprile millenovecentosettantasei.

Gedaan te Rabat, de zevenentwintigste april negentienhonderdzeseventig.

حرر بالرباط، في السابع والعشرين من شهر أبريل سنة الف وتسعمائة وستة وسبعين

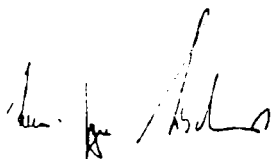
Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen



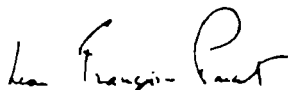
For Hendes Majestæt dronningen af Danmark



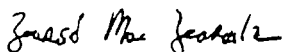
Für den Präsidenten der Bundesrepublik Deutschland



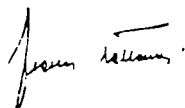
Pour le président de la République française



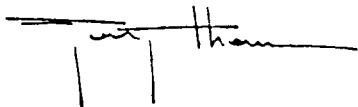
For the President of Ireland



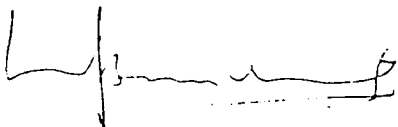
Per il presidente della Repubblica italiana

Handwritten signature in cursive script, appearing to read "Jean Bellamy".

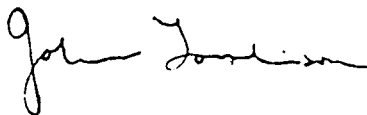
Pour Son Altesse Royale le grand-duc de Luxembourg

Handwritten signature in cursive script, appearing to read "Jean Bellamy".

Voor Hare Majesteit de Koningin der Nederlanden

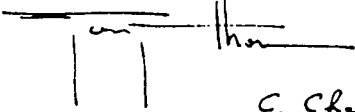
Handwritten signature in cursive script, appearing to read "Jean Bellamy".

For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland

Handwritten signature in cursive script, appearing to read "John Jordan".


På Rådet for De europæiske Fællesskabers vegne
Im Namen des Rates der Europäischen Gemeinschaften
In the name of the Council of the European Communities
Au nom du Conseil des Communautés européennes
A nome del Consiglio delle Comunità europee
Namens de Raad van de Europese Gemeenschappen

باسم مجلس المجتمعات الأوروبية



C. Chyngon

من صاحب الجلالة ملك المغرب



Joint Declaration by the Contracting Parties on Article 12 (1) of the Agreement

The Contracting Parties agree that, should the date of entry into force of the Agreement not coincide with the beginning of the calendar year, the ceilings referred to in Article 12 (1) of the Agreement will be applied *pro rata*.

Joint Declaration by the Contracting Parties on Article 15 of the Agreement

The Contracting Parties agree that, without prejudice to the implementation of the first subparagraph of Article 22 (2) of Regulation (EEC) No 1035/72, the products listed in Article 15 of the Agreement and set out in Annex III to that Regulation shall be admitted into the Community during the period for which the reductions in duty are applicable free of quantitative restrictions and measures having equivalent effect.

Furthermore, the Contracting Parties agree that, where reference is made in the Agreement to the provisions of Articles 23 to 28 of Regulation (EEC) No 1035/72, the Community is referring to the arrangements applicable to third countries at the time of importation of the products in question.

Joint Declaration by the Contracting Parties on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff

The Contracting Parties agree that if, in the light of the results of the Agreement and taking into account the trend of trade flows between the Community and the Mediterranean countries, the advantages accruing from the provisions of Article 15 in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs

Tariff are or are likely to be jeopardized by abnormal conditions of competition, the situation shall be examined within the Cooperation Council in order to identify the problems and seek appropriate solutions.

Joint Declaration by the Contracting Parties on Annex B concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff

The Contracting Parties agree that the additional amount, if any, to be applied for the 1977/78 marketing year could be maintained at its previous level should the exceptional situation, because of which the additional amount of 10 units of account per 100 kilograms was fixed for the period ending on 31 October 1977, still exist at that time.

Joint Declaration by the Contracting Parties on olive oil

The Contracting Parties agree to cooperate closely in order to identify any difficulties which might arise in respect of olive oil and to seek appropriate solutions.

To this end, the Contracting Parties will hold periodic consultations to follow the trend of the olive oil market.

Joint Declaration by the Contracting Parties on wines entitled to a designation of origin

The Contracting Parties agree that as regards the wines entitled to a designation of origin referred to in Article 21 (2) of the Agreement, the results of the application of the provision in question will be examined annually.

Joint Declaration by the Contracting Parties on agricultural products

1. The Contracting Parties declare their readiness to foster, so far as their agricultural policies allows, the harmonious development of trade in agricultural products to which the Agreement does not apply. As regards veterinary, health and plant health matters the Contracting Parties shall apply their rules in a non-discriminatory fashion and shall refrain from introducing any new measures that have the effect of unduly obstructing trade.
2. They shall examine within the Cooperation Council any difficulties that might arise in their trade in agricultural products and shall endeavour to seek appropriate solutions.

Joint Declaration by the Contracting Parties on the consultations provided for in Articles 13, 25, 28, 49 and 50 of the Agreement

For the implementation of the consultations provided for in Articles 13, 25, 28, 49 and 50 of the Agreement, the Community and Morocco propose to lay down in the rules of procedure of the Cooperation Council suitable procedures in order to ensure appropriate consultations.

Joint Declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community

The Contracting Parties to the Agreement will consult when the provisions of the Agreement that relate to trade are presented and examined under GATT.

**Declaration by the Contracting Parties on the interpretation of the term
'Contracting Parties' as used in the Agreement**

The Contracting Parties agree to interpret the Agreement to the effect that the expression 'Contracting Parties' appearing therein means on the one hand the Community and the Member States, or either the Member States or the Community alone, and on the other hand the Kingdom of Morocco. The meaning to be attributed to this expression in each case is to be deduced from the provisions in question of the Agreement and from the corresponding provisions of the Treaty establishing the Community.

**Declaration by the European Economic Community on Article 21 (2) of
the Agreement**

Until such time as Morocco has sufficient plant to bottle the wines entitled to a designation of origin referred to in Article 21 (2) the Community is willing to apply the abovementioned provisions for a period of two years to wine exported in bulk in respect of quantities corresponding to the future capacity of the plant under construction, up to a volume not exceeding 20 000 hectolitres in the first year and 10 000 hectolitres in the second year.

**Declaration by the European Economic Community on the regional
application of certain provisions of the Agreement**

The European Economic Community declares that the application of any measures it may take under Articles 36 and 37 of the Agreement, in accordance with the procedure and under the arrangements set out in Article 38, or under Article 39, may be limited to one of its regions by virtue of Community rules.

Declaration by the European Economic Community on the unit of account referred to in Article 2 of Protocol 1

The unit of account used to express the amount specified in Article 2 of Protocol 1 is defined as the sum of the following amounts in the currencies of the Member States of the Community:

German mark	0.828
Pound sterling	0.0885
French franc	1.15
Italian lira	109
Dutch guilder	0.286
Belgian franc	3.66
Luxembourg franc	0.14
Danish krone	0.217
Irish pound	0.00759

The value of the unit of account in any given currency is equal to the sum of the equivalent in that currency of the amounts of currency referred to in the first paragraph. It is calculated by the Commission using daily market exchange rates.

The daily values of the unit of account in the various national currencies are made available every day and are published periodically in the *Official Journal of the European Communities*.

Declaration by the representative of the Federal Republic of Germany on the definition of German nationality

Every German person, within the meaning of the basic constitutional law applying in the Federal Republic of Germany is considered as a national of the Federal Republic of Germany.

Declaration by the representative of the Federal Republic of Germany on the application of the Agreement to Berlin

The Agreement shall also apply to Land Berlin provided that no statement to the contrary by the Government of the Federal Republic of Germany is addressed to the other Contracting Parties within three months of the entry into force of the Agreement.

Exchange of letters on scientific and technological cooperation and the protection of the environment

Rabat, 27 April 1976.

Sir,

Further to the wishes expressed by the Moroccan delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Morocco, I have the honour to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Morocco may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

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

(s.) Jean DURIEUX
Head of the delegation
of the European Economic Community

Rabat, 27 April 1976

Sir,

In your letter of today's date you inform me as follows:

'Further to the wishes expressed by the Moroccan delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Morocco, I have the honour, to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Morocco may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Ahmed BENKIRANE
Head of the Moroccan delegation

Exchange of letters on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff

Rabat, 27 April 1976.

Sir,

Morocco considers that the advantages accruing from the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff should enable it to consolidate its competitive position on the Community market.

Should abnormal conditions of competition or market disturbances jeopardize these advantages the purpose of the examination provided for in the joint declaration on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff would be to seek solutions to enable Morocco to maintain its competitive position in relation to other suppliers to the Community.

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

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

(s.) Ahmed BENKIRANE
Head of the Moroccan delegation

Rabat, 27 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'Morocco considers that the advantages accruing from the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff should enable it to consolidate its competitive position on the Community market.

Should abnormal conditions of competition or market disturbances jeopardize these advantages the purpose of the examination provided for in the joint declaration on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff would be to seek solutions to enable Morocco to maintain its competitive position in relation to other suppliers to the Community.

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

I have the honour to acknowledge receipt of your letter. I confirm that in the sector in question the Community is resolved to make every effort to ensure the proper functioning of its organization of the market.

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Exchange of letters on Articles 15 and 50 of the Agreement

Rabat, 27 April 1976.

Sir,

Because of the importance of citrus fruits for the Moroccan economy, Morocco considers that in the event of the Community being enlarged to include other Mediterranean countries there will be a re-examination, in accordance with Article 50 of the Agreement between the Community and the Kingdom of Morocco, of the arrangements provided for in Article 15 of that Agreement in order to safeguard the advantages resulting from its implementation.

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

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

(s.) Ahmed BENKIRANE
Head of the Moroccan delegation

Rabat, 27 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'Because of the importance of citrus fruits for the Moroccan economy, Morocco considers that in the event of the Community being enlarged to include other Mediterranean countries there will be a re-examination, in accordance with Article 50 of the Agreement between the Community and the Kingdom of Morocco, of the arrangements provided for in Article 15 of that Agreement in order to safeguard the advantages resulting from its implementation.

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

I have the honour to acknowledge receipt of your letter and to assure you that in the event of the accession of another State to the Community appropriate consultations will be held in the Cooperation Council in accordance with Article 50 (2) of the Agreement.

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Exchange of letters on Moroccan labour employed in the Community

Rabat, 27 April 1976.

Sir,

I have the honour to inform you on behalf of the Member States of the Community that the latter are ready to hold exchanges of views, in the context of talks to be arranged for that purpose, on Moroccan labour employed in the Community.

The purpose of these exchanges of views would be to examine the possibilities of making progress towards the attainment of equality of treatment for Community and non-Community workers and the members of their families in respect of living and working conditions, having regard to the Community provisions in force.

Such exchanges of views, which would not be concerned with matters covered by the Agreement, would deal in particular with social and cultural questions.

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

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Rabat, 27 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you on behalf of the Member States of the Community that the latter are ready to hold exchanges of views, in the context of talks to be arranged for that purpose, on Moroccan labour employed in the Community.

The purpose of these exchanges of views would be to examine the possibilities of making progress towards the attainment of equality of treatment for Community and non-Community workers and the members of their families in respect of living and working conditions, having regard to the Community provisions in force.

Such exchanges of views, which would not be concerned with matters covered by the Agreement, would deal in particular with social and cultural questions.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Ahmed BENKIRANE
Head of the Moroccan delegation

Exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation

Rabat, 27 April 1976.

Sir,

I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your Government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement;
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Morocco or, with Morocco's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Rabat, 27 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your Government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement;
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Morocco or with Morocco's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Ahmed BENKIRANE

Head of the Moroccan delegation

Exchange of letters on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State

Rabat, 27 April 1976.

Sir,

I have the honour to inform you that the representatives of the Governments of the Member States of the European Economic Community have made the following declaration:

1. For those products originating in and coming from Morocco which are not specified in Title II (Trade cooperation) of the Agreement between that country and the European Economic Community the Protocol on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State, annexed to the Treaty establishing the European Economic Community, shall remain applicable.
2. For the products specified in Title II, the application of the Protocol referred to in paragraph 1 shall be suspended for the duration of the Agreement and shall take effect again once the Agreement is no longer in force.
3. However, a derogation shall be made for certain products from the suspension referred to in paragraph 2 pending the review which is to take place in 1978 in accordance with Article 55.'

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

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

Rabat, 27 April 1976.

Sir,

In your letter of today's date you inform me as follows:

- ' "1. For those products originating in and coming from Morocco which are not specified in Title II (Trade cooperation) of the Agreement between that country and the European Economic Community the Protocol on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State, annexed to the Treaty establishing the European Economic Community, shall remain applicable.
2. For the products specified in Title II, the application of the Protocol referred to in paragraph 1 shall be suspended for the duration of the Agreement and shall take effect again once the Agreement is no longer in force.
3. However, a derogation shall be made for certain products from the suspension referred to in paragraph 2 pending the review which is to take place in 1978 in accordance with Article 55."

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Ahmed BENKIRANE

Head of the Moroccan delegation

Exchange of letters on Articles 35 and 54 of the Agreement

Rabat, 27 April 1976.

Sir,

I have the honour to inform you of the following declaration by my Government on Articles 35 and 54 of the Agreement:

‘The Kingdom of Morocco hereby declares that in applying Articles 35 and 54 of the Agreement its undertakings do not require it to repeal laws and regulations in force in so far as they remain necessary for the protection of its essential security interests. Morocco will see to it that such laws and regulations are applied in such a way as to ensure compliance with Article 51 (1) of the Agreement.’

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

(s.) Ahmed BENKIRANE

Head of the Moroccan delegation

Rabat, 27 April 1976.

Sir,

In your letter of today's date you communicate to me a declaration by your Government on Articles 35 and 54 of the Agreement.

I have the honour to inform you of the following declaration by the European Economic Community on Articles 35 and 54 of the Agreement:

1. The European Economic Community notes the declaration by the Kingdom of Morocco.
2. The European Economic Community expects the principles set out in the Agreement, including those in Articles 35 and 54 of the Agreement, to be put into full application.

The European Economic Community considers in particular that the application of the principle of non-discrimination should ensure the correct and smooth application of the Agreement.'

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

(s.) Jean DURIEUX

*Head of the delegation
of the European Economic Community*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1978 to 31 October 1979 ⁽¹⁾

COUNCIL REGULATION (EEC) No 2763/78

of 23 November 1978

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1978 to 31 October 1979

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco, signed on 27 April 1976, and to the Interim Agreement ⁽²⁾, which entered into force on 1 July 1976 and whose term of validity was extended by the Agreement annexed to Council Regulation (EEC) No 1455/78 ⁽³⁾, and in particular to Annex B to each of those Agreements,

(1) OJ No L 332, 29.11.1978.

(2) OJ No L 141, 28.5.1976.

(3) OJ No L 175, 29.6.1978.

Whereas it is necessary to approve the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Morocco, for the period 1 November 1978 to 31 October 1979,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Morocco, for the period 1 November 1978 to 31 October 1979 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 23 November 1978.

For the Council
The President
J. ERTL

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1978 to 31 October 1979

Letter No 1

Sir,

Annex B to the Cooperation Agreement and Annex B to the Interim Agreement between the European Economic Community and the Kingdom of Morocco stipulate that for untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff, the amount to be deducted from the amount of the levy in accordance with Article 17 (1) (b) of the Cooperation Agreement and Article 10 (1) (b) of the Interim Agreement is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annexes, the Community will take the necessary steps to maintain the additional amount at 10 units of account per 100 kilograms for the period 1 November 1978 to 31 October 1979.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

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

*On behalf of the Council of
the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Annex B to the Cooperation Agreement and Annex B to the Interim Agreement between the European Economic Community and the Kingdom of Morocco stipulate that for untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff, the amount to be deducted from the amount of the levy in accordance with Article 17 (1) (b) of the Cooperation Agreement and Article 10 (1) (b) of the Interim Agreement is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annexes, the Community will take the necessary steps to maintain the additional amount at 10 units of account per 100 kilograms for the period 1 November 1978 to 31 October 1979.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing.

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

*For the Government of
the Kingdom of Morocco*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco ⁽¹⁾

COUNCIL REGULATION (EEC) No 3143/78

of 18 December 1978

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco ⁽²⁾ was signed on 27 April 1976 and entered into force on 1 November 1978;

(1) OJ No L 373, 30.12.1978.

(2) See page 2341 of this volume.

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 18 December 1978.

For the Council
The President
H.-D. GENSCHER

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco

Sir,

With a view to implementing the 55% reduction in the Common Customs Tariff duties provided for in Article 20 of the Cooperation Agreement concluded between the European Economic Community and the Kingdom of Morocco, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1979 do not exceed 100 tonnes.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by the 'Office de commercialisation et d'exportation (OCE)' (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

For the Moroccan Government

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

'With a view to implementing the 55% reduction in the Common Customs Tariff duties provided for in Article 20 of the Cooperation Agreement concluded between the European Economic Community and the Kingdom of Morocco, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 BII b) ex 9 of the Common Customs Tariff and originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1979 do not exceed 100 tonnes.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by the "Office de commercialisation et d'exportation (OCE)" (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55% reduction in the Common Customs Tariff duties will apply from 1 January to 31 December 1979

to the quantities of preserved fruit salads originating in Morocco referred to in your letter.

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

*On behalf of the Council
of the European Communities*

INFORMATION CONCERNING

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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— the AGREEMENT ⁽¹⁾ extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco ⁽²⁾

EEC	31.12.1977	—	1.1.1978	until 30.6.1978
MOROCCO				

— the AGREEMENT ⁽³⁾ extending the Interim Agreement between the European Economic Community and the Kingdom of Morocco ⁽²⁾

EEC	30.6.1978	—	1.7.1978	until entry into force of the Cooperation Agreement or until 31.12.1978, whichever is the earlier
MOROCCO				

— the COOPERATION AGREEMENT between the European Economic Community and the Kingdom of Morocco ⁽⁴⁾

EEC and Member States	27.4.1976	29.9.1978	1.11.1978 ⁽⁵⁾	indefinite
MOROCCO				

— the AGREEMENT in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1978 to 31 October 1979 ⁽⁶⁾

EEC	30.11.1978	—	30.11.1978	until 31.10.1979
MOROCCO				

— the AGREEMENT in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco ⁽⁷⁾

EEC	30.12.1978	—	30.12.1978	until 31.12.1979
MOROCCO				

(1) OJ No L 348, 30.12.1977.

(2) This Agreement appears in Volume 6, page 583.

(3) OJ No L 175, 29.6.1978.

(4) OJ No L 264, 27.9.1978.

(5) OJ No L 295, 20.10.1978.

(6) OJ No L 332, 29.11.1978.

(7) OJ No L 373, 30.12.1978.

Agreements
between the EEC and the
People's Democratic Republic of Algeria

AGREEMENT ⁽¹⁾

extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽²⁾

COUNCIL REGULATION (EEC) No 2946/77

of 19 December 1977

on the conclusion of the Agreement extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria, signed in Algiers on 26 April 1976 and extended on 30 June 1977, expires not later than 31 December 1977;

Whereas, pending the entry into force of the Cooperation Agreement between the European Economic Community and the People's

(1) OJ No L 348, 30.12.1977.

(2) This Agreement appears in Volume 6, page 741.

Democratic Republic of Algeria, signed in Algiers on 26 April 1976, it is necessary to extend the Interim Agreement again,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 19 December 1977.

For the Council
The President
H. SIMONET

AGREEMENT

extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE PRESIDENT OF THE REPUBLIC,

PRESIDENT OF THE COUNCIL OF THE REVOLUTION,

PRESIDENT OF THE COUNCIL OF MINISTERS OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA,

of the other part,

WHEREAS the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria signed in Algiers on 26 April 1976 and extended on 30 June 1977 expires not later than 31 December 1977,

WHEREAS, pending the entry into force of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria signed in Algiers on 26 April 1976, it is necessary to extend the Interim Agreement again,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Joseph VAN DER MEULEN,

Ambassador Extraordinary and Plenipotentiary,

Permanent Representative of Belgium,

Chairman of the Permanent Representatives Committee;

Klaus MEYER,
Director-General for Development,
Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC,
PRESIDENT OF THE COUNCIL OF THE REVOLUTION,
PRESIDENT OF THE COUNCIL OF MINISTERS OF THE
PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA:

Messaoud AIT CHAALAL,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the People's Democratic Republic of Algeria
to the European Economic Community;

WHO, having exchanged their full powers, found in good and due
form, have agreed as follows:

Article 1

The date '31 December 1977' specified in the second subparagraph of
Article 41 (2) of the Interim Agreement between the European Economic
Community and the People's Democratic Republic of Algeria is
replaced by '30 June 1978'.

Article 2

The annual ceilings referred to in Article 5 (1) of the Interim Agreement
are replaced by the following ceilings:

CCT heading No	Ceiling (tonnes)
27.10 } 27.11 } 27.12 } 27.13 } 27.14 } 45.02 } 45.03 } 45.04 }	1 155 000 52 155 2 060

Article 3

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 4

This Agreement shall enter into force on 1 January 1978.

AGREEMENT ⁽¹⁾

extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽²⁾

COUNCIL REGULATION (EEC) No 1454/78

of 26 June 1978

on the conclusion of the Agreement extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria, signed in Algiers on 26 April 1976, and extended successively on 30 June and 31 December 1977, expires not later than 30 June 1978;

Whereas, pending the entry into force of the Cooperation Agreement between the European Economic Community and the People's

(1) OJ No L 175, 29.6.1978.

(2) This Agreement appears in Volume 6, page 741.

Democratic Republic of Algeria, signed in Algiers on 26 April 1976, it is necessary to extend the Interim Agreement again,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Luxembourg, 26 June 1978.

For the Council
The President
K. B. ANDERSEN

AGREEMENT

extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE PRESIDENT OF THE REPUBLIC,

PRESIDENT OF THE COUNCIL OF THE REVOLUTION,

PRESIDENT OF THE COUNCIL OF MINISTERS OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA,

of the other part,

WHEREAS the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria signed in Algiers on 26 April 1976, and extended successively on 30 June and 31 December 1977, expires not later than 30 June 1978;

WHEREAS, pending the entry into force of the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria, signed in Algiers on 26 April 1976, it is necessary to extend the Interim Agreement again,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gunnar RIBERHOLDT,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Denmark,
Chairman of the Permanent Representatives Committee;

Klaus MEYER,
Director-General for Development,
Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC,
PRESIDENT OF THE COUNCIL OF THE REVOLUTION,
PRESIDENT OF THE COUNCIL OF MINISTERS OF THE
PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA:

Messaoud AIT CHAALAL,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the People's Democratic Republic of Algeria
to the European Economic Community;

WHO, having exchanged their full powers, found in good and due
form, have agreed as follows:

Article 1

The date '30 June 1978' specified in the second subparagraph of
Article 41 (2) of the Interim Agreement between the European Economic
Community and the People's Democratic Republic of Algeria is replaced
by '31 December 1978'.

Article 2

The text of Article 13 (2) (b) and (3), first subparagraph, of the Interim
Agreement is replaced by the text given in Annex I to this Agreement.

Article 3

The text of Annex C to the Interim Agreement concerning the minimum
prices for prepared and preserved sardines falling within subheading
16.04 D of the Common Customs Tariff is replaced by the text given in

Annex II to this Agreement. The prices for the period beginning 1 July 1978 shall be not lower than those specified in the said Annex thus amended, as updated by exchange of letters between the Contracting Parties to take account of cost trends for the products in question.

Article 4

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 5

This Agreement shall enter into force on 1 July 1978.

ANNEX I

New text of Article 13 (2) (b) and (3), first subparagraph, of the Interim Agreement

(b) For the wine referred to in paragraph 1 and listed below, intended for fortifying:

CCT heading No	Description
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol: C. Other: I. Of an actual alcoholic strength not exceeding 13°, in containers holding: ex (b) More than two litres: — Wine of fresh grapes intended for fortifying ⁽¹⁾ II. Of an actual alcoholic strength exceeding 13° but not exceeding 15° in containers holding: ex (b) More than two litres: — Wine of fresh grapes intended for fortifying ⁽¹⁾

⁽¹⁾ Entry under this subheading is subject to conditions to be determined by the competent authorities of the European Communities.

customs duties on imports into the Community shall be reduced by 80%. Furthermore, in derogation from paragraph 1 and within the limits of an annual volume of 500 000 hectolitres, the import prices, plus customs duty actually levied, shall not be less than the reference prices, less 15% of the difference between the reference price and the guide price.

For the application of the preceding subparagraph:

— “guide price” shall mean the R I type guide price as regards red wine, and the A I type guide price as regards white wines;

— "reference price" shall mean the prices applicable to the wine in question, as established by the Community and in force at any given time during the period concerned.

3. The wine referred to in paragraph 1 and entitled under Algerian law to one of the following designations of origin:

- Aïn-Bessem — Bouïra,
- Médéa,
- Coteaux du Zaccar,
- Dahra,
- Coteaux de Mascara,
- Monts du Tessala,
- Coteaux de Tlemcen,

shall be exempt from customs duties on importation into the Community, within the limits of a tariff quota covering a period of 12 months starting 1 July 1978, covering the following overall quantities:

(in 1 000 hl)

Total quantity	Wine in bulk	Wine in bottles
400	170	230

ANNEX II

Annex C

Minimum prices applicable from 1 July 1978

Size		Net weight		Semi-gross weight	Capacity	Coefficients	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specifications	Total height (mm)	Ounces	Grams	Grams	cm ³		Community	
							In olive oil	Other
Rectangular base:								
$\frac{1}{10}$ club	20	2	56	95	53	0.60	12.30	11.40
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	14.35	13.30
$\frac{1}{4}$ reduced	18	2 $\frac{1}{4}$	74	130	73	0.77	15.79	14.63
$\frac{1}{4}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	16.40	15.20
$\frac{1}{4}$ special	25	3 $\frac{1}{4}$	90	140	90	0.85	17.43	16.15
$\frac{1}{4}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	18.45	17.10
$\frac{1}{4}$ club	30	4 $\frac{1}{4}$	125	190	125			

‡ P 25				176	125			
‡ usual	22	3‡	105	180	106	1-00	20-50	19-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125	1-10	22-55	20-90
‡ usual	30	5‡	150	240	169			
‡ club	40	6‡	175	250	178	1-30	26-65	24-70
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	32-80	30-40
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	36-90	34-20
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	45-10	41-80
‡ usual long	40	11‡	325	423	313	2-50	51-25	47-50
‡ usual	48	11	310	390	297	2-60	53-30	49-40
‡ large	40	11‡	325	460	330	2-70		
‡ P				476	375		55-35	51-30
‡				902	750	4-65		
‡	80	27‡	780	950	771		95-33	88-35
Oval base:								
‡ oval	40	15	425	555	452	3-40	69-70	64-60

COOPERATION AGREEMENT

between the European Economic Community and the
People's Democratic Republic of Algeria ⁽¹⁾

COUNCIL REGULATION (EEC) No 2210/78

of 26 September 1978

concerning the conclusion of the Cooperation Agreement between the
European Economic Community and the People's Democratic Republic
of Algeria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the Opinion of the European Parliament⁽²⁾,

Whereas the Cooperation Agreement between the European Economic
Community and the People's Democratic Republic of Algeria signed
in Algiers on 26 April 1976 should be concluded,

(1) OJ No L 263, 27.9.1978.

(2) OJ No C 259, 4.11.1976.

HAS ADOPTED THIS REGULATION:

Article 1

The Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council of the European Communities shall give the notification provided for in Article 58 of the Agreement.

Article 3

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

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

Done at Brussels, 26 September, 1978.

For the Council
The President
J. ERTL

COOPERATION AGREEMENT

**between the European Economic Community and the People's Democratic
Republic of Algeria**

HIS MAJESTY THE KING OF THE BELGIANS,
HER MAJESTY THE QUEEN OF DENMARK,
THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,
THE PRESIDENT OF THE FRENCH REPUBLIC,
THE PRESIDENT OF IRELAND,
THE PRESIDENT OF THE ITALIAN REPUBLIC,
HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE COUNCIL OF THE REVOLUTION,
PRESIDENT OF THE COUNCIL OF MINISTERS OF THE
PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA,

of the other part,

PREAMBLE

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

RESOLVED to establish wide-ranging cooperation which will contribute to Algeria's economic and social development and help to strengthen relations between the Community and Algeria,

RESOLVED to promote, having regard to their respective levels of development, economic and trade cooperation between Algeria and the Community, and to provide a sound basis therefor in conformity with their international obligations,

RESOLVED to establish a new model for relations between developed and developing States, compatible with the aspirations of the international community towards a more just and more balanced economic order,

HAVE DECIDED to conclude this Agreement, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Robert VANDEKERCKHOVE,
Minister for Institutional Reforms;

HER MAJESTY THE QUEEN OF DENMARK:

Mogens WANDEL-PETERSEN,
Ambassador,
Director-General;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Hans-Jürgen WISCHNEWSKI,
Minister of State, Federal Foreign Office;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Jean FRANÇOIS-PONCET,
State Secretary for Foreign Affairs;

THE PRESIDENT OF IRELAND:

Garret FITZGERALD,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Francesco CATTANEI,
State Secretary for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Gaston THORN,
President-in-Office of the Council of the European Communities,
President and Minister for Foreign Affairs of the Government of the
Grand Duchy of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

L. J. BRINKHORST,
State Secretary for Foreign Affairs;

**HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND:**

J. E. TOMLINSON,
Parliamentary Under-Secretary of State;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gaston THORN,
President-in-Office of the Council of the European Communities,
President and Minister for Foreign Affairs of the Government of the
Grand Duchy of Luxembourg;
Claude CHEYSSON,
Member of the Commission of the European Communities;

**THE PRESIDENT OF THE COUNCIL OF THE REVOLUTION,
PRESIDENT OF THE COUNCIL OF MINISTERS OF THE
PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA:**

Abdelaziz BOUTEFLIKA,
Member of the Council of the Revolution and Minister for Foreign
Affairs;

Article 1

The object of this Agreement between the European Economic Community and Algeria is to promote overall cooperation between the Contracting Parties with a view to contributing to the economic and social development of Algeria and helping to strengthen relations between the Parties. To this end provisions and measures will be adopted and implemented in the field of economic, technical and financial cooperation, and in the trade and social fields.

TITLE I

ECONOMIC, TECHNICAL AND FINANCIAL COOPERATION

Article 2

The Community and Algeria shall institute cooperation with the aim of contributing to the development of Algeria by efforts complementary to those made by Algeria itself, and of strengthening existing economic links on as broad a basis as possible for the mutual benefit of the Parties.

Article 3

In order to achieve the cooperation referred to in Article 2, account shall be taken, in particular, of the following:

- the objectives and priorities of Algeria's development plans and programmes;
- the importance of schemes into which different operations are integrated;
- the importance of promoting regional cooperation between Algeria and other States.

Article 4

1. The purpose of cooperation between the Community and Algeria shall be to promote, in particular:

- participation by the Community in the efforts made by Algeria to develop its production and economic infrastructure in order to diversify its economic structure. Such participation should be connected, in particular, with the industrialization of Algeria and the modernization of its agriculture;
- the marketing and sales promotion of products exported by Algeria;
- industrial cooperation aimed at boosting the industrial production of Algeria through measures:
 - to encourage participation by the Community in the implementation of Algeria's industrial development programmes,
 - to foster the organization of contacts and meetings between Algerian and Community industrial policy-makers, promoters and firms in order to promote the establishment of new relations in the industrial field in conformity with the objectives of the Agreement,
 - to facilitate the acquisition on favourable terms of patents and other industrial property by means of financing in conformity with Protocol 1 and/or by other appropriate arrangements with undertakings and institutions in the Community,
 - to permit the removal of non-tariff and non-quota barriers likely to impede access to either market;
- cooperation in the fields of science, technology and the protection of the environment;
- as regards energy, the participation by Community operators in programmes for the exploration, production and processing of Algeria's energy resources and any activities which would develop

these resources on the spot, and the proper performance of long-term contracts for the delivery of oil, gas or petroleum products between their operators;

- cooperation in the fisheries sector;
 - the encouragement of private investments which are in the mutual interest of both Parties;
 - exchange of information on the economic and financial situation, and on the trend thereof, as required for the proper functioning of the Agreement.
2. The Contracting Parties may decide on further areas of cooperation.

Article 5

1. The Cooperation Council shall periodically define the guidelines of cooperation for the purpose of attaining the aims set out in the Agreement.
2. The Cooperation Council shall be responsible for seeking ways and means of establishing cooperation in the areas defined in Article 4. To that end it is empowered to make decisions.

Article 6

The Community shall participate in the financing of any measures to promote the development of Algeria under the conditions laid down in Protocol 1 on technical and financial cooperation.

Article 7

The Contracting Parties shall facilitate the proper performance of cooperation and investment contracts which are of interest to both Parties and come within the framework of the Agreement.

TITLE II

TRADE

Article 8

In the field of trade, the object of this Agreement is to promote trade between the Contracting Parties, taking account of their respective levels of development and of the need to ensure a better balance in their trade, with a view to increasing the rate of growth of Algeria's trade and improving the conditions of access for its products to the Community market.

A. Industrial products

Article 9

1. Subject to the special provisions of Articles 11, 12 and 14, products originating in Algeria which are not listed in Annex II to the Treaty establishing the European Economic Community shall be imported into the Community free of quantitative restrictions and measures having equivalent effect, and of customs duties and charges having equivalent effect.

2. The new Member States shall apply the provisions of paragraph 1, it being understood that in no case may they apply more favourable treatment to Algeria than to the Community as originally constituted.

Article 10

1. In the case of customs duties comprising a protective element and a fiscal element, Article 9 shall apply to the protective element.

2. The United Kingdom shall replace the fiscal element of the customs duties referred to in paragraph 1 by an internal tax in accordance with

Article 38 of the Act concerning the conditions of accession and the adjustments to the Treaties of 22 January 1972.

Article 11

The measures provided for in Article 1 of Protocol 7 to the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10 on imports of motor vehicles and the motor vehicle assembly industry in Ireland shall apply to Algeria.

Article 12

1. Imports of the following products shall be subject to annual ceilings above which the customs duties actually applied in respect of third countries may be reintroduced in accordance with paragraphs 2 to 5, the ceiling fixed for the year of the entry into force of the Agreement being indicated in each case.

CCT heading No	Description	Ceiling (tonnes)
27.10	<p>Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:</p> <p>A. Light oils: III. For other purposes</p> <p>B. Medium oils: III. For other purposes</p> <p>C. Heavy oils: I. Gas oils: c) For other purposes</p> <p> II. Fuel oils: c) For other purposes</p>	

CCT heading No	Description	Ceiling (tonnes)
27.10 (cont'd)	III. Lubricating oils; other oils: c) To be mixed in accordance with the terms of Additional Note 7 to Chapter 27 d) For other purposes	
27.11	Petroleum gases and other gaseous hydrocarbons: A. Propane of a purity not less than 99%: I. For use as power or heating fuel B. Other: I. Commercial propane and commercial butane: c) For other purposes	1 100 000
27.12	Petroleum jelly: A. Crude: III. For other purposes B. Other	
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured: B. Other: I. Crude: c) For other purposes II. Other	
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	
45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	50
45.03	Articles of natural cork	150
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	2 000

2. As from the second year after the entry into force of the Agreement, the ceilings shown in paragraph 1 shall be increased annually by 3% for heading Nos 45.02, 45.03 and 45.04 and by 5% for the other tariff headings.

3. When a ceiling fixed for imports of a product referred to in paragraph 1 is reached, the customs duties actually applied in respect of

third countries may be reimposed on imports of the product in question until the end of the calendar year.

When imports into the Community of a product subject to ceilings reach 75% of the level fixed, the Community shall inform the Cooperation Council.

4. After 1 July 1977 the Contracting Parties shall examine within the the Cooperation Council the possibility of increasing the percentage by which the ceilings for articles of cork of heading No 45.02, 45.03 or 45.04 are raised.

5. The ceilings provided for in this Article shall be abolished by 31 December 1979 at the latest.

Article 13

1. The Community reserves the right to modify the arrangements applicable to the petroleum products falling within subheadings and heading Nos 27.10, 27.11 A and B I, 27.12, 27.13 B or 27.14 of the Common Customs Tariff:

- upon adoption of a common definition of origin for petroleum products,
- upon adoption of decisions under a common commercial policy, or
- upon establishment of a common energy policy.

2. In that event the Community shall ensure that imports of these products will enjoy advantages equivalent to those provided for in this Agreement.

For the application of this paragraph consultations shall be held within the Cooperation Council at the request of the other Party.

3. Subject to paragraph 1, this Agreement shall not affect the non-tariff rules applied to imports of petroleum products.

Article 14

For goods resulting from the processing of agricultural products listed in Annex A, the reductions specified in Article 9 shall apply to the fixed component of the charge levied on imports of these products into the Community.

B. Agricultural products

Article 15

1. Customs duties on imports into the Community of the products originating in Algeria which are listed below shall be reduced by the rates indicated for each of them.

CCT heading No	Description	Rate of reduction
01.01	Live horses, asses, mules and hinnies: A. Horses: II. For slaughter (a) III. Other	80 % 80 %
02.01	Meat and edible offals of the animals falling within heading Nos 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: I. Of horses, asses, mules and hinnies ex IV. Other: — Excluding meat of domestic sheep	80 % 100 %
02.04	Other meat and edible meat offals, fresh, chilled or frozen	100 %

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities of the Community.

CCT heading No	Description	Rate of reduction
Chapter 3	Fish, crustaceans and molluscs	100%
07.01	Vegetables, fresh or chilled: <ul style="list-style-type: none"> A. Potatoes: <ul style="list-style-type: none"> II. New potatoes: <ul style="list-style-type: none"> ex a) From 1 January to 15 May: — From 1 January to 31 March F. Leguminous vegetables, shelled or unshelled: <ul style="list-style-type: none"> I. Peas: <ul style="list-style-type: none"> ex a) From 1 September to 31 May: — From 1 October to 30 April II. Beans (of the species <i>Phaseolus</i>): <ul style="list-style-type: none"> ex a) From 1 October to 30 June: — From 1 November to 30 April G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: <ul style="list-style-type: none"> ex II. Carrots and turnips: <ul style="list-style-type: none"> — Carrots, from 1 January to 31 March ex H. Onions, shallots and garlic: <ul style="list-style-type: none"> — Onions, from 15 February to 15 May ex L. Artichokes: <ul style="list-style-type: none"> — From 1 October to 31 December M. Tomatoes: <ul style="list-style-type: none"> ex I. From 1 November to 14 May: — From 15 November to 30 April ex T. Other: <ul style="list-style-type: none"> — Aubergines, from 1 December to 30 April — Courgettes, from 1 December to the last day of February 	40% 60% 60% 40% 60% 30% 60% 60%
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: <ul style="list-style-type: none"> A. Olives: <ul style="list-style-type: none"> I. For uses other than the production of oil (a) B. Capers 	60% 90%
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split: <ul style="list-style-type: none"> A. For sowing: <ul style="list-style-type: none"> ex I. Peas (including chick peas) and beans (of the species <i>Phaseolus</i>): <ul style="list-style-type: none"> — Peas B. Other 	60% 100%

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities of the Community.

CCT heading No	Description	Rate of reduction
08.01	<p>Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not:</p> <p>ex A. Dates: — In immediate containers of a net capacity of 35 kg or less</p> <p>D. Avocados</p>	<p>100 % 80 %</p>
08.02	<p>Citrus fruit, fresh or dried:</p> <p>ex A. Oranges: — Fresh</p> <p>ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Fresh</p> <p>ex C. Lemons: — Fresh</p> <p>D. Grapefruit</p>	<p>80 % 80 % 80 % 80 %</p>
08.04	<p>Grapes, fresh or dried:</p> <p>A. Fresh: I. Table grapes: ex a) From 1 November to 14 July — From 15 November to 30 April</p>	<p>60 %</p>
08.07	<p>Stone fruit, fresh:</p> <p>D. Plums: ex II. From 1 October to 30 June: — From 1 November to 15 June</p>	<p>60 %</p>
08.08	<p>Berries, fresh:</p> <p>A. Strawberries: ex II. From 1 August to 30 April: — From 1 November to 31 March</p> <p>ex D. Raspberries, black currants and red currants: — Raspberries, from 15 May to 15 June</p>	<p>60 % 50 %</p>
ex 08.09	<p>Other fruit, fresh: — Melons, from 1 November to 31 May — Watermelons, from 1 April to 15 June</p>	<p>50 % 50 %</p>
08.11	<p>Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:</p>	

CCT heading No	Description	Rate of reduction
08.11 (cont'd)	ex B. Oranges: — Comminuted	80 %
	ex E. Other: — Comminuted citrus fruit	80 %
09.04	Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta': A. Neither crushed nor ground: II. Pimento	100 %
	B. Crushed or ground	100 %
09.09	Seeds of anise, badian, fennel, coriander, cumin, caraway and juniper	100 %
09.10	Thyme, saffron and bay leaves; other spices	100 %
12.03	Seeds, fruit and spores, of a kind used for sowing: E. Other (a)	60 %
12.07	Plants and parts (including seeds and fruit) of trees, bushes, shrubs or other plants, being goods of a kind used primarily in perfumery, in pharmacy, or for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered	100 %
12.08	Locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading	100 %
13.03	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products: ex B. Pectic substances, pectinates and pectates: — Pectic substances and pectinates	25 %
16.04	Prepared or preserved fish, including caviar and caviar substitutes: A. Caviar and caviar substitutes B. Salmonidae C. Herring E. Tunny F. Bonito (<i>Sarda</i> spp), mackerel and anchovies G. Other	100 % 100 % 100 % 60 % 100 % 100 %

(a) This concession is solely for seeds complying with the provisions of the Directives on the marketing of seeds and plants.

CCT heading No	Description	Rate of reduction
16.05	Crustaceans and molluscs, prepared or preserved	100%
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard:	
	ex B. Other: — Without added sugar, with the exception of gherkins	100%
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid:	
	A. Mushrooms: — Cultivated mushrooms — Other	50% 60%
	B. Truffles	70%
	ex C. Tomatoes: — Peeled tomatoes	30%
	D. Asparagus	20%
	F. Capers and olives	100%
	G. Peas: beans in pod	20%
	H. Other, including mixtures: — Carrots and mixtures — Others	20% 50%
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar:	
	A. Chestnut purée and paste: II. Other	50%
	B. Jams and marmalades of citrus fruit: III. Other	50%
	C. Other: III. Other	50%
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:	
	B. Other: II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 2. Grapefruit segments ex 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Comminuted	80% 80%

CCT heading No	Description	Rate of reduction
20.06 (cont'd)	<p>ex 8. Other fruits: — Comminuted oranges and lemons</p> <p>b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less: 2. Grapefruit segments</p> <p>ex 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: — Comminuted</p> <p>ex 8. Other fruits: — Comminuted oranges and lemons</p> <p>c) Not containing added sugar, in immediate packings of a net capacity: 1. of 4.5 kg or more: ex aa) Apricots: — Apricot halves ex bb) Peaches (including nectarines) and plums: — Peach halves and nectarine halves ex dd) Other fruits: — Grapefruit segments — Citrus pulp — Comminuted citrus fruit 2. Of less than 4.5 kg: ex bb) Other fruits and mixtures of fruit: — Apricot halves, peach halves and nectarine halves — Grapefruit segments — Comminuted citrus fruit</p>	<p>80%</p> <p>80%</p> <p>80%</p> <p>80%</p> <p>50%</p> <p>50%</p> <p>80%</p> <p>40%</p> <p>80%</p> <p>50%</p> <p>80%</p> <p>80%</p>
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C: III. Other:</p> <p>ex a) Of a value exceeding 30 u.a. 100 kg net weight: — Orange juice — Grapefruit juice — Other citrus fruit juices</p> <p>ex b) Of a value not exceeding 30 u.a. per 100 kg net weight:</p>	<p>70%</p> <p>70%</p> <p>80%</p>

CCT heading No	Description	Rate of reduction	
20.07 (cont'd)	— Orange juice	70%	
	— Grapefruit juice	70%	
	— Other citrus fruit juices	60%	
	B. Of a specific gravity of 1.33 or less at 15°C:		
	II. Other:		
	a) Of a value exceeding 30 u.a. per 100 kg net weight:		
	1. Orange juice	70%	
	2. Grapefruit juice	70%	
	ex 3. Lemon juice and other citrus fruit juices:		
	— Other citrus fruit juices (excluding lemon juice)	60%	
23.01	b) Of a value of 30 u.a. or less per 100 kg net weight:		
	1. Orange juice	70%	
	2. Grapefruit juice	70%	
	Flours and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves	100%	

2. As from the implementation of Community rules on potatoes, the tariff reduction provided for in paragraph 1 for the products of subheading 07.01 A II ex a) shall be 50% and shall be applicable for the period from 1 January to 15 April.

3. Paragraph 1 shall apply to fresh lemons of subheading 08.02 ex C of the Common Customs Tariff on condition that on the internal Community market the prices of lemons imported from Algeria are, after customs clearance and deduction of import charges other than customs duties, not less than the reference price plus the incidence on that reference price of the customs duties actually applied in respect of third countries and a fixed amount of 1.20 units of account per 100 kilograms.

4. The import charges other than customs duties referred to in paragraph 3 shall be those laid down for calculating the entry prices referred to in Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables.

However, the Community shall be entitled to calculate the amount to be deducted in respect of the import charges other than customs duties referred to in paragraph 3 in such a way, according to origin, as to avoid difficulties which may arise from the incidence of those charges on entry prices.

Articles 23 to 28 of Regulation (EEC) No 1035/72 shall continue to apply.

Article 16

1. Provided that Algeria levies a special charge on exports of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff and provided also that this special charge is reflected in the import price, the Community shall take the necessary measures to ensure that:

- (a) the levy on imports into the Community of the said olive oil, wholly obtained in Algeria and transported direct from that country to the Community, is the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, less 0.5 unit of account per 100 kilograms
- (b) the amount of the levy calculated in the manner described under (a) is reduced by an amount equal to that of the special charge paid but not exceeding 10 units of account per 100 kilograms;

2. If Algeria does not levy the charge referred to in paragraph 1, the Community shall take the necessary measures to ensure that the levy on imports into the Community of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, is the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, less 0.5 unit of account per 100 kilograms.

3. Each Contracting Party shall take the measures necessary for implementation of paragraph 1 and, in the event of difficulties and at the request of the other Contracting Party, shall supply the information required for the proper operation of the system.

4. Consultations on the functioning of the system provided for in this Article shall take place within the Cooperation Council at the request of either Contracting Party.

Article 17

Without prejudice to the collection of the variable component of the levy calculated in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component shall not be imposed on imports into the Community of olive oil having undergone a refining process, falling within subheading 15.07 A I of the Common Customs Tariff, wholly obtained in Algeria and transported direct from that country to the Community.

Article 18

1. From 1 July 1976 prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff originating in Algeria may be imported into the Community free of customs duties subject to observance of the minimum prices fixed in accordance with the following paragraphs.

2. For the period 1 July 1976 to 30 June 1978 the minimum prices referred to in paragraph 1 shall be those specified in Annex C. The prices for the period beginning 1 July 1978 shall be not lower than those specified in the said Annex as updated by exchange of letters between the Contracting Parties in order to take account of the trend of costs for the products in question.

3. From 1 July 1979 the minimum prices referred to in paragraph 1 shall be agreed by annual exchanges of letters between the Contracting Parties.

4. Exemption from the customs duties referred to in paragraph 1 shall apply only from the date and for the periods determined by the exchanges of letters laying down the technical rules for applying this Article.

Article 19

1. Customs duties on imports into the Community of the products originating in Algeria which are listed below shall be reduced by the following rates:

CCT heading No	Description	Rate of reduction
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: ex C. Tomatoes: — Tomato concentrates	30%
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: ex 9. Mixtures of fruit: — Fruit salad b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less: ex 9. Mixtures of fruit: — Fruit salad	55%
		55%

2. The tariff reduction referred to in paragraph 1 shall apply only from the date and for the periods determined by exchanges of letters to be concluded annually between the Contracting Parties for the purpose of establishing the conditions and detailed rules for such reduction.

Article 20

1. The treatment set out in the following paragraphs shall be applied to wine of fresh grapes falling within heading No ex 22.05 of the Common Customs Tariff originating in Algeria and imported into the Community provided that, subject to the special provisions set out in this Article, the import prices of such products plus the customs duties actually levied are not less at any given time than the Community reference prices for such wine.

2. (a) For the wine referred to in paragraph 1 listed below, imported for direct human consumption, excluding the wine referred to in paragraph 3:

CCT heading No	Description
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>C. Other:</p> <p>I. Of an actual alcoholic strength not exceeding 13°, in containers holding:</p> <p>ex a) Two litres or less: — Wine of fresh grapes⁽¹⁾</p> <p>ex b) More than two litres: — Wine of fresh grapes⁽¹⁾</p> <p>II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding:</p> <p>ex a) Two litres or less: — Wine of fresh grapes⁽¹⁾</p> <p>ex b) More than two litres: — Wine of fresh grapes⁽¹⁾</p>

(1) This wine must meet the requirements laid down by Community Regulations in respect of delivery for direct human consumption.

customs duties on imports into the Community shall be reduced by 80%.

- (b) For the wine referred to in paragraph 1 and listed below, intended for fortifying:

CCT heading No	Description
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>C. Other:</p> <p>I. Of an actual alcoholic strength not exceeding 13°, in containers holding:</p> <p>ex b) More than two litres:</p> <p>— Wine of fresh grapes, intended to be fortified for distillation⁽¹⁾</p> <p>II. Of an actual alcoholic strength exceeding 13° but not exceeding 15°, in containers holding:</p> <p>ex b) More than two litres:</p> <p>— Wine of fresh grapes, intended to be fortified for distillation⁽¹⁾</p>

(1) Entry under this subheading is subject to conditions to be determined by the competent authorities of the Community.

customs duties on imports into the Community shall be reduced by 80%. Furthermore, in derogation from paragraph 1, for the first four years of application of the Agreement and within the limits of an annual volume of 500 000 hectolitres, the import prices, plus customs duty actually levied, must be not less than the reference prices, less:

- in the first year, 30% of the difference between the reference price and the guide price;
- in the second, third and fourth years, 22.5%, 15% and 7.5% of that difference respectively.

For the application of the preceding subparagraph:

- 'guide price' shall mean the R I type guide price as regards red wine, and the A I type guide price as regards white wine;

— 'reference price' shall mean the prices applicable to the wine in question, as established by the Community and in force at any given time during the period concerned.

3. The wine referred to in paragraph 1 and entitled under Algerian law to one of the following designations of origin:

AÏN BESSEM-BOUÏRA

MÉDÉA

COTEAUX DU ZACCAR

DAHRA

COTEAUX DE MASCARA

MONTS DU TESSALAH

COTEAUX DE TLEMCEN

shall be exempt from customs duties on importation into the Community, within the limits of an annual tariff quota covering the following quantities:

(in 1 000 hl)

	Total quantities	Wine in bulk	Wine in bottles
First year	250	190	60
Second year	310	180	130
Third year	400	170	230
Fourth year	450	150	300
Fifth year	450		450

In order to qualify for the treatment specified in the preceding subparagraph:

— wine in bulk must be put up in accordance with the following requirements:

- (a) the containers must be suitable for transporting wine and be used solely for that purpose;
- (b) the containers must be completely filled;

- (c) the means of closing the containers must be such that they cannot be tampered with and must ensure that they cannot be the subject of operations during transportation or storage other than those carried out under the supervision of the authorities of Algeria or of the Member States of the Community;
 - (d) each container must be labelled in such a way as to permit identification of the quality wine it contains;
 - (e) the wine in question may be transported only in containers of a capacity not exceeding 25 hectolitres;
- wine in bottles must be put up in containers holding two litres or less.

For the purpose of applying this paragraph, Algeria shall be responsible for verifying the identity of the above wine in accordance with its national rules, particularly as regards analysis criteria. To this end all the wine concerned shall be accompanied by a certificate of designation of origin issued by the relevant Algerian authority in accordance with the model given in Annex D to this Agreement.

4. The arrangements provided for in this Article shall be valid for a transitional period of five years from the date on which they become operative.

Article 21

1. The Community shall take all necessary measures to ensure that the levy on imports into the Community of bran, sharps and other residues derived from the sifting, milling or other working of cereals, other than of maize and rice, falling within subheading 23.02 A II of the Common Customs Tariff and originating in Algeria, is the import levy calculated in accordance with Article 2 of Regulation (EEC) No 1052/68 on the import and export system for products processed from cereals and from rice, less a fixed amount equivalent to 60% of the variable component of the levy, and that the fixed component is not imposed.

2. The provisions of paragraph 1 shall apply provided that Algeria levies on exports of the products referred to therein a special charge equal to the amount by which the levy is reduced and that this charge is reflected in the Community import price.

3. Detailed rules for the application of this Article shall be laid down in an exchange of letters between the Community and Algeria.

4. Consultations on the functioning of the arrangement provided for in this Article shall take place within the Cooperation Council at the request of either Contracting Party.

Article 22

1. The rates of reduction specified in Articles 15, 18, 19 and 20 shall apply to the customs duties actually applied in respect of third countries.

2. However, the duties resulting from the reductions made by Denmark, Ireland and the United Kingdom may in no case be lower than those applied by the said countries to the Community as originally constituted.

3. In derogation from paragraph 1, should the application thereof temporarily result in tariff movements away from alignment on the final duty, Denmark, Ireland and the United Kingdom may maintain their duties until the level of these duties has been reached on the occasion of a subsequent alignment, or they may apply the duty resulting from a subsequent alignment as soon as a tariff movement reaches or passes the said level.

4. The reduced duties calculated in accordance with Articles 15, 18, 19 and 20 shall be rounded off to the first decimal place.

However, subject to the application by the Community of Article 39 (5) of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10, as regards the specific duties or the specific part of the mixed duties in the customs tariffs of Ireland

and of the United Kingdom the reduced duties shall be rounded off to the fourth decimal place.

5. In the new Member States the variable component of the levy referred to in Article 21 shall be calculated taking into account the rates actually applied in respect of third countries.

Article 23

1. Should specific rules be introduced as a result of implementation of its agricultural policy or modification of the existing rules, or should the provisions on the implementation of its agricultural policy be modified or developed, the Community may modify the arrangements laid down in the Agreement in respect of the products concerned.

In such cases the Community shall take appropriate account of the interests of Algeria.

2. If the Community, in applying paragraph 1, modifies the arrangements made by this Agreement for products covered by Annex II to the Treaty establishing the European Economic Community, it shall accord imports originating in Algeria an advantage comparable to that provided for in this Agreement.

3. Any modification of the arrangements made by this Agreement shall be the subject, at the request of the other Contracting Party, of consultations within the Cooperation Council.

C. Common provisions

Article 24

1. The products originating in Algeria referred to in this Agreement may not enjoy more favourable treatment when imported into the Community than that applied by the Member States between themselves.

2. For the application of paragraph 1, account shall not be taken of the customs duties and charges having equivalent effect resulting from the application of Articles 32, 36 and 59 of the Act concerning the conditions of accession and the adjustments to the Treaties referred to in Article 10.

Article 25

1. Subject to the special provisions relating to frontier-zone trade, Algeria shall grant the Community in the field of trade treatment no less favourable than most-favoured-nation treatment.

2. Paragraph 1 shall not apply in the case of the maintenance or establishment of customs unions or free-trade areas.

3. Furthermore, Algeria may derogate from the provisions of paragraph 1 in the case of measures adopted with a view to the economic integration of the Maghreb, or measures benefiting the developing countries. Such measures shall be notified to the Community.

Article 26

1. The Contracting Parties shall inform each other at the time of signature of this Agreement of the provisions relating to the trade arrangements they apply.

2. Algeria shall be entitled to introduce into its trade arrangements with the Community new customs duties or charges having equivalent effect and new quantitative restrictions or measures having equivalent effect and to increase the duties or charges and the quantitative restrictions or measures having equivalent effect applied to products originating in or going to the Community, where such measures are necessitated by Algeria's industrialization and development requirements. Such measures shall be notified to the Community.

For the application of these measures consultations shall be held within the Cooperation Council at the request of the other Contracting Party.

Article 27

Where Algeria applies quantitative restrictions in the form of quotas to a given product in accordance with its own legislation it shall treat the Community as a single entity.

Article 28

On the occasion of the reviews provided for in Article 53 of the Agreement the Contracting Parties shall seek opportunities to make progress towards the removal of obstacles to trade, while having regard to Algeria's essential development requirements.

Article 29

The concept of 'originating products' for the purposes of implementing this title and the methods of administrative cooperation relating thereto are laid down in Protocol 2.

Article 30

In the event of modifications to the nomenclature of the customs tariffs of the Contracting Parties affecting products referred to in this Agreement, the Cooperation Council may adapt the tariff nomenclature of these products to conform with such modifications, subject to the maintenance of the real advantages resulting from this Agreement.

Article 31

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed upon them.

Article 32

Payments relating to commercial transactions carried out in accordance with foreign trade and exchange regulations and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Algeria shall be free from any restrictions.

Article 33

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures of artistic, historic or archaeological value; the protection of industrial and commercial property, or rules relating to gold or silver. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 34

1. If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the Agreement on implementation of Article VI of the General Agreement on tariffs and trade, under the conditions and in accordance with the procedures laid down in Article 36.

2. In the event of measures being directed against bounties or subsidies the Contracting Parties undertake to respect the provisions of Article VI of the General Agreement on tariffs and trade.

Article 35

If serious disturbances arise in any sector of the economy or if difficulties arise which might bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take the necessary safeguard measures under the conditions and in accordance with the procedures laid down in Article 36.

Article 36

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Article 35 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 34 and 35, before taking the measures provided for therein or, in cases to which paragraph 3 (b) applies, as soon as possible, the Contracting Party in question shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. Such measures must not exceed the limits of what is strictly necessary to counteract the difficulties which have arisen.

The safeguard measures shall be notified immediately to the Cooperation Council and shall be the subject of periodic consultations within the Cooperation Council, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

- (a) as regards Articles 34 and 35, consultation in the Cooperation Council shall take place before the Contracting Party concerned takes the appropriate measures;
- (b) where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 34 and 35, apply forthwith such precautionary measures as are strictly necessary to remedy the situation.

Article 37

Where one or more Member States of the Community or Algeria is in serious difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. They shall be notified immediately to the other Contracting Party and shall be the subject of periodic consultations within the Cooperation Council, particularly with a view to their abolition as soon as circumstances permit.

TITLE III

COOPERATION IN THE FIELD OF LABOUR

Article 38

The treatment accorded by each Member State to workers of Algerian nationality employed in its territory shall be free from any discrimination based on nationality, as regards working conditions or remuneration, in relation to its own nationals.

Algeria shall accord the same treatment to workers who are nationals of a Member State and employed in its territory.

Article 39

1. Subject to the provisions of the following paragraphs, workers of Algerian nationality and any members of their families living with them shall enjoy, in the field of social security, treatment free from any discrimination based on nationality in relation to nationals of the Member States in which they are employed.
2. All periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions and annuities in respect of old age, death and invalidity, and also for that of medical care for the workers and for members of their families resident in the Community.
3. The workers in question shall receive family allowances for members of their families who are resident in the Community.
4. The workers in question shall be able to transfer freely to Algeria at the rates applied by virtue of the law of the debtor Member State or States, any pensions or annuities in respect of old age, death, industrial accident or occupational disease, or of invalidity resulting from industrial accident or occupational disease.
5. Algeria shall accord to workers who are nationals of a Member State and employed in its territory, and to the members of their families, treatment similar to that specified in paragraphs 1, 3 and 4.

Article 40

1. Before the end of the first year following the entry into force of this Agreement, the Cooperation Council shall adopt provisions to implement the principles set out in Article 39.

2. The Cooperation Council shall adopt detailed rules for administrative cooperation providing the necessary management and control guarantees for the application of the provisions referred to in paragraph 1.

Article 41

The provisions adopted by the Cooperation Council in accordance with Article 40 shall not affect any rights or obligations arising from bilateral agreements linking Algeria and the Member States where those agreements provide for more favourable treatment of nationals of Algeria or of the Member States.

TITLE IV

GENERAL AND FINAL PROVISIONS

Article 42

1. A Cooperation Council is hereby established which shall have the power, for the purpose of attaining the objectives set out in the Agreement, to take decisions in the cases provided for in the Agreement.

The decisions taken shall be binding on the Contracting Parties, which shall take such measures as are required to implement them.

2. The Cooperation Council may also formulate any resolutions, recommendations or opinions which it considers desirable for the attainment of the common objectives and the smooth functioning of the Agreement.

3. The Cooperation Council shall adopt its rules of procedure.

Article 43

1. The Cooperation Council shall be composed, on the one hand, of the members of the Council of the European Communities and of members of the Commission of the European Communities and, on the other hand, of members of the Government of Algeria.

2. Members of the Cooperation Council may be represented as laid down in the rules of procedure.

3. The Cooperation Council shall act by mutual agreement between the Community on the one hand and Algeria on the other.

Article 44

1. The office of President of the Cooperation Council shall be held alternately by a member of the Council of the European Communities and a member of the Government of Algeria.

2. Meetings of the Cooperation Council shall be called once a year by its President.

The Cooperation Council shall, in addition, meet whenever necessary, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

Article 45

1. The Cooperation Council shall be assisted in the performance of its duties by a Cooperation Committee composed, on the one hand, of one representative of each Member State and one representative of the Commission of the European Communities and, on the other, of representatives of Algeria.

2. The Cooperation Council may decide to set up any other committee that can assist it in carrying out its duties.

3. In its rules of procedure, the Cooperation Council shall determine the composition and duties of such committees and how they shall function.

Article 46

The Cooperation Council shall take any appropriate measures to facilitate the necessary cooperation and contacts between the European parliamentary assembly and the Chamber of Representatives of the People's Democratic Republic of Algeria.

Article 47

Either Contracting Party shall, if so requested by the other Contracting Party, provide all relevant information on any agreements it concludes involving tariff or trade provisions, and on any amendments to its customs tariff or external trade arrangements.

Where such amendments or agreements have a direct and particular incidence on the functioning of the Agreement, appropriate consultations shall be held within the Cooperation Council at the request of the other Contracting Party so that the interests of the Contracting Parties may be taken into consideration.

Article 48

1. When the Community concludes an Association Agreement having a direct and particular incidence on the functioning of the Agreement appropriate consultations shall be held within the Cooperation Council so that the Community may take into consideration the interests of the Contracting Parties as defined by this Agreement.

2. In the event of a third State acceding to the Community, appropriate consultations shall be held within the Cooperation Council so that the interests of the Contracting Parties as defined by this Agreement may be taken into consideration.

Article 49

1. The Contracting Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.

2. If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures. Before so doing, it shall supply the Cooperation Council with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. These measures shall be notified immediately to the Cooperation Council and shall be the subject of consultations within the Cooperation Council if the other Contracting Party so requests.

Article 50

1. Any dispute which arises between the Contracting Parties concerning the interpretation of the Agreement may be placed before the Cooperation Council.

2. If the Cooperation Council fails to settle the dispute at its next meeting, 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 Cooperation Council shall appoint a third arbitrator.

The decisions of the arbitrators shall be taken by majority vote.

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

Article 51

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its security in time of war or serious international tension.

Article 52

In the fields covered by the Agreement:

- the arrangements applied by Algeria in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms,
- the arrangements applied by the Community in respect of Algeria shall not give rise to any discrimination between Algerian nationals, companies or firms.

Article 53

The Contracting Parties shall review, in accordance with the procedure adopted for negotiating the Agreement itself, in the first place from the beginning of 1978 and again from the beginning of 1983, the results of the Agreement and any improvements which could be made by either side as from 1 January 1979 and 1 January 1984, on the basis of the experience gained during the functioning of the Agreement and of the objectives defined therein.

Article 54

Protocols 1 and 2 and Annexes A, B, C and D shall form an integral part of the Agreement. The declarations and exchanges of letters shall appear in the Final Act, which shall form an integral part of the Agreement.

Article 55

Either Contracting Party may denounce this Agreement by notifying the other Contracting Party. The Agreement shall cease to apply six months after the date of such notification.

Article 56

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Economic Community applies under the conditions laid down in that Treaty and, on the other, to the territory of the People's Democratic Republic of Algeria.

Article 57

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 58

This Agreement will be approved by the Contracting Parties in accordance with their own procedures.

This Agreement shall enter into force on the first day of the second month following notification that the procedures referred to in the first paragraph have been completed.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

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.

واشياء لذلك، وقع التوقيع من جانب هذا الاتفاق

Udfærdiget i Algier, den seksogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Algier am sechszwanzigsten April neunzehnhundertsechszundsiebzig.

Done at Algiers this twenty-sixth day of April in the year one thousand nine hundred and seventy-six.

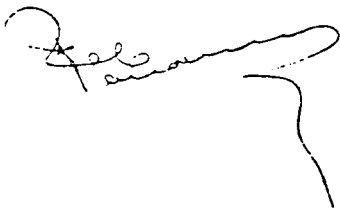
Fait à Alger, le vingt-six avril mil neuf cent soixante-seize.

Fatto a Algeri, addì ventisei aprile millenovecentosettantasei.

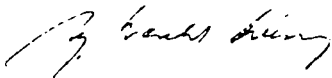
Gedaan te Algiers, de zesentwintigste april negentienhonderd zesenzeventig.

تم تحريره بالجزائر العاصمة، في السادس والعشرين من شهر ابريل سنة الف
وسبعمائة وستة وسبعين

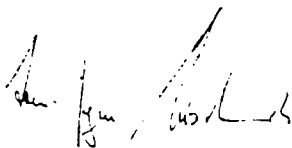
Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen



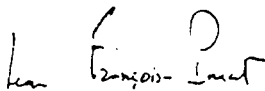
For Hendes Majestæt dronningen af Danmark



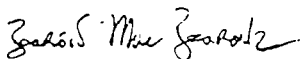
Für den Präsidenten der Bundesrepublik Deutschland



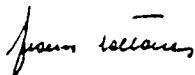
Pour le président de la République française



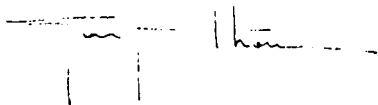
For the President of Ireland



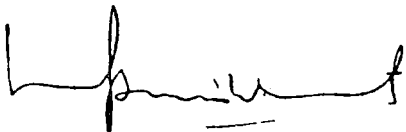
Per il presidente della Repubblica italiana

A handwritten signature in black ink, appearing to read "Francesco Cossiga". The signature is fluid and cursive, with a horizontal line above the name.

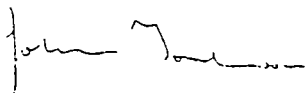
Pour Son Altesse Royale le grand-duc de Luxembourg

A handwritten signature in black ink, appearing to read "Jean". The signature is cursive and includes a horizontal line above the name.

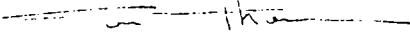
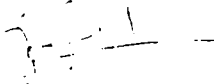
Voor Hare Majesteit de Koningin der Nederlanden

A handwritten signature in black ink, appearing to read "Beatrix". The signature is cursive and includes a horizontal line below the name.

For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland

A handwritten signature in black ink, appearing to read "Elizabeth II". The signature is cursive and includes a horizontal line below the name.

På Rådet for De europæiske Fællesskabers vegne
Im Namen des Rates der Europäischen Gemeinschaften
In the name of the Council of the European Communities
Au nom du Conseil des Communautés européennes
A nome del consiglio delle Comunità europee
Namens de Raad van de Europese Gemeenschappen

باسم مجلس الصحف الأوربية

C. Schymberg
من رئيس مجلس الشورى
ورئيس مجلس الوزراء للجمهورية الجزائرية
الديمقراطية الشعبية


ANNEX A

relating to the products referred to in Article 14

CCT heading No	Description
ex 17.04	Sugar confectionery, not containing cocoa, but not including liquorice extract containing more than 10% by weight of sucrose but not containing other added substances
18.06	Chocolate and other food preparations containing cocoa
19.01	Malt extract
19.02	Preparations of flour, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa
19.03	Macaroni, spaghetti and similar products
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
ex 21.01	Roasted chicory and other roasted coffee substitutes, extracts, essences and concentrates thereof: — Excluding roasted chicory and extracts thereof
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts: II. Bakers' yeast
ex 21.07	Food preparations not elsewhere specified or included, containing sugar, dairy products, cereals or products based on cereals ⁽¹⁾

(1) This heading covers only products which, on importation into the Community, are subject to the duty laid down in the Common Customs Tariff, comprising an *ad valorem* duty constituting the fixed component and a variable component.

CCT heading No	Description
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07: — Containing milk or milkfats
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrated derivatives: C. Polyhydric alcohols: II. Mannitol III. Sorbitol
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries: A. Prepared glazings and prepared dressings: I. With a basis of amylaceous substances
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included: T. Sorbitol, other than that falling within subheading 29.04 C III: I. In aqueous solution: a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content b) Other II. Other: a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content b) Other

ANNEX B

concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff

1. In order to take account of:

- the importance of olive oil for the Algerian economy,
- the programmes and efforts undertaken by Algeria to rationalize and improve the conditions on its olive oil market,
- the traditional trade flows in this product between Algeria and the European Economic Community,

the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Agreement concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff may be increased by an additional amount under the same conditions and arrangements as laid down for the application of Article 16 (1) (b) of the Agreement.

- 2.** The additional amount provided for in paragraph 1, if any, shall be fixed for each year of application by an exchange of letters between the Contracting Parties in the light of conditions on the olive oil market.
- 3.** In view of the exceptional conditions currently affecting the olive oil market, the additional amount shall be fixed at 10 units of account for the period ending 31 October 1977.

ANNEX C (I)

from 1 July 1976 to 30 June 1977

Size		Net weight		Semi-gross weight	Capacity	Coefficients	Minimum prices (customs duties included) in u.a. per carton of 100 tins			
Trade specifications	Total height (mm)	Ounces	Grams	Grams	cm ³		Community excluding United Kingdom and Denmark:		United Kingdom and Denmark:	
							In olive oil	Other	In olive oil	Other
Rectangular bottom:										
$\frac{1}{10}$ club	20	2	56	95	53	0.60	11.10	10.20	10.66	9.79
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	12.95	11.90	12.43	11.42
$\frac{1}{4}$ reduced	18	2 $\frac{1}{2}$	74	130	73	0.77	14.25	13.09	13.68	12.56
$\frac{1}{4}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	14.80	13.60	14.21	13.06
$\frac{1}{4}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	15.73	14.45	15.10	13.87
$\frac{1}{4}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	16.65	15.30	15.98	14.69
$\frac{1}{4}$ club	30	4 $\frac{1}{2}$	125	190	125					

‡ P 25				176	125					
‡ usual	22	3½	105	180	106	1-00	18-50	17-00	17-76	16-32
‡ (club 30)				188	130					
‡ usual	24	4½	125	195	125	1-10	20-35	18-70	19-54	17-95
‡ usual	30	5½	150	240	169					
‡ club	40	8½	175	250	178	1-30	24-05	22-10	23-09	21-22
‡ P 30				250	187					
‡ American	30	7	200	300	207	1-60	29-60	27-20	28-42	26-11
‡ usual	40	9½	260	326	250					
‡ P				337	250	1-80	33-30	30-60	31-97	29-38
‡ club long	40	8½	248	320	241					
‡ low	30	9½	260	370	245	2-20	40-70	37-40	39-07	35-90
‡ usual long	40	11½	325	423	313	2-50	46-25	42-50	44-40	40-80
‡ usual	48	11	310	390	297	2-60	48-10	44-20	46-18	42-43
‡ large	40	11½	325	460	330	2-70	49-95	45-90	47-95	44-06
‡ P				476	375					
‡				902	750					
‡	80	27½	780	950	771	4-65	86-03	79-05	82-58	75-89
Oval bottom:										
‡ oval	40	15	425	555	452	3-40	62-90	57-80	60-38	55-49

ANNEX C (2)

from 1 July 1977 to 30 June 1978

Size		Net weight		Semi-gross weight	Capacity	Coefficients	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specifications	Total height (mm)	Ounces	Grams	Grams	cm ³		Community:	
							In olive oil	Other
Rectangular bottom:								
$\frac{1}{16}$ club	20	2	56	95	53	0.60	11.70	10.80
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	13.65	12.60
$\frac{1}{4}$ reduced	18	2 $\frac{1}{2}$	74	130	73	0.77	15.02	13.86
$\frac{1}{4}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	15.60	14.40
$\frac{1}{4}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	16.58	15.30
$\frac{1}{4}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	17.55	16.20
$\frac{1}{4}$ club	30	4 $\frac{1}{2}$	125	190	125			

‡ P 25				176	125			
‡ usual	22	3‡	105	180	106	1-00	19-50	18-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125	1-10	21-45	19-80
‡ usual	30	5‡	150	240	169			
‡ club	40	6‡	175	250	178	1-30	25-35	23-40
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	31-20	28-80
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	35-10	32-40
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	42-90	39-60
‡ usual long	40	11‡	325	423	313	2-50	48-75	45-00
‡ usual	48	11	310	390	297	2-60	50-70	46-80
‡ large	40	11‡	325	460	330			
‡ P				476	375	2-70	52-65	48-60
‡				902	750			
‡	80	27‡	780	950	771	4-65	90-68	83-70
Oval bottom:								
‡ oval	40	15	425	555	452	3-40	66-30	61-20

ANNEX C (3)

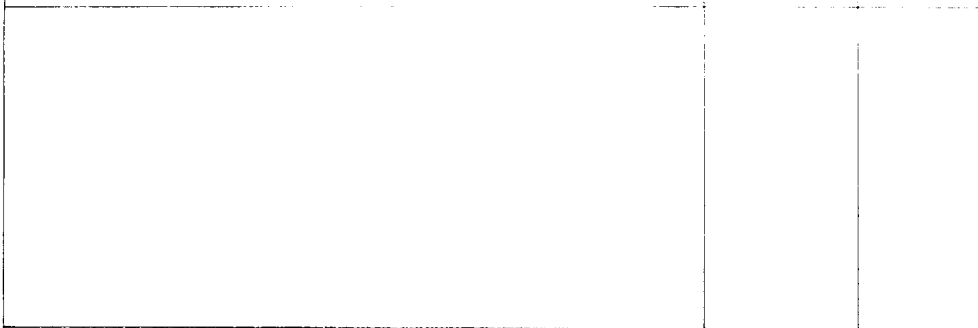
from 1 July 1978 to 30 June 1979

Size		Net weight		Semi-gross weight	Capacity	Coefficients	Minimum prices (customs duties included) in u.a. per carton of 100 tins	
Trade specifications	Total height (mm)	Ounces	Grams	Grams	cm ³		Community:	
							In olive oil	Other
Rectangular bottom:								
$\frac{1}{16}$ club	20	2	56	95	53	0.60	12.30	11.40
$\frac{1}{8}$ club	25	2 $\frac{1}{2}$	80	120	75	0.70	14.35	13.30
$\frac{1}{4}$ reduced	18	2 $\frac{1}{4}$	74	130	73	0.77	15.79	14.63
$\frac{1}{2}$ club	30	3 $\frac{1}{2}$	90	140	93	0.80	16.40	15.20
$\frac{3}{4}$ special	25	3 $\frac{1}{2}$	90	140	90	0.85	17.43	16.15
$\frac{1}{2}$ low plat	24	3 $\frac{1}{2}$	95	145	96	0.90	18.45	17.10
$\frac{1}{2}$ club	30	4 $\frac{1}{4}$	125	190	125			

‡ P 25				176	125			
‡ usual	22	3‡	105	180	106	1-00	20-50	19-00
‡ (club 30)				188	130			
‡ usual	24	4‡	125	195	125	1-10	22-55	20-90
‡ usual	30	5‡	150	240	169			
‡ club	40	6‡	175	250	178	1-30	26-65	24-70
‡ P 30				250	187			
‡ American	30	7	200	300	207	1-60	32-80	30-40
‡ usual	40	9‡	260	326	250			
‡ P				337	250	1-80	36-90	34-20
‡ club long	40	8‡	248	320	241			
‡ low	30	9‡	260	370	245	2-20	45-10	41-80
‡ usual long	40	11‡	325	423	313	2-50	51-25	47-50
‡ usual	48	11	310	390	297	2-60	53-30	49-40
‡ large	40	11‡	325	460	330			
‡ P				476	375	2-70	55-35	51-30
‡				902	750			
‡	80	27‡	780	950	771	4-65	95-33	88-35
Oval bottom:								
‡ oval	40	15	425	555	452	3-40	69-70	64-60

ANNEX D

1. المصدر - Eksportør - Ausführer - Exporter - Exportateur - Esportatore - Exporteur:	2. الرقم - Nummer - Nummer - Nummer - Numéro - Numero - Nummer	00000
4. المرسل اليه - Modtager - Empfänger - Consignee - Destinataire - Destinario - Geadresseerde:	3. (Name of authority guaranteeing the designation of origin)	
6. وسيلة النقل - Transportmiddel - Beförderungsmittel - Means of transport - Moyen de transport - Mezzo di trasporto - Vervoermiddel:	5. شهادة التسمية الاصلية CERTIFIKAT FOR OPRINDELSBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG	
8. مكان الانزاع - Losningssted - Entladungsort - Place of unloading - Lieu de déchargement - Luogo di sbarco - Plaats van lossing:	7. (Designation of origin)	
9. الانواع والارقام ، عدد ونوع الطرود Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e numero, quantità e natura dei colli Merken en nummers, aantal en soort der colli	10. الوزن الخام Bruttovægt Rohgewicht Gross weight Poids brut Peso lordo Brutogewicht	11. لترات Liter Liter Litres Litres Litri Liter



12. ليترات (بالحروف) - Liter (i bogstaver) - Liter (in Buchstaben) - Litres (in words) - Litres (en lettres) - Litri (in lettere) -
Liter (voluit):

13. تأشيرة الهيئة المرسله - Pâtegning fra udstedende organ - Bescheinigung der erteilenden Stelle - Certificate of the
issuing authority - Visa de l'organisme émetteur - Visto dell'organismo emittente - Visum van de instantie van afgifte:

14. تأشيرة الجمارك - Toldstedets attest - Sichtvermerk der
Zollstelle - Customs stamp - Visa de la douane - Visto della
dogana - Visum van de douane

(Oversættelse se nr. 15 - Über-
setzung siehe Nr. 15 - see the translation under No 15 -
Voir traduction au n° 15 - Vedi traduzione al n. 15 - Zie voor
vertaling nr. 15)

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i området og ifølge algerisk lovgivning er berettiget til oprindelsesbetegnelsen: ».....«.

Alkohol tilsat denne vin er alkohol fremstillet af vin.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk gewonnen wurde und ihm nach algerischem Gesetz die Ursprungsbezeichnung „.....“ zuerkannt wird.

Der diesem Wein zugefügte Alkohol ist aus Wein gewonnener Alkohol.

We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Algerian legislation as entitled to the designation of origin '.....'.

The alcohol added to this wine is alcohol of vinous origin.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de et est reconnu, suivant la loi algérienne, comme ayant droit à la dénomination d'origine «.....».

L'alcool ajouté à ce vin est de l'alcool d'origine vinique.

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella zona di ed è riconosciuto, secondo la legge algerina, come avente diritto alla denominazione di origine «.....».

L'alcole aggiunto a questo vino è alcole di origine vinica.

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het wijndistrict van en dat volgens de Algerijnse wetgeving de benaming van oorsprong „.....“ erkend wordt.

De aan deze wijn toegevoegde alcohol is alcohol, uit wijn gewonnen.

16. (*)

يحتفظ بهذه الخانة لمعلومات اخرى من الدولة المصدرة

(1) Rubrik forbeholdt eksportlandets andre angivelser.

(1) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.

(1) Space reserved for additional details given in the exporting country.

(1) Case reservee pour d'autres indications du pays exportateur.

(1) Spazio riservato per altre indicazioni del paese esportatore.

(1) Ruimte bestemd voor andere gegevens van het land van uitvoer.

PROTOCOL 1
on technical and financial cooperation

Article 1

The Community shall participate, within the framework of financial and technical cooperation, in the financing of measures such as to contribute to the economic and social development of Algeria.

Article 2

1. For the purposes specified in Article 1, and for a period expiring on 31 October 1981, an aggregate amount of 114 million units of account may be committed as follows:

- (a) 70 million units of account in the form of loans from the European Investment Bank, hereinafter called 'the Bank', granted from its own resources on the terms set out in its Statute;
- (b) 19 million units of account in the form of loans on special terms;
- (c) 25 million units of account in the form of grants.

Provision may be made for contributions to risk capital formation, to be charged against the amount shown in (b).

2. The loans referred to in paragraph 1 (a) shall generally be combined with 2% interest rate subsidies financed by means of the funds shown in paragraph 1 (c).

Article 3

1. The amount fixed in Article 2 shall be used for the financing or part-financing of:

- capital projects in the fields of production and economic infrastructure, aimed in particular at diversifying the economic structure of Algeria and, especially, at promoting its industrialization and modernizing its agriculture;
 - technical cooperation as a preliminary or complement to capital projects drawn up by Algeria;
 - technical cooperation in the field of training;
 - measures concerning Algerian vineyards with the object of converting vineyards and diversifying wine exports, up to a limit of 12 million units of account to be charged against the amount shown in Article 2 (1) (c).
2. Community aids shall be used to cover costs necessarily incurred in carrying out approved projects or measures. They may not be used to cover current administrative, maintenance or operational expenditure.

Article 4

1. Capital projects shall be eligible for financing either by loans from the Bank, combined with interest rate subsidies on the terms set out in Article 2, or by loans on special terms, or by a combination of these two means.
2. Technical cooperation shall normally be financed by grants.

Article 5

1. The amounts to be committed each year for each of the various forms of aid shall be distributed as evenly as possible throughout the period of application of this Protocol. During the initial period of

application, however, a proportionately higher amount may, within reasonable limits, be committed.

2. Any funds not committed by the end of the fifth year following the entry into force of the Agreement shall be used, until exhausted, in accordance with the same arrangements as provided for in this Protocol.

Article 6

1. Loans granted by the Bank from its own resources shall be subject to terms as to duration established on the basis of the economic and financial characteristics of the projects for which such loans are intended. The interest rate shall be that applied by the Bank at the time of signature of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).

2. Loans on special terms shall be granted for 40 years with an amortization period of 10 years. The interest rate shall be fixed at 1%.

3. The loans may be granted through the intermediary of the State or appropriate Algerian bodies, on condition that they onlend the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Algeria, take the form of co-financing in which, in particular, the credit and development bodies and institutions of Algeria, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation:

(a) in general:

— the Algerian State;

(b) with the agreement of the Algerian State, for projects or measures approved by it:

— Algerian official development agencies,

— private agencies working in Algeria for economic and social development,

— undertakings carrying on their activities in accordance with the methods of industrial and business management which are set up as companies or firms under Algerian law,

— groups of producers who are nationals of Algeria, and exceptionally, where no such groups exist, the producers themselves,

— scholarship holders and trainees sent by Algeria under the training schemes referred to in Article 3.

Article 9

1. Upon the entry into force of the Agreement the Community and Algeria shall establish by mutual agreement the specific objectives of financial and technical cooperation, by reference to the priorities set by Algeria's development plan.

These objectives may be reviewed by mutual agreement to take account of changes in Algeria's economic situation or in the objectives and priorities set by its development plan.

2. Within the framework established pursuant to paragraph 1, financial and technical cooperation shall apply to projects and measures drawn up by Algeria or by other beneficiaries approved by that country.

Article 10

1. For each request for financial aid under this Protocol, a dossier shall be submitted to the Community by the beneficiary referred to in Article 8 (a) or, with the agreement of Algeria, by those referred to in Article 8 (b).
2. The Community shall appraise the requests for financing in collaboration with the Algerian State and the beneficiaries in accordance with the objectives set out in Article 9 (1), and shall inform them of the decisions taken on such requests.

Article 11

The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Algeria or the other beneficiaries referred to in Article 8 of this Protocol.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

Article 12

1. As regards projects and measures financed by the Community, participation in tendering procedures and other procedures for the award of contracts shall be open, on equal terms, to all natural or legal persons of the Member States and of Algeria.
2. To promote participation by Algerian undertakings in the performance of works contracts, an accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used at the proposal of the relevant Community body where the works in question, because of their scale, are mainly of interest to Algerian undertakings.

This accelerated procedure may be used for invitations to tender whose value is estimated at less than one million units of account.

3. Participation by other countries in contracts financed by the Community may be decided by mutual agreement in exceptional cases.

Participation by third countries may also be decided, in the same circumstances, where the Community participates in the financing of schemes together with other sources of funds.

Article 13

Under its national law in force, Algeria shall apply to contracts awarded for the execution of projects or measures financed by the Community fiscal and customs arrangements as favourable as those applied in respect of other international organizations.

Article 14

Where a loan is accorded to a beneficiary other than the Algerian State, the provision of a guarantee by the latter or of other adequate guarantees may be required by the Community as a condition of the grant of the loan.

Article 15

Throughout the duration of the loans accorded pursuant to this Protocol, Algeria shall undertake to make available to debtors enjoying such loans the foreign currency necessary for the payment of interest and commission and the repayment of principal.

Article 16

The results of financial and technical cooperation shall be examined annually by the Cooperation Council. The latter shall define, where appropriate, the general guidelines of such cooperation.

Article 17

Before the end of the fifth year following the entry into force of the Agreement, the Contracting Parties shall examine what arrangements could be made for financial and technical cooperation during a possible further period.

PROTOCOL 2

concerning the definition of the concept of 'originating products' and methods of administrative cooperation

TITLE I

Definition of the concept of 'originating products'

Article 1

1. For the purpose of implementing the Agreement and without prejudice to paragraphs 2 and 3, on condition that they were transported in conformity with Article 5, the following shall be considered as:

(a) products originating in Algeria:

- products wholly obtained in Algeria,
- products obtained in Algeria, in the manufacture of which products other than those wholly obtained in Algeria are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3;

(b) products originating in the Community:

- products wholly obtained in the Community,
- products obtained in the Community, in the manufacture of which products other than those wholly obtained in the Community are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purpose of implementing the first indent of paragraph 1 (a), when products wholly obtained in Morocco, in Tunisia or in the Community undergo working or processing in Algeria, they shall be considered as having been wholly obtained in Algeria.

For the purpose of implementing the second indent of paragraph 1 (a), working or processing carried out in Morocco, in Tunisia or in the Community shall be considered as having been carried out in Algeria, when the products obtained undergo subsequent working or processing in Algeria.

This paragraph shall apply subject to the condition that the products concerned are transported in conformity with Article 5.

3. For the purpose of implementing the first indent of paragraph 1 (b), when products wholly obtained in Algeria undergo working or processing in the Community, they shall be considered as having been wholly obtained in the Community.

For the purposes of implementing the second indent of paragraph 1 (b), working or processing carried out in Algeria shall be considered as having been carried out in the Community, when the products obtained undergo subsequent working or processing in the Community.

This paragraph shall apply subject to the condition that the products concerned are transported in conformity with Article 5.

4. In derogation from paragraph 1, where, pursuant to the provisions of the above paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the originating products are obtained in two or more of the States referred to in these provisions or in the Community, they shall be considered as originating products of the State or the Community according to where the last working or processing took place. For this purpose the working or processing referred to in Article 3 (3) shall not be considered as working or processing.

5. The products in List C in Annex IV shall be temporarily excluded from the scope of this Protocol.

6. The provisions contained in paragraph 2 shall only be applicable to Morocco and Tunisia in so far as the rules governing trade between Algeria, Morocco and Tunisia, in the field of these provisions, are identical to the provisions of this Protocol, and on condition that the necessary administrative cooperation between Algeria, Morocco and Tunisia for the control of these provisions is established.

Article 2

The following shall be considered as 'wholly obtained' in Algeria, Morocco, Tunisia or the Community within the meaning of Article 1 (1), (2) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) goods produced there exclusively from products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1, the following shall be considered as sufficient working or processing:

- (a) working or processing as a result of which the goods obtained receive a classification under a heading other than that covering each of the products worked or processed, except, however, working or processing specified in List A in Annex II, where the special provisions of that list apply;
- (b) working or processing specified in List B in Annex III.

'Sections', 'chapters' and 'headings' shall mean the sections, chapters and headings in the Brussels Nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits in Lists A and B the value of the materials and parts which can be used,

the total value of these materials and parts, whether or not they have changed heading in the course of the working, processing or assembly within the limits and under the conditions laid down in each of those two lists, may not exceed, in relation to the value of the product obtained, the value corresponding either to the common rate, if the rates are identical in both lists, or to the higher of the two if they are different.

3. For the purpose of implementing Article 1, the following shall always be considered as insufficient working or processing to confer the status of originating product, whether or not there is a change of heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up;
- (c) (i) changes of packaging and breaking up and assembly of consignments,
(ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packaging operations;
- (d) affixing marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in this Protocol to enable them to be considered as originating in Algeria, Morocco, Tunisia or the Community;

- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

Where Lists A and B referred to in Article 3 provide that goods obtained in Algeria or in the Community shall be considered as originating therein only if the value of the products worked or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration for such a percentage shall be:

— on the one hand,

as regards products whose importation can be proved: their customs value at the time of importation;

as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the Contracting Party where manufacture takes place;

— and on the other hand,

the ex-works price of the goods obtained, less internal taxes refunded or refundable on exportation.

Article 5

1. For the purpose of implementing Article 1 (1), (2) and (3), originating products whose transport is effected without entering into territory other than that of Algeria, Morocco, Tunisia or the Community shall be considered as transported directly from Algeria to the Community or from the Community to Algeria. However, goods originating in Algeria, Morocco, Tunisia or the Community and constituting one single consignment which is not split up may be

transported through territory other than that of these countries or the Community with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons and that the goods have remained under the surveillance of the customs authorities in the country of transit or warehousing, that they have not entered into commerce of such countries nor been delivered for home use there and have not undergone operations other than unloading, reloading or any operation designed to maintain them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community or in Algeria by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
 - giving an exact description of the goods,
 - stating the dates of unloading and re-loading of the goods or of their embarkation or disembarkation, identifying the ships used,
 - certifying the conditions under which the goods remained in the transit country;
- (c) or failing these, any substantiating documents.

TITLE II

Arrangements for administrative cooperation

Article 6

1. Evidence of originating status of products, within the meaning of this Protocol, is given by a movement certificate EUR. 1 of which a specimen is given in Annex V to this Protocol.

However, the evidence of originating status, within the meaning of this Protocol, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed 1 000 units of account per consignment, may be given by a form EUR. 2, of which a specimen is given in Annex VI to this Protocol.

The unit of account (u.a.) has a value of 0.88867088 gram of fine gold. Should the unit of account be changed, the Contracting Parties shall make contact with each other at the level of the Cooperation Council to redefine the value in terms of gold.

2. Without prejudice to Article 3 (3), where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 7

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after exportation of the goods to which it relates if it was

not issued at the time of exportation because of errors or involuntary omissions or special circumstances. In this case, the certificate shall bear a special reference to the conditions in which it was issued.

3. A movement certificate EUR. 1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen is given in Annex V to this Protocol, which shall be completed in accordance with this Protocol.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Agreement.

5. Applications for movement certificates EUR. 1 must be preserved for at least two years by the customs authorities of the exporting State.

Article 8

1. The movement certificate EUR. 1 shall be issued by the customs authorities of the exporting State, if the goods can be considered 'originating products' within the meaning of the Agreement.

2. For the purpose of verifying whether the conditions stated in paragraph 1 have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

3. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are duly completed. In particular, they shall check whether the space reserved for the description of the goods has been completed in such a manner as to exclude all possibility of fraudulent additions. To this end, the description of the goods must be indicated without leaving any blank lines. Where the space is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

4. The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

Article 9

Movement certificates EUR. 1 shall be made out on the form of which a specimen is given in Annex V to this Protocol. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 or minus 5 mm in the length being allowed. The paper used must be white, sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloché-pattern background making any falsification by mechanical or chemical means apparent to the eye.

The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.

2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR. 1.

Article 11

A movement certificate EUR. 1 must be submitted, within five months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by that State. The said authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing State after the final date for presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 1 and those made in the documents submitted to the customs office for the purpose of carrying out the

formalities for importing the goods shall not *ipso facto* render the certificate null and void if it is duly established that the certificate does correspond to the goods submitted.

Article 15

It shall always be possible to replace one or more movement certificates by one or more certificates, provided that this is done at the customs office where the goods are located.

Article 16

Form EUR. 2, a specimen of which is given in Annex VI, shall be completed by the exporter or, under his responsibility, by his authorized representative. It shall be made out in one of the languages in which the Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters. If the goods contained in the consignment have already been subject to verification in the exporting State by reference to the definition of the concept of 'originating products' the exporter may refer to this check in the 'Remarks' box of form EUR. 2.

Form EUR. 2 shall measure 210 × 148 mm, a tolerance of up to plus 8 or minus 5 mm in the length being allowed. The paper used shall be white, sized writing paper not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case each form must include a reference to such approval. In addition, each form must bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment.

These provisions do not exempt exporters from complying with any other formalities required by customs or postal regulations.

Article 17

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR. 1 or the completion of a form EUR. 2, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, and where there is no doubt as to the veracity of such declaration.

2. Importations which are occasional and consist solely of goods for the personal use of the recipients or travellers or their families shall not be considered as importations by way of trade if it is evident from the nature and quantity of the goods that no commercial purpose is in view. Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of travellers' personal luggage.

Article 18

1. Goods sent from the Community or from Algeria for exhibition in a country other than Morocco and Tunisia and sold after the exhibition for importation into Algeria or into the Community shall benefit on importation from the provisions of the Agreement on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in Algeria

and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from the Community or from Algeria to the country in which the exhibition is held and has exhibited them there;
- (b) the goods have been sold or otherwise disposed of by that exporter to someone in Algeria or in the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter to Algeria or to the Community in the state in which they were sent for exhibition;
- (d) the goods have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A movement certificate EUR. 1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the goods and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods, and during which the goods remain under customs control.

Article 19

1. When a certificate is issued within the meaning of Article 7 (2) of this Protocol after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Protocol:

- indicate the place and date of exportation of the goods to which the certificate relates;
- certify that no movement certificate EUR. 1 was issued at the time of exportation of the goods in question, and state the reasons.

2. The customs authorities may issue a movement certificate EUR. 1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

Certificates issued retrospectively must be endorsed with one of the following phrases: 'NACHTRÄGLICH AUSGESTELLT', 'DÉLIVRÉ A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE', 'إصدار لاحقاً'.

Article 20

In the event of the theft, loss or destruction of a movement certificate EUR. 1, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed with one of the following words: 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE', 'تكرار'.

Article 21

1. When paragraphs 2, 3, and 4 of Article 1 are applied for the issue of a movement certificate EUR. 1 the competent customs office in the State requested to issue the certificate for products in the manufacture of which products coming from Morocco, Tunisia or the Community are used, shall take into consideration the declaration, of which a specimen is given in Annex VII, given by the exporter in the State from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in Article 22 and of which a specimen is given in

Annex VIII, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

Article 22

The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in Article 21 (2), or at the initiative of this exporter, by the competent customs office in the State from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of the movement certificate EUR. 1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least two years.

Article 23

Algeria and the Community shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 24

In order to ensure the proper application of this title, Algeria, Morocco, Tunisia and the Community shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the information

concerning the actual origin of the products concerned and the declarations by exporters on forms EUR. 2 and the authenticity and accuracy of the information certificates referred to in Article 21.

Article 25

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up or causes to be drawn up, either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 or a form EUR. 2 containing incorrect particulars.

Article 26

1. Subsequent verifications of movement certificates EUR. 1 and of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR. 1 or the form EUR. 2, or a photocopy thereof, to the customs authorities of the exporting State, giving the reasons of form or substance for an inquiry. The invoice, if it has been submitted, or a copy thereof shall be attached to the form EUR. 2 and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

If the customs authorities of the importing State decide to suspend execution of Title I of the Agreement while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. The customs authorities of the importing State shall be informed of the results of the verification as soon as possible. These results must be such as to make it possible to determine whether the disputed movement certificate EUR. 1 or form EUR. 2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

When such disputes cannot be settled between the customs authorities of the importing State and those of the exporting State, or when they raise a question as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee provided for in Article 29.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

Article 27

The subsequent verification of the information certificate referred to in Article 21 shall be carried out in the circumstances envisaged in Article 26 following a similar procedure to that envisaged in that Article.

Article 28

The Cooperation Council shall examine annually the application of the provisions of this Protocol and their economic effect with a view to making any necessary changes. This examination may be carried out at more frequent intervals at the request either of the Community or Algeria.

Article 29

1. A Customs Cooperation Committee shall be set up, charged with carrying out administrative cooperation with a view to the correct and uniform application of this Protocol and with carrying out any other task in the customs field which may be entrusted to it.

2. The Committee shall be composed on the one hand of customs experts of the Member States and of officials of the departments of the Commission of the European Communities who are responsible for customs questions, and on the other hand of Algerian customs experts.

Article 30

1. The Community and Algeria shall take any measures necessary to enable movement certificates EUR. 1 as well as forms EUR. 2 to be submitted, in accordance with Articles 11 and 12 of this Protocol, from the day on which the Agreement enters into force.

2. The movement certificates EUR. 1 and the forms EUR. 2 printed in the Member States before the date of the entry into force of the Agreement, and which do not conform to the models in Annexes V and VI to this Protocol, may continue to be used until stocks are exhausted, under the conditions laid down by this Protocol.

Article 31

The Community and Algeria shall each take the steps necessary to implement this Protocol.

Article 32

The Annexes to this Protocol shall form an integral part thereof.

Article 33

The provisions of the Agreement may be applied to goods which comply with the provisions of Title I and which on the date of the entry into

force of the Agreement are either in transit or are in the Community or in Algeria in temporary storage in bonded warehouses or in free zones, subject to the submission to the customs authorities of the importing State within four months of that date of a certificate EUR. 1 endorsed retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

Article 34

The endorsements referred to in Articles 19 and 20 shall be inserted in the 'Remarks' box of the certificate.

ANNEX I

Explanatory Notes

Note 1 — Articles 1 and 2:

The terms 'the Community' or 'Algeria' shall also cover the territorial waters of the Member States of the Community or of Algeria respectively.

Vessels operating on the high seas, including factory ships, on which fish caught is worked or processed, shall be considered as part of the territory of the State to which they belong provided that they satisfy the conditions set out in Explanatory Note 6.

Note 2 — Article 1:

In order to determine whether goods originate in the Community, Algeria, Morocco or Tunisia it shall not be necessary to establish whether the power and fuel, plant and equipment, and machines and tools used to obtain such goods originate in third countries or not.

Note 3 — Article 1:

Where a percentage rule is applied in determining originating status of a product obtained in a Member State, Algeria, Morocco or Tunisia, the value added by the working or processing referred to in Article 1 shall correspond to the ex-works price of the product obtained less the customs value of third products imported into the Community, Algeria, Morocco or Tunisia.

Note 4 — Article 3 (1), (2) and 4:

The percentage rule constitutes, where the product obtained appears in List A, a criterion additional to that of change of heading for any non-originating product used.

Note 5 — Article 1:

Packing shall be considered as forming a whole with the goods contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed and which has intrinsic utilization value and is of a durable nature, apart from its function as packing.

Note 6 — Article 2 (f):

The term 'their vessels' shall apply only to vessels:

- which are registered or recorded in a Member State, Algeria, Morocco or Tunisia,
- which sail under the flag of a Member State, Algeria, Morocco or Tunisia,
- which are owned to an extent of at least 50% by nationals of the Member States, Algeria, Morocco or Tunisia or by a company with its head office in a Member State, Algeria, Morocco or Tunisia, of which the manager, managers, chairman of the board of directors or of the supervisory board, and the majority of the members of such board are nationals of the Member States, Algeria, Morocco or Tunisia and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to the Member States, Algeria, Morocco or Tunisia or to public bodies or nationals of the Member States, Algeria, Morocco or Tunisia,
- of which at least 50% of the crew, captain and officers included, are nationals of the Member States, Algeria, Morocco or Tunisia.

Note 7 — Article 4:

'Ex-works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the Convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

Note 8 — Article 5:

For the purposes of applying Article 5, the ports of embarkation of products originating in Algeria for destination in the Community are for example:

Algiers — Al-Hoceima — Agadir — Annaba — Arzew — Azilah —
Bajaia — Beni-Saf — Bizerta — Casablanca — Ceuta — Constantine —
Dellys — El Jadida — Essaouira — Gabès — Ghazaouet — Ifni —
Kenitra — Larache — Melilla — Mohammedia — Oran — Rabat —
Safi — Sfax — Skikda — Sousse — Tangier — Tarfaya — Ténès —
Tunis.

Note 9 — Article 24:

The authorities consulted shall furnish any information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various Member States and in Algeria, Morocco and Tunisia.

ANNEX II

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

CCT heading No	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description		
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, dried, salted or in brine, smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine; smoking of fish, whether cooked or not	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	

CCT heading No	Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description			
07.03	Vegetables, provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption		Placing in brine or in other solutions of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared		Drying, dehydration, evaporation cutting, grinding, powdering of vegetables of heading Nos 07.01 to 07.03	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar		Freezing of fruit	
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption		Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.09	
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05		Drying of fruit	
11.01	Cereal flours		Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice; germ of cereals, whole, rolled, flaked or ground		Manufacture from cereals	

11.03	Flours of the leguminous vegetables falling within heading No 07.05	Manufacture from dried leguminous vegetables
11.04	Flours of the fruits falling within any heading in Chapter 8	Manufacture from fruits of Chapter 8
11.05	Flour, meal and flakes of potato	Manufacture from potatoes
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06	Manufacture from products of heading No 07.06
11.07	Malt, roasted or not	Manufacture from cereals
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, or from potatoes or other products of Chapter 7
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Manufacture from products of heading Nos 02.01 and 02.06
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of third countries
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	Manufacture from products of Chapter 2

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtle-wax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products	Manufacture from products of Chapters 7 and 12	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2	
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2	
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3	
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of Chapter 3	
17.02	Other sugars; sugar syrups; artificial honey (whether or not mixed with natural honey); caramel	Manufacture from any product	
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	

17.05	Flavoured or coloured sugars, syrups and molasses, but not including fruit juices containing added sugar in any proportion	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product	
19.01	Malt extract	Manufacture from products of heading No 11.07	
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa	Manufacture from cereals and derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
19.03	Macaroni, spaghetti and similar products		Manufacture from durum wheat
19.04	Tapioca and sago; tapioca and sago substitutes from potato or other starches	Manufacture from potato starch	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)	Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product	
19.06	Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper, and similar products	Manufacture from products of Chapter 11	

⁽¹⁾ This rule does not apply where the use of maize of the 'zea indurata' type or 'durum wheat' is concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit	Manufacture from products of Chapter 11	
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	Manufacture from products of Chapter 11	
20.01	Vegetables and fruit prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.04	Fruits, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.06	Fruit otherwise prepared or preserved whether or not containing added sugar or spirit:		

	A. Nuts		Manufacture, without added sugar or spirit, in which the value of the constituent 'originating products' of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the manufactured product
	B. Other fruits	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.07	Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 21.01	Roasted chicory and extracts thereof	Manufacture from chicory roots, fresh or dried	
21.05	Soups and broths in liquid, solid or powder forms; homogenized food preparations	Manufacture from products of heading No 20.02	
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07	Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
ex 23.03	Residues from the manufacture of maize starch (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% dry weight	Manufacture from maize or maize flour	
23.04	Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture from products of heading No 24.01 of which at least 70% by quantity are 'originating products'

ex 28.38	Aluminium sulphate		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
30.03	Medicaments (including veterinary medicaments)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
31.05	Other fertilizers; goods of Chapter 31 in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
32.06	Colour lakes	Manufacture from materials of heading No 32.04 or 32.05(1)	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk barium carbonate and satin white(1)	
33.05	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	Manufacture from products of heading No 33.01(1)	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues		Manufacture from maize or potatoes
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paper-board or cloth	Manufacture from products of heading No 37.02(1)	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01(1)	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02(1)	

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

38.15	Prepared rubber accelerators	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids; — Sulphonaphthenic acids and their non-water-soluble salts; esters of sulphonaphthenic acids; — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; — Mixed alkylbenzenes and mixed alkylnaphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; 	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 38.19 (cont'd)	<ul style="list-style-type: none"> — Refractory cements or mortars and similar preparations; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) of metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures — Sorbitol other than sorbitol of heading No 29.04 		
ex 39.02	Polymerization products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of heading Nos 41.02 to 41.07 (other than skin leather of crossed Indian sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50% of the value of the finished product
43.03	Articles of furskin	Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) (1)	
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings		Manufacture from boards not cut to size
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings		Manufacture from products of heading No 49.11
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks		Manufacture from products of heading No 49.11
50.04(1)	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products other than those of heading No 50.04
50.05(1)	Yarn spun from silk waste other than noil, not put up for retail sale		Manufacture from products of heading No 50.03
50.06(1)	Yarn spun from noil silk, not put up for retail sale		Manufacture from products of heading No 50.03
50.07(1)	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale		Manufacture from products of heading Nos 50.01 to 50.03
ex 50.08(1)	Imitation catgut of silk		Manufacture from products of heading No 50.01 or from products of heading No 50.03 neither carded nor combed
50.09(2)	Woven fabrics of silk or of waste silk other than noil		Manufacture from products of heading No 50.02 or 50.03

50.10(2)	Woven fabrics of noil silk	Manufacture from products of heading No 50.02 or 50.03
51.01(1)	Yarn of man-made fibres (continuous), not put up for retail sale	Manufacture from chemical products or textile pulp
51.02(1)	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials	Manufacture from chemical products or textile pulp
51.03(1)	Yarn of man-made fibres (continuous), put up for retail sale	Manufacture from chemical products or textile pulp
51.04(2)	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	Manufacture from chemical products or textile pulp

- (1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
52.01 ⁽¹⁾	Metallized yarn, being textile yarn spun with metal or covered with metal by any process		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
52.02 ⁽²⁾	Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
53.06 ⁽¹⁾	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.07 ⁽¹⁾	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.08 ⁽¹⁾	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair of heading No 53.02
53.09 ⁽¹⁾	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03
53.10 ⁽¹⁾	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04
53.11 ⁽²⁾	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading Nos 53.01 to 53.05
53.12 ⁽²⁾	Woven fabrics of coarse animal hair other than horsehair		Manufacture from products of heading Nos 53.02 to 53.05

53.13(2)	Woven fabrics of horsehair	Manufacture from horsehair of heading No 05.03
54.03(1)	Flax or ramie yarn, not put up for retail sale	Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02
54.04(1)	Flax or ramie yarn, put up for retail sale	Manufacture from materials of heading No 54.01 or 54.02
54.05(2)	Woven fabrics of flax or of ramie	Manufacture from materials of heading No 54.01 or 54.02
55.05(1)	Cotton yarn, not put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.06(1)	Cotton yarn, put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.07(2)	Cotton gauze	Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.08(2)	Terry towelling and similar terry fabrics, of cotton	Manufacture from materials of heading No 55.01, 55.03 or 55.04

(1) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

(2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

(i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;

(ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
55.09(1)	Other woven fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05(2)	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06(2)	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07(1)	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of heading Nos 56.01 to 56.03
57.05(2)	Yarn of true hemp		Manufacture from raw true hemp

57.06(2)	Yarn of jute or of other textile bast fibres of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.07(2)	Yarn of other vegetable textile fibres	Manufacture from raw vegetable textile fibres of heading No 57.02 or 57.04
57.08	Paper yarn	Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste, neither carded nor combed
57.09(1)	Woven fabrics of true hemp	Manufacture from products of heading No 57.01
57.10(1)	Woven fabrics of jute or of other textile bast fabrics of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
57.11(1)	Woven fabrics of other vegetable textile fibres	Manufacture from materials of heading No 57.02 or 57.04 or from coir yarn of heading No 57.07

- (1) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- (i) to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within headings Nos ex 51.01 and ex 58.07;
 - (ii) to 30% where the material in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (2) For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
57.12	Woven fabrics of paper yarn		Manufacture from paper, from chemical products, textile pulp or from natural textile fibres discontinuous man-made fibres or their waste
58.01(1)	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02(1)	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from coir yarn of heading No 57.07
58.04(1)	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton of heading No 55.08 and fabrics of heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp
58.05(1)	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
58.06(1)	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp

58.07(1)	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.08(1)	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.09(1)	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; mechanically made lace, in the piece, in strips or in motifs	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.10	Embroidery, in the piece, in strips or in motifs	Manufacture in which the value of the product used does not exceed 50% of the value of the finished product
59.01(1)	Wadding and articles of wadding; textile flock and dust and mill neps	Manufacture either from natural fibres or from chemical products or textile pulp
59.02(1)	Felt and articles of felt, whether or not impregnated or coated	Manufacture either from natural fibres or from chemical products or textile pulp

(1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.02(1)	Needled felt, whether or not impregnated or coated		Manufacture from fibre or continuous polypropylene filament of which the denomination of the filaments is less than 8 denier and of which the value does not exceed 40% of the value of the finished product
59.03(1)	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
59.04(1)	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.05(1)	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.06(1)	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn

59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil	Manufacture from yarn
59.10(1)	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not	Manufacture either from yarn or from textile fibres
59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods	Manufacture from yarn
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn

(1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
59.13(1)	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15(1)	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.16(1)	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.17(1)	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
ex Chapter 60(1)	Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03, from chemical products or textile pulp
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by		Manufacture from yarn ⁽²⁾

	the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	
ex 60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾
ex 60.04	Undergarments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)	Manufacture from yarn ⁽²⁾

(1) For products composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which products of the other textile materials of which the mixed product is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- (i) to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- (ii) to 30% where the product in question is yarn of a width not exceeding 5 mm formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

(2) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.06	Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
61.01	Men's and boys' outer garments		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.01	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's girls' and infants' outer garments, not embroidered		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.02	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾

61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs	Manufacture from yarn ⁽¹⁾ (2)
61.04	Women's, girls' and infants' undergarments	Manufacture from yarn ⁽¹⁾ (2)
ex 61.05	Handkerchiefs, not embroidered	Manufacture from unbleached single yarn ⁽¹⁾ (2) (3)
ex 61.05	Handkerchiefs, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered	Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste, or from chemical products or textile pulp ⁽¹⁾ (2)
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.07	Ties, bow ties and cravats	Manufacture from yarn ⁽¹⁾ (2)
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, not embroidered	Manufacture from yarn ⁽¹⁾ (2)

- (1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.
- (2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.
- (3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product ⁽¹⁾
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn ^{(1) (2)}
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn ^{(1) (2)}
ex 61.10	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product ^{(1) (2)}
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn ^{(1) (2)}
62.01	Travelling rugs and blankets		Manufacture from unbleached yarn of Chapters 50 to 56 ^{(2) (3)}
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered		Manufacture from unbleached single yarn ^{(2) (3)}
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product

62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾
62.04	Tarpaulins, sails, awnings, sun-blinds, tents and camping goods		Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	

- (1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.
- (2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.
- (3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
64.04	Footwear with outer soles of other materials	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	Manufacture from textile fibres
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved) whether or not surface ground or polished; multiple-walled insulating glass		
70.08	Safety glass consisting of toughened or laminated glass, shaped or not		

70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars) of iron or steel; pieces roughly shaped by forging, of iron or steel	Manufacture from products of heading No 73.06	
73.08	Iron or steel coils re-rolling	Manufacture from products of heading No 73.07	
73.09	Universal plates of iron or steel	Manufacture from products of heading No 73.07 or 73.08	
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel	Manufacture from products of heading No 73.07	
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13	
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09 or 73.13	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
73.14	Iron or steel wire, whether or not coated, but not insulated	Manufacture from products of heading No 73.10	
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bed-plates, ties and other material specialized for joining or fixing rails		Manufacture from products of heading No 73.06
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits		Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.04	Wrought plates, sheets and strip, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.06	Copper powder and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges) of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of copper, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.11	Gauze, cloth, grill, netting fencing, reinforcing fabric and similar materials (including endless bands), of copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
74.12	Expanded metal, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
74.13	Chain and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
74.14	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
74.15	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product(1)

74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.19	Other articles of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
75.06	Other articles of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.05	Aluminium powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.08	Structures, complete or incomplete, whether or not assembled, and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers,		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

	lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium	
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquified gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.11	Containers of aluminium for compressed or liquified gas	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.14	Expanded metal, of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.16	Other articles of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.03	Other articles of magnesium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.03	Wrought plates, sheets and strip, of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m ² ; lead powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

78.05	Tubes and pipes and blanks therefor, of lead; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends)	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.06	Other articles of lead	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.06	Other articles of zinc	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

CCT heading No	Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description			
80.03	Wrought plates, sheets and strip, of tin			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² ; tin powders and flakes			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits			Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾

82.06	Knives and cutting blades, for machines or for mechanical appliances	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product ⁽¹⁾
ex Chapter 84	Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41)	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
84.15	Refrigerators and refrigerating equipment (electrical and other)	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽²⁾ used are originating products
ex 84.41	Sewing machines, including furniture for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

(2) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 84.41 (cont'd)			<p>(a) at least 50% in value of the materials and parts⁽¹⁾ used for the assembly of the head (motor excluded) are originating products, and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are originating products</p>
ex Chapter 85	Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15		Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers		<p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:</p> <p>(a) at least 50% in value of the materials and parts⁽¹⁾ used are originating products, and</p> <p>(b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product⁽²⁾</p>
85.15	Radiotelegraphic and radio-telephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

	incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
87.09	Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products

(1) In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:

(i) the value of imported products,

(ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 90	Optical, photographic cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 or 90.26		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
90.05	Refracting telescopes (monocular and binocular), prismatic or not		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.07	Photographic cameras; photographic flashlight apparatus		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.08	Cinematographic cameras projectors, sound recorders and sound reproducers; any combination of these articles		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value

		of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
91.04	Other clocks		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
91.08	Clock movements, assembled		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles; excluding products of heading No 92.11		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record players and tape decks, with or without sound-heads; television image and sound recorders and reproducers, magnetic		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that:

Chapter 93	Arms and ammunition; parts thereof	(a) at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and (b) the value of the non-originating transistors used does not exceed 3% of the value of the finished product ⁽²⁾
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap fasteners and press-studs; blanks and parts of such articles	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

ANNEX III

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
		Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent products does not exceed 15% of the value of the manufactured product

ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble squared by sawing, of a thickness not exceeding 25 cm	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex Chapters 28 to 37	Products of the chemical and allied industries excluding calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03) and essential oils other than of citrus fruit, terpenes (ex 33.01)	Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product
ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermally
ex 33.01	Essential oils, other than of citrus fruit, terpenes	Deterpenation of essential oils other than of citrus fruit
ex Chapter 38	Miscellaneous chemical products, other than refined tall oil (ex 38.05) and sulphate turpentine refined (ex 38.07)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification consisting of the distillation or refining of raw sulphate turpentine
ex Chapter 39	Artificial plastic materials, cellulose ethers and esters, artificial resins and articles made of these materials, excepting films of ionomers (ex 39.02)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished products

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 39.02	Ionomer film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lambskins without the wool	Removing wool from sheep and lambskins in the wool
ex 41.02	Retanned bovine cattle leather (including buffalo leather) and equine leather, except leather of heading Nos 41.06 to 41.08	Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned
ex 41.03	Retanned sheep and lambskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of sheep and lambskin leather, not further prepared than tanned
ex 41.04	Retanned goat and kidskin leather, except leather of heading Nos 41.06 to 41.08	Retanning of goat and kidskin leather, not further prepared than tanned
ex 41.05	Other kinds of retanned leather, except leather of heading Nos 41.06 to 41.08	Retanning of other kinds of leather, not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins
ex 50.03	Silk waste carded or combed	Carding or combing waste silk

ex 50.09 }
ex 50.10 }
ex 51.04 }
ex 53.11 }
ex 53.12 }
ex 53.13 }
ex 54.05 }
ex 55.07 }
ex 55.08 }
ex 55.09 }
ex 56.07 }

Printed fabrics

Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5% of the value of the finished product

ex 59.14

Incandescent gas mantles

Manufacture from tubular gas mantle fabric

ex 68.03

Articles of slate, including articles of agglomerated slate

Manufacture of articles of slate

ex 68.13

Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate

Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate

ex 68.15

Articles of mica, including bonded mica splittings on a support of paper or fabric

Manufacture of articles of mica

ex 70.10

Cut-glass bottles

Cutting of bottles the value of which does not exceed 50% of the value of the finished product

70.13

Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses

Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished product

ex 70.20

Articles made from glass fibre

Manufacture from unworked glass fibre

ex 71.02

Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)

Manufacture from unworked precious and semi-precious stones

ex 71.03

Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)

Manufacture from unworked synthetic or reconstructed precious or semi-precious stones

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 71.05	Silver and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.05	Silver, including silver gilt and platinum-plated silver, unwrought	Alloying or electrolytic separation of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.07	Gold, including platinum-plated gold, unwrought	Alloying or electrolytic separation of unwrought gold or gold alloys
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum or other metals of the platinum group
ex 71.09	Platinum and other metals of the platinum group, unwrought	Alloying or electrolytic separation of unwrought platinum or other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled platinum or other unwrought platinum group metals or precious metal
ex 73.15	Alloy steel and high carbon steel:	
	— in the forms mentioned in heading Nos 73.07 to 73.13	Manufacture from products in the forms mentioned in heading No 73.06
	— in the forms mentioned in heading No 73.14	Manufacture from products in the forms mentioned in heading No 73.06 or 73.07

ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap
ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes of heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 75.01	Unwrought nickel except nickel alloys	Refining of waste by electrolysis, by melting or by chemical means of waste and scrap
ex 76.01	Unwrought aluminium	Manufacture by thermal or electrolytic treatment of unalloyed aluminium and scrap
ex 77.04	Beryllium, wrought	Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product
ex 78.01	Refined lead	Manufacture by thermal refining from bullion lead
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought the value of which does not exceed 50% of the value of the finished product
ex 83.06	Indoor ornaments made from base metals other than statuettes	Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
84.06	Internal combustion piston engines	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass working machines) and cylinders thereof	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature, for wood, paper pulp, paper and paper-board manufacturing industries	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.33	Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product

ex 84.41	Sewing machines, including furniture specially designed for sewing machines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products, and (b) the thread tension, crochet and zigzag mechanisms are originating products
85.14	Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio, broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾
87.06	Parts and accessories of the motor vehicles of heading Nos 87.01 to 87.03	Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, in case of sale, for the said products in the territory of the country where working, processing or assembly is carried out;
- (b) in respect of products, materials and parts, other than those referred to under (a), the provisions of Article 4 of this Protocol determining:
 - (i) the value of imported products,
 - (ii) the value of products of undetermined origin.

(2) The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 94.01	Chairs and other seats (other than those falling within heading No 94.02) whether or not convertible into beds, made of base metals	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25 % of the value of the finished product ⁽¹⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use of which the value does not exceed 25 % of the value of the finished product ⁽¹⁾
ex 95.01	Articles of tortoise-shell	Manufacture from worked tortoise-shell
ex 95.02	Articles of mother of pearl	Manufacture from worked mother of pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone (excluding whalebone)	Manufacture from worked bone (excluding whalebone)
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

⁽¹⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

ANNEX IV

LIST C

List of products excluded from the scope of this Protocol

CCT heading No	Description
ex 27.07	Assimilated aromatic oils as defined in Note 2 to Chapter 27, of which more than 65% by volume distils at a temperature of up to 250° C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
27.09 to 27.16 }	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 29.01	Hydrocarbons: — acyclic — cyclanes and cyclenes, excluding azulenes — benzene, toluene, xylenes for use as power or heating fuels
ex 34.03	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants

ANNEX V
MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR.1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country, (Optional))	<div style="border: 1px solid black; padding: 5px;"> 2. Certificate used in preferential trade between <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">and</p> <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">(insert appropriate countries, groups of countries or territories)</p> </div>		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages (1); Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

¹ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

--	--	--

(*) Complete only where the regulations of the exporting country or territory require.

11. CUSTOMS ENDORSEMENT

Declaration certified

Export document (*)

Stamp

Form No

Customs office

Issuing country or territory

Date

(Signature)

12. DECLARATION BY THE EXPORTER

I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.

Place and date:

(Signature)

<p>13. REQUEST FOR VERIFICATION, to</p>	<p>14. RESULT OF VERIFICATION,</p>
<p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p>.....</p> <p>(Place and date) Stamp</p> <p>.....</p> <p>(Signature)</p>	<p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>.....</p> <p>(Place and date) Stamp</p> <p>.....</p> <p>(Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
3. Consignee (Name, full address, country) (Optional)	See notes overleaf before completing this form		
	2. Application for a certificate to be used in preferential trade between and (insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾ ; Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

(Front)

--	--	--

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....

.....

.....

.....

SUBMIT the following supporting documents ⁽¹⁾:

.....

.....

.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

(Place and date)

(Signature)

(1) For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX VI

Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between ⁽¹⁾ and	
		2 Exporter (Name, full address, country)	3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.
4 Consignee (Name, full address, country)	5 Place and date		
	6 Signature of exporter		
7 Remarks ⁽²⁾	8 Country of origin ⁽³⁾	9 Country of destination ⁽⁴⁾	
		10 Gross weight (kg)	
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country ⁽⁴⁾ responsible for verification of the declaration by the exporter	

⁽¹⁾ Insert the countries, groups of countries or territories concerned.⁽²⁾ Refer to any verification already carried out by the appropriate authorities.⁽³⁾ The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating.⁽⁴⁾ The term 'country' means country, group of countries or territory of destination.

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that ⁽¹⁾</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p>
---	---

(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR. 2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR. 2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

ANNEX VIII

Specimen of Declaration

I, the undersigned, declare that the goods listed on this invoice were obtained in

and (as appropriate):

- (a) ⁽¹⁾ satisfy the rules on the definition of the concept of 'wholly obtained products'
- or
- (b) ⁽¹⁾ were produced from the following products:

Description	Country of origin ⁽²⁾	Value ⁽¹⁾
.....
.....
.....
.....

and have undergone the following processes:
.....(indicate processings)

in
.....

Done at..... (Signature)

⁽¹⁾ Complete if necessary.
⁽²⁾ Complete if necessary. In the event that:
—the goods originate in a country covered by the Agreement or Convention concerned: indicate the country;
—the products originate in another country: indicate 'third country'.

ANNEX VIII

1. Supplier ⁽¹⁾	<p style="text-align: center;">INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the</p> <div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>EUROPEAN ECONOMIC COMMUNITY and</p> <p>..... (in block letters)</p> </div>	
2. Consignee ⁽¹⁾		
3. Processor ⁽¹⁾	4. State in which the working or processing has been carried out	
6. Customs office of importation ⁽²⁾	5. For official use	
7. Import document ⁽²⁾ Form No Series Date <input type="text"/> <input type="text"/> <input type="text"/>		
GOODS SENT TO THE MEMBER STATE OF DESTINATION		
8. Marks, numbers, quantity and kind of package	9. Tariff heading number and description of goods	10. Quantity ⁽³⁾

		11. Value (*)	
IMPORTED GOODS USED			
12. Tariff heading number and description		13. Country of origin (*)	15. Value (*) (*)
14. Quantity (*)			
16. Nature of the working or processing carried out			
17. Remarks			
18. CUSTOMS ENDORSEMENT Declaration certified Document Form No Customs office Date <input type="text"/> <input type="text"/> <input type="text"/>		19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate <input type="text"/> <input type="text"/> <input type="text"/> (Place) (Date)	
..... (Signature)	 (Signature)	
		<div style="border: 1px solid black; width: 80px; height: 80px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> Official stamp </div>	

(*) (*) (*) (*) (*) (*) See footnotes on verso.

REQUEST FOR VERIFICATION

The undersigned customs official requests verification of the authenticity and accuracy of this information certificate

.....
(Place and date)

Official
stamp

.....
(Official's signature)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs official shows that this information certificate:

- (a) was issued by the customs office indicated and that the information contained therein is accurate (*)
- (b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)

.....
(Place and date)

Official
stamp

.....
(Official's signature)

(*) Delete where not applicable.

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) Complete if necessary. In the event that:
 - the goods originate in a country covered by the Agreement or Convention concerned: indicate the country;
 - the products originate in another country: indicate 'third country'.
- (6) The value must be indicated in accordance with the provisions on rules of origin.

ANNEX IX

Joint declaration

For the implementation of Article 28 of the Protocol, the Community is prepared to examine any requests from Algeria for derogations from the rules of origin after the signature of the Agreement.

FINAL ACT

The Plenipotentiaries of

His Majesty the King of the Belgians,

Her Majesty the Queen of Denmark,

The President of the Federal Republic of Germany,

The President of the French Republic,

The President of Ireland,

The President of the Italian Republic,

His Royal Highness the Grand Duke of Luxembourg,

Her Majesty the Queen of the Netherlands,

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

and the Council of the European Communities,

of the one part, and of

the President of the Council of the Revolution, President of the Council of Ministers of the People's Democratic Republic of Algeria,

of the other part,

meeting at Algiers this twenty-sixth day of April in the year one thousand nine hundred and seventy-six for the purpose of signing the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria, and the Agreement between the Member States of the European Coal and Steel Community and the People's Democratic Republic of Algeria,

have, on signing these Agreements,

— adopted the following joint declarations by the Contracting Parties:

1. Joint declaration by the Contracting Parties on Article 12 (1) of the Agreement,
2. Joint declaration by the Contracting Parties on Article 15 of the Agreement,
3. Joint declaration by the Contracting Parties on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff,
4. Joint declaration by the Contracting Parties on Annex B concerning olive oil, other than olive oil having undergone a refining process, falling within subheadings 15.07 A II of the Common Customs Tariff,
5. Joint declaration by the Contracting Parties on olive oil,
6. Joint declaration by the Contracting Parties on agricultural products,
7. Joint declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community,
8. Declaration by the Contracting Parties on the interpretation of the term 'Contracting Parties' as used in the Agreement;

— taken note of the following declarations:

1. Declaration by the European Economic Community on the regional application of certain provisions of the Agreement,
2. Declaration by the European Economic Community on the unit of account referred to in Article 2 of Protocol 1,
3. Declaration by the representative of the Federal Republic of Germany on the definition of German nationality,
4. Declaration by the representative of the Federal Republic of Germany on the application of the Agreement to Berlin;

— and taken note of the following exchange of letters:

1. Exchange of letters on scientific and technological cooperation and the protection of the environment,

2. Exchange of letters on Articles 15 and 48 of the Agreement,
3. Exchange of letters on Algerian labour employed in the Community,
4. Exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation,
5. Exchange of letters concerning the special arrangements under which certain products originating in Algeria are imported into France,
6. Exchange of letters on Articles 33 and 52 of the Agreement.

The declarations and exchanges of letters listed above are annexed to this Final Act.

The Plenipotentiaries have agreed that the declarations and exchanges of letters shall be subjected, in the same manner as the Cooperation Agreement, to any procedures that may be necessary to ensure their validity.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne slutakt.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlußakte gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Final Act.

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.

وإذنا لذلك ، وضع المفوضون في تنهايه هذا الاتفاق النهائي

Udfærdiget i Algier, den seksogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Algier am sechsundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Algiers this twenty-sixth day of April in the year one thousand nine hundred and seventy-six.

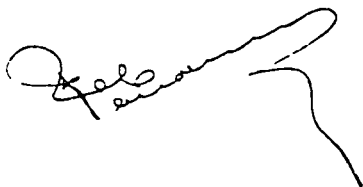
Fait à Alger, le vingt-six avril mil neuf cent soixante-seize.

Fatto a Algeri, addì ventisei aprile millenovecentosettantasei.


Gedaan te Algiers, de zesentwintigste april negentienhonderdzeseventig.

تم تنويره بالجزائر العاصمة في السادس والعشرين من شهر ابريل سنة الف
وسمائة وستة وسبعين

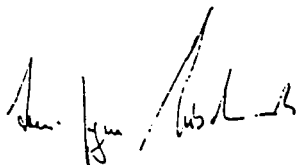
Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen



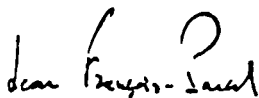
For Hendes Majestæt dronningen af Danmark



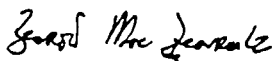
Für den Präsidenten der Bundesrepublik Deutschland

A handwritten signature in black ink, appearing to read 'Valéry Giscard d'Estaing', written in a cursive style.

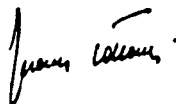
Pour le président de la République française

A handwritten signature in black ink, appearing to read 'Jean-François Saurat', written in a cursive style.

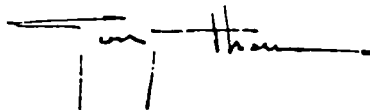
For the President of Ireland

A handwritten signature in black ink, appearing to read 'Seán Mac Diarmáid', written in a cursive style.

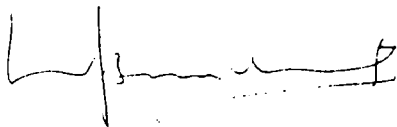
Per il presidente della Repubblica italiana

A handwritten signature in black ink, appearing to read 'Giovanni Leone', written in a cursive style.

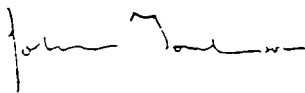
Pour Son Altesse Royale le grand-duc de Luxembourg

A handwritten signature in black ink, appearing to read 'Jean', written in a cursive style with a long horizontal line extending to the right.

Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



På Rådet for De europæiske Fællesskabers vegne

Im Namen des Rates der Europäischen Gemeinschaften

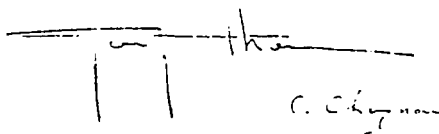
In the name of the Council of the European Communities

Au nom du Conseil des Communautés européennes

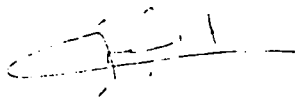
A nome del Consiglio delle Comunità europee

Namens de Raad van de Europese Gemeenschappen

باسم مجلس المحطات الأوربية



من رئيس مجلس الشورى ،
ورئيس مجلس الوزراء للجمهورية الجزائرية
الديمقراطية الشعبية



Joint Declaration by the Contracting Parties on Article 12 (1) of the Agreement

The Contracting Parties agree that, should the date of entry into force of the Agreement not coincide with the beginning of the calendar year, the ceilings referred to in Article 12 (1) of the Agreement will be applied *pro rata*.

Joint Declaration by the Contracting Parties on Article 15 of the Agreement

The Contracting Parties agree that, without prejudice to the implementation of the first subparagraph of Article 22 (2) of Regulation (EEC) No 1035/72, the products listed in Article 15 of the Agreement and set out in Annex III to that Regulation shall be admitted into the Community during the period for which the reductions in duty are applicable free of quantitative restrictions and measures having equivalent effect.

Furthermore, the Contracting Parties agree that, where reference is made in the Agreement to the provisions of Articles 23 to 28 of Regulation (EEC) No 1035/72, the Community is referring to the arrangements applicable to third countries at the time of importation of the products in question.

Joint Declaration by the Contracting Parties on the provisions of Article 15 of the Agreement in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common Customs Tariff

The Contracting Parties agree that if, in the light of the results of the Agreement and taking into account the trend of trade flows between the Community and the Mediterranean countries, the advantages accruing from the provisions of Article 15 in respect of products falling within subheadings 08.02 ex A, ex B, ex C and D of the Common

Customs Tariff are or are likely to be jeopardized by abnormal conditions of competition, the situation shall be examined within the Cooperation Council in order to identify the problems and seek appropriate solutions.

Joint Declaration by the Contracting Parties on Annex B concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff

The Contracting Parties agree that the additional amount, if any, to be applied for the 1977/78 marketing year could be maintained at its previous level should the exceptional situation, because of which the additional amount of 10 units of account per 100 kilograms was fixed for the period ending 31 October 1977, still exist at that time.

Joint Declaration by the Contracting Parties on olive oil

The Contracting Parties agree to cooperate closely in order to identify any difficulties which might arise in respect of olive oil and to seek appropriate solutions.

To this end, the Contracting Parties will hold periodic consultations to follow the trend of the olive-oil market.

Joint Declaration by the Contracting Parties on agricultural products

1. The Contracting Parties declare their readiness to foster, so far as their agricultural policies allow, the harmonious development of

trade in agricultural products to which the Agreement does not apply.

As regards veterinary, health and plant health matters the Contracting Parties shall apply their rules in a non-discriminatory fashion and shall refrain from introducing any new measures that have the effect of unduly obstructing trade.

2. They shall examine within the Cooperation Council any difficulties that might arise in their trade in agricultural products and shall endeavour to seek appropriate solutions.

Joint Declaration by the Contracting Parties on the presentation of the Agreement to GATT by the Community

The Contracting Parties to the Agreement will consult when the provisions of the Agreement that relate to trade are presented and examined under GATT.

Declaration by the Contracting Parties on the interpretation of the term 'Contracting Parties' as used in the Agreement

The Contracting Parties agree to interpret the Agreement to the effect that the expression 'Contracting Parties' appearing therein means on the one hand the Community and the Member States, or either the Member States or the Community alone, and on the other hand the People's Democratic Republic of Algeria. The meaning to be attributed to this expression in each case is to be deduced from the provisions in question of the Agreement and from the corresponding provisions of the Treaty establishing the Community.

Declaration by the European Economic Community on the regional application of certain provisions of the Agreement

The European Economic Community declares that the application of any measures it may take under Articles 34 and 35 of the Agreement, in accordance with the procedure and under the arrangements set out in Article 36, or under Article 37, may be limited to one of its regions by virtue of Community rules.

Declaration by the European Economic Community on the unit of account referred to in Article 2 of Protocol 1

The unit of account used to express the amounts specified in Article 2 of Protocol 1 is defined as the sum of the following amounts in the currencies of the Member States of the Community:

German mark	0·828
Pound sterling	0·0885
French franc	1·15
Italian lira	109
Dutch guilder	0·286
Belgian franc	3·66
Luxembourg franc	0·14
Danish krone	0·217
Irish pound	0·00759

The value of the unit of account in any given currency is equal to the equivalent in that currency of the sum of the amounts of currency referred to in the first paragraph. It is calculated by the Commission using daily market exchange rates.

The daily values of the unit of account in the various national currencies are made available every day and are published periodically in the *Official Journal of the European Communities*.

**Declaration by the representative of the Federal Republic of Germany
on the definition of German nationality**

Every German person, within the meaning of the basic constitutional law applying in the Federal Republic of Germany, is considered as a national of the Federal Republic of Germany.

**Declaration by the representative of the Federal Republic of Germany
on the application of the Agreement to Berlin**

The Agreement shall also apply to Land Berlin provided that no statement to the contrary by the Government of the Federal Republic of Germany is addressed to the other Contracting Parties within three months of the entry into force of the Agreement.

Exchange of letters on scientific and technological cooperation and the protection of the environment

Algiers, 26 April 1976.

Sir,

Further to the wishes expressed by the Algerian delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Algeria, I have the honour to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Algeria may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

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

(s.) Jean DURIEUX

*Head of the delegation of
the European Economic Community*

Algiers, 26 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'Further to the wishes expressed by the Algerian delegation at the negotiations which have ended today in the conclusion of an Agreement between the Community and Algeria, I have the honour to inform you, on behalf of the Member States of the Community, that the latter are ready to examine on a case-by-case basis whether and on what terms Algeria may have access to the results of the programmes undertaken jointly by the Member States of the Community or by the Member States in collaboration with other countries in the fields of science, technology and the protection of the environment.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Dr Messaoud AIT CHAALAL
Head of the Algerian delegation

Exchange of letters on Articles 15 and 48 of the Agreement

Algiers, 26 April 1976.

Sir,

Because of the importance of citrus fruits for the Algerian economy, Algeria considers that in the event of the Community being enlarged to include other Mediterranean countries there will be a re-examination, in accordance with Article 48 of the Agreement between the Community and the People's Democratic Republic of Algeria, of the arrangements provided for in Article 15 of that Agreement in order to safeguard the advantages resulting from its implementation.

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

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

(s.) Dr Messaoud AIT CHAALAL
Head of the Algerian delegation

Algiers, 26 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'Because of the importance of citrus fruits for the Algerian economy, Algeria considers that in the event of the Community being enlarged to include other Mediterranean countries there will be a re-examination, in accordance with Article 48 of the Agreement between the Community and the People's Democratic Republic of Algeria, of the arrangements provided for in Article 15 of that Agreement in order to safeguard the advantages resulting from its implementation.

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

I have the honour to acknowledge receipt of your letter and to assure you that in the event of the accession of another State to the Community appropriate consultations will be held in the Cooperation Council in accordance with Article 48 (2) of the Agreement.

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

(s.) Jean DURIEUX
*Head of the delegation of
the European Economic Community*

Exchange of letters on Algerian labour employed in the Community

Algiers, 26 April 1976.

Sir,

I have the honour to inform you on behalf of the Member States of the Community that the latter are ready to hold exchanges of views, in the context of talks to be arranged for that purpose, on Algerian labour employed in the Community.

The purpose of these exchanges of views would be to examine the possibilities of making progress towards the attainment of equality of treatment for Community and non-Community workers and the members of their families in respect of living and working conditions, having regard to the Community provisions in force.

Such exchanges of views, which would not be concerned with matters covered by the Agreement, would deal in particular with social and cultural questions.

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

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

(s.) Jean DURIEUX

*Head of the delegation of
the European Economic Community*

Algiers, 26 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you on behalf of the Member States of the Community that the latter are ready to hold exchanges of views, in the context of talks to be arranged for that purpose, on Algerian labour employed in the Community.

The purpose of these exchanges of views would be to examine the possibilities of making progress towards the attainment of equality of treatment for Community and non-Community workers and the members of their families in respect of living and working conditions, having regard to the Community provisions in force.

Such exchanges of views, which would not be concerned with matters covered by the Agreement, would deal in particular with social and cultural questions.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Dr Messaoud AIT CHAALAL
Head of the Algerian delegation

Exchange of letters on implementation of the Agreement before its entry into force in respect of economic, technical and financial cooperation

Algiers, 26 April 1976.

Sir,

I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your Government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement;
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Algeria or, with Algeria's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

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

(s.) Jean DURIEUX

*Head of the delegation of
the European Economic Community*

Algiers, 26 April 1976.

Sir,

In your letter of today's date you inform me as follows:

'I have the honour to inform you that once the Agreement and the internal Community texts relating thereto have been signed, the Community will be prepared, in conjunction with your Government, to:

- undertake preparatory work on setting cooperation in train so that concrete measures may be taken upon the entry into force of the Agreement;
- appraise, under the provisions relating to technical and financial cooperation, projects submitted by Algeria or with Algeria's agreement, by other aid recipients, it being understood that final approval for such projects cannot be given until after the entry into force of the Agreement.

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Dr Messaoud AIT CHAALAL
Head of the Algerian delegation

**Exchange of letters concerning the special arrangements under which
certain products originating in Algeria are imported into France**

Algiers, 26 April 1976.

Sir,

I have the honour to inform you that the representatives of the Governments of the Member States of the European Economic Community have asked me to inform you as follows:

'The French Government reserves the right to maintain, pending the review which is to take place in 1978 in accordance with Article 53 of the Agreement between the European Economic Community and the People's Democratic Republic of Algeria, the customs treatment which it applies at present to imports into its territory of agricultural products originating in Algeria for products which are not covered by the Agreement and for certain other products referred to in Title II (Trade) of the Agreement.'

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

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

(s.) Jean DURIEUX
*Head of the delegation of
the European Economic Community*

Algiers, 26 April 1976.

Sir,

In your letter of today's date you inform me as follows:

“The French Government reserves the right to maintain, pending the review which is to take place in 1978 in accordance with Article 53 of the Agreement between the European Economic Community and the People's Democratic Republic of Algeria, the customs treatment which it applies at present to imports into its territory of agricultural products originating in Algeria for products which are not covered by the Agreement and for certain other products referred to in Title II (Trade) of the Agreement.”

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

I have the honour to acknowledge receipt of your letter.

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

(s.) Dr Messaoud AIT CHAALAL
Head of the Algerian delegation

Exchange of letters on Articles 33 and 52 of the Agreement

Algiers, 26 April 1976.

Sir,

I have the honour to inform you of the following declaration by my Government on Articles 33 and 52 of the Agreement:

'The People's Democratic Republic of Algeria hereby declares that in applying Articles 33 and 52 of the Agreement its undertakings do not require it to repeal laws and regulations in force in so far as they remain necessary for the protection of its essential security interests. Algeria will see to it that such laws and regulations are applied in such a way as to ensure compliance with Article 49 (1) of the Agreement.'

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

(s.) Dr Messaoud AIT CHAALAL
Head of the Algerian delegation

Algiers, 26 April 1976.

Sir,

In your letter of today's date you communicate to me a declaration by your Government on Articles 33 and 52 of the Agreement.

I have the honour to inform you of the following declaration by the European Economic Community on Articles 33 and 52 of the Agreement:

1. The European Economic Community notes the declaration by the People's Democratic Republic of Algeria.
2. The European Economic Community expects the principles set out in the Agreement, including those in Articles 33 and 52 of the Agreement, to be put into full application.

The European Economic Community considers in particular that the application of the principle of non-discrimination should ensure the correct and smooth application of the Agreement.'

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

(s.) Jean DURIEUX

*Head of the delegation of
the European Economic Community*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Algeria, for the period 1 November 1978 to 31 October 1979 ⁽¹⁾

COUNCIL REGULATION (EEC) No 2764/78

of 23 November 1978

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Algeria, for the period 1 November 1978 to 31 October 1979

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of

⁽¹⁾ OJ No L 332, 29.11.1978.

Algeria, signed on 26 April 1976, and to the Interim Agreement⁽¹⁾, which entered into force on 1 July 1976 and whose term of validity was extended by the Agreement annexed to Regulation (EEC) No 1454/78⁽²⁾, and in particular to Annex B to each of those Agreements,

Whereas it is necessary to approve the Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Algeria, for the period 1 November 1978 to 31 October 1979,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Algeria, for the period 1 November 1978 to 31 October 1979, is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

(1) This Agreement appears in Volume 6, page 741.

(2) See page 2549 of this volume.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 23 November 1978.

For the Council
The President
J. ERTL

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Algeria, for the period 1 November 1978 to 31 October 1979

Letter No 1

Sir,

Annex B to the Cooperation Agreement and Annex B to the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria stipulate that for untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff, the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement and Article 9 (1) (b) of the Interim Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annexes, the Community will take the necessary steps to maintain the additional amount at 10 units of account per 100 kilograms for the period 1 November 1978 to 31 October 1979.

I should be grateful if you would acknowledge receipt of this letter and confirm your government's agreement to its content.

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

*On behalf of the Council of
the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Annex B to the Cooperation Agreement and Annex B to the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria stipulate that for untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff, the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement and Article 9 (1) (b) of the Interim Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annexes, the Community will take the necessary steps to maintain the additional amount at 10 units of account per 100 kilograms for the period 1 November 1978 to 31 October 1979.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing'

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

*For the Government of
the People's Democratic Republic of Algeria*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of preserved fruit salads originating in Algeria ⁽¹⁾

COUNCIL REGULATION (EEC) No 3141/78

of 18 December 1978

on the conclusion of the agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of preserved fruit salads originating in Algeria (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽²⁾ was signed on 26 April 1976 and entered into force on 1 November 1978;

(1) OJ No L 373, 30.12.1978.

(2) See page 2559 of this volume.

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of preserved fruit salads originating in Algeria should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of preserved fruit salads originating in Algeria is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 18 December 1978.

For the Council
The President
H.-D. GENSCHER

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of preserved fruit salads originating in Algeria

Sir,

With a view to implementing the 55% reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the People's Democratic Republic of Algeria, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1979 do not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Société de gestion et de développement des industries alimentaires' (SOGEDIA) (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the 'Société de gestion et de développement des industries alimentaires' (SOGEDIA) and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

For the Algerian Government

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

'With a view to implementing the 55% reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the People's Democratic Republic of Algeria, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within sub-headings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1979 do not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the "Société de gestion et de développement des industries alimentaires" (SOGEDIA) (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the "Société de gestion et de développement des industries alimentaires" (SOGEDIA) and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55% reduction in the Common Customs Tariff duties will apply from 1 January to 31 December 1979 to the quantities of preserved fruit salads originating in Algeria referred to in your letter.

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

*On behalf of the Council
of the European Communities*

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria on the importation into the Community of tomato concentrates originating in Algeria ⁽¹⁾

COUNCIL REGULATION (EEC) No 3142/78

of 18 December 1978

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria on the importation into the Community of tomato concentrates originating in Algeria (1979)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria⁽²⁾ was signed on 26 April 1976 and entered into force on 1 November 1978;

(1) OJ No L 373, 30.12.1978.

(2) See page 2559 of this volume.

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria on the importation into the Community of tomato concentrates originating in Algeria should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria on the importation into the Community of tomato concentrates originating in Algeria is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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

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

Done at Brussels, 18 December 1978.

For the Council
The President
H.-D. GENSCHER

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria on the importation into the Community of tomato concentrates originating in Algeria

A. Letter from Algeria

Sir,

With a view to implementing the 30% reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the People's Democratic Republic of Algeria, and following the clarifications exchanged concerning the conditions governing imports into the Community of tomato concentrates prepared or preserved otherwise than by vinegar or acetic acid and falling within subheading 20.02 ex C of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures in order that the quantities supplied to the Community from 1 January to 31 December 1979 shall not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Société de gestion et de développement des industries alimentaires' (SOGEDIA) (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between SOGEDIA and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

For the Algerian Government

B. *Letter from the Community*

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

'With a view to implementing the 30% reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the People's Democratic Republic of Algeria, and following the clarification exchanged concerning the conditions governing imports into the Community of tomato concentrates prepared or preserved otherwise than by vinegar or acetic acid and falling within subheading 20.02 ex C of the Common Customs Tariff and originating in Algeria, I have the honour to inform you that the Algerian Government undertakes to take all necessary measures in order that the quantities supplied to the Community from 1 January to 31 December 1979 shall not exceed 100 tonnes.

To this end the Algerian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the "Société de gestion et de développement des industries alimentaires" (SOGEDIA) (Society for the Administration and Development of the Foodstuffs Industries).

The guarantees relating to quantities will be met in accordance with the procedures agreed between SOGEDIA and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and that consequently the 30% reduction in the Common Customs Tariff duties will apply to the quantities of tomato concentrates originating in Algeria referred to in your letter from 1 January to 31 December 1979.

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

*On behalf of the Council
of the European Communities*

INFORMATION CONCERNING

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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- the AGREEMENT ⁽¹⁾ extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽²⁾

EEC	31.12.1977	—	1.1.1978	until 30.6.1978
ALGERIA				

- the AGREEMENT ⁽³⁾ extending the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria ⁽²⁾

EEC	30.6.1978	—	1.7.1978	until entry into force of the Cooperation Agreement or until 31.12.1978, whichever is the earlier
ALGERIA				

(1) OJ No L 348, 30.12.1977.

(2) This Agreement appears in Volume 6, page 741.

(3) OJ No L 175, 29.6.1978.

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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- the COOPERATION AGREEMENT between the European Economic Community and the People's Democratic Republic of Algeria ⁽¹⁾

EEC and Member States	26.4.1976	28.9.1978	1.11.1978 ⁽²⁾	indefinite
ALGERIA				

- the AGREEMENT in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Algeria, for the period 1 November 1978 to 31 October 1979 ⁽³⁾

EEC	30.11.1978	—	30.11.1978	until 31.10.1979
ALGERIA				

- the AGREEMENT in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria concerning the import into the Community of preserved fruit salads originating in Algeria ⁽⁴⁾

EEC	30.12.1978	—	30.12.1978	until 31.12.1979
ALGERIA				

— the AGREEMENT in the form of an exchange of letters between the European Economic Community and the People's Democratic Republic of Algeria on the importation into the Community of tomato concentrates originating in Algeria ⁽⁴⁾

EEC	30.12.1978	—	30.12.1978	until 31.12.1979
ALGERIA				

(1) OJ No L 263, 27.9.1978.

(2) OJ No L 295, 10.10.1978.

(3) OJ No L 332, 29.11.1978.

(4) OJ No L 373, 30.12.1978.

Agreement
between the EEC and certain ACP States

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1978/79 ⁽¹⁾

COUNCIL REGULATION (EEC) No 1746/78

of 24 July 1978

on the conclusion of the Agreements in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1978/79

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

(1) OJ No L 203, 27.7.1978.

Having regard to the recommendation from the Commission,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé ⁽¹⁾, and the Agreement between the European Economic Community and the Republic of India on cane sugar ⁽²⁾, are implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in Protocol 3 on ACP sugar and the Republic of Surinam, and also the Republic of India, on the guaranteed prices for cane sugar for 1978/79,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1978/79, and the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for 1978/79, are hereby approved on behalf of the Community ⁽³⁾.

The texts of these Agreements are annexed to this Regulation.

⁽¹⁾ This Convention appears in Volume 6, page 1003.

⁽²⁾ This Agreement appears in Volume 4, page 41.

⁽³⁾ The Agreement with the Republic of India appears on page 1417 of this volume.

Article 2

The President of the Council is authorized to designate the person empowered to sign the Agreements referred to in Article 1 so as to bind the Community.

Article 3

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

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

Done at Brussels, 24 July 1978.

For the Council
The President
J. ERTL

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1978/79

Letter No 1

Brussels,

Sir,

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community, have, within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, agreed the following:

— For the period 1 July 1978 to 30 June 1979, the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purposes of intervention within the terms of Article 6 of the Protocol, be

- (a) for raw sugar, 27·81 units of account per 100 kilograms;
- (b) for white sugar, 34·49 units of account per 100 kilograms.

These prices, which represent an increase of about 2% over those of last year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community.

2. Having regard to market conditions generally, and to other relevant factors, it is expected that the above guaranteed prices for ACP sugar will enable the ACP States concerned to secure on Community

markets, during the delivery period 1978/79, prices in excess of the market prices for the delivery period 1977/78, as estimated at the time of last year's negotiations.

3. It is agreed that the decision not to provide for retroactivity in respect of the 1978/79 prices does not prejudice the position of the ACP States in relation to retroactivity in any future negotiations in accordance with Article 4 (3) of Protocol 3 to the Convention of Lomé.

4. The ACP States point out that, as long as the above prices refer to sugar offered on a cif European port basis, they will have to carry the full burden of freight charges. As a result, their ex-factory prices have been substantially lower than the ex-factory prices of European beet producers. The ACP States therefore request that the Community consider appropriate ways and means of providing some compensation for these charges. The Community takes note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the ACP States referred to in the said Protocol and the Community.

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

*For the Council
of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows:

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community, have, within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, agreed the following:

— For the period 1 July 1978 to 30 June 1979, the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purposes of intervention within the terms of Article 6 of the Protocol, be

(a) for raw sugar, 27·81 units of account per 100 kilograms;

(b) for white sugar, 34·49 units of account per 100 kilograms.

These prices, which represent an increase of about 2% over those of last year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community.

2. Having regard to market conditions generally, and to other relevant factors, it is expected that the above guaranteed prices for ACP sugar will enable the ACP States concerned to secure on Community markets, during the delivery period 1978/79, prices in excess of the market prices for the delivery period 1977/78, as estimated at the time of last year's negotiations.
3. It is agreed that the decision not to provide for retroactivity in respect of the 1978/79 prices does not prejudice the position of the ACP States in relation to retroactivity in any future negotiations in

accordance with Article 4 (3) of Protocol 3 to the Convention of Lomé.

4. The ACP States point out that, as long as the above prices refer to sugar offered on a cif European port basis, they will have to carry the full burden of freight charges. As a result, their ex-factory prices have been substantially lower than the ex-factory prices of European beet producers. The ACP States therefore request that the Community consider appropriate ways and means of providing some compensation for these charges. The Community takes note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the ACP States referred to in the said Protocol and the Community.'

I have the honour to confirm the agreement of the ACP States referred to in the said Protocol with the foregoing.

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

*For the Governments
of the ACP States*

INFORMATION CONCERNING

the AGREEMENT in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1978/79⁽¹⁾.

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
EEC BARBADOS CONGO FIJI GUYANA JAMAICA KENYA MADAGASCAR MALAWI MAURITIUS	24.7.1978	—	24.7.1978 ⁽²⁾	until 30.6.1979

SURINAME				
SWAZILAND				
TANZANIA				
TRINIDAD AND TOBAGO				
UGANDA				

(1) OJ No L 203, 27.7.1978.

(2) Applicable for the period 1.7.1978 to 30.6.1979.

CHAPTER IV

American countries

Agreement
between the EEC and the Argentine Republic

AGREEMENT

in the form of an exchange of letters ⁽¹⁾ extending the Trade Agreement between the European Economic Community and the Argentine Republic ⁽²⁾

COUNCIL DECISION

of 28 November 1977

concerning the conclusion of the Agreement in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic

(77/740/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Trade Agreement between the European Economic Community and the Argentine Republic should be extended for one year as provided for in Article 9 (2) thereof,

(1) OJ No L 310, 3.12.1977.

(2) This Agreement appears in Volume 4, page 939.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to confer on them the powers required in order to bind the Community.

Done at Brussels, 28 November 1977.

For the Council
The President
L. OUTERS

AGREEMENT

in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic

A. Letter to the Argentine Authorities

Sir,

With reference to Article 9 (2) of the Trade Agreement between the European Economic Community and the Argentine Republic signed in Brussels on 8 November 1971, I am pleased to inform you that the European Economic Community agrees to the extension of the above Agreement for a period of one year from 1 January 1978.

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

*For the Council of the
European Communities*

B. Letter to the President of the Council of the European Communities

Sir,

In your letter of, you informed me as follows:

‘With reference to Article 9 (2) of the Trade Agreement between the European Economic Community and the Argentine Republic signed in Brussels on 8 November 1971, I am pleased to inform you that the European Economic Community agrees to the extension of the above Agreement for a period of one year from 1 January 1978.’

I am pleased to inform you, on behalf of the Government of the Argentine Republic, that my Government also agrees to the extension of the above Agreement for a period of one year from 1 January 1978.

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

INFORMATION CONCERNING

the AGREEMENT in the form of an exchange of letters ⁽¹⁾ amending the Trade Agreement between the European Economic Community and the Argentine Republic ⁽²⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
EEC	8.12.1977	—	1.1.1978	1 year
ARGENTINA				

(1) OJ No L 310, 3.12.1977.

(2) This Agreement appears in Volume 4, page 939.

CHAPTER V

International organizations

Agreements
between the EEC and the United Nations Relief
and Works Agency

AGREEMENT

in the form of an exchange of letters ⁽¹⁾ extending and amending, for the year 1977, the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) ⁽²⁾

COUNCIL DECISION

of 21 December 1978

concerning the conclusion of the Agreement in the form of an exchange of letters extending and amending, for the year 1977, the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA)

(79/42/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Articles 113, 114 and 228 thereof,

Having regard to the recommendation from the Commission,

Whereas on 20 July 1976 the Community concluded a Convention with UNRWA concerning aid to refugees in the countries of the Near East for the period July 1975 to December 1976;

⁽¹⁾ OJ No L 13, 19.1.1979.

⁽²⁾ This Convention appears in Volume 6, page 943.

Whereas under Article 10 the Convention may be extended for subsequent periods with or without amendment by agreement between the two parties until 30 June 1978;

Whereas the Convention should, subject to certain amendments, be extended for the year 1977 so that Community aid can be granted in a comprehensive and continuous fashion,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters extending and amending, for the year 1977, the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 21 December 1978.

For the Council

The President

Otto Graf LAMBSDORFF

AGREEMENT

in the form of an exchange of letters extending and amending, for the year 1977, the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA)

A. Letter from the Community

Sir,

With reference to the Convention concluded on 20 July 1976 between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees concerning aid to refugees in the countries of the Near East, the Community proposes that, in accordance with Article 10, the Convention be extended for the year 1977, subject to the following amendments:

- (i) the contribution mentioned in Article 4 (2) shall be 30 US dollars per tonne;
- (ii) as far as the supplementary feeding programme is concerned the Community contributions will be as indicated in the text attached to this letter, which will be added to the Annex to the Convention.

The Community would be obliged if the Agency would inform it whether it is in agreement with the above.

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

*On behalf of the Council of
the European Communities*

ANNEX

SUPPLEMENTARY FEEDING PROGRAMME

Second period of Convention (calendar year 1977)

1. *Contributions in kind*

Wheat flour	2 450 tonnes
Milled rice	171 tonnes
White sugar	102 tonnes

2. *Contributions in cash*

3 000 000 US dollars

3. *Foodstuffs to be purchased in the Community*

Corned beef	approximately 350 tonnes
Tomato paste	approximately 28 tonnes

B. Reply from the Agency

Sir,

The Agency acknowledges receipt of the Community's letter of today's date worded as follows:

'With reference to the Convention concluded on 20 July 1976 between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees concerning aid to refugees in the countries of the Near East, the Community proposes that, in accordance with Article 10, the Convention be extended for the year 1977, subject to the following amendments:

- (i) the contribution mentioned in Article 4 (2) shall be 30 US dollars per tonne;
- (ii) as far as the supplementary feeding programme is concerned the Community contributions will be as indicated in the text attached to this letter which will be added to the Annex to the Convention.

The Community would be obliged if the Agency would inform it whether it is in agreement with the above.'

The Agency informs you that it is in agreement with the contents of the letter.

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

*For the United Nations Relief
and Works Agency for
Palestine Refugees (UNRWA)*

ANNEX

SUPPLEMENTARY FEEDING PROGRAMME

Second period of Convention (calendar year 1977)

1. *Contributions in kind*

Wheat flour	2 450 tonnes
Milled rice	171 tonnes
White sugar	102 tonnes

2. *Contributions in cash*

3 000 000 US dollars

3. *Foodstuffs to be purchased in the Community*

Corned beef	approximately 350 tonnes
Tomato paste	approximately 28 tonnes

AGREEMENT

in the form of an exchange of letters ⁽¹⁾ extending and amending until 30 June 1978 the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) ⁽²⁾

COUNCIL DECISION

of 21 December 1978

concerning the conclusion of the Agreement in the form of an exchange of letters extending and amending until 30 June 1978 the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) and laying down transitional measures with a view to the conclusion of a new Convention

(79/43/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Articles 113, 114 and 228 thereof,

Having regard to the recommendation from the Commission,

Whereas on 20 July 1976 the Community concluded a Convention with UNRWA concerning aid to refugees in the countries of the Near East for the period July 1975 to December 1976;

⁽¹⁾ OJ No L 13, 19.1.1979.

⁽²⁾ This Convention appears in Volume 6, page 943.

Whereas under Article 10 the Convention may be extended for subsequent periods with or without amendment by agreement between the two parties until 30 June 1978;

Whereas the Convention should, subject to certain amendments, not only be extended until this date but also be applied during the rest of 1978 so that Community aid can be granted in a comprehensive and continuous fashion before the conclusion of a new Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters extending and amending until 30 June 1978 the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

Pending the conclusion of a new Convention, Community aid to UNRWA shall be supplied for the rest of 1978 in accordance with the modified provisions of the Convention referred to in Article 1.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 21 December 1978.

For the Council

The President

Otto Graf LAMBSDORFF

AGREEMENT

in the form of an exchange of letters extending and amending until 30 June 1978 the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA)

A. Letter from the Community

Sir,

With reference to the Convention concluded on 20 July 1976 between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees concerning aid to refugees in the countries of the Near East, the Community proposes that, in accordance with Article 10, the Convention be extended until 30 June 1978, subject to the following amendments:

- (i) the contribution mentioned in Article 4 (2) shall be 30 US dollars per tonne;
- (ii) as far as the supplementary feeding programme is concerned the Community contributions will be as indicated in the text annexed to this letter, which shall be added to the Annex to the Convention.

Pending the conclusion of a new Convention, Community aid shall be supplied to the Agency for the rest of the year in accordance with the modified provisions of the Convention concluded on 20 July 1976.

The Community would be obliged if the Agency would inform it whether it is in agreement with the above.

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

*On behalf of the Council
of the European Communities*

ANNEX

SUPPLEMENTARY FEEDING PROGRAMME

Third period of the Convention (1 January to 30 June 1978)

1. *Contributions in kind*

Wheat flour	2 450 tonnes
Milled rice	171 tonnes
White sugar	102 tonnes
Skimmed-milk powder	700 tonnes

2. *Contributions in cash*

3 384 600 US dollars

3. *Foodstuffs to be purchased in the Community*

Corned beef	approximately 350 tonnes
Tomato paste	approximately 28 tonnes

B. Reply from the Agency

Sir,

The Agency acknowledges receipt of the Community's letter of today's date worded as follows:

'With reference to the Convention concluded on 20 July 1976 between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees concerning aid to refugees in the countries of the Near East, the Community proposes that, in accordance with Article 10, the Convention be extended until 30 June 1978, subject to the following amendments:

- (i) the contribution mentioned in Article 4 (2) shall be 30 US dollars per tonne;
- (ii) as far as the supplementary feeding programme is concerned the Community contributions will be as indicated in the text annexed to this letter, which shall be added to the Annex to the Convention.

Pending the conclusion of a new Convention, Community aid shall be supplied to the Agency for the rest of the year in accordance with the modified provisions of the Convention concluded on 20 July 1976.

The Community would be obliged if the Agency would inform it whether it is in agreement with the above.'

The Agency informs you that it is in agreement with the contents of the letter.

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

*For the United Nations Relief
and Works Agency for
Palestine Refugees (UNRWA)*

ANNEX

SUPPLEMENTARY FEEDING PROGRAMME

Third period of the Convention (1 January to 30 June 1978)

1. *Contributions in kind*

Wheat flour	2 450 tonnes
Milled rice	171 tonnes
White sugar	102 tonnes
Skimmed-milk powder	700 tonnes

2. *Contributions in cash*

3 384 600 US dollars

3. *Foodstuffs to be purchased in the Community*

Corned beef	approximately 350 tonnes
Tomato paste	approximately 28 tonnes

INFORMATION CONCERNING

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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— the AGREEMENT in the form of an exchange of letters ⁽¹⁾ extending and amending, for the year 1977, the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) ⁽²⁾

EEC	21.12.1978	—	21.12.1978	year 1977
UNRWA				

— the AGREEMENT in the form of an exchange of letters ⁽¹⁾ extending and amending until 30 June 1978 the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) ⁽²⁾

EEC	21.12.1978	—	21.12.1978	until 30.6.1978 ⁽³⁾
UNRWA				

⁽¹⁾ OJ No L 13, 19.1.1979.

⁽²⁾ This Convention appears in Volume 6, page 943.

⁽³⁾ Article 2 of Council Decision 79/43/EEC (OJ No L 13, 19.1.1979) states that 'pending the conclusion of a new Convention, Community aid to UNRWA shall be supplied for the rest of 1978 in accordance with the modified provisions of the Convention referred to in Article 1' (see footnote 2).

Agreement
between the EEC and the
Bank for International Settlements

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Bank for International Settlements concerning the mobilization of claims held by the Member States under the medium-term financial assistance arrangements ⁽¹⁾

COUNCIL DECISION

of 30 October 1978

concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Bank for International Settlements concerning the mobilization of claims held by Member States under the medium-term financial assistance arrangements

(78/897/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 71/143/EEC of 22 March 1971 setting up machinery for medium-term financial assistance ⁽²⁾, as last amended by Decision 78/49/EEC ⁽³⁾, and in particular Articles 1 and 4 thereof,

Having regard to the recommendation from the Commission,

⁽¹⁾ OJ No L 316, 10.11.1978.

⁽²⁾ OJ No L 73, 27.3.1971.

⁽³⁾ OJ No L 14, 18.1.1978.

Having regard to the opinion of the Monetary Committee of 28 February 1978,

Whereas Decision 78/49/EEC made provision, in cases where one or more Member States which are creditors under the medium-term financial assistance system experience difficulties or are seriously threatened with difficulties as regards their balance of payments, for the mobilization of the claims held by that State or those States; whereas it provided that mobilization of the claims could be carried out by *inter alia* refinancing from outside the system, either by concerted action by Member States with other international organizations, or by an agreement made with such organizations;

Whereas the Bank for International Settlements is the organization able to provide such refinancing,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreement in the form of an exchange of letters between the European Economic Community and the Bank for International Settlements concerning the mobilization of claims held by Member States under the medium-term financial assistance arrangements is hereby approved on behalf of the Community.

2. The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Luxembourg, 30 October 1978.

For the Council
The President
J. ERTL

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Bank for International Settlements concerning the mobilization of claims held by the Member States under the medium-term financial assistance arrangements

A. Letter from the Bank for International Settlements

Sir,

The BIS could conclude stand-by credit agreements with the creditor countries' central banks if they should so request.

These agreements could be concluded up to the total amount of the contribution paid into the mechanism by the creditor country, with an overall limit of 2 725 million units of account, corresponding to half of the total of future commitment ceilings of the member countries.

The practical details of each stand-by agreement would be determined by agreement between the BIS and the central bank in question. However, certain conditions, which the BIS would be prepared to apply, can be indicated already:

The initial commitment of the BIS for each stand-by credit would be for two years with the option of renewal for other periods, the total not to exceed five years.

On the opening of credits, and whenever they are renewed, the BIS would take a commission. It would also be understood that, in order to allow it to carry out the necessary adjustments to its own liquidity, the first drawings would not take place until one month after the conclusion of the stand-by agreement. Drawings would be in the currencies available to the BIS at the time the agreements were concluded, most probably in US dollars; they would be for periods to be negotiated in the light of the Bank's resources, probably three or six months. The conditions would

be equivalent to those applied by the BIS at the time for transactions concluded on similar terms, i.e. at close to market rates. Normally, these rates should be only slightly above Libor. However, if the BIS should itself have to have recourse to the market to procure the necessary funds, the rate applied could reach a maximum equivalent to Libor plus an appropriate margin.

I should be obliged if you would inform me whether the Council of the European Communities is in agreement with the above.

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

For the Bank for International Settlements

B. *Letter from the Community*

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'The BIS could conclude stand-by credit agreements with the creditor countries' central banks if they should so request.

These agreements could be concluded up to the total amount of the contribution paid into the mechanism by the creditor country, with an overall limit of 2 725 million units of account, corresponding to half of the total of future commitment ceilings of the member countries.

The practical details of each stand-by agreement would be determined by agreement between the BIS and the central bank in question. However, certain conditions, which the BIS would be prepared to apply, can be indicated already:

The initial commitment of the BIS for each stand-by credit would be for two years with the option of renewal for other periods, the total not to exceed five years.

On the opening of credits, and whenever they are renewed, the BIS would take a commission. It would also be understood that, in order to allow it to carry out the necessary adjustments to its own liquidity, the first drawings would not take place until one month after the conclusion of the stand-by agreement. Drawings would be in the currencies available to the BIS at the time the agreements were concluded, most probably in US dollars; they would be for periods to be negotiated in the light of the Bank's resources, probably three or six months. The conditions would be equivalent to those applied by the BIS at the time for transactions concluded on similar terms, i.e. at close to market rates. Normally, these rates should be only slightly above Libor. However, if the BIS should itself have to have recourse

to the market to procure the necessary funds, the rate applied could reach a maximum equivalent to Libor plus an appropriate margin.

I should be obliged if you would inform me whether the Council of the European Communities is in agreement with the above.'

I have the honour to inform you that the Council of the European Communities is in agreement with the contents of your letter.

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

*On behalf of the Council of
the European Communities*

INFORMATION CONCERNING

the AGREEMENT in the form of an exchange of letters between the European Economic Community and the Bank for International Settlements concerning the mobilization of claims held by the Member States under the medium-term financial assistance arrangements ⁽¹⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
EEC	30.10.1978	—	30.10.1978	indefinite
Bank for International Settlements				

(1) OJ No L 316, 10.11.1978.

PART TWO

Bilateral agreements
concluded by the
European Atomic Energy
Community

Agreement
between the EAEC and Canada

AMENDMENT (1)

to the Agreement of 6 October 1959 (2) in the form of an exchange of letters, between the European Atomic Energy Community (Euratom) and the Government of Canada for cooperation in the peaceful uses of atomic energy

COMMISSION
OF THE
EUROPEAN COMMUNITIES

Brussels, 16 January 1978

Mr Chargé d'Affaires,

I have the honour to acknowledge receipt of your letter dated 16 January 1978, stating the following:

'Mr Commissioner,

As the Commission has been informed, the Canadian Government has decided to require more stringent safeguards in respect of sales abroad of Canadian material, equipment and information.

This decision implies an updating of the existing Agreement between the Government of Canada and the European Atomic Energy Community

Mr. P. D. Lee
Chargé d'Affaires a.i.
Mission of Canada
to the European Communities
Rue de Loosum, 6 (fifth floor)
1000 Brussels

(1) OJ No L 65, 8.3.1978.

(2) This Agreement appears in Volume 5, page 5.

(Euratom) for **Cooperation in the Peaceful Uses of Atomic Energy** of 6 October 1959 (hereinafter referred to as the **Canada/Euratom Agreement of 1959**) particularly in so far as it relates to safeguards.

The Canadian Government considers it necessary to come to an interim agreement through the present exchange of letters until the entire **Canada/Euratom Agreement of 1959** has been updated, to provide for the requirement of the new Canadian safeguards policy by amending the relevant provisions of the **Canada/Euratom Agreement of 1959**.

Accordingly, I propose that the **Canada/Euratom Agreement of 1959** be amended to include the following provisions relating to safeguards:

- (a) For the purposes of the **Canada/Euratom Agreement of 1959**, the phrase "machinery and plant" in paragraph (d) of Article XIV of the **Canada/Euratom Agreement of 1959** shall be deemed to include all items listed in Annex A to this letter.
- (b) Equipment which a Member State has designated to the Commission as equipment designed, constructed or operated on the basis of or by the use of information obtained from Canada and which is within the jurisdiction of that Member State at the time of designation, shall be considered as equipment subject to the **Canada/Euratom Agreement of 1959**, as amended.

Equipment which Canada has designated as equipment designed, constructed or operated on the basis of or by the use of information obtained from that Member State shall be considered as equipment subject to the **Canada/Euratom Agreement of 1959**, as amended.

- (c) **Material** which is subject to the terms of the **Canada/Euratom Agreement of 1959** shall not be used for the manufacture of any nuclear weapon or for other military uses of nuclear energy or for the manufacture of any other nuclear explosive device. The foregoing undertaking shall be verified within Canada by the IAEA pursuant to an agreement between Canada and the IAEA and within the Community by the Community and by the IAEA pursuant to the

Treaty establishing the European Atomic Energy Community and the agreements concluded between the Community, its Member States and the IAEA or if at any time such verification procedures are not in effect, there shall be agreement between the Contracting Parties for the application of a safeguards system which conforms with IAEA safeguards principles and procedures.

- (d) Equipment or material transferred between Canada and the Community after the coming into force of this Agreement, shall be subject to the Canada/Euratom Agreement of 1959 only if the supplying Contracting Party has so informed the other Contracting Party in writing prior to the transfer. In the case of transfer of equipment from the Community to Canada, notifications may also be given by a Member State.
- (e) Material referred to in paragraph (c) shall be enriched beyond 20% or reprocessed and plutonium or uranium enriched beyond 20% shall be stored only according to conditions agreed upon in writing between the parties. (See Annex C—Interim Arrangement concerning enrichment, reprocessing and subsequent storage of nuclear material within the Community and Canada.)
- (f) In no event shall a Contracting Party use the provisions of the present Agreement for the purpose of securing commercial advantages or for the purpose of interfering with the commercial relations of the other Contracting Party.
- (g) The Community shall inform Member States of the levels of physical protection set out in Annex B to this letter which should be applied as minima to the material referred to in paragraph (c) above. Canada will apply such levels of physical protection as minima to material referred to in paragraph (c).
- (h) Any dispute arising out of the interpretation or application of the present Agreement which is not settled by negotiation or as may otherwise be agreed by the Contracting Parties concerned shall, on the request of either Contracting Party, be submitted to an arbitral tribunal which shall be composed of three arbitrators. Each Contracting Party shall designate one arbitrator and the two arbitrators

so designated shall elect a third, who shall be the chairman. If within 30 days of the request for arbitration either Contracting Party has not designated an arbitrator, either Contracting Party to the dispute may request the Secretary General of the OECD to appoint an arbitrator. The same procedure shall apply if, within 30 days of the designation or appointment of the second arbitrator, the third arbitrator has not been elected. A majority of the members of the arbitral tribunal shall constitute a quorum, and all decisions shall be made by majority vote of all members of the arbitral tribunal. The arbitral procedure shall be fixed by the tribunal. The decisions of the tribunal, including all rulings concerning its constitution, procedure, jurisdiction and the division of the expenses of arbitration between the Contracting Parties shall be binding on both Contracting Parties and shall be implemented by them, in accordance with their respective constitutional procedures. The remuneration of the arbitrators shall be determined on the same basis as that for *ad hoc* judges of the International Court of Justice.

- (i) The provisions of paragraphs (a) to (h) above, inclusive, as well as Articles III, IX and XIV of the Canada/Euratom Agreement of 1959 (as those Articles are amended by the proposals in this letter) shall in all circumstances remain in force so long as any equipment or material referred to in this letter or in the Canada/Euratom Agreement of 1959 remains in existence or it is otherwise agreed.

If the foregoing is acceptable to the European Atomic Energy Community I have the honour to propose that this letter which is authentic in both English and French, together with Your Excellency's reply to that effect shall constitute an amendment to the Canada/Euratom Agreement of 1959 which shall enter into force on the date of Your Excellency's reply and which shall continue in force so long as any equipment, material or facilities referred to in this letter or in the Canada/Euratom Agreement of 1959 remain in existence or it is otherwise agreed.

Please accept, Mr Commissioner, the assurance of my highest consideration.

ANNEX A

1. *Nuclear reactors* capable of operation so as to maintain a controlled self-sustaining fission chain reaction, excluding zero energy reactors, the latter being defined as reactors with a designed maximum rate of production of plutonium not exceeding 100 grams per year.

A nuclear reactor basically includes the items within or attached directly to the reactor vessel, the equipment which controls the level of power in the core, and the components which normally contain or come in direct contact with or control the primary coolant of the reactor core.

It is not intended to exclude reactors which could reasonably be capable of modification to produce significantly more than 100 grams of plutonium per year. Reactors designed for sustained operation at significant power levels, regardless of their capacity for plutonium production, are not considered as 'zero energy reactors'.

2. *Reactor pressure vessels*: metal vessels, as complete units or as major shop-fabricated parts therefor, which are especially designed or prepared to contain the core of a nuclear reactor as defined in paragraph 1 above and are capable of withstanding the operating pressure of the primary coolant.

A top plate for a reactor pressure vessel is a major shop-fabricated part of a pressure vessel.

3. *Reactor internals*: (e.g. support columns and plates for the core and other vessel internals, control rod guide tubes, thermal shields, baffles, core grid plates, diffuser plates, etc.).
4. *Reactor fuel charging and discharging machines*: manipulative equipment especially designed or prepared for inserting or removing fuel in nuclear reactors as defined in paragraph 1 above capable of on-load

operation or employing technically sophisticated positioning or alignment features to allow complex off-load fuelling operations such as those in which direct viewing of or access to the fuel is not normally available.

5. *Reactor control rods*: rods especially designed or prepared for the control of the reaction rate in a nuclear reactor as defined in paragraph 1 above.

This item includes, in addition to the neutron absorbing part, the support or suspension structures therefor if supplied separately.

6. *Reactor pressure tubes*: tubes which are especially designed or prepared to contain fuel elements and the primary coolant in a reactor as defined in paragraph 1 above at an operating pressure in excess of 50 atmospheres.

7. *Zirconium tubes*: Zirconium metal and alloys in the form of tubes or assemblies of tubes, and in quantities exceeding 500 kg per year especially designed or prepared for use in a reactor as defined in paragraph 1 above, and in which the relationship of hafnium to zirconium is less than 1 : 500 parts by weight.

8. *Plants for the reprocessing of irradiated fuel elements*, and equipment especially designed or prepared therefor.

A plant for the reprocessing of irradiated fuel elements includes the equipment and components which normally come in direct contact with and directly control the irradiated fuel and the major nuclear material in fission product processing streams. In the present state of technology only two items of equipment are considered to fall within the meaning of the phrase 'and equipment especially designed or prepared therefor'. These items are:

- (a) irradiated fuel element chopping machines; remotely operated equipment especially designed or prepared to use in a reprocessing

plant as identified above and intended to cut, chop or shear irradiated nuclear fuel assemblies, bundles or rods; and

- (b) critically safe tanks (e.g. small diameter, annular or slab tanks) especially designed or prepared to use in a reprocessing plant as identified above, intended for dissolution of irradiated nuclear fuel and which are capable of withstanding hot, highly corrosive liquid, and which can be remotely loaded and maintained.

9. *Plants for the fabrication of fuel elements:*

A plant for the fabrication of fuel elements includes the equipment:

- (a) which normally comes in direct contact with or directly processes or controls, the production flow of nuclear material; or
- (b) which seals the nuclear material within the cladding.

The whole set of items for the foregoing operations, as well as individual items intended for any of the foregoing operations, and for other fuel fabrication operations, such as checking the integrity of the cladding or the seal, and the finish treatment to the sealed fuel.

10. *Equipment, other than analytical instruments, especially designed or prepared for the separation of isotopes of uranium:*

Equipment, other than analytical instruments, especially designed or prepared for the separation of isotopes of uranium includes each of the major items of equipment especially designed or prepared for the separation process. Such items include:

- gaseous diffusion barrier,
- gaseous diffusion housings,
- gas centrifuge assemblies, corrosion resistant to UF_6 ,
- large UF_6 corrosion resistant axial or centrifugal compressors,
- special compressor seals for such compressors.

11. *Plants for the production of heavy water:*

A plant for the production of heavy water includes the plant and equipment specially designed for enrichment of deuterium or its compounds, as well as any significant fraction of the items essential to the operation of the plant.

ANNEX B

Levels of physical protection

The levels of physical protection to be ensured by the appropriate governmental authorities in the use, storage and transportation of the materials of the attached table shall as a minimum include protection characteristics as follows:

Category III

Use and storage within an area to which access is controlled.

Transportation under special precautions including prior arrangements between sender, recipient and carrier, and prior agreement between States in cases of international transport specifying time, place and procedures for transferring transport responsibility.

Category II

Use and storage within a protected area to which access is controlled, i.e. an area under constant surveillance by guards or electronic devices, surrounded by a physical barrier with a limited number of points of entry under appropriate control, or any area with an equivalent level of physical protection.

Transportation under special precautions including prior arrangement between sender, recipient and carrier, and prior agreement between States in cases of international transport specifying time, place and procedures for transferring transport responsibility.

Category I

Materials in this category shall be protected with highly reliable systems against unauthorized use as follows:

Use and storage within a highly protected area, i.e. a protected area as defined for Category II above, to which, in addition, access is restricted to persons whose trustworthiness has been determined and under surveillance by guards who are in close communication with appropriate response forces. Specific measures taken in this context should have as their objective the detection and prevention of any assault, unauthorized access or unauthorized removal of material.

Transportation under special precautions as identified above for transportation of Category II and III materials and, in addition, under constant surveillance of escorts and under conditions which assure close communication with appropriate response forces.

Categorization of nuclear material

Material	Form	Category		
		I	II	III
1. Plutonium (a)	Unirradiated (b)	2 kg or more	Less than 2 kg but more than 500 g	500 g or less (c)
2. Uranium-235	Unirradiated (b)	5 kg or more — —	Less than 5 kg but more than 1 kg	1 kg or less
	— uranium enriched to 20% U-235 or more		10 kg or more	Less than 10 kg (c)
	— uranium enriched to 10% U-235 but less than 20%		—	10 kg or more
	— uranium enriched above natural, but less than 10% U-235 (d)	—	—	10 kg or more
3. Uranium-233	Unirradiated (b)	2 kg or more	Less than 2 kg but more than 500 g	500 g or less
4. Irradiated fuel			Depleted or natural uranium, thorium or low enriched fuel less than 10% fissile content) (e) (f)	

- (a) As identified in the Statute of the IAEA.
- (b) Material not irradiated in a reactor or material irradiated in a reactor but with a radiation level equal to or less than 100 rad/hour at one metre unshielded.
- (c) Less than a radiologically significant quantity should be exempted.
- (d) Natural uranium, depleted uranium and thorium and quantities of uranium enriched to less than 10% not falling in Category III should be protected in accordance with prudent management practice.
- (e) Although this level of protection is recommended, it would be open to States upon evaluation of the specific circumstances, to assign a different degree of physical protection.
- (f) Other fuel which by virtue of its original fissile material content is classified as Category I or II before irradiation may be reduced one category level while the radiation level from the fuel exceeds 100 rad/hour at one metre unshielded.

ANNEX C

Interim arrangement concerning enrichment, reprocessing and subsequent storage of nuclear material within the Community and Canada

1. Both parties recognize that while increasing reliance is placed on nuclear energy for peaceful purposes to satisfy world energy requirements, its use requires that every precaution should be taken with respect to the generation and dissemination of material that can be used for nuclear weapons. The parties agree to cooperate both bilaterally and internationally to identify arrangements which will advance this objective.

Both parties agree that their objective is to meet their energy needs while avoiding the danger of the spread of such material and respecting the choices and decisions of each party in the peaceful nuclear field.

The parties note with satisfaction that the organizing Conference on International Fuel Cycle Evaluation (INFCE), in which Canada, the Commission of the European Communities and Member States of Euratom took part, agreed to carry out a study which is expected to extend over the next two years. INFCE will explore the best means of advancing the objectives of making nuclear energy for peaceful purposes widely available to meet the world's energy requirements while at the same time minimizing the danger of the proliferation of nuclear weapons.

The participants in the study are pledged to cooperate constructively in the study which will examine all aspects of the nuclear cycle.

Among the matters to be examined by working groups of INFCE are reprocessing and enrichment and storage of plutonium and uranium enriched beyond 20%.

Against this background, the parties agree on the following interim arrangement which shall apply to reprocessing and to enrichment

beyond 20% U-235; and the storage of plutonium and uranium enriched beyond 20%.

2. With respect to material which has been transferred between 20 December 1974 and the end of the interim period, Euratom will notify the Government of Canada in advance of its intention to undertake any such reprocessing, enrichment or storage. This notification will include the quantities of material to be enriched, reprocessed or stored, the facility in which such operations will take place, and the intended disposition and use of the special fissionable material. The purpose of such advance notification is to permit joint consultation to take place between the parties concerning the adequacy of safeguards for the operation contemplated and avoidance of the risks of nuclear proliferation. Consultations shall enable each party to appreciate to the fullest extent possible the nature and purposes of the operation involved.

These consultations shall be without prejudice to the commercial or industrial policy of either party. An early meeting will be held to work out appropriate modalities for notification and consultations.

3. It is understood between the parties that during the period of the interim arrangement supplies of Canadian uranium to be exported to Euratom would be broadly limited to the current needs of Euratom, the term 'current needs' to take account also of enrichment contract commitments entered into by the member countries of Euratom.

The contracting parties shall consult at the request of either concerning the application of this part of this interim arrangement, in accordance with Article XIII of the 1959 Agreement.

4. Subject to the foregoing it is agreed that Canadian-origin uranium transferred to Euratom subsequent to 20 December 1974 or any Canadian-origin uranium being exported to Euratom during the period of the interim arrangement may be reprocessed or enriched beyond 20% U-235, if the need arises in plants now operating or foreseen to be operating in Euratom. The same applies to plutonium and uranium enriched beyond 20% U-235 stored in Euratom. In

respect of Canadian-origin uranium transferred to Euratom prior to 20 December 1974, it is open to either Party to request consultation as provided in Articles IX (3) and XIII, of the 1959 Agreement.

5. As soon as possible after 31 December 1979 or the termination of the INFCE study, whichever is earlier, the parties will commence negotiations with a view to replacing this arrangement by other arrangements which will take into account *inter alia* any results of the INFCE studies in relation to the operations in question. If no such arrangements have been agreed upon by the end of 1980, the parties may jointly agree to extend the present interim arrangement.'

I have the honour to confirm that these proposals are acceptable to the European Atomic Energy Community.

Please accept, Mr Chargé d'Affaires, the assurance of my highest consideration.

COMMISSION
OF THE
EUROPEAN COMMUNITIES

Brussels, 16 January 1978

Mr Chargé d'Affaires,

I refer to the exchange of letters between us of 16 January 1978 regarding nuclear safeguards, and have the honour to state further as follows, for the information of the Canadian authorities:

During the Council consideration of the abovementioned exchange, it was agreed that the following represented our understanding of the procedure provided for in (c):

1. Supply of Canadian material to persons in the territory of the seven non-nuclear weapon States parties to the Euratom/IAEA verification Agreement, and transfer of such material within these States:

This event would raise no problem, the verification Agreement having entered into force on 21 February 1977.

2. Supply of Canadian material to the United Kingdom or transfer of Canadian material into the United Kingdom:

Although the trilateral UK/Euratom/IAEA Agreement has not yet entered into force, no interim agreements providing IAEA verification of such material in the United Kingdom will be required by Canada for a reasonable period of time, which should not exceed 18 months starting from 23 December 1976.

3. Supply of Canadian material to France or transfer of Canadian material into France:

Mr P. D. Lee
Chargé d'Affaires a.i.
Mission of Canada
to the European Communities
Rue de Loosum, 6 (fifth floor)
1000 Brussels

Canadian material for end-use in France shall be submitted to IAEA verification as from the entry into force of the trilateral France/Euratom/IAEA Agreement currently under negotiation.

The Council took note of a statement by the French representative that material subject to the Canada/Euratom Agreement of 1959, as amended, would not be employed for end-use in France before the entry into force of this trilateral Agreement.

The Council also took note that the Canadian Government, given the application of Euratom safeguards and their verification under the trilateral France/Euratom/IAEA Agreement currently under negotiation, agrees that Canadian material may be directly supplied from Canada to France or be transferred into France in order to be enriched or reprocessed in France provided that it would leave France after the normal period required for those operations.

Please accept, Mr Chargé d'Affaires, the assurance of my highest consideration.

MISSION OF CANADA
TO THE
EUROPEAN COMMUNITIES

Brussels, 16 January 1978

Mr Commissioner,

I wish to acknowledge receipt of your letter of 16 January 1978, which reads as follows and of which the contents have been noted by the Canadian authorities and upon which Canada shall reply when authorizing transfers to Euratom:

'Mr Chargé d'Affaires,

I refer to the exchange of letters between us of 16 January 1978 regarding nuclear safeguards, and have the honour to state further as follows, for the information of the Canadian authorities:

During the Council consideration of the abovementioned exchange, it was agreed that the following represented our understanding of the procedure provided for in (c):

1. Supply of Canadian material to persons in the territory of the seven non-nuclear weapon States parties to the Euratom/IAEA verification Agreement, and transfer of such material within these States:

This event would raise no problem, the verification Agreement having entered into force on 21 February 1977.

2. Supply of Canadian material to the United Kingdom or transfer of Canadian material into the United Kingdom:

Although the trilateral UK/Euratom/IAEA Agreement has not yet entered into force, no interim agreements providing IAEA verification of such material in the United Kingdom will be required by Canada for a reasonable period of time, which should not exceed 18 months starting from 23 December 1976.

Mr Guido Brunner
Commissioner
Commission of the European Communities
Rue de la Loi, 200
1049 Brussels

3. Supply of Canadian material to France or transfer of Canadian material into France:

Canadian material for end-use in France shall be submitted to IAEA verification as from the entry into force of the trilateral France/Euratom/IAEA Agreement currently under negotiation.

The Council took note of a statement by the French representative that material subject to the Canada/Euratom Agreement of 1959, as amended, would not be employed for end-use in France before the entry into force of this trilateral Agreement.

The Council also took note that the Canadian Government, given the application of Euratom safeguards and their verification under the trilateral France/Euratom/IAEA Agreement currently under negotiation, agrees that Canadian material may be directly supplied from Canada to France or be transferred into France in order to be enriched or reprocessed in France provided that it would leave France after the normal period required for those operations.

Please accept, Mr Chargé d'Affaires, the assurance of my highest consideration.'

I have been instructed to confirm the understanding reached during the negotiations that any transfer within the Community of material subject to the Agreement which does not take place in accordance with paragraph (c) of the exchange of letters will constitute a breach of the Agreement on the Euratom side. Under such circumstances, the Canadian authorities would of course be required to review their obligations under the Agreement.

Please accept, Mr Commissioner, the assurance of my highest consideration.

P. D. LEE
Chargé d'Affaires a.i.

COMMISSION
OF THE
EUROPEAN COMMUNITIES

Brussels, 16 January 1978

Mr Chargé d'Affaires,

I refer to the exchange of letters between us of 16 January 1978 regarding nuclear safeguards, and have the honour to state further as follows, for the information of the Canadian authorities:

During the Council consideration of the abovementioned exchange of letters, the Council took note of the 'Declaration on transfer of technology' made by the nine Member States and the Community and approved it in so far as it concerns the Community. The text of this declaration is annexed to the present letter (Annex I).

The Council further agreed to the following declarations:

- 'Both sides agreed to ask the Joint Technical Working Group to look into the question of information on reprocessing of Canadian material transferred to Euratom prior to 20 December 1974.'
- 'Neither party will invoke any rights under an agreement entered into with a third State to impair any rights or obligations under this agreement as amended.'

The technical note on the *pro rata* principle and the interpretation with respect to double labelling, agreed upon during the negotiations, was also approved by the Council and inserted in the minutes of the meeting. The text of this technical note is annexed to the present letter (Annex II).

Lastly, the Council took note of the 'Note on physical protection' to be sent by the Member States to the Canadian Ambassadors. The text of this note is annexed to this letter (Annex III).

Please accept, Mr Chargé d'Affaires, the assurance of my highest consideration.

Mr P. D. Lee
Chargé d'Affaires a.i.
Mission of Canada
to the European Communities
Rue de Lozum, 6 (fifth floor)
1000 Brussels

ANNEX I

Declaration on transfer of technology

'The Member States and the Community are prepared to confirm to the Canadian Government that they recognize the legitimacy of transferring sensitive technology within the meaning of the London Guidelines on the conditions laid down therein. They note that Canada also intends to make transfers of CANDU technology (heavy water moderated pressure tube reactor technology and fuel element fabrication technology, D₂O technology) and other technology specific to its fuel cycle to any Member State subject to certain conditions.

They consider that it is or will be for the Member States wishing to import such technology to conclude agreements with Canada comprising the commitments required by the Canadian Government in connection with these transfers.

However, these States must be entitled to transfer this technology to another Member State on condition that the second recipient Member State has provided the Canadian Government with the same commitments as those provided by the first Member State.

Accordingly, the Community and the Member States confirm that there is no obstacle to the conclusion of such agreements between Canada and any Member State of the Community wishing to conclude them, provided that these agreements are entirely consistent with the Treaty establishing the European Atomic Energy Community.'

ANNEX II

Technical note

1. *'Pro rata' principle*

Where Canadian material is produced, processed or used together with material of other origin, materials produced as well as losses during the operation will be attributed to materials subject to the Canada/Euratom Agreement in proportion to the percentage of materials subject to that agreement initially included in the mixture. The words 'produced, processed or used' cover conversion, fabrication, enrichment, reprocessing and irradiation.

2. *Interpretation with respect to double labelling*

In many cases, material which originates in one of the Contracting Parties to the 1959 Agreement between the Government of Canada and the European Atomic Energy Community (Euratom) for Cooperation in the Peaceful Uses of Atomic Energy, as amended, is sent to a third State for processing, including conversion, enrichment and fabrication, before delivery to the receiving Contracting Party. Such processed material is obtained by the receiving Contracting Party pursuant to the 1959 Agreement and is therefore subject to the provisions of that Agreement, as amended.

It is recognized that there is legitimate concern regarding the accumulation of safeguard provisions over nuclear material and the resulting administrative problems. These difficulties are being considered in international forums and suppliers and recipients should continue to seek mutually satisfactory solutions, both bilaterally and multilaterally.

ANNEX III

Note on physical protection

From Euratom Member States' Foreign Ministers to Canadian Ambassadors.

Your Excellency,

I have the honour to refer to the Agreement between the Government of Canada and the European Atomic Energy Community (Euratom) for Cooperation in the Peaceful Uses of Atomic Energy of 6 October 1959, as amended (hereinafter referred to as the Agreement).

In addition to the obligations to Canada entered into under the Agreement, I have the honour to inform you that my Government confirms that the items referred to in the Agreement which are within the territory, jurisdiction or control of my Government shall be subject to the levels of physical protection described in the Agreement.

Please accept, Your Excellency, the assurance of my highest consideration.

COMMISSION
OF THE
EUROPEAN COMMUNITIES

Brussels, 16 January 1978

Mr Chargé d'Affaires,

I refer to the Agreement between us of 16 January 1978 and have the honour to state that during the Council consideration of that Agreement the following interpretation was given by the Council concerning the effect of the Agreement in relation to the period after the interim period:

'In approving the exchange of letters between Canada and Euratom, the Council recognizes that the conditions under which:

- material covered by the Canada/Euratom Agreement shall be enriched beyond 20% or reprocessed,
- and those under which uranium enriched beyond 20% and plutonium shall be stored,

have been covered by an Agreement for an interim period.

For materials supplied after the end of the interim period, an agreement on the regime governing these sensitive operations remains to be concluded. The Council, therefore, recognizes that, for these materials, the parties have not accepted any obligation, either as to the supply of the materials or as to the fact that the regime to be negotiated, and which would govern the sensitive operations, would include any conditions, nor *a fortiori* as to the nature of any such conditions.'

I would be obliged if you would confirm that this interpretation is shared by the Canadian authorities.

Please accept, Mr Chargé d'Affaires, the assurance of my highest consideration.

Mr P. D. Lee
Chargé d'Affaires a.i.
Mission of Canada
to the European Communities
Rue de Loosum, 6 (fifth floor)
1000 Brussels

MISSION OF CANADA
TO THE
EUROPEAN COMMUNITIES

Brussels, 16 January 1978

Mr Commissioner,

I have the honour to acknowledge receipt of your letter dated 16 January 1978, stating the following:

*Mr Chargé d'Affaires,

I refer to the Agreement between us of 16 January 1978 and have the honour to state that during the Council consideration of that Agreement the following interpretation was given by the Council concerning the effect of the Agreement in relation to the period after the interim period:

"In approving the exchange of letters between Canada and Euratom, the Council recognizes that the conditions under which:

- material covered by the Canada/Euratom Agreement shall be enriched beyond 20% or reprocessed,
- and those under which uranium enriched beyond 20% and plutonium shall be stored,

have been covered by an Agreement for an interim period.

For materials supplied after the end of the interim period an agreement on the regime governing these sensitive operations remains to be concluded. The Council, therefore, recognizes that, for these materials, the parties have not accepted any obligation, either as to the supply of the materials or as to the fact that the regime to be negotiated, and which would govern the sensitive operations, would include any conditions, nor *a fortiori* as to the nature of any such conditions."

Mr Guido Brunner
Commissioner
Commission of the European Communities
Rue de la Loi, 200
1049 Brussels

I would be obliged if you would confirm that this interpretation is shared by the Canadian authorities.

Please accept, Mr Chargé d'Affaires, the assurance of my highest consideration.'

I have the honour to confirm that this interpretation is shared by the Canadian authorities.

Please accept, Mr Commissioner, the assurance of my highest consideration.

P. D. LEE
Chargé d'Affaires a.i.

INFORMATION CONCERNING

the AMENDMENT ⁽¹⁾ to the Agreement of 6 October 1959 ⁽²⁾ in the form of an exchange of letters, between the European Atomic Energy Community (Euratom) and the Government of Canada for cooperation in the peaceful uses of atomic energy

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
EAEC	16.1.1978	—	16.1.1978	(3)
CANADA				

(1) OJ No L 65, 8.3.1978.

(2) This Agreement appears in Volume 5, page 5.

(3) The last paragraph of the exchange of letters of 16.1.1978 states that the amendment 'shall continue in force so long as any equipment, material or facilities referred to in this letter or in the Canada/Euratom Agreement of 1959 remain in existence or it is otherwise agreed'.

PART THREE

Bilateral agreements
concluded by the
European Coal and Steel
Community

Agreements
between the ECSC and the Republic of Austria
(2nd updating supplement)

AGREEMENT

between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria ⁽¹⁾

NEW TEXT OF ANNEX I TO THE AGREEMENT OF 26 JULY 1957 ⁽²⁾

Following the coming into effect from 1 February 1978, of the amendments to the goods tariff of the Austrian Federal Railways, Annex I to the above mentioned Agreement, as last amended on 26 February 1977 (OJ No C 49 of 26 February 1977, page 2), is drawn up with effect from 1 February 1978 as follows:

Portions charged by the Austrian Federal Railways

The portions charged by the Austrian Federal Railways, provided for in Article 2 (3) of the Agreement, shall be calculated as follows:

1. The normal tariff charges for 15 and 20 tonnes of the Austrian internal tariff are reduced by determined amounts for the types of goods as follows: coal, coke, ores, flue dust, crude steel, pig iron, semi-finished products, hot-rolled steel coils for re-rolling, exceeding 500 mm in width, finished products and scraps.

(1) This Agreement appears in Volume 5, page 107.

(2) OJ No C 23, 27.1.1978.

2. The reductions provided for in point 1 shall read as follows:

Goods	Route	Reduction per tonne in Austrian shillings	
		15 tonnes	20 tonnes
Finished Products	Kufstein — Brennero/Brenner	2	1
	Salzburg Hbf — Tarvisio Centrale	2	2
	Lindau-Reutin — Brennero/Brenner	2	2
	Simbach (Inn) — Tarvisio Centrale	3	2
Coal, coke, briquettes, hot-rolled steel coils for re-rolling	Kufstein — Brennero/Brenner	1	1
	Salzburg Hbf — Tarvisio Centrale	2	2
	Lindau-Reutin — Brennero/Brenner	2	2
	Simbach (Inn) — Tarvisio Centrale	2	2
Ores, flue dust, crude steel, semi-finished products	Kufstein — Brennero/Brenner	1	1
	Salzburg Hbf — Tarvisio Centrale	2	2
	Lindau-Reutin — Brennero/Brenner	2	2
	Simbach (Inn) — Tarvisio Centrale	2	2
Scrap	Kufstein — Brennero/Brenner	26-20	20-20
	Salzburg Hbf — Tarvisio Centrale	43-20	33-20
	Lindau-Reutin — Brennero/Brenner	46-20	35-20
	Simbach (Inn) — Tarvisio Centrale	51-20	39-20

3. Any amendment of the rules in point 1, as to establishing tariff rates and the reductions of rates provided for in point 2, has — when Article 8 applies — to be agreed between the Austrian Federal Government, the Governments of the Member States and the Commission of the European Communities and has to be published in the *Official Journal of the European Communities*.
4. Any amendment of the rules in point 1 above, as to establishing tariff rates and the reductions of rates provided for in point 2, based on an amendment of the international tariff rates of the Austrian Federal

Railways — in so far as the provisions in Article 8 are not applicable — shall be brought to the knowledge of the governments, which are parties to the Agreement and to the Commission of the European Communities, at least 15 days before the provided date of implementation. The amendment is to be published in the *Official Journal of the European Communities*.

5. The determined portions laid down to the abovementioned rules shall be published in 'the international tariff for the carriage of goods between the Member States of the European Communities for coal and steel'.

SUPPLEMENTARY PROTOCOL

to the Agreement of 26 July 1957 ⁽¹⁾ between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria ⁽²⁾

Signed on 10 October 1974

Entered into force on 6 November 1978

THE AUSTRIAN FEDERAL GOVERNMENT,

of the one part, and

THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called 'the Community') **AND THE COMMISSION OF THE EUROPEAN COMMUNITIES,**

of the other part,

HAVE AGREED AS FOLLOWS:

Article 1

The Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland hereby accede to the

(1) This Agreement appears in Volume 5, page 107.

(2) OJ No L 12, 18.1.1979.

Agreement of 26 July 1957 between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria, as amended by the Supplementary Agreement of 29 November 1960 (hereinafter called 'the Agreement').

Article 2

The Danish and English texts of the Agreement, annexed to this Protocol, shall be authentic under the same conditions as the original texts.

Article 3

The Commission of the European Communities shall accept this Protocol as binding by virtue of its signature.

The Government of each Member State of the Community shall notify the Austrian Federal Government that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of its domestic law.

This Protocol shall enter into force one month after the date on which the Austrian Federal Government has informed the other Parties to the Agreement that the notification provided for in the second subparagraph has been received and that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of Austrian law.

Article 4

This Protocol shall be deposited with the Austrian Federal Government. The Austrian Federal Government shall transmit certified true copies thereof to the Governments of the Member States of the Community and to the Commission of the European Communities.

INFORMATION CONCERNING

- the AGREEMENT of 26 July 1957 between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria ⁽¹⁾ — amendment of Annex I ⁽²⁾ — 2nd updating supplement

Following the coming into effect on 1 February 1978 of the amendments to the goods tariff of the Austrian Federal Railways, Annex I to the above Agreement has been amended with effect from 1.2.1978 ⁽³⁾.

- the SUPPLEMENTARY PROTOCOL ⁽⁴⁾ to the Agreement of 26 July 1957 between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria ⁽¹⁾.

⁽¹⁾ This Agreement appears in Volume 5, page 107.

⁽²⁾ The previous amendments appear in Volume 5, page 118 and Volume 7, page 1257.

⁽³⁾ OJ No C 23, 27.1.1978.

⁽⁴⁾ OJ No L 12, 18.1.1979. (This is the supplementary Protocol whereby the Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland acceded to the Agreement of 26 July 1957.)

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
ECSC and Member States	10.10.1974	n. Austria 6.10.1978	6.11.1978	indefinite
AUSTRIA				

Agreement
between the ECSC and the Swiss Confederation

SUPPLEMENTARY PROTOCOL

to the Agreement of 28 July 1956 ⁽¹⁾ between the Federal Council of the Swiss Confederation, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through Swiss territory ⁽²⁾

Signed on 10 October 1974

Entered into force on 17 September 1978

THE FEDERAL COUNCIL OF THE SWISS CONFEDERATION
(hereinafter called 'the Federal Council'),

of the one part, and

THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called
'the Community') AND THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

of the other part,

HAVE AGREED AS FOLLOWS:

Article 1

The Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland hereby accede to the

(1) This Agreement appears in Volume 5, page 315.

(2) OJ No L 12, 18.1.1979.

Agreement of 28 July 1956 between the Federal Council of the Swiss Confederation of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through Swiss territory (hereinafter called 'the Agreement').

Article 2

The Danish and English texts of the Agreement, annexed to this Protocol, shall be authentic under the same conditions as the original texts.

Article 3

The Commission of the European Communities shall accept this Protocol as binding by virtue of its signature.

The Government of each Member State of the Community shall notify the Federal Council that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of its domestic law.

This Protocol shall enter into force one month after the date on which the Federal Council has informed the other Parties to the Agreement that the notification provided for in the second subparagraph has been received and that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of Swiss law.

Article 4

This Protocol shall be deposited with the Federal Council. The Federal Council shall transmit certified true copies thereof to the Governments of the Member States of the Community and to the Commission of the European Communities.

INFORMATION CONCERNING

the **SUPPLEMENTARY PROTOCOL** ⁽¹⁾ to the Agreement of 28 July 1956 between the Federal Council of the Swiss Confederation, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through Swiss territory ⁽²⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
ECSC and Member States	10.10.1974	n. Switzerland 17.8.1978	17.9.1978	indefinite
SWITZERLAND				

(1) OJ No L 12, 18.1.1979. (This is the Supplementary Protocol whereby the Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland acceded to the Agreement of 28 July 1956.)

(2) This Agreement appears in Volume 5, page 315.

Agreement
between the ECSC and the State of Israel

AGREEMENT

between the Member States of the European Coal and Steel Community, of the one part, and the State of Israel, of the other part ⁽¹⁾

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS AND

THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

Member States of the European Coal and Steel Community and hereinafter referred to as 'the Member States',

of the one part,

(1) OJ No L 165, 28.6.1975.

THE STATE OF ISRAEL,

of the other part,

WHEREAS the European Economic Community and the State of Israel are concluding an Agreement concerning the sectors covered by that Community,

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

This Agreement shall apply to products covered by the European Coal and Steel Community which are specified in the Annex and originate in that Community or Israel.

TITLE I

Trade

Article 2

1. Products originating in Israel shall, on importation into the Community, be governed by the provisions of Protocol 1.
2. Products originating in the Community shall, on importation into Israel, be governed by the provisions of Protocol 2.

3. The provisions determining the rules of origin for the application of the Agreement between the European Economic Community and the State of Israel signed this same day shall also be applicable to this Agreement.

Article 3

1. No new customs duty on imports or charge having equivalent effect and no new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Israel.

2. Charges having an effect equivalent to customs duties on imports introduced on or after 1 January 1974 in trade between the Community and Israel shall be abolished upon the entry into force of the Agreement.

Any charge having an effect equivalent to a customs duty on imports, the rate of which on 31 December 1974 was higher than that actually applied on 1 January 1974, shall be reduced to the latter rate upon the entry into force of the Agreement.

Article 4

1. No new customs duty on exports or charge having equivalent effect shall be introduced in trade between the Community and Israel.

2. Customs duties and charges having equivalent effect on products exported from one Contracting Party to the other shall be abolished on 1 July 1977.

Article 5

1. A Contracting Party which is considering the reduction of the effective level of its duties or charges having equivalent effect applicable to third countries benefiting from most-favoured-nation treatment, or which is considering the suspension of their application, shall, as far as

may be practicable, notify the Joint Committee not less than 30 days before such reduction or suspension comes into effect. It shall take note of any representation by the other Contracting Party regarding any distortions which might result therefrom.

2. In the event of amendments to the nomenclature of the customs tariffs of the Contracting Parties affecting products referred to in the Agreement, the Joint Committee may adapt the tariff nomenclature of these products in the Agreement.

Article 6

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community or the powers and jurisdiction deriving therefrom.

Article 7

The Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade, except in so far as they alter the trade arrangements provided for in the Agreement, in particular the provisions concerning the rules of origin.

Article 8

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

Article 9

Payments relating to trade in goods and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Israel shall be free from any restrictions where such trade is covered by the provisions of the Agreement.

Article 10

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security, the protection of human, animal or plant life and health, the protection of national treasures of artistic, historic or archaeological value, the protection of industrial and commercial property, or rules relating to gold or silver. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 11

1. The following are incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Community and Israel:

- (i) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition as regards the production of or trade in goods;
- (ii) abuse by one or more undertakings of a dominant position in the territories of the Contracting Parties as a whole or in a substantial part thereof;
- (iii) any public aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods.

2. Should a Contracting Party consider that a given practice is incompatible with this Article, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 16.

Article 12

If the offers made by Israeli undertakings are likely to be detrimental to the functioning of the common market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 16.

Article 13

Where an increase in imports of a given product is or is likely to be seriously detrimental to any production activity carried on in the territory of one of the Contracting Parties and where this increase is due to:

- the partial or total reduction in the importing Contracting Party, as provided for in the Agreement, of customs duties and charges having equivalent effect levied on the product in question; and
- the fact that the duties or charges having equivalent effect levied by the exporting Contracting Party on imports of raw materials or intermediate products used in the manufacture of the product in question are significantly lower than the corresponding duties or charges levied by the importing Contracting Party;

the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 16.

Article 14

If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the Agreement on

implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 16.

Article 15

If serious disturbances arise in any sector of the economy or if difficulties arise which could bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 16.

Article 16

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Articles 13 and 15 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 11, 12, 13, 14, 15 and 24, before taking the measures provided for therein or, as soon as possible in cases to which paragraph 3 (e) applies the Contracting Party in question shall supply the Joint Committee as soon as possible with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement.

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

(a) As regards Article 11, either Contracting Party may refer the matter to the Joint Committee if it considers that a given practice is

incompatible with the proper functioning of the Agreement within the meaning of Article 11 (1).

The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to eliminate the practice objected to.

If the Contracting Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee or, in the absence of agreement in the Joint Committee, within three months of the matter being referred to it, the Contracting Party concerned may adopt any safeguard measures it considers necessary to deal with the serious difficulties resulting from the practice in question: in particular it may withdraw tariff concessions.

- (b) As regards Article 12, the Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to consider appropriate measures.

If Israel fails to put an end to the practice objected to within the period fixed by the Joint Committee or, in the absence of agreement in the Joint Committee, within one month of the matter being referred to it, the Member States may adopt any safeguard measures they consider necessary to avoid, or put an end to, any detriment to the functioning of the common market; in particular they may withdraw tariff concessions.

- (c) As regards Article 13, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee, which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Contracting Party has not taken a decision putting an end to the difficulties within 30 days of notification of the matter, the importing Contracting Party shall be authorized to levy a countervailing charge on the product imported.

The countervailing charge shall be calculated according to the incidence on the value of the goods in question of the tariff disparities in respect of the raw materials or intermediate products incorporated therein.

- (d) As regards Article 14, consultation in the Joint Committee shall take place before the Contracting Party concerned takes the appropriate measures.
- (e) Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 13, 14 and 15 and also in the case of export aids having a direct and immediate incidence on trade, apply forthwith the precautionary measures as are strictly necessary to remedy the situation.

Article 17

Where one or more Member States of the Community or Israel is in difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. It shall inform the other Contracting Party forthwith.

TITLE II

General and final provisions

Article 18

1. A Joint Committee is hereby established which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement. These decisions shall be implemented by the Contracting Parties in accordance with their own rules.

2. For the purpose of the proper implementation of the Agreement the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.
3. The Joint Committee shall formally adopt its own rules of procedure.

Article 19

1. The Joint Committee shall consist of representatives of the Member States on the one hand, and of representatives of Israel on the other.
2. The Joint Committee shall act by mutual agreement.

Article 20

1. Each Contracting Party shall preside in turn over the Joint Committee, in accordance with the arrangements to be laid down in its rules of procedure.
2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever special circumstances so require, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 21

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its security in time of war or serious international tension.

Article 22

In the fields covered by the Agreement :

- the arrangements applied by Israel in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms;
- the arrangements applied by the Community in respect of Israel shall not give rise to discrimination between Israeli nationals, companies or firms.

Article 23

1. Where a Contracting Party considers that it would be useful in the common interest of the Contracting Parties to develop the relations established by the Agreement by extending them to fields not covered thereby, it shall submit a reasoned request to the other Contracting Party.

The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations.

2. The agreements resulting from the negotiations referred to in paragraph 1 will be subject to ratification or approval by the Contracting Parties in accordance with their own procedures.

Article 24

1. The Contracting Parties shall refrain from any measure likely to jeopardize the attainment of the objectives of the Agreement.
2. They shall take any general or specific measures required to fulfil their obligations under the Agreement.

If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 16.

Article 25

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

Article 26

Each Contracting Party may denounce the Agreement by notifying the other Contracting Party. The Agreement shall cease to apply 12 months after the date of such notification.

Article 27

The Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies under the conditions laid down in that Treaty, and to the State of Israel on the other.

Article 28

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Hebrew languages, each of these texts being equally authentic.

This Agreement will be approved by the Contracting Parties in accordance with their own procedures.

It shall enter into force on the first day of the second month following the date on which the Contracting Parties notify each other that the procedures necessary to this end have been completed.

Udfærdiget i Bruxelles, den første Sivan fem tusind syv hundrede og femogtredive i den hebraiske kalender, svarende til den ellefte maj nitten hundrede og femoghalvfjerds.

Geschehen zu Brüssel am ersten Siwan fünftausendsiebenhundertfünfunddreißig des hebräischen Kalenders; dieser Tag entspricht dem elften Mai neunzehnhundertfünfundsiebzig.

Done at Brussels, the first day of Sivan in the year five thousand seven hundred and thirty-five of the Hebrew calendar, corresponding to the eleventh day of May in the year one thousand nine hundred and seventy-five.

Fait à Bruxelles, le premier Sivan cinq mil sept cent trente-cinq du calendrier hébraïque, correspondant au onze mai mil neuf cent soixante-quinze.

Fatto a Bruxelles, il primo Sivan cinquemilasettecentotrentacinque del calendario ebraico, corrispondente all'undici maggio millenovecentosettantacinque.

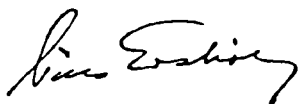
Gedaan te Brussel, één Siwan vijfduizend zeventhonderd vijfendertig van de Hebreeuwse kalender, welke datum overeenkomt met de elfde mei negentienhonderd vijfenzeventig.

ניחת ג-א' כסיון תשס"ה של הלוח העברי, הסתאים לאתר-עשר
לחורו מאי אלף תשע מאות שבעים וחמש

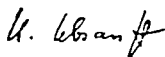
Pour le Royaume de Belgique
Voor het Koninkrijk België



På Kongeriget Danmarks vegne



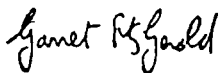
Für die Bundesrepublik Deutschland



Pour la République française



For Ireland



Per la Repubblica italiana

Maurizio Vettore

Pour le Grand-Duché de Luxembourg

F. ...

Voor het Koninkrijk der Nederlanden

G. ...

For the United Kingdom of Great Britain and Northern Ireland

Michael Peira

Viggo Allor

093 410 104

ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature	Description
26.01	<p>Metallic ores and concentrates and roasted iron pyrites:</p> <p>A. Iron ores and concentrates and roasted iron pyrites: II. Other</p> <p>B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20% or more by weight</p>
26.02	<p>Slag, dross, scalings and similar waste from the manufacture of iron or steel:</p> <p>A. Blast-furnace dust</p>
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	<p>Coke and semi-coke of coal, of lignite or of peat:</p> <p>A. Of coal: II. Other</p> <p>B. Of lignite</p>
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	<p>Ferro-alloys:</p> <p>A. Ferro-manganese: I. Containing more than 2% by weight of carbon (high carbon ferro-manganese)</p>
73.03	Waste and scrap metal of iron or steel
73.05	<p>Iron or steel powders; sponge iron or steel:</p> <p>B. Sponge iron or steel</p>
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	<p>Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:</p> <p>A. Blooms and billets: I. Rolled</p> <p>B. Slabs and sheet bars (including tinplate bars): I. Rolled</p>
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel

Brussels Nomenclature	Description
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:</p> <p>A. Not further worked than hot-rolled or extruded</p> <p>D. Clad or surface-worked (for example, polished, coated):</p> <p style="padding-left: 20px;">I. Not further worked than clad:</p> <p style="padding-left: 40px;">a) Hot-rolled or extruded</p>
73.11	<p>Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <p>A. Angles, shapes and sections:</p> <p style="padding-left: 20px;">I. Not further worked than hot-rolled or extruded</p> <p style="padding-left: 20px;">IV. Clad or surface-worked (for example, polished, coated):</p> <p style="padding-left: 40px;">a) Not further worked than clad:</p> <p style="padding-left: 60px;">I. Hot-rolled or extruded</p> <p>B. Sheet piling</p>
73.12	<p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. Not further worked than hot-rolled</p> <p>B. Not further worked than cold-rolled:</p> <p style="padding-left: 20px;">I. In coils for the manufacture of tinplate (a)</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p style="padding-left: 20px;">III. Tinned:</p> <p style="padding-left: 40px;">a) Tinplate</p> <p style="padding-left: 20px;">V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <p style="padding-left: 40px;">a) Not further worked than clad:</p> <p style="padding-left: 60px;">I. Hot-rolled</p>
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. 'Electrical' sheets and plates</p> <p>B. Other sheets and plates:</p> <p style="padding-left: 20px;">I. Not further worked than hot-rolled</p> <p style="padding-left: 20px;">II. Not further worked than cold-rolled, of a thickness of:</p> <p style="padding-left: 40px;">b) More than 1 mm but less than 3 mm</p> <p style="padding-left: 40px;">c) 1 mm or less</p> <p style="padding-left: 20px;">III. Not further worked than burnished, polished or glazed</p> <p style="padding-left: 20px;">IV. Clad, coated or otherwise surface-treated:</p> <p style="padding-left: 40px;">b) Tinned:</p> <p style="padding-left: 60px;">1. Tinplate</p> <p style="padding-left: 60px;">2. Other</p> <p style="padding-left: 40px;">c) Zinc-coated or lead-coated</p> <p style="padding-left: 40px;">d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed)</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature	Description
73.13 (cont'd)	V. Otherwise shaped or worked: a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14: A. High carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: aa) Hot-rolled VII. Sheets and plates: a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: aa) Hot-rolled

Brussels Nomenclature	Description
73.15 (cont'd)	<p>VII. Sheets and plates:</p> <ul style="list-style-type: none"> a) 'Electrical' sheets and plates b) Other sheets and plates: <ul style="list-style-type: none"> 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: <ul style="list-style-type: none"> bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: <ul style="list-style-type: none"> aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	<p>Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:</p> <ul style="list-style-type: none"> A. Rails: <ul style="list-style-type: none"> II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: <ul style="list-style-type: none"> I. Rolled

PROTOCOL 1
on the application of Article 2 (1) of the Agreement

Article 1

Customs duties and charges having equivalent effect on imports into the Community of products covered by the European Coal and Steel Community shall be abolished in accordance with the following timetable:

Timetable	Rate of reduction
— on the date of the entry into force of the Agreement	60 %
— from 1 January 1976	80 %
— from 1 July 1977	100 %

Article 2

1. For each product, the basic duties to which the reductions provided for in Article 1 are to applied shall be:

- for the Community as originally constituted: those duties actually applied in respect of Israel on 1 January 1974;
- for Denmark, Ireland and the United Kingdom: those duties actually applied in respect of Israel on 1 January 1972.

2. The reduced duties calculated in accordance with Article 1 shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39 (5) of the Act concerning the conditions of accession and the adjustments to the Treaties as regards the specific duties or the specific part of the mixed duties in the Irish and United Kingdom Customs Tariffs, Article 1 shall be applied, with rounding to the fourth decimal place.

Article 3

1. The products originating in Israel referred to in this Protocol may not enjoy more favourable treatment when imported into the Community than that applied by the Member States between themselves.
2. For the application of the preceding paragraph, account shall not be taken of the customs duties and charges having equivalent effect resulting from the application of Articles 32 and 36 of the Act concerning the conditions of accession and the adjustments to the Treaties.

Article 4

Quantitative restrictions on imports into the Community shall be abolished on the date of the entry into force of the Agreement, and measures having an equivalent effect to quantitative restrictions on imports shall be abolished not later than 1 January 1976.

PROTOCOL 2

relating to the application of Article 2 (2) of the Agreement

Sole Article

Israel shall apply Protocol 2 to the Agreement between the European Economic Community and the State of Israel, signed this day, to imports of products covered by the European Coal and Steel Community and originating in the Community.

INFORMATION CONCERNING

the AGREEMENT between the Member States of the European Coal and Steel Community, of the one part, and the State of Israel, of the other part ⁽¹⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
Member States of ECSC <hr/> ISRAEL	11.5.1975	n. 31.3.1978	1.5.1978 ⁽²⁾	indefinite

(1) OJ No L 165, 28.6.1975.

(2) OJ No L 98, 11.4.1978.

Agreement
between the ECSC and the Republic of Tunisia

AGREEMENT

between the Member States of the European Coal and Steel Community and the Republic of Tunisia (1)

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS and

THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

being Member States of the European Coal and Steel Community (hereinafter called 'the Member States'), of the one part, and

THE REPUBLIC OF TUNISIA,
of the other part,

WHEREAS the European Economic Community and the Republic of Tunisia are concluding a Cooperation Agreement concerning the sectors covered by that Community,

(1) OJ No L 265, 27.9.1978.

PURSuing the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

This Agreement shall apply to the products covered by the European Coal and Steel Community which are specified in the Annex.

TITLE I

Trade cooperation

Article 2

The object of the Agreement is to promote trade between the Contracting Parties, taking account of their respective levels of development and of the need to ensure a better balance in their trade, with a view to increasing the rate of growth of Tunisia's trade and improving the conditions of access for its products to the Community market.

Article 3

1. Products originating in Tunisia shall be imported into the Community free of quantitative restrictions and measures having

equivalent effect, and of customs duties and charges having equivalent effect.

2. The new Member States shall apply the provisions of paragraph 1, it being understood that in no case may they apply more favourable treatment to Tunisia than to the Community as originally constituted.

Article 4

Articles 25 to 38 of the Cooperation Agreement signed this same day shall apply *mutatis mutandis* to this Agreement.

Article 5

1. If the offers made by Tunisian undertakings are likely to be detrimental to the functioning of the common market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures under the conditions and in accordance with the procedures laid down in paragraph 2.

2. The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where necessary, to consider appropriate measures.

If Tunisia fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within one month of the date on which the matter is referred to it, the Member States may adopt the safeguard measures they consider necessary to avoid, or put an end to, any detriment to the functioning of the common market; in particular they may withdraw tariff concessions.

Article 6

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community or the powers and jurisdiction deriving therefrom.

TITLE II

General and final provisions

Article 7

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement.

The decisions taken shall be binding on the Contracting Parties which, in accordance with their own rules, shall take such measures as are required to implement them.

2. For the purpose of the proper implementation of the Agreement, the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt its rules of procedure.

Article 8

1. The Joint Committee shall be composed of representatives of the Community on the one hand and of representatives of the Republic of Tunisia on the other.

2. The Joint Committee shall act by mutual agreement between the Community and Tunisia.

Article 9

1. The office of Chairman of the Joint Committee shall be held alternately by each of the Contracting Parties, in accordance with detailed rules to be laid down in its rules of procedure.
2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever necessary, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 10

Articles 48 to 56 of the Cooperation Agreement shall apply *mutatis mutandis* to this Agreement.

Article 11

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies under the conditions laid down in that Treaty and, on the other, to the territory of the Republic of Tunisia.

Article 12

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 13

This Agreement shall be subject to ratification, acceptance or approval by the Contracting Parties in accordance with their own procedures. They shall notify each other when the procedures necessary to this end have been completed.

This Agreement shall enter into force on the first day of the second month following the date on which the notifications provided for in the first paragraph have been carried out.

Udfærdiget i Tunis, den femogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Tunis am fünfundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Tunis this twenty-fifth day of April in the year one thousand nine hundred and seventy-six.

Fait à Tunis, le vingt-cinq avril mil neuf cent soixante-seize.

Fatto a Tunisi, addì venticinque aprile millenovecentosettantasei.

Gedaan te Tunis, de vijftewintigste april negentienhonderdzesenzeventig

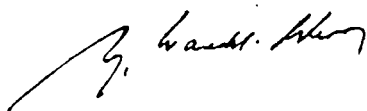
حرر بالبريد، في السابع والعشرين من شهر ابريل سنة الف وسبعمائة وستة وسبعين

Pour le royaume de Belgique

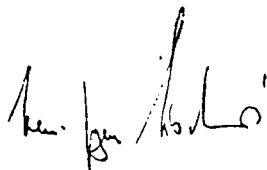
Voor het Koninkrijk België



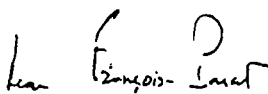
På kongeriget Danmarks vegne

A handwritten signature in black ink, appearing to read "G. W. Knudsen". The signature is fluid and cursive, with a long, sweeping underline.

Für die Bundesrepublik Deutschland

A handwritten signature in black ink, appearing to read "Hans-Joachim Lauth". The signature is cursive and somewhat stylized.

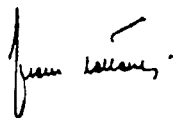
Pour la République française

A handwritten signature in black ink, appearing to read "Jean François-Laut". The signature is cursive and somewhat stylized.

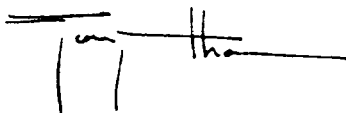
For Ireland

A handwritten signature in black ink, appearing to read "Janet Lifford". The signature is cursive and somewhat stylized.

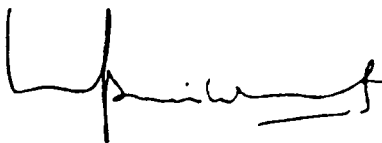
Per la Repubblica italiana

A handwritten signature in black ink, appearing to read "Juan Llanusa". The signature is cursive and somewhat stylized.

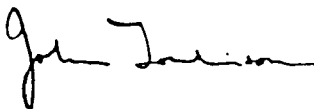
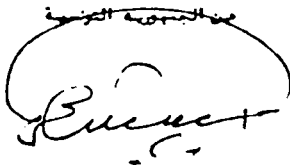
Pour le grand-duché de Luxembourg

A handwritten signature in black ink, consisting of a horizontal line at the top, followed by a vertical stroke on the left, and a long horizontal stroke on the right that ends in a small hook.

Voor het Koninkrijk der Nederlanden

A handwritten signature in black ink, starting with a large, stylized 'L' followed by a series of connected loops and ending with a horizontal line.

For the United Kingdom of Great Britain and Northern Ireland

A handwritten signature in black ink, appearing to read 'John Jackson' in a cursive style.A handwritten signature in black ink, featuring a large, rounded loop at the top and a cursive signature below it.

ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature heading No	Description
26.01	<p>Metallic ores and concentrates and roasted iron pyrites:</p> <p>A. Iron ores and concentrates and roasted iron pyrites: II. Other</p> <p>B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20% or more by weight</p>
26.02	<p>Slag, dross, scalings and similar waste from the manufacture of iron or steel:</p> <p>A. Blast-furnace dust</p>
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	<p>Coke and semi-coke of coal, of lignite or of peat:</p> <p>A. Of coal: II. Other</p> <p>B. Of lignite</p>
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	<p>Ferro-alloys:</p> <p>A. Ferro-manganese: I. Containing more than 2% by weight of carbon (high carbon ferro-manganese)</p>
73.03	Waste and scrap metal of iron or steel
73.05	<p>Iron or steel powders; sponge iron or steel:</p> <p>B. Sponge iron or steel</p>
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	<p>Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:</p> <p>A. Blooms and billets: I. Rolled</p> <p>B. Slabs and sheet bars (including tinplate bars): I. Rolled</p>
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel

Brussels Nomenclature heading No	Description
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:</p> <p>A. Not further worked than hot-rolled or extruded</p> <p>D. Clad or surface-worked (for example, polished, coated):</p> <p>I. Not further worked than clad:</p> <p>a) Hot-rolled or extruded</p>
73.11	<p>Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <p>A. Angles, shapes and sections:</p> <p>I. Not further worked than hot-rolled or extruded</p> <p>IV. Clad or surface-worked (for example polished, coated):</p> <p>a) Not further worked than clad:</p> <p>I. Hot-rolled or extruded</p> <p>B. Sheet piling</p>
73.12	<p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. Not further worked than hot-rolled</p> <p>B. Not further worked than cold-rolled:</p> <p>I. In coils for the manufacture of tinplate (a)</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p>III. Tinned:</p> <p>a) Tinplate</p> <p>V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <p>a) Not further worked than clad:</p> <p>i. Hot-rolled</p>
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. 'Electrical' sheets and plates</p> <p>B. Other sheets and plates:</p> <p>I. Not further worked than hot-rolled</p> <p>II. Not further worked than cold-rolled, of a thickness of:</p> <p>b) More than 1 mm but less than 3 mm</p> <p>c) 1 mm or less</p> <p>III. Not further worked than burnished, polished or glazed</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>b) Tinned:</p> <p>1. Tinplate</p> <p>2. Other</p> <p>c) Zinc-coated or lead-coated</p> <p>d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed)</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.13 (<i>cont'd</i>)	<ul style="list-style-type: none"> V. Otherwise shaped or worked: <ul style="list-style-type: none"> a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	<p>Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14:</p> <ul style="list-style-type: none"> A. High carbon steel: <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled VII. Sheets and plates: <ul style="list-style-type: none"> a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: <ul style="list-style-type: none"> 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: <ul style="list-style-type: none"> 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled

Brussels Nomenclature heading No	Description
73.15 (cont'd)	<p>VII. Sheets and plates:</p> <p>a) 'Electrical' sheets and plates</p> <p>b) Other sheets and plates:</p> <ol style="list-style-type: none"> 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: <ol style="list-style-type: none"> bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: <ol style="list-style-type: none"> aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	<p>Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:</p> <p>A. Rails:</p> <ol style="list-style-type: none"> II. Other <p>B. Check-rails</p> <p>C. Sleepers</p> <p>D. Fish-plates and sole plates:</p> <ol style="list-style-type: none"> I. Rolled

INFORMATION CONCERNING

the AGREEMENT between the Member States of the European Coal and Steel Community and the Republic of Tunisia ⁽¹⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
Member States of ECSC	25.4.1976	n. 28.9.1978	1.11.1978 ⁽²⁾	indefinite
TUNISIA				

(1) OJ No L 265, 27.9.1978.

(2) OJ No L 295, 20.10.1978.

Agreement
between the ECSC and the Kingdom of Morocco

AGREEMENT

between the Member States of the European Coal and Steel Community and the Kingdom of Morocco (1)

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS and

THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

being Member States of the European Coal and Steel Community (hereinafter called 'the Member States'), of the one part, and

THE KINGDOM OF MOROCCO,

of the other part,

WHEREAS the European Economic Community and the Kingdom of Morocco are concluding a Cooperation Agreement concerning the sectors covered by that Community,

(1) OJ No L 264, 27.9.1978.

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

This Agreement shall apply to the products covered by the European Coal and Steel Community which are specified in the Annex.

TITLE I

Trade cooperation

Article 2

The object of the Agreement is to promote trade between the Contracting Parties, taking account of their respective levels of development and of the need to ensure a better balance in their trade, with a view to increasing the rate of growth of Morocco's trade and improving the conditions of access for its products to the Community market.

Article 3

1. Products originating in Morocco shall be imported into the Community free of quantitative restrictions and measures having

equivalent effect, and of customs duties and charges having equivalent effect.

2. The new Member States shall apply the provisions of paragraph 1, it being understood that in no case may they apply more favourable treatment to Morocco than to the Community as originally constituted.

Article 4

Articles 26 to 39 of the Cooperation Agreement signed this day shall apply *mutatis mutandis* to this Agreement.

Article 5

1. If the offers made by Moroccan undertakings are likely to be detrimental to the functioning of the common market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures under the conditions and in accordance with the procedures laid down in paragraph 2.

2. The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where necessary, to consider appropriate measures.

If Morocco fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within one month of the date on which the matter is referred to it, the Member States may adopt the safeguard measures they consider necessary to avoid, or put an end to, any detriment to the functioning of the common market; in particular they may withdraw tariff concessions.

Article 6

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community or the powers and jurisdiction deriving therefrom.

TITLE II

General and final provisions

Article 7

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement.

The decisions taken shall be binding on the Contracting Parties which, in accordance with their own rules, shall take such measures as are required to implement them.

2. For the purpose of the proper implementation of the Agreement, the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt its rules of procedure.

Article 8

1. The Joint Committee shall be composed of representatives of the Community on the one hand and of representatives of the Kingdom of Morocco on the other.

2. The Joint Committee shall act by mutual agreement between the Community and Morocco.

Article 9

1. The office of Chairman of the Joint Committee shall be held alternately by each of the Contracting Parties, in accordance with detailed rules to be laid down in its rules of procedure.
2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever necessary, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 10

Articles 49 to 57 of the Cooperation Agreement shall apply *mutatis mutandis* to this Agreement.

Article 11

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies under the conditions laid down in that Treaty and, on the other, to the territory of the Kingdom of Morocco.

Article 12

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 13

This Agreement shall be subject to ratification, acceptance or approval by the Contracting Parties in accordance with their own procedures. They shall notify each other when the procedures necessary to this end have been completed.

This Agreement shall enter into force on the first day of the second month following the date on which the notifications provided for in the first paragraph have been carried out.

Udfærdiget i Rabat, den syvogtyvende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Rabat am siebenundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Rabat this twenty-seventh day of April in the year one thousand nine hundred and seventy-six.

Fait à Rabat, le vingt-sept avril mil neuf cent soixante-seize.

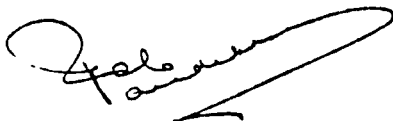
Fatto a Rabat, addì ventisette aprile millenovecentosettantasei.

Gedaan te Rabat, de zevenentwintigste april negentienhonderd zesenzeventig.

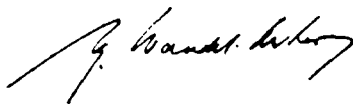
حرر بالرباط ، في السابع والعشرين من شهر ابريل سنة الف وتسعمائة وستة وسبعين .

Pour le royaume de Belgique

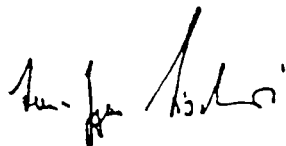
Voor het Koninkrijk België



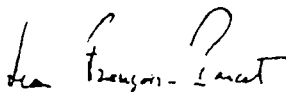
På kongeriget Danmarks vegne

A handwritten signature in black ink, appearing to read "P. Wandt-Holm". The signature is fluid and cursive, with a long horizontal stroke at the end.

Für die Bundesrepublik Deutschland

A handwritten signature in black ink, appearing to read "Hans-Joachim Lauth". The signature is cursive and somewhat stylized.

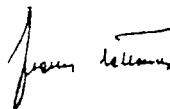
Pour la République française

A handwritten signature in black ink, appearing to read "Jean-François Lemaire". The signature is cursive and clearly legible.

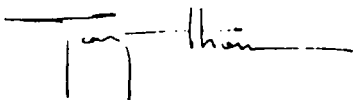
For Ireland

A handwritten signature in black ink, appearing to read "Joseph Mac Greal". The signature is cursive and somewhat stylized.

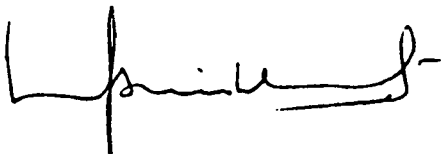
Per la Repubblica italiana

A handwritten signature in black ink, appearing to read "Jean Lemaire". The signature is cursive and clearly legible.

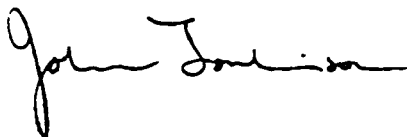
Pour le grand-duché de Luxembourg

A handwritten signature in French, appearing to read "T. Thier", written in black ink on a white background.

Voor het Koninkrijk der Nederlanden

A handwritten signature in Dutch, appearing to read "L. Spink", written in black ink on a white background.

For the United Kingdom of Great Britain and Northern Ireland

A handwritten signature in English, appearing to read "John Tomlinson", written in black ink on a white background.

من الملكة العنيفة

A handwritten signature in Arabic, appearing to read "من الملكة العنيفة", written in black ink on a white background.

ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature heading No	Description
26.01	<p>Metallic ores and concentrates and roasted iron pyrites:</p> <p>A. Iron ores and concentrates and roasted iron pyrites:</p> <p style="padding-left: 20px;">II. Other</p> <p>B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20% or more by weight</p>
26.02	<p>Slag, dross, scalings and similar waste from the manufacture of iron or steel:</p> <p>A. Blast-furnace dust</p>
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	<p>Coke and semi-coke of coal, of lignite or of peat:</p> <p>A. Of coal:</p> <p style="padding-left: 20px;">II. Other</p> <p>B. Of lignite</p>
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	<p>Ferro-alloys:</p> <p>A. Ferro-manganese:</p> <p style="padding-left: 20px;">I. Containing more than 2% by weight of carbon (high carbon ferro-manganese)</p>
73.03	Waste and scrap metal of iron or steel
73.05	<p>Iron or steel powders; sponge iron or steel:</p> <p>B. Sponge iron or steel</p>
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	<p>Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:</p> <p>A. Blooms and billets:</p> <p style="padding-left: 20px;">I. Rolled</p> <p>B. Slabs and sheet bars (including tinplate bars):</p> <p style="padding-left: 20px;">I. Rolled</p>
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel

Brussels Nomenclature heading No	Description
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:</p> <p>A. Not further worked than hot-rolled or extruded</p> <p>D. Clad or surface-worked (for example, polished, coated):</p> <p>I. Not further worked than clad:</p> <p>a) Hot-rolled or extruded</p>
73.11	<p>Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <p>A. Angles, shapes and sections:</p> <p>I. Not further worked than hot-rolled or extruded</p> <p>IV. Clad or surface-worked (for example polished, coated):</p> <p>a) Not further worked than clad:</p> <p>I. Hot-rolled or extruded</p> <p>B. Sheet piling</p>
73.12	<p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. Not further worked than hot-rolled</p> <p>B. Not further worked than cold-rolled:</p> <p>I. In coils for the manufacture of tinplate (a)</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p>III. Tinned:</p> <p>a) Tinplate</p> <p>V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <p>a) Not further worked than clad:</p> <p>I. Hot-rolled</p>
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. 'Electrical' sheets and plates</p> <p>B. Other sheets and plates:</p> <p>I. Not further worked than hot-rolled</p> <p>II. Not further worked than cold-rolled, of a thickness of:</p> <p>b) More than 1 mm but less than 3 mm</p> <p>c) 1 mm or less</p> <p>III. Not further worked than burnished, polished or glazed</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>b) Tinned:</p> <p>1. Tinplate</p> <p>2. Other</p> <p>c) Zinc-coated or lead-coated</p> <p>d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed)</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.13 (cont'd)	V. Otherwise shaped or worked: a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14: A. High carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: aa) Hot-rolled VII. Sheets and plates: a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: aa) Hot-rolled or extruded VI. Hoop and strip: a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: aa) Hot-rolled

Brussels Nomenclature heading No	Description
73.15 (cont'd)	<p>VII. Sheets and plates:</p> <p>a) 'Electrical' sheets and plates</p> <p>b) Other sheets and plates:</p> <ol style="list-style-type: none"> 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: <ol style="list-style-type: none"> bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: <ol style="list-style-type: none"> aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	<p>Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:</p> <p>A. Rails:</p> <ol style="list-style-type: none"> II. Other <p>B. Check-rails</p> <p>C. Sleepers</p> <p>D. Fish-plates and sole plates:</p> <ol style="list-style-type: none"> I. Rolled

INFORMATION CONCERNING

the AGREEMENT between the Member States and the European Coal and Steel Community and the Kingdom of Morocco ⁽¹⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
Member States of ECSC	27.4.1976	n. 29.9.1978	1.11.1978 ⁽²⁾	indefinite
MOROCCO				

(1) OJ No L 264, 27.9.1978.

(2) OJ No L 295, 20.10.1978.

Agreement
between the ECSC and the
People's Democratic Republic of Algeria

AGREEMENT

between the Member States of the European Coal and Steel Community and the People's Democratic Republic of Algeria ⁽¹⁾

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being Member States of the European Coal and Steel Community (hereinafter called 'the Member States'), of the one part, and

THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA,

of the other part,

(1) OJ No L 263, 27.9.1978.

WHEREAS the European Economic Community and the People's Democratic Republic of Algeria are concluding a Cooperation Agreement concerning the sectors covered by that Community,

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

This Agreement shall apply to the products covered by the European Coal and Steel Community which are specified in the Annex.

TITLE I

Trade cooperation

Article 2

The object of the Agreement is to promote trade between the Contracting Parties, taking account of their respective levels of development and of the need to ensure a better balance in their trade, with a view to increasing the rate of growth of Algeria's trade and improving the conditions of access for its products to the Community market.

Article 3

1. Products originating in Algeria shall be imported into the Community free of quantitative restrictions and measures having equivalent effect, and of customs duties and charges having equivalent effect.
2. The new Member States shall apply the provisions of paragraph 1, it being understood that in no case may they apply more favourable treatment to Algeria than to the Community as originally constituted.

Article 4

Articles 24 to 37 of the Cooperation Agreement signed this day shall apply *mutatis mutandis* to this Agreement.

Article 5

1. If the offers made by the Algerian undertakings are likely to be detrimental to the functioning of the common market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures under the conditions and in accordance with the procedures laid down in paragraph 2.
2. The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where necessary, to consider appropriate measures.

If Algeria fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within one month of the date on which the matter is referred to it, the Member States may adopt the safeguard measures they consider necessary to avoid, or put an end to, any detriment to the functioning of the common market; in particular they may withdraw tariff concessions.

Article 6

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community or the powers and jurisdiction deriving therefrom.

TITLE II

General and final provisions

Article 7

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement.

The decisions taken shall be binding on the Contracting Parties which, in accordance with their own rules, shall take such measures as are required to implement them.

2. For the purpose of the proper implementation of the Agreement, the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt its rules of procedure.

Article 8

1. The Joint Committee shall be composed of representatives of the Community on the one hand and of representatives of Algeria on the other.

2. The Joint Committee shall act by mutual agreement between the Community and Algeria.

Article 9

1. The office of Chairman of the Joint Committee shall be held alternately by each of the Contracting Parties, in accordance with detailed rules to be laid down in its rules of procedure.

2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever necessary, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 10

Articles 47 to 55 of the Cooperation Agreement shall apply *mutatis mutandis* to this Agreement.

Article 11

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies under the conditions laid down in that Treaty and, on the other, to the territory of the People's Democratic Republic of Algeria.

Article 12

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, German, Italian and Arabic languages, each of these texts being equally authentic.

Article 13

This Agreement shall be subject to ratification, acceptance or approval by the Contracting Parties in accordance with their own procedures. They shall notify each other when the procedures necessary to this end have been completed.

This Agreement shall enter into force on the first day of the second month following the date on which the notifications provided for in the first paragraph have been carried out.

Udfærdiget i Algier, den seksogtevende april nitten hundrede og seksoghalvfjerds.

Geschehen zu Algier am sechsundzwanzigsten April neunzehnhundertsechundsiebzig.

Done at Algiers this twenty-sixth day of April in the year one thousand nine hundred and seventy-six.

Fait à Alger, le vingt-six avril mil neuf cent soixante-seize.

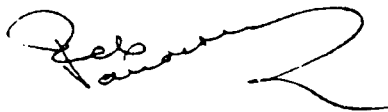
Fatto a Algeri, addì ventisei aprile millenovecentosettantasei.

Gedaan te Algiers, de zesentwintigste april negentienhonderd zesenzeventig.

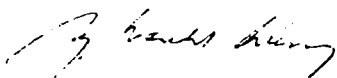
تم بحمد الله بالمخازن العامة في السادس والعشرين من شهر أبريل سنة الف وسبعمائة وسبعين

Pour le royaume de Belgique

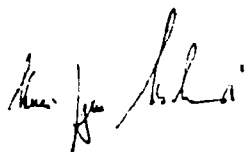
Voor het Koninkrijk België



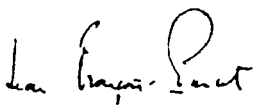
På kongeriget Danmarks vegne



Für die Bundesrepublik Deutschland



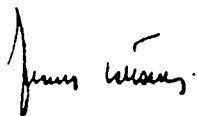
Pour la République française



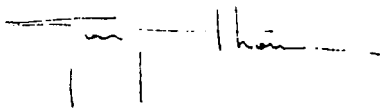
For Ireland



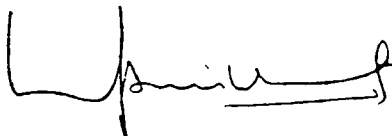
Per la Repubblica italiana



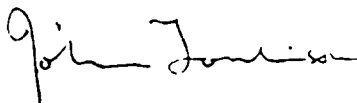
Pour le grand-duché de Luxembourg



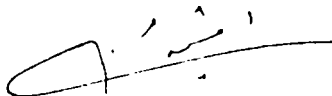
Voor het Koninkrijk der Nederlanden



For the United Kingdom of Great Britain and Northern Ireland



من الجمهورية الجزائرية الديمقراطية الشعبية



ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature heading No	Description
26.01	<p>Metallic ores and concentrates and roasted iron pyrites:</p> <p>A. Iron ores and concentrates and roasted iron pyrites: II. Other</p> <p>B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20% or more by weight</p>
26.02	<p>Slag, dross, scalings and similar waste from the manufacture of iron or steel:</p> <p>A. Blast-furnace dust</p>
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	<p>Coke and semi-coke of coal, of lignite or of peat:</p> <p>A. Of coal: II. Other</p> <p>B. Of lignite</p>
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	<p>Ferro-alloys:</p> <p>A. Ferro-manganese: I. Containing more than 2% by weight of carbon (high carbon ferro-manganese)</p>
73.03	Waste and scrap metal of iron or steel
73.05	<p>Iron or steel powders; sponge iron or steel:</p> <p>B. Sponge iron or steel</p>
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	<p>Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:</p> <p>A. Blooms and billets: I. Rolled</p> <p>B. Slabs and sheet bars (including tinplate bars): I. Rolled</p>
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel

Brussels Nomenclature heading No	Description
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:</p> <p>A. Not further worked than hot-rolled or extruded</p> <p>D. Clad or surface-worked (for example, polished, coated):</p> <p>I. Not further worked than clad:</p> <p>a) Hot-rolled or extruded</p>
73.11	<p>Angles, shapes and sections of, iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <p>A. Angles, shapes and sections:</p> <p>I. Not further worked than hot-rolled or extruded</p> <p>IV. Clad or surface-worked (for example, polished, coated):</p> <p>a) Not further worked than clad:</p> <p>I. Hot-rolled or extruded</p> <p>B. Sheet piling</p>
73.12	<p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. Not further worked than hot-rolled</p> <p>B. Not further worked than cold-rolled:</p> <p>I. In coils for the manufacture of tinplate (a)</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p>III. Tinned:</p> <p>a) Tinplate</p> <p>V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <p>a) Not further worked than clad:</p> <p>I. Hot-rolled</p>
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. 'Electrical' sheets and plates</p> <p>B. Other sheets and plates:</p> <p>I. Not further worked than hot-rolled</p> <p>II. Not further worked than cold-rolled, of a thickness of:</p> <p>b) More than 1 mm but less than 3 mm</p> <p>c) 1 mm or less</p> <p>B. III. Not further worked than burnished, polished or glazed</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>b) Tinned:</p> <p>1. Tinplate</p> <p>2. Other</p> <p>c) Zinc-coated or lead-coated</p> <p>d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed)</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.13 (cont'd)	<ul style="list-style-type: none"> V. Otherwise shaped or worked: <ul style="list-style-type: none"> a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	<p>Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14:</p> <ul style="list-style-type: none"> A. High carbon steel: <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled VII. Sheets and plates: <ul style="list-style-type: none"> a) Not further worked than hot-rolled b) Not further worked than cold-rolled, of a thickness of: <ul style="list-style-type: none"> 2. Less than 3 mm c) Polished, clad, coated or otherwise surface-treated d) Otherwise shaped or worked: <ul style="list-style-type: none"> 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> b) Not further worked than hot-rolled or extruded d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled or extruded VI. Hoop and strip: <ul style="list-style-type: none"> a) Not further worked than hot-rolled c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> aa) Hot-rolled

Brussels Nomenclature heading No	Description
73.15 (cont'd)	<p>VII. Sheets and plates:</p> <p>a) 'Electrical' sheets and plates</p> <p>b) Other sheets and plates:</p> <ol style="list-style-type: none"> 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: <ol style="list-style-type: none"> bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: <ol style="list-style-type: none"> aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	<p>Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:</p> <ol style="list-style-type: none"> A. Rails: <ol style="list-style-type: none"> II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: <ol style="list-style-type: none"> I. Rolled

INFORMATION CONCERNING

the AGREEMENT between the Member States of the European Coal and Steel Community and the People's Democratic Republic of Algeria ⁽¹⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
Member States of ECSC <hr/> ALGERIA	26.4.1976	n. 28.9.1978	1.11.1978 ⁽²⁾	indefinite

(1) OJ No L 263, 27.9.1978.

(2) OJ No L 295, 20.10.1978.

PART FOUR

Multilateral agreements
concluded by the
European Economic Community,
the European Atomic Energy
Community and the European
Coal and Steel Community

CHAPTER I

**Multilateral agreements
concluded by the
European Economic Community**

ACP-EEC Convention of Lomé

Agreements
between the EEC and the ACP States
(updating supplement)

ACP-EEC CONVENTION OF LOMÉ (1)

COUNCIL REGULATION (EEC) No 2236/78

of 25 September 1978

concerning the conclusion of the Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the Lomé Convention (2)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the Opinion of the European Parliament (3),

Whereas three Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé, hereinafter referred to as the 'Convention', and a Final Act were signed in Brussels on 28 March 1977 by these States and the European Economic Community;

(1) This Convention appears in Volume 6, page 1003.

(2) OJ No L 271, 27.9.1978.

(3) OJ No C 85, 10.4.1978.

Whereas these Agreements should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the Convention, and the Final Act and declarations annexed thereto, are hereby approved on behalf of the European Economic Community.

The texts referred to in the first paragraph are annexed to this Regulation.

Article 2

The President of the Council, as regards the Community, shall deposit the act of notification of the approval of the Agreements, in accordance with Article 3 (2) of the Agreement on the accession of Papua New Guinea, and with Article 4 (2) of the Agreements on the accession of the Republic of Cape Verde and the Democratic Republic of Sao Tome and Principe.

Article 3

Save where otherwise provided, any mention of the ACP States in the acts of the Institutions of the Community shall also refer to the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe.

Article 4

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

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

Done at Brussels, 25 September 1978.

For the Council
The President
J. ERTL

AGREEMENT

on the accession of the Republic of Cape Verde to the ACP-EEC
Convention of Lomé ⁽¹⁾

HIS MAJESTY THE KING OF THE BELGIANS,
HER MAJESTY THE QUEEN OF DENMARK,
THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,
THE PRESIDENT OF THE FRENCH REPUBLIC,
THE PRESIDENT OF IRELAND,
THE PRESIDENT OF THE ITALIAN REPUBLIC,
HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Economic
Community, signed at Rome on 25 March 1957 (hereinafter called the
'Treaty'), whose States are hereinafter called 'Member States',

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

of the other part,

(1) OJ No L 271, 27.9.1978.

HAVING REGARD to the Treaty establishing the European Economic Community,

HAVING REGARD to the ACP-EEC Convention of Lomé, signed at Lomé on 28 February 1975 (hereinafter called the 'Convention'), and in particular Article 90 thereof,

WHEREAS the Republic of Cape Verde has applied to accede to the Convention;

WHEREAS the ACP-EEC Council of Ministers has approved this application;

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Erik B. LYRTOFT-PETERSEN,
Minister-Counsellor,
Permanent Representation to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Walter KITTEL,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador of France,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Paolo Massimo ANTICI,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E. J. KORTHALS ALTES,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador,
Permanent Representative of the United Kingdom,
Chairman of the Permanent Representatives Committee;

Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE:

José BRITO,
State Secretary for cooperation and planning;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. Under this Agreement, the Republic of Cape Verde, hereinafter called 'Cape Verde', shall accede to the Convention.

2. Save as otherwise provided in this Agreement, the Convention and the decisions and other implementing measures taken by the institutions of the Convention shall apply to Cape Verde.

Article 2

For the purpose of the application of Article 7 (2) (a) of the Convention, Cape Verde shall not discriminate among the Member States as from the date of entry into force of this Agreement.

Regarding the obligation to grant to the Community treatment no less favourable than the most-favoured-nation treatment, Cape Verde shall have a transitional period of two years and six months from the date on which this Agreement is signed in which to make the appropriate adjustments to its customs tariff.

Article 3

The time limits laid down by the Convention and calculated from the entry into force of the Convention shall, for the purpose of application to Cape Verde, be calculated from the entry into force of this Agreement.

Article 4

1. As regards the Community, this Agreement shall be validly concluded by a decision of the Council of the European Communities taken in accordance with the provisions of the Treaty and notified to the Parties.

It will be ratified by the Signatory States in accordance with their respective constitutional requirements.

2. The instruments of ratification and the act of notification of the conclusion of this Agreement shall be deposited, as concerns Cape Verde, with the Secretariat of the Council of the European Communities and, as concerns the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

Article 5

This Agreement shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of Cape Verde, and of the act of notification of the conclusion of this Agreement by the Community.

Article 6

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

Article 7

This Agreement, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities and the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

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.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundert-siebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges
Voor Zijne majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt Danmarks Dronning

Co. Lyngby-Rosen

Für den Präsidenten der Bundesrepublik Deutschland

W. Rittel

Pour le président de la République française

18 mai

For the President of Ireland

Brendan Dillan

Per il presidente della Repubblica italiana

Paolo He Antici

Pour son Altesse Royale le grand-duc de Luxembourg

J. ...

Voor Hare Majesteit de Koningin der Nederlanden

Koninkrijk NL

For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland

Donald Maitland

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen

José Maitland
C. Chayman

Pour le président de la république du Cap-Vert

[Signature]

PROTOCOL

concerning the transitional arrangements for the issue of certificates of origin

THE HIGH CONTRACTING PARTIES

HAVE AGREED UPON THE FOLLOWING PROVISIONS, WHICH ARE ANNEXED TO THE AGREEMENT:

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating' products and which, on the date of entry into force of the Agreement, are being either transported or held in the Community or in an ACP State in temporary storage, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the Agreement, subject to the submission to the customs authorities in the importing State, within four months of the said date, of:

- (a) a movement certificate EUR. 1 issued retrospectively by the customs authorities in the exporting State, or
- (b) a certificate of origin issued by the competent authorities in that State,

and, in either case, any documents which provide supporting evidence of direct transport.

FINAL ACT

The Plenipotentiaries of

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

The Plenipotentiary of

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

of the other part,

meeting at Brussels on 28 March 1977 for the purpose of signing the Agreement on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé,

HAVE ADOPTED THE FOLLOWING TEXTS:

the Agreement on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé and the Protocol on the transitional arrangements for the issue of certificates of origin.

The Plenipotentiary of the President of the Republic of Cape Verde has stated that the Republic of Cape Verde associates itself with the following declarations, in so far as they continue to apply:

- the Joint Declaration on fishing activities annexed to the ACP-EEC Convention of Lomé,
- the Joint Declarations contained in Annexes I to XIII of the Final Act of the ACP-EEC Convention of Lomé.

He has also taken note of the declarations contained in Annexes XIV to XXIV of the Final Act of the ACP-EEC Convention of Lomé and the following declarations by the European Economic Community:

I. Declaration by the Community on the entry into force of the Accession Agreement

- '1. The Community considers that it is highly desirable that the Agreement of Accession to the Lomé Convention signed with the Republic of Cape Verde should enter into force on the same date as the other Accession Agreements signed this day with the Democratic Republic of Sao Tome and Principe and Papua New Guinea.

To this end it intends to carry out the procedures provided for in Article 4 of the said Agreement on the same date for all three Accession Agreements.

2. In view of the fact that the Lomé Convention is due to expire on 1 March 1980 and that in accordance with Article 91 thereof the parties to the Convention should, 18 months before that date, enter into negotiations in order to examine what provisions shall subsequently govern relations between them, the Community

considers that the accession of the new States to the Convention should become effective within a reasonable period.

Consequently, if any of the three States which have today signed an Agreement of Accession to the Lomé Convention has not deposited its instrument of ratification within the following 18 months, the Community reserves the right to take all necessary measures, in particular to permit the Accession Agreements signed by the State or States which have already deposited an instrument of ratification to enter into force separately.'

II. Measures to permit immediate application of certain financial provisions upon entry into force of the Agreement

'In the field of financial and technical cooperation, the European Economic Community will take measures, with particular reference to the programming of aid, such as to permit the effective application of the relevant provisions of the Convention as soon as the Agreement on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé enters into force.'

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundert-siebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenen-zeventig.

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

B. Linné de Mandin

For Hendes Majestæt Danmarks Dronning

E. Gyldenfeldt-Petersen

Für den Präsidenten der Bundesrepublik Deutschland

H. Jüttel

Pour le président de la République française

J. M. L.

For the President of Ireland

Brendan Dillon

Per il presidente della Repubblica italiana

Paolo III Andrei

Pour Son Altesse Royale le grand-duc de Luxembourg

—
—

Voor Hare Majesteit de Koningin der Nederlanden

—
—

For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland

Josiah Mestrand

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen

Imara Maitland
C.C. Lyman

Pour le président de la république du Cap-Vert

AGREEMENT

on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé ⁽¹⁾

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Economic Community, signed at Rome on 25 March 1957 (hereinafter called the 'Treaty'), whose States are hereinafter called 'Member States',

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

⁽¹⁾ OJ No L 271, 27.9.1978.

THE HEAD OF STATE OF PAPUA NEW GUINEA

of the other part,

HAVING REGARD to the Treaty establishing the European Economic Community,

HAVING REGARD to the ACP-EEC Convention of Lomé, signed at Lomé on 28 February 1975 (hereinafter called the 'Convention'), and in particular Article 90 thereof,

WHEREAS Papua New Guinea has applied to accede to the Convention;

WHEREAS the ACP-EEC Council of Ministers has approved this application;

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Erik B. LYRTOFT-PETERSEN,
Minister-Counsellor,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Walter KITTEL,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador of France,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Paolo Massimo ANTICI,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E. J. KORTHALS ALTES,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

**HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND:**

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Sir Donald MAITLAND, C.M.G., O.B.E.,

Ambassador,

Permanent Representative of the United Kingdom,

Chairman of the Permanent Representatives Committee;

Claude CHEYSSON,

Member of the Commission of the European Communities;

THE HEAD OF STATE OF PAPUA NEW GUINEA:

Peter Dickson DONIGI,

Chargé d'Affaires;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. Under this Agreement, Papua New Guinea shall accede to the Convention.
2. Save as otherwise provided in this Agreement, the Convention and the decisions and other implementing measures taken by the institutions of the Convention shall apply to Papua New Guinea.

Article 2

The time limits laid down by the Convention and calculated from the entry into force of the Convention shall, for the purpose of application to Papua New Guinea, be calculated from the entry into force of this Agreement.

Article 3

1. As regards the Community, this Agreement shall be validly concluded by a decision of the Council of the European Communities taken in accordance with the provisions of the Treaty and notified to the Parties.

It will be ratified by the Signatory States in accordance with their respective constitutional requirements.

2. The instruments of ratification and the act of notification of the conclusion of this Agreement shall be deposited, as concerns Papua New Guinea, with the Secretariat of the Council of the European Communities and, as concerns the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

Article 4

This Agreement shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of Papua New Guinea, and of the act of notification of the conclusion of this Agreement by the Community.

Article 5

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

Article 6

This Agreement, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities and the Secretariat of the ACP States, which

shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

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.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundert-siebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

F. van de Meulen

For Hendes Majestæt Danmarks Dronning

A. Lygstrup-Büttel

Für den Präsidenten der Bundesrepublik Deutschland

H. Fischer

Pour le président de la République française

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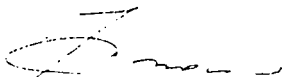
For the President of Ireland

Brendan Dillan

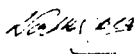
Per il presidente della Repubblica italiana

Paolo M. Andujar

Pour Son Altesse Royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland

Imma Mankame

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen

James Marland
C. Chyng _____

For the Head of State of Papua New Guinea

P. Simga

PROTOCOL

concerning the transitional arrangements for the issue of certificates of origin

THE HIGH CONTRACTING PARTIES

HAVE AGREED UPON THE FOLLOWING PROVISIONS, WHICH ARE ANNEXED TO THE AGREEMENT:

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating' products and which, on the date of entry into force of the Agreement, are being either transported or held in the Community or in an ACP State in temporary storage, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the Agreement, subject to the submission to the customs authorities in the importing State, within four months of the said date, of:

- (a) a movement certificate EUR. 1 issued retrospectively by the customs authorities in the exporting State, or
- (b) a certificate of origin issued by the competent authorities in that State,

and, in either case, any documents which provide supporting evidence of direct transport.

FINAL ACT

The Plenipotentiaries of

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

The Plenipotentiary of

THE HEAD OF STATE OF PAPUA NEW GUINEA,

of the other part,

meeting at Brussels on 28 March 1977 for the purpose of signing the Agreement on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé,

HAVE ADOPTED THE FOLLOWING TEXTS:

the Agreement on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé and the Protocol on the transitional arrangements for the issue of certificates of origin.

The Plenipotentiary of the Head of State of Papua New Guinea has stated that Papua New Guinea associates itself with the following declarations, in so far as they continue to apply:

- the Joint Declaration on fishing activities annexed to the ACP-EEC Convention of Lomé,
- the Joint Declarations contained in Annexes I to XIII of the Final Act of the ACP-EEC Convention of Lomé.

He has also taken note of the declarations contained in Annexes XIV to XXIV of the Final Act of the ACP-EEC Convention of Lomé and the following declarations by the European Economic Community:

I. Declaration by the Community on the entry into force of the Accession Agreement

- '1. The Community considers that it is highly desirable that the Agreement of Accession to the Lomé Convention signed with Papua New Guinea should enter into force on the same date as the other Accession Agreements signed this day with the Democratic Republic of Sao Tome and Principe and the Republic of Cape Verde.

To this end it intends to carry out the procedures provided for in Article 3 of the said Agreement on the same date for all three Accession Agreements.

2. In view of the fact that the Lomé Convention is due to expire on 1 March 1980 and that in accordance with Article 91 thereof the parties to the Convention should, 18 months before that date, enter into negotiations in order to examine what provisions shall subsequently govern relations between them, the Community considers that the accession of the new States to the Convention should become effective within a reasonable period.

Consequently, if any of the three States which have today signed an Agreement of Accession to the Lomé Convention has not deposited its instrument of ratification within the following 18 months, the Community reserves the right to take all necessary measures, in particular to permit the Accession Agreements signed by the State or States which have already deposited an instrument of ratification to enter into force separately.'

II. Measures to permit immediate application of certain financial provisions upon entry into force of the Agreement

'In the field of financial and technical cooperation, the European Economic Community will take measures, with particular reference to the programming of aid, such as to permit the effective application of the relevant provisions of the Convention as soon as the Agreement on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé enters into force.'

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundert-siebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenen-zeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt Danmarks Dronning

A. G. Hoff - Olsen

Für den Präsidenten der Bundesrepublik Deutschland

H. Mittel

Pour le président de la République française

J. M. M.

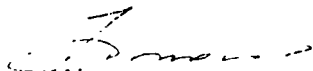
For the President of Ireland

Brendan Dillon

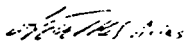
Per il presidente della Repubblica italiana

Paolo Mi Anelli,

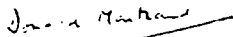
Pour Son Altesse Royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland



For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen

Ima Hairend

C. Chy...

For the Head of State of Papua New Guinea

Jimmy

AGREEMENT

on the accession of the Democratic Republic of Sao Tome and Principe to
the ACP-EEC Convention of Lomé ⁽¹⁾

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Economic
Community, signed at Rome on 25 March 1957 (hereinafter called the
'Treaty'), whose States are hereinafter called 'Member States',

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

⁽¹⁾ OJ No L 271, 27.9.1978.

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE,

of the other part,

HAVING REGARD to the Treaty establishing the European Economic Community,

HAVING REGARD to the ACP-EEC Convention of Lomé, signed at Lomé on 28 February 1975 (hereinafter called the 'Convention'), and in particular Article 90 thereof,

WHEREAS the Democratic Republic of Sao Tome and Principe has applied to accede to the Convention;

WHEREAS the ACP-EEC Council of Ministers has approved this application;

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

**Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;**

HER MAJESTY THE QUEEN OF DENMARK:

**Erik B. LYRTOFT-PETERSEN,
Minister-Counsellor,
Permanent Representative to the European Communities;**

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

**Walter KITTEL,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;**

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador of France,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Paolo Massimo ANTICI,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E. J. KORTHALS ALTES,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

**HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND:**

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador,
Permanent Representative of the United Kingdom,
Chairman of the Permanent Representative Committee;

Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO
TOME AND PRINCIPE:

Leonel MARIO DALVA,
Minister for Foreign Affairs;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. Under this Agreement, the Democratic Republic of Sao Tome and Principe, hereinafter called 'Sao Tome and Principe', shall accede to the Convention.
2. Save as otherwise provided in this Agreement, the Convention and the decisions and other implementing measures taken by the institutions of the Convention shall apply to Sao Tome and Principe.

Article 2

For the purpose of the application of Article 7 (2) (a) of the Convention, Sao Tome and Principe shall not discriminate among the Member States as from the date of entry into force of this Agreement.

Regarding the obligation to grant to the Community treatment no less favourable than the most-favoured-nation treatment, Sao Tome and Principe shall have a transitional period of two years and six months from the date on which this Agreement is signed in which to make the appropriate adjustments to its customs tariff.

Article 3

The time limits laid down by the Convention and calculated from the entry into force of the Convention shall, for the purpose of application to Sao Tome and Principe, be calculated from the entry into force of this Agreement.

Article 4

1. As regards the Community, this Agreement shall be validly concluded by a decision of the Council of the European Communities taken in accordance with the provisions of the Treaty and notified to the Parties.

It will be ratified by the Signatory States in accordance with their respective constitutional requirements.

2. The instruments of ratification and the act of notification of the conclusion of this Agreement shall be deposited, as concerns Sao Tome and Principe, with the Secretariat of the Council of the European Communities and, as concerns the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

Article 5

This Agreement shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of Sao Tome and Principe, and of the act of notification of the conclusion of this Agreement by the Community.

Article 6

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

Article 7

This Agreement, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

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.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundert-siebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenen-zeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

Guillaume de Belgique

For Hendes Majestæt Danmarks Dronning

Al. Gyldenløve

Für den Präsidenten der Bundesrepublik Deutschland

W. Mittel

Pour le président de la République française

10 mai

For the President of Ireland

Anna Dillon

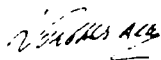
Per il presidente della Repubblica italiana

Paolo M. Lulij

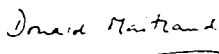
Pour Son Altesse Royale le grand-duc de Luxembourg

J. ...

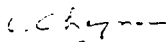
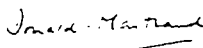
Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland



For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen



Pour le président de la republique démocratique de São Tomé et Prince



PROTOCOL

concerning the transitional arrangements for the issue of certificates of origin

THE HIGH CONTRACTING PARTIES

HAVE AGREED UPON THE FOLLOWING PROVISIONS, WHICH ARE ANNEXED TO THE AGREEMENT:

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating' products and which, on the date of entry into force of the Agreement, are being either transported or held in the Community or in an ACP State in temporary storage, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the Agreement, subject to the submission to the customs authorities in the importing State within four months of the said date, of:

- (a) a movement certificate EUR. 1 issued retrospectively by the customs authorities in the exporting State, or
- (b) a certificate of origin issued by the competent authorities in that State,

and, in either case, any documents which provide supporting evidence of direct transport.

FINAL ACT

The Plenipotentiaries of

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

The Plenipotentiary of

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO
TOME AND PRINCIPE,

of the other part,

meeting at Brussels on 28 March 1977 for the purpose of signing the Agreement on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé,

HAVE ADOPTED THE FOLLOWING TEXTS:

the Agreement on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé and the Protocol on the transitional arrangements for the issue of certificates of origin.

The Plenipotentiary of the President of the Democratic Republic of Sao Tome and Principe has stated that the Democratic Republic of Sao Tome and Principe associates itself with the following declarations, in so far as they continue to apply:

- the Joint Declaration on fishing activities annexed to the ACP-EEC Convention of Lomé,
- the Joint Declarations contained in Annexes I to XIII of the Final Act of the ACP-EEC Convention of Lomé.

He has also taken note of the declarations contained in Annexes XIV to XXIV of the Final Act of the ACP-EEC Convention of Lomé and the following declarations by the European Economic Community:

1. Declaration by the Community on the entry into force of the Accession Agreement

- '1. The Community considers that it is highly desirable that the Agreement of Accession to the Lomé Convention signed with the Democratic Republic of Sao Tome and Principe should enter into force on the same date as the other Accession Agreements signed this day with the Republic of Cape Verde and Papua New Guinea.

To this end it intends to carry out the procedures provided for in Article 4 of the said Agreement on the same date for all three Accession Agreements.

2. In view of the fact that the Lomé Convention is due to expire on 1 March 1980 and that in accordance with Article 91 thereof the parties to the Convention should, 18 months before that date,

enter into negotiations in order to examine what provisions shall subsequently govern relations between them, the Community considers that the accession of the new States to the Convention should become effective within a reasonable period.

Consequently, if any of the three States which have today signed an Agreement of Accession to the Lomé Convention has not deposited its instrument of ratification within the following 18 months, the Community reserves the right to take all necessary measures, in particular to permit the Accession Agreements signed by the State or States which have already deposited an instrument of ratification to enter into force separately.'

II. Measures to permit immediate application of certain financial provisions upon entry into force of the Agreement

'In the field of financial and technical cooperation, the European Economic Community will take measures, with particular reference to the programming of aid, such as to permit the effective application of the relevant provisions of the Convention as soon as the Agreement on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé enters into force.'

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundert-siebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

Franz von Sierden

For Hendes Majestæt Danmarks Dronning

Leopoldine de Sierden

Für den Präsidenten der Bundesrepublik Deutschland

W. Ritter

Pour le président de la République française

1 d m m

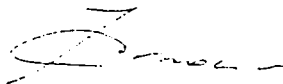
For the President of Ireland

Brenda Dillon

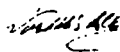
Per il presidente della Repubblica italiana

Paolo M. Anichini

Pour Son Altesse Royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland

Janina Maitland

For Rådet for De europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

Janina Martini
C. Cheyrou

Pour le président de la république démocratique de São Tomé et Prince

J. de Sousa

AGREEMENT

amending the Internal Agreement on the financing and administration of
Community aid signed on 11 July 1975 ⁽¹⁾

(78/824/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Economic
Community,

Whereas the ACP-EEC Convention of Lomé, hereinafter called the
'Convention', laid down in its Article 42 the aggregate amount of
Community aid to the original ACP States signatory thereto; whereas
pursuant to Articles 89 and 90 of that Convention the accession of a
State shall not adversely affect the advantages accruing to the ACP
States signatory to the said Convention under the provisions on financial
and technical cooperation and the stabilization of export earnings;

Whereas, with a view to the Decision which the Council was to adopt
on 29 June 1976 on the association of the overseas countries and terri-
tories with the European Economic Community, the Internal Agreement
on the financing and administration of Community aid, signed on 11
July 1975, hereinafter called the 'Internal Agreement', laid down the
aggregate amount of Community aid to the overseas countries and
territories and to the French overseas departments; whereas the same
Agreement empowered the Council to adjust the amounts laid down
therein for the ACP States and for the OCT and FOD if an overseas
country or territory which became independent acceded to the
Convention;

(1) OJ No L 287, 13.10.1978.

Whereas, following the accession of the Republic of Suriname, the Republic of Seychelles and the Comoro State to the Convention on 16 July, 27 August and 13 September 1976 respectively, the Council made an adjustment to the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and the countries and territories and the French overseas departments on the other by its Decision of 14 February 1977;

Whereas the Agreements between the European Economic Community and the Democratic Republic of Sao Tome and Principe, the Republic of Cape Verde and Papua New Guinea respectively, hereinafter called 'Accession Agreements', provided for the accession of those three States to the Convention;

Whereas the amount of aid for the ACP States should therefore be increased; whereas to that end the total amount for the ACP States should be increased by the amount of 13 million European units of account provided for in the Council Decision on the association of the overseas countries and territories and which has to date remained frozen; whereas this amount should be supplemented by a contribution from the Member States broken down in accordance with the scale laid down in the Internal Agreement;

Whereas, pursuant to Article 10 (1) of the Internal Agreement and in order to facilitate the fulfilment of the obligations thus assumed by the Member States, the Council assigned to the European Investment Bank, hereinafter called 'Bank', the task of transferring to the European Development Fund, hereinafter called 'Fund', payments made to the Bank in respect of the operations referred to in that Article, up to the amount of the contributions which Belgium, Germany, France, Italy, Luxembourg and the Netherlands are called upon to make available to the Fund as from the date of entry into force of the three Accession Agreements; whereas Denmark, Ireland and the United Kingdom, which did not participate in the financing of the previous Development Funds, are to pay their contributions directly to the Fund;

Whereas the Internal Agreement should accordingly be amended;

Whereas this Agreement should apply as soon as the ratification and notification procedures of any one of the three Accession Agreements have been completed; whereas, however, in the event of one or more acceding States not completing the ratification procedures of the Accession Agreement it has signed within a reasonable period, the Council should be empowered to carry out the appropriate adjustment of the amount of aid for the ACP States;

Having consulted the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

Article 1

The following paragraph is inserted after Article 1 (2) of the Internal Agreement:

'2a From the entry into force of the new Agreement the Fund shall consist of 3 159·50 million European units of account. In addition to the 3 150 million European units of account provided for in paragraph 2 this amount shall include 9·50 million European units of account composed of additional contributions from the Member States as follows:

Belgium	593 750 European units of account
Denmark	228 000 European units of account
Germany	2 465 250 European units of account
France	2 465 250 European units of account
Ireland	57 000 European units of account
Italy	1 140 000 European units of account
Luxembourg	19 000 European units of account
Netherlands	755 250 European units of account
United Kingdom	1 776 500 European units of account.'

Article 2

The following paragraphs are inserted after Article 1 (3) of the Internal Agreement:

'3a From the entry into force of the new Agreement the amount of 3 159·50 million European units of account referred to in paragraph 2a shall be allocated as follows:

- (a) 3 054·10 million European units of account for the ACP States, consisting of:
 - 3 000 million European units of account from the amount initially provided for in paragraph 3(a) for the original ACP States,
 - 9·50 million European units of account from the amount provided for in paragraph 2a,
 - 13 million European units of account from the amount stated in Article 30 (4) (a), first indent, as introduced by the Council Decision of 14 February 1977 adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community,
 - 31·60 million European units of account from the amount transferred from the appropriation for the OCT to that for the ACP under the Council Decision of 14 February 1977 adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and for the overseas countries and territories and the French overseas departments on the other, following the accession of the Republic of Suriname, the Republic of Seychelles and the Comoro State to the Convention;

- (b) 105·40 million European units of account for the overseas countries and territories and the French overseas departments from the amounts originally laid down in paragraphs 3b and 3c, taking into account the reduction made under the Decision referred to in the fourth indent of subparagraph (a).

3b (a) The amount stated in paragraph 3a (a) for the ACP States shall be allocated as follows:

2 137·00 million European units of account in the form of grants

440·10 million European units of account in the form of special loans

97·00 million European units of account in the form of risk capital

380·00 million European units of account in the form of transfers pursuant to Title II of the Convention.

(b) The amount stated in paragraph 3a(b) for the overseas countries, territories and departments shall be allocated as follows:

37·00 million European units of account in the form of grants

29·40 million European units of account in the form of special loans

4·00 million European units of account in the form of risk capital

15·00 million European units of account in the form of a reserve

20·00 million European units of account in the form of transfers for the countries and territories, pursuant to those provisions of the Decision which concern the system for stabilizing export earnings.'

Article 3

This Agreement amending the Internal Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the General Secretariat of the Council of the European Communities when the procedures required for its entry into force have been completed.

Provided that the provisions of the preceding paragraph have been satisfied, this Agreement shall enter into force on the date on which the

Community deposits with the Secretariat of the ACP States the first of the three acts of notification of the conclusion of one of the Agreements on accession to the Convention.

In the event of one or more States which have signed Accession Agreements with the Community not having deposited its instrument of ratification within the time limit provided for in the Community declaration annexed to the Final Act of each Accession Agreement the Council, acting unanimously, will carry out the appropriate adjustment to the amount of the aid for the ACP States.

Article 4

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, all six texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall transmit a certified copy to the Government of each of the Signatory States.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundert-siebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenen-zeventig.

Pour le gouvernement du royaume de Belgique

Voor de Regering van het Koninkrijk België

F. Van der Meulen

På kongeriget Danmarks vegne

B. Gylden-Sørensen

Für die Regierung der Bundesrepublik Deutschland

H. Ritter

Pour le gouvernement de la République française

J. Durieux

For the Government of Ireland

Brendan Dillon

Per il governo della Repubblica italiana

Piero De André

Pour le gouvernement du grand-duché de Luxembourg

.....

Voor de Regering van het Koninkrijk der Nederlanden

.....

For the Government of the United Kingdom of Great Britain and Northern Ireland

.....

COUNCIL DECISION

of 22 March 1977

on the allocation of 7 438 500 European units of account to
the European Development Fund (1975)

(77/250/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽¹⁾, signed in Brussels on 11 July 1975, hereinafter called 'Internal Agreement', and in particular Article 10 (1) thereof,

Having regard to Council Decision 76/569/EEC of 29 June 1976 on the allocation of two million units of account to the French overseas territories pursuant to Article 10 of the Internal Agreement ⁽²⁾,

Having regard to the proposals from the Commission,

Whereas the Democratic Republic of Sao Tome and Principe, the Republic of Cape Verde and Papua New Guinea have submitted requests for accession to the ACP-EEC Convention of Lomé ⁽³⁾, pursuant to Article 90 thereof; whereas the Accession Agreements between the Community and these three States will be signed in the near future;

⁽¹⁾ This agreement appears in Volume 6, page 1223.

⁽²⁾ OJ No L 176, 1.7.1976.

⁽³⁾ This Convention appears in Volume 6, page 1003.

Whereas the Internal Agreement will be amended on the occasion of the accession of these three States to the ACP-EEC Convention of Lomé and will provide for the payment of additional contributions by the Member States to the European Development Fund (1975);

Whereas use should be made of the possibilities provided by Article 10 (1) of the Internal Agreement in respect of the additional contributions of the original Member States,

HAS DECIDED AS FOLLOWS:

Article 1

The payments, proceeds and income referred to in Article 10 (1) of the Internal Agreement which have accrued, as from 1 August 1975, from operations financed from the resources of the second and third European Development Funds (1963 and 1969), less any commission due to the European Investment Bank, shall be allocated as follows:

593 750 European units of account to Belgium,

2 465 250 European units of account to Germany,

2 465 250 European units of account to France,

1 140 000 European units of account to Italy,

19 000 European units of account to Luxembourg,

755 250 European units of account to the Netherlands,

i.e. a total of 7 438 500 European units of account;

these allocations shall be made in order to cover in part the contributions which those States will be required to pay to the Commission under the schedules of calls for contributions laid down by the Council pursuant to Article 7 of the Internal Agreement and the procedures laid down in

Article 2 of the Financial Regulation of 27 July 1976 applicable to the fourth European Development Fund ⁽¹⁾.

Article 2

These amounts shall be paid by the European Investment Bank, at the request of the Commission, within the limits of sums and currencies actually available.

The rates of exchange from these currencies to the European unit of account shall be those obtaining on the second working day before the payment.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

It shall be applicable from the date of entry into force of the Agreement amending the Internal Agreement.

Done at Brussels, 22 March 1977.

For the Council
The President
Judith HART

⁽¹⁾ OJ No L 229, 20.8.1976.

COUNCIL DECISION

of 30 May 1978

adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the overseas countries and territories and the French overseas departments ⁽¹⁾

(78/464/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid, signed on 11 July 1975, hereinafter referred to as the 'Internal Agreement', and in particular Article 1 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the Republic of Jibuti, which as the Territory of the Afars and Issas was one of the former overseas territories associated with the Community under Decision 76/568/EEC ⁽²⁾, has attained independence and has applied to accede to the Convention of Lomé pursuant to Article 89 thereof, whereas the ACP-EEC Council of Ministers has approved this application; whereas this State deposited its instrument of accession with the General Secretariat of the Council and thus acceded to the ACP-EEC Convention of Lomé on 2 February 1978;

(1) OJ No L 147, 3.6.1978.

(2) OJ No L 176, 1.7.1976.

Whereas, therefore, in accordance with Article 1 (4) of the Internal Agreement, the amounts provided for the overseas countries and territories in Article 1 (3) (b) of the said Internal Agreement should be reduced and those provided for the ACP States in subparagraph (a) of that paragraph correspondingly increased;

Whereas this adjustment must be made on the basis of the amounts specified in Decision 77/156/EEC ⁽¹⁾ which first adjusted the amounts made available to the European Development Fund following the accession of three former associated overseas countries and territories to the Convention of Lomé,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3) (a) and (b) of the Internal Agreement shall be replaced by the following:

‘(a) 3 034·35 million European units of account for the ACP States, comprising:

2 126·75 million European units of account in the form of grants,

436·60 million European units of account in the form of special loans,

96·00 million European units of account in the form of risk capital,

375·00 million European units of account in the form of transfers pursuant to Title II of the Convention;

(1) OJ No L 46, 18.2.1977.

(b) 95·65 million European units of account for the countries and territories and the French overseas departments, comprising:

42·83 million European units of account in the form of grants,

34·40 million European units of account in the form of special loans,

4·00 million European units of account in the form of risk capital,

14·42 million European units of account in the form of a reserve.'

Article 2

This Decision shall apply from 2 February 1978.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 30 May 1978.

For the Council
The President
I. NØRGAARD

**DECISIONS
OF THE ACP-EEC COUNCIL OF MINISTERS**

COUNCIL REGULATION (EEC) No 1484/78

of 19 June 1978

concerning the application of Decision No 1/78 of the ACP-EEC Council of Ministers amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and methods of administrative cooperation ⁽¹⁾

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up by the ACP-EEC Convention of Lomé, adopted, pursuant to Article 9 (2) of the Convention, Decision No 1/78 of 14 March 1978, amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and methods of administrative cooperation;

Whereas it is necessary, in accordance with Article 74 (3) of the Convention, to take measures to carry out this Decision,

(1) OJ No L 177, 30.6.1978

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/78 of the ACP-EEC Council of Ministers shall apply in the Community.

The text of the Decision is annexed hereto.

Article 2

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

It shall apply from 1 January 1978.

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

Done at Luxembourg, 19 June 1978.

For the Council
The President
P. DALSAGER

DECISION No 1/78 OF THE ACP-EEC COUNCIL OF MINISTERS

of 14 March 1978

amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the concept of 'originating products' and methods of administrative cooperation

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, and in particular Article 9 (2) thereof,

Whereas it is desirable to replace the model movement certificate EUR. 1 and the model form EUR. 2 used under the ACP-EEC Convention of Lomé with the model movement certificate EUR. 1 and model form EUR. 2 used under the preferential agreements;

Whereas it is desirable to provide, as in the preferential agreements, for the replacement of one or more certificates EUR. 1 by one or more other certificates EUR. 1 so as to introduce a system equivalent to that in use under the preferential agreements;

Whereas the Customs Cooperation Council has adopted a recommendation amending the Nomenclature and it is accordingly necessary to adapt lists A and B in Annexes II and III to Protocol 1 to the ACP-EEC Convention of Lomé, hereinafter called 'Protocol 1', and to introduce a specific rule for the origin of goods put up in sets,

HAS DECIDED AS FOLLOWS:

Article 1

The model movement certificate EUR. 1 in Annex V to Protocol 1 shall be replaced by that in Annex I hereto.

Movement certificates EUR. 1 made out on the forms previously in force may continue to be issued until 30 June 1979.

Article 2

The model form EUR. 2 in Annex VI to Protocol 1 shall be replaced by that in Annex II hereto.

The forms EUR. 2 previously in force may continue to be used until 30 June 1979.

Article 3

It shall at any time be possible to replace one or more movement certificates EUR. 1 by one or more other movement certificates EUR. 1 provided that this is done at the customs office where the goods are located.

Article 4

List A in Annex II to Protocol 1 shall be replaced by the List A in Annex III hereto.

Article 5

List B in Annex III to Protocol I shall be replaced by the List B in Annex IV hereto.

Article 6

Sets, as defined in General Rule 3 of the Customs Cooperation Council Nomenclature, shall be regarded as originating when all component

articles are originating products. Nevertheless, when a set is composed of originating and non-originating articles, the set as a whole shall be regarded as originating provided that the value of the non-originating articles does not exceed 15% of the total value of the set.

Article 7

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 8

This Decision shall apply from 1 January 1978.

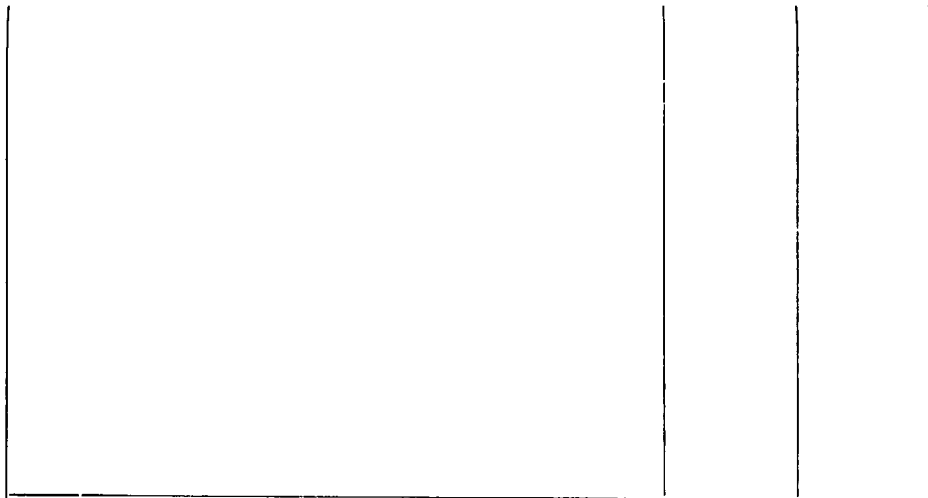
Done at Brussels, 14 March 1978.

For the ACP-EEC Council of Ministers
The President
L. ØSTERGAARD

ANNEX I
MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Certificate used in preferential trade between and (insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages (1); Description of goods	9. Gross weight (kg) or other measure (litres, m ² , etc.)	10. Invoices (Optional)	

(1) If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.



11. CUSTOMS ENDORSEMENT

Declaration certified
Export document (2)

Stamp

Form No

Customs office

Issuing country or territory

Date

(Signature)

12. DECLARATION BY THE EXPORTER

I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.

Place and date:

(Signature)

(2) Complete only where the regulations of the exporting country or territory require.

<p>13. REQUEST FOR VERIFICATION, to</p>	<p>14. RESULT OF VERIFICATION,</p>
<p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p>.....</p> <p>(Place and date) Stamp</p> <p>.....</p> <p>(Signature)</p>	<p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>.....</p> <p>(Place and date) Stamp</p> <p>.....</p> <p>(Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
3. Consignee (Name, full address, country) (Optional)	See notes overleaf before completing this form		
	2. Application for a certificate to be used in preferential trade between <div style="text-align: center;">.....</div> <div style="text-align: center;">and</div> <div style="text-align: center;">.....</div> <div style="text-align: center;">(insert appropriate countries, groups of countries or territories)</div>		
6. Transport details (Optional)	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾ ; Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

(From)

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DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....

.....

.....

.....

SUBMIT the following supporting documents (1):

.....

.....

.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

(Place and date)

(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX II

Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between ⁽¹⁾ and	
		2 Exporter (Name, full address, country)	
4 Consignee (Name, full address, country)		3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.	
		5 Place and date	
7 Remarks ⁽²⁾		6 Signature of exporter	
		8 Country of origin ⁽³⁾	9 Country of destination ⁽⁴⁾
		10 Gross weight (kg)	
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country ⁽⁴⁾ responsible for verification of the declaration by the exporter	

(1) Insert the countries, groups of countries or territories concerned.

(2) Refer to any verification already carried out by the appropriate authorities.

(3) The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating.

(4) The term 'country' means country, group of countries or territory of destination.

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that (1)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>(1) Insert X in the appropriate box.</p>
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(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR.2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR. 2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

ANNEX III

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

CCT heading No	Description	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine; smoking of fish, whether cooked or not	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	

07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of vegetables of heading No 07.01
07.04	Dried, dehydrated or evaporated vegetables, whole cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation, cutting, grinding, powdering of vegetables of heading Nos 07.01 to 07.03
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.09
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05	Drying of fruit
11.01	Cereal flours	Manufacture from cereals
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except rice falling within heading No 10.06; germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals
11.04	Flour of the dried leguminous vegetables falling within heading No 07.05 or of the fruits falling within any heading in Chapter 8; flour and meal of sago and of roots and tubers falling within heading No 07.06	Manufacture from dried leguminous vegetables of heading No 07.05, products of heading No 07.06 or of fruit of Chapter 8
11.05	Flour, meal and flakes of potato	Manufacture from potatoes

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
11.07	Malt, roasted or not	Manufacture from cereals	
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, or from potatoes or other products of Chapter 7	
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours	
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05	
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Manufacture from products of heading Nos 02.01 and 02.06	
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals	
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	Manufacture from products of Chapter 2	
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtle-wax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products	Manufacture from products of Chapters 7 and 12	

16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of Chapter 3
ex 17.01	Beet sugar and cane sugar, in solid form, flavoured or coloured	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product
ex 17.02	Other sugars, in solid form, flavoured or coloured	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product
ex 17.02	Other sugars, in solid form, not flavoured or coloured; sugar syrups, not flavoured or coloured; artificial honey, whether or not mixed with natural honey; caramel	Manufacture from any product
ex 17.03	Molasses, flavoured or coloured	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of Chapter 17 the value of which exceeds 30% of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 the value of which exceeds 30% of the value of the finished product	Manufacture from durum wheat
ex 19.02	Malt extract	Manufacture from products of heading No 11.07	
ex 19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa	Manufacture from cereals and derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
19.03	Macaroni, spaghetti and similar products		
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches	Manufacture from potato starch	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)	Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30% of the value of the finished product	
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Manufacture from products of Chapter 11	

19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	Manufacture from products of Chapter 11	
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: A. Nuts B. Other fruits	 Manufactured from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	 Manufacture, without added sugar or spirit, in which the value of the constituent originating products of heading Nos 08.01, 08.05 and 12.01, represents at least 60% of the value of the finished product

(1) This rule does not apply where the use of maize of the 'zea indurata' type or durum wheat is concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 20.07	Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
ex 21.02	Roasted chicory and extracts thereof	Manufacture from chicory roots, fresh or dried	
21.05	Soups and broths in liquid, solid or powder form; homogenized food preparations	Manufacture from products of heading No 20.02	
ex 21.07	Sugar syrups, flavoured or coloured	Manufacture from products of Chapter 17 of which the value exceeds 30% of the value of the finished product	
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07	Manufacture from fruit juices (1) or in which the value of products of Chapter 17 used exceeds 30% of the value of the finished product	
22.06	Vermouths and other wines of fresh grapes flavoured with aromatic extracts	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	

22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
ex 23.03	Residues from the manufacture of maize starch (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% by weight	Manufacture from maize or maize flour	
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture from products of heading No 24.01 of which at least 70% by quantity are originating products
ex 28.38	Aluminium sulphate		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

(1) This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

CCT heading No	Products obtained	Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
	Description		
30.03	Medicaments (including veterinary medicaments)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
32.06	Colour lakes	Manufacture from materials of heading No 32.04 or 32.05 (1)	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk barium carbonate and satin white (1)	
ex 33.06	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	Manufacture from essential oils (terpeneless or not), concretes, absolutes or resinoids (1)	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues		Manufacture from maize or potatoes
ex 35.07	Preparations used for clarifying beer, composed of papain and bentonite; enzymatic preparations for desizing textiles		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or cloth	Manufacture from products of heading No 37.02 (1)	

37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01 ⁽¹⁾	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾	
38.11	Disinfectants, insecticides, fungicides, rat poisons, herbicides, anti-sprouting products, plant growth regulators and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished products

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.15	Prepared rubber accelerators		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding: <ul style="list-style-type: none"> — Fusel oil and Dippel's oil; — Naphthenic acids and their water-insoluble salts; esters of naphthenic acids; 		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

- Sulphonaphthenic acids and their water-insoluble salts; esters of sulphonaphthenic acids;
- Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts;
- Mixed alkylbenzenes and mixed alkylnaphthalenes;
- Ion exchangers;
- Catalysts;
- Getters for vacuum tubes;
- Refractory cements or mortars and similar compositions;
- Alkaline iron oxide for the purification of gas;
- Carbon (excluding that in artificial graphite of heading No 38.01) in metal-graphite or other compounds, in the form of small plates, bars or other semi-manufactures
- Sorbitol other than that of heading No 29.04
- Ammoniacal gas liquors and spent oxide produced in coal gas purification

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 39.02	Polymerization products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06 with the exception of fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and corset busks and similar supports for articles of apparel or clothing accessories		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of heading Nos 41.02 to 41.06 (other than skin leather of crossed Indian sheep and Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50% of the value of the finished product
43.03	Articles of furskin	Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) (1)	
ex 44.21	Complete wooden packing cases, boxes, crates, drums and similar packings, excepting those made of fibreboard		Manufacture from boards not cut to size
ex 44.28	Match splints; wooden pegs or pins for footwear	Manufacture from drawn wood	
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
ex 48.07	Paper and paperboard, ruled, lined, or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 48.16	Boxes, bags and other packing containers, of paper or paper-board		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings	Manufacture from products of heading No 49.11	
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks	Manufacture from products of heading No 49.11	
50.04 (1)	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products other than those of heading No 50.04
50.05 (1)	Yarn spun from noil or other waste silk, not put up for retail sale		Manufacture from products of heading No 50.03
ex 50.07 (1)	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale		Manufacture from products of heading Nos 50.01 to 50.03
ex 50.07 (1)	Imitation catgut of silk		Manufacture from products of heading No 50.01 or of heading No 50.03 neither carded nor combed
50.09 (2)	Woven fabrics of silk, of noil or of other waste silk		Manufacture from products of heading No 50.02 or 50.03
51.01 (1)	Yarn of man-made fibres (continuous), not put up for retail sale		Manufacture from chemical products or textile pulp

51.02 (1)	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials	Manufacture from chemical products or textile pulp
51.03 (1)	Yarn of man-made fibres (continuous), put up for retail sale	Manufacture from chemical products or textile pulp
51.04 (2)	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02	Manufacture from chemical products or textile pulp
52.01 (1)	Metallized yarn, being textile yarn spun with metal or covered with metal by any process	Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed

- (1) For yarn composed of two or more textile materials, the conditions shown in the list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyester, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - to 30% where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
52.02 (1)	Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
53.06 (2)	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.07 (2)	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.08 (2)	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair of heading No 53.02
53.09 (2)	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03
53.10 (2)	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04
53.11 (1)	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading Nos 53.01 to 53.05
53.12 (1)	Woven fabrics of horsehair or of other coarse animal hair		Manufacture from products of heading Nos 53.02 to 53.05 or from horsehair of heading No 05.03
54.03 (2)	Flax or ramie yarn, not put up for retail sale		Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02

54.04 (2)	Flax or ramie yarn, put up for retail sale	Manufacture from materials of heading No 54.01 or 54.02
54.05 (1)	Woven fabrics of flax or of ramie	Manufacture from materials of heading No 54.01 or 54.02
55.05 (2)	Cotton yarn, not put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.06 (2)	Cotton yarn, put up for retail sale	Manufacture from materials of heading No 55.01 or 55.03
55.07 (1)	Cotton gauze	Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.08 (1)	Terry towelling and similar terry fabrics, of cotton	Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.09 (1)	Other woven fabrics of cotton	Manufacture from materials of heading No 55.01, 55.03 or 55.04
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning	Manufacture from chemical products or textile pulp

- (1) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 52.07;
 - to 30% where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (2) For yarn composed of two or more textile materials, the conditions shown in the list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05 (1)	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06 (1)	Yarn of man-made fibres (discontinuous or waste) put up for retail sale		Manufacture from chemical products or textile pulp
56.07 (2)	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of heading Nos 56.01 to 56.03
57.06 (1)	Yarn of jute or of other textile bast fibres of heading No 57.03		Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
ex 57.07 (1)	Yarn of true hemp		Manufacture from true hemp, raw
ex 57.07 (1)	Yarn of other vegetable textile fibres, excluding yarn of true hemp		Manufacture from raw vegetable textile fibres of heading Nos 57.02 to 57.04

ex 57.07	Paper yarn	Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
57.10 (2)	Woven fabrics of jute or of other textile bast fabrics of heading No 57.03	Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
ex 57.11 (2)	Woven fabrics of other vegetable textile fibres	Manufacture from materials of heading No 57.01, 57.02 or 57.04 or from coir yarn of heading No 57.07
ex 57.11	Woven fabrics of paper yarn	Manufacture from paper, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste

- (1) For yarn composed of two or more textile materials, the conditions shown in the list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated.
- (2) For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - to 30% where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
58.01 (1)	Carpets, carpeting and rugs knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02 (1)	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos. 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from coir yarn of heading No 57.07
58.04 (1)	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp
58.05 (1)	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
58.06 (1)	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp

58.07 (1)	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.08 (1)	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.09 (1)	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.10	Embroidery, in the piece, in strips or in motifs	Manufacture in which the value of the product used does not exceed 50% of the value of the finished product
59.01 (1)	Wadding and articles of wadding; textile flock and dust and mill neps	Manufacture either from natural fibres or from chemical products or textile pulp
ex 59.02 (1)	Felt and articles of felt, with the exception of needled felt, whether or not impregnated or coated	Manufacture either from natural fibres or from chemical products or textile pulp

(1) For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30% where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.02 (1)	Needled felt, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp or from fibre or continuous polypropylene filament of which the denomination of the filaments is less than eight denier and of which the value does not exceed 40% of the value of the finished product
59.03 (1)	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
59.04 (1)	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.05 (1)	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.06 (1)	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.07	Textile fabrics coated with gum or amylaceous substances, of a		Manufacture from yarn

	kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses	
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	Manufacture from yarn
59.10 ⁽¹⁾	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not	Manufacture either from yarn or from textile fibres
ex 59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods, with the	Manufacture from yarn

(1) For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20% where the material in question is yarn made of polyurethane segmented with flexible segments or polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30% where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.11 (cont'd)	exception of those consisting of fabric of continuous synthetic textile fibres, or of fabric composed of parallel yarns of continuous synthetic textile fibres, impregnated or covered with rubber latex, containing at least 90% by weight of textile materials and used for the manufacture of tyres or for other technical uses		
ex 59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods, consisting of fabric of continuous synthetic textile fibres or of fabric composed of parallel yarns of continuous synthetic textile fibres, impregnated or covered with rubber latex, containing at least 90% by weight of textile materials and used for the manufacture of tyres or for other technical uses		Manufacture from chemical products
59.12	Textile fabrics, otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like		Manufacture from yarn

59.13 (1)	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads	Manufacture from single yarn
59.15 (1)	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.16 (1)	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.17 (1)	Textile fabrics and textile articles, of a kind commonly used in machinery or plant	Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp

(1) For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20% where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30% where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 60 (1)	Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03 or from chemical products or textile pulp
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn (2)
ex 60.03	Stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn (2)
ex 60.04	Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn (2)

ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn (2)
ex 60.06	Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn (2)
ex 61.01	Men's and boys' outer garments, excluding fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from yarn (2) (3)

- (1) For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10% of the total weight of textile materials incorporated. This percentage shall be increased:
- to 20% where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
 - to 30% where the product in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.
- (2) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.
- (3) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.01	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product (1) (2)
ex 61.02	Women's, girls' and infants' outer garments, not embroidered, excluding fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from yarn (1) (2)
ex 61.02	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40% of the value of the finished product (1) (2)
ex 61.02	Women's, girls' and infants' outer garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product (1)
61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs		Manufacture from yarn (1) (2)
61.04	Women's, girls' and infants' under garments		Manufacture from yarn (1) (2)
ex 61.05	Handkerchiefs, not embroidered		Manufacture from unbleached single yarn (1) (2) (3)
ex 61.05	Handkerchiefs, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product (1)

ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered	Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste or from chemical products or textile pulp (1) (2)
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, embroidered	Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product (1)
61.07	Ties, bow ties and cravats	Manufacture from yarn (1) (2)
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	Manufacture from yarn (1) (2)
ex 61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, excluding fire resistant equipment of cloth covered by foil of aluminized polyester	Manufacture from yarn (1) (2)
ex 61.10	Fire resistant equipment of cloth covered by foil of aluminized polyester	Manufacture from uncoated cloth the value of which does not exceed 40% of the value of the finished product (1) (2)

- (1) Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.
- (2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.
- (3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets) with the exception of collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from yarn (1) (2)
ex 61.11	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product (1)
62.01	Travelling rugs and blankets		Manufacture from unbleached yarn of Chapters 50 to 56 (2) (3)
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered		Manufacture from unbleached single yarn (2) (3)
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40% of the value of the finished product
62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste (2) (3)
62.04	Tarpaulins, sails, awnings, sun-blinds, tents and camping goods		Manufacture from single unbleached yarn (2) (3)

ex 62.05	Other made up textile articles (including dress patterns) excluding fans and hand-screens, non-mechanical, frames and handles therefor and parts of such frames and handles		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.03	Footwear with outer soles of wood or of cork	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.04	Footwear with outer soles of other materials	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		Manufacture from textile fibres

- (1) Trimmings and accessories used (excluding lining and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10% of the total weight of all the textile materials incorporated.
- (2) These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.
- (3) For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		Manufacture either from yarn or from textile fibres
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved) whether or not surface ground or polished; multiple-walled insulating glass	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)

73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel	Manufacture from products of heading No 73.06
73.08	Iron or steel coils for re-rolling	Manufacture from products of heading No 73.07
73.09	Universal plates of iron or steel	Manufacture from products of heading No 73.07 or 73.08
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel	Manufacture from products of heading No 73.07
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	Manufacture from products of heading Nos 73.07 to 73.10, 73.12, or 73.13
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09 or 73.13
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09
73.14	Iron or steel wire, whether or not coated, but not insulated	Manufacture from products of heading No 73.10

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bed-plates, ties and other materials specialized for joining or fixing rails		Manufacture from products of heading No 73.06
73.18	Tubes and pipes and blanks thereof, of iron (other than of cast iron) or steel, excluding high-pressure hydroelectric conduits		Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.04	Wrought plates, sheets and strip, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾

74.06	Copper powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire; expanded metal, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.15	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper; bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
74.19	Other articles of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)

75.06	Other articles of nickel	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.05	Aluminium powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.08	Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.11	Containers, of aluminium, for compressed or liquefied gas		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.16	Other articles of aluminium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
77.02	Wrought bars, rods, angles, shapes and sections of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium; other articles of magnesium	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
78.03	Wrought plates, sheets and strip, of lead	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m ² ; lead powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product (1)

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
78.05	Tubes and pipes and blanks therefor, of lead; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends), of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
78.06	Other articles of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product ⁽¹⁾
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.06	Other articles of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

80.03	Wrought plates, sheets and strip, of tin	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² ; tin powders and flakes	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin	Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product (1)
82.06	Knives and cutting blades, for machines or for mechanical appliances	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product (1)

(1) These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 84	Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41)		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
84.15	Refrigerators and refrigerating equipment (electrical and other)		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts (1) used are originating products
ex 84.41	Sewing machines, including furniture specially designed for sewing machines		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: <ul style="list-style-type: none"> — at least 50% in value of the materials and parts (1) used for the assembly of the head (motor excluded) are originating products, and — the thread tension, crochet and zigzag mechanisms are originating products

ex Chapter 85	Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15	Working, processing or assembly in which the value of the non-originating material and parts used does not exceed 40% of the value of the finished product
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: — at least 50% in value of the materials and parts (1) used are originating products, and — the value of the non-originating transistors used does not exceed 3% of the value of the finished product (2)
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: — at least 50% in value of the materials and parts (1) used are originating products, and

- (1) In determining the value of products, materials and parts, the following must be taken into account:
- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
 - (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - the value of imported products,
 - the value of products of undetermined origin.
- (2) This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
85.15 (cont'd)			— the value of the non-originating transistors used does not exceed 3% of the value of the finished product (1)
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
87.09	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts (2) used are originating products
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading Nos 90.05, 90.07		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product

	(except electrically ignited photographic flashbulbs), 90.08, 90.12 and 90.26	
90.05	Refracting telescopes (monocular and binocular), prismatic or not	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts (2) used are originating products
ex 90.07	Photographic cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading No 85.20, with the exception of electrically ignited photographic flashbulbs	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the materials and parts (2) used are originating products
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers but not including re-recorders or film editing apparatus; any combination of these articles	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts (2) used are originating products

(1) This percentage is not cumulative with the 40%.

(2) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - the value of imported products,
 - the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08		Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
91.04	Other clocks		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts ⁽¹⁾ used are originating products

91.08	Clock movements, assembled	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% in value of the materials and parts (1) used are originating products
ex Chapter 92	Musical instruments, sound recorders or reproducers, television image and sound recorders or reproducers; parts and accessories of such articles, excluding products of heading No 92.11	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
92.11	Gramophones, dictating machines and other sound recorders or reproducers, including record-players and tape decks, with or without sound-heads; television image and sound recorders or reproducers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that: — at least 50% in value of the materials and parts (1) used are originating products, and — the value of the non-originating transistors used does not exceed 3% of the value of the finished product (2)

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - the value of imported products,
 - the value of products of undetermined origin.

(2) This percentage is not cumulative with the 40%.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
Chapter 93	Arms and ammunition; parts thereof		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 96.01	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs, blanks and parts of such articles		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

ANNEX IV

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
		Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92, in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5% of the value of the finished product
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50% of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 17.01	Beet sugar and cane sugar, in solid form, flavoured or coloured	Manufacture from beet sugar and cane sugar in solid form without flavouring or colouring of which the value does not exceed 30% of the value of the finished product
ex 17.02	Lactose, glucose, maple or other sugars, in solid form, flavoured or coloured	Manufacture from other sugars in solid form without flavouring or colouring of which the value does not exceed 30% of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 17.03	Molasses, flavoured or coloured	Manufacture from products without flavouring or colouring of which the value does not exceed 30% of the value of the finished product
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent products does not exceed 15% of the value of the finished product
ex 25.15	Marble squared by sawing, of a thickness not exceeding 25 cm	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex 25.19	Other magnesium oxide, whether or not chemically pure	Manufacture from natural magnesium carbonate (magnesite)
ex 25.32	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex Chapters 28 to 37	Products of the chemical and allied industries, excluding sulphuric anhydride (ex 28.13), calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03), tannins (ex 32.01), essential oils, resinoids and terpenic by-products (ex 33.01), preparations used for tenderizing meat, preparations used for clarifying beer composed of papain and bentonite and enzymatic preparations for the desizing of textiles (ex 35.07)	Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product
ex 28.13	Sulphuric anhydride	Manufacture from sulphur dioxide

ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermally
ex 32.01	Tannins (tannic acids), including water-extracted gall-nut tannin, and their salts, ethers, esters and other derivatives	Manufacture from tanning extracts of vegetable origin
ex 33.01	Essential oils (terpeneless or not), concretes and absolutes; resinoids; terpenic by-products of the deterpenation of essential oils	Manufacture from concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration
ex 35.07	Preparations used for tenderizing meat, preparations used for clarifying beer, composed of papain and bentonite, enzymatic preparations for the desizing of textiles	Manufacture from enzymes or prepared enzymes of which the value does not exceed 50% of the value of the finished product
ex Chapter 38	Miscellaneous chemical products, other than refined tall oil (ex 38.05), spirits of sulphate turpentine, purified (ex 38.07) and wood pitch (wood tar pitch) (ex 38.09)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification consisting of the distillation or refining of raw sulphate turpentine
ex 38.09	Wood pitch (wood tar pitch)	Distillation of wood tar
ex Chapter 39	Artificial resins and plastic materials, cellulose esters and ethers; articles thereof, excepting films of ionomers (ex 39.02)	Working or processing in which the value of the non-originating materials used does not exceed 20% of the value of the finished product
ex 39.02	Ionomer film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Vulcanized rubber thread and cord, textile covered	Manufacture from vulcanized rubber thread or cord, not textile covered
ex 41.01	Sheepskins and lambskins without the wool	Removing wool from sheepskins and lambskins in the wool

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 41.02	Retanned bovine cattle leather (including buffalo leather) and equine leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned
ex 41.03	Retanned sheepskin and lambskin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of sheepskin and lambskin leather, not further prepared than tanned
ex 41.04	Retanned goatskin and kidskin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of goatskin and kidskin leather, not further prepared than tanned
ex 41.05	Other kinds of retanned leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of other kinds of leather, not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins
ex 44.22	Casks, barrels, vats, tubs, buckets and other cooperers' products and parts thereof	Manufacture from riven staves of wood, not further prepared than sawn on one principal surface; sawn staves of wood, of which at least one principal surface has been cylindrically sawn, not further prepared than sawn
ex 50.03	Silk waste carded or combed	Carding or combing waste silk
ex 50.09 ex 51.04 ex 53.11 ex 53.12 ex 54.05 ex 55.07 ex 55.08 ex 55.09 ex 56.07	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5% of the value of the finished product

ex 59.14	Incandescent gas mantles	Manufacture from tubular gas-mantle fabric
ex 67.01	Feather dusters	Manufacture from feathers, parts of feathers or down
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.04	Hand-polishing stones, whetstones, oilstones, hones and the like, of natural stone, of agglomerated natural or artificial abrasives, or of pottery	Cutting, adjusting and glueing of abrasive materials, which, owing to their shape, are not recognizable as being intended for hand use
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	Cutting of bottles the value of which does not exceed 50% of the value of the finished product
70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses	Cutting of glassware the value of which does not exceed 50% of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50% of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones
ex 71.05	Silver and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.05	Silver, including silver gilt and platinum-plated silver, unwrought	Alloying or electrolytic separation of unwrought silver and silver alloys

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.07	Gold, including platinum-plated gold, unwrought	Alloying or electrolytic separation of unwrought gold or gold alloys
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum or other metals of the platinum group
ex 71.09	Platinum and other metals of the platinum group, unwrought	Alloying or electrolytic separation of unwrought platinum or other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled platinum or other unwrought platinum group metals, on base metal or precious metal
ex 73.15	Alloy steel and high carbon steel: — in the forms mentioned in heading Nos 73.07 to 73.13 --- in the forms mentioned in heading No 73.14	Manufacture from products in the forms mentioned in heading No 73.06 Manufacture from products in the forms mentioned in heading No 73.06 or 73.07
ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other) copper waste or scrap

ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes of heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 75.01	Unwrought nickel except nickel alloys	Refining of waste by electrolysis, by melting or by chemical means of waste and scrap
ex 76.01	Unwrought aluminium	Manufacture by thermal or electrolytic treatment of unalloyed aluminium, waste and scrap
76.16	Other articles of aluminium	Manufacture in which gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium, are used the value of which does not exceed 50% of the value of the finished product
ex 77.02	Other articles of magnesium	Manufacture from wrought bars, rods, angles, shapes and sections, plates, sheets and strip, wire, foil, raspings and shavings of uniform size, powders and flakes, tubes and pipes and blanks therefor, hollow bars, of magnesium, the value of which does not exceed 50% of the value of the finished product
ex 77.04	Beryllium, wrought	Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50% of the value of the finished product
ex 78.01	Refined lead	Manufacture by thermal refining from bullion lead
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten the value of which does not exceed 50% of the value of the finished product
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum the value of which does not exceed 50% of the value of the finished product
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value of which does not exceed 50% of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought, the value of which does not exceed 50% of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 82.09	Knives with cutting blades, serrated or not (including pruning knives) other than knives falling within heading No 82.06	Manufacture from knife blades
ex 83.06	Indoor ornaments made from base metals other than statuettes	Working or processing in which the value of the non-originating materials used does not exceed 30% of the value of the finished product
ex 84.05	Steam engines (including mobile engines, but not steam tractors falling within heading No 87.01 or mechanically propelled road rollers) with self-contained boilers	Working, processing or assembly in which the value of the products used does not exceed 40% of the value of the finished product
84.06	Internal combustion piston engines	Working, processing or assembly in which the value of the materials and parts used does not exceed 40% of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the materials and parts (1) used are originating products
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass-working machines) and cylinders therefor	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature, for wood, paper pulp, paper and paperboard manufacturing industries	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product

84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
84.33	Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25% of the value of the finished product
ex 84.41	Sewing machines, including furniture specially designed for sewing	<p>Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product, and provided that</p> <ul style="list-style-type: none"> — at least 50% in value of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products — and the thread tension, crochet and zigzag mechanisms are originating products
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products ⁽²⁾

(1) In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - the value of imported products,
 - the value of products of undetermined origin.

(2) The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40% of the value of the finished product and provided that at least 50% of the materials and parts used are originating products (1)
87.06	Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03	Working, processing or assembly in which the value of the materials and parts used does not exceed 15% of the value of the finished product
ex 94.01	Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, made of base metals	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product (2)
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25% of the value of the finished product (2)
ex 95.05	Articles in tortoise shell, mother of pearl, ivory, bone, horn, coral (natural or agglomerated) and other animal carving material	Manufacture from tortoise shell, mother of pearl, ivory, bone, horn, coral (natural or agglomerated) and other animal carving material; worked

ex 95.08	Articles in vegetable carving material (for example corozo), meerschaum and amber, natural or reconstituted, jet (and mineral substitutes for jet)	Manufacture from vegetable carving material (for example corozo), meerschaum and amber, natural or reconstituted, jet (and mineral substitutes for jet); worked
ex 96.01	Brushes and brooms	Manufacture using prepared knots and tufts for broom or brush making the value of which does not exceed 50% of the value of the finished product
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

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- (1) The application of this rule must not have the effect of allowing the exceeding of the percentage of 3% for the originating transistors laid down in List A for the same tariff heading.
- (2) This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.
-

COUNCIL REGULATION (EEC) No 215/79

of 5 February 1979

regarding the application of Decision No 4/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies) ⁽¹⁾

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé ⁽²⁾ signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the Convention, Decision No 4/78 derogating from the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 4/78 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

(1) OJ No L 31, 7.2.1979.

(2) This Convention appears in Volume 6, page 1003.

Article 2

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

It shall apply from 1 June 1978 until 31 December 1979.

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

Done at Brussels, 5 February 1979.

For the Council
The President
P. MEHAIGNERIE

DECISION No 4/78 OF THE ACP-EEC COUNCIL OF MINISTERS

of 21 December 1978

derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975 (hereinafter referred to as 'the Convention'), and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of the Republic of Kenya for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on this request;

Whereas in order to take into account the special situation of the Republic of Kenya and to enable the relevant industrial sector to develop its industry and to examine the possibility of using Community products for the manufacture of the articles in question, a derogation should be made for 18 months, which should meet this request;

Whereas any possible deflection of trade should be avoided; whereas this aim can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Kenya and falling within CCT heading No ex 97.07 'fishing flies', shall be considered as originating in Kenya provided that the value of the non-originating fish-hooks used for their manufacture, falling within CCT heading No ex 97.07, does not exceed 25% of the value of the finished product.

Article 2

The movement certificates EUR. 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 'remarks' one of the following endorsements:

- 'Derogation fishing flies',
- 'Undtagelse fluer til fiskeri',
- 'Afwijking kunstvliegen voor de visserij',
- 'Dérogation mouches pour la pêche',
- 'Abweichung Fliegen zum Flugangeln',
- 'Deroga mosche per la pesca'.

Article 3

The competent authorities of the Republic of Kenya shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 4

The ACP States, the Member States and the Community shall each take the measures required to implement this Decision.

Article 5

This Decision shall enter into force on 1 June 1978.

It shall apply until 31 December 1979.

Done at Brussels, 21 December 1978.

For the ACP-EEC Council of Ministers

The President

K. von DOHNANYI

COUNCIL REGULATION (EEC) No 216/79

of 5 February 1979

regarding the application of Decision No 5/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies) ⁽¹⁾

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé ⁽²⁾ signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the Convention, Decision No 5/78 derogating from the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 5/78 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

(1) OJ No L 31, 7.2.1979.

(2) This Convention appears in Volume 6, page 1003.

Article 2

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

It shall apply from 1 June 1978 until 31 December 1979.

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

Done at Brussels, 5 February 1979.

For the Council
The President
P. MEHAIGNERIE

DECISION No 5/78 OF THE ACP-EEC COUNCIL OF MINISTERS

of 21 December 1978

derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975 (hereinafter referred to as 'the Convention'), and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of the Republic of Malawi for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on this request;

Whereas, in order to take into account the special situation of the Republic of Malawi and to enable the relevant industrial sector to develop its industry and to examine the possibility of using Community products for the manufacture of the articles in question, a derogation should be made for 18 months which should meet this request;

Whereas any possible deflection of trade should be avoided; whereas this aim can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Malawi and falling within CCT heading No ex 97.07 'fishing flies', shall be considered as originating in Malawi, provided that the value of the non-originating fish-hooks used for their manufacture, falling within CCT heading No ex 97.07, does not exceed 25% of the value of the finished product.

Article 2

The movement certificates EUR. 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 'remarks' one of the following endorsements:

- 'Derogation fishing flies',
- 'Dérogation mouches pour la pêche',
- 'Undtagelse fluer til fiskeri',
- 'Abweichung Fliegen zum Flugangeln',
- 'Deroga mosche per la pesca',
- 'Afwijking kunstvliegen voor de visserij'.

Article 3

The competent authorities of the Republic of Malawi shall forward to the Commission every three months a statement of the quantities in

respect of which movement certificates EUR. 1 have been issued pursuant to this Decision indicating the Member States of destination.

Article 4

The ACP States, the Member States and the Community shall each take the measures required to implement this Decision.

Article 5

This Decision shall enter into force on 1 June 1978.

It shall apply until 31 December 1979.

Done at Brussels, 21 December 1978.

For the ACP-EEC Council of Ministers

The President

K. von DOHNANYI

INFORMATION CONCERNING

the ACP-EEC Convention of Lomé (1) — updating supplement

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
JIBUTI(2)		2.2.1978(3)	2.2.1978	same as Convention (until 1.3.1980)
SOLOMON ISLANDS(2)		27.9.1978(4)	27.9.1978	

— the AGREEMENT on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé (5)

EEC and Member States	28.3.1977	n. 25.9.1978 22.7.1977	1.11.1978(6)	same as Convention (until 1.3.1980)
CAPE VERDE				

— the AGREEMENT on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé⁽¹⁾

EEC and Member States	28.3.1977	n. 25.9.1978 22.12.1977	1.11.1978 ⁽⁶⁾	same as Convention (until 1.3.1980)
PAPUA NEW GUINEA				

— the AGREEMENT on the accession of the Democratic Republic of Sao Tomé and Príncipe to the ACP-EEC Convention of Lomé⁽¹⁾

EEC and Member States	28.3.1977	n. 25.9.1978 15.7.1978	1.11.1978 ⁽⁶⁾	same as Convention (until 1.3.1980)
SAO TOMÉ and PRINCIPE				

(1) This Convention appears in Volume 6, page 1003.

(2) See Article 89 of the Convention (accessions).

(3) OJ No L 147, 3.6.1978.

(4) OJ No L 297, 24.10.1978.

(5) OJ No L 271, 27.9.1978.

(6) OJ No L 287, 13.10.1978.

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
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— the AGREEMENT ⁽¹⁾ amending the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975 ⁽²⁾

Member States of EEC	28.3.1977	d. 21.9.1978	27.9.1978 ⁽¹⁾	same as Convention (until 1.3.1980)
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⁽¹⁾ OJ No L 287, 13.10.1978.

⁽²⁾ The Internal Agreement, which appears in Volume 6, page 1223, has also been amended by the Council Decisions of 14 February 1977 (see Volume 7, page 1275), 22 March 1977 and 30 May 1978 (see pages 3001 and 3005 of this volume).

Commodity agreements

The Fifth International Tin Agreement
(2nd updating supplement)

INFORMATION CONCERNING
the Fifth International Tin AGREEMENT ⁽¹⁾ — 2nd updating supplement⁽²⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of declaration of intention to ratify, accept or approve the Agreement	Date of deposit of instruments		Date of entry into force
			of ratification, acceptance, approval, etc.	of accession	
<i>Consumer countries</i>					
BELGIUM/LUXEMBOURG	26.4.1976	30.6.1976	20.9.1978		20.9.1978
EEC ⁽³⁾	29.4.1976	30.6.1976	22.12.1978		22.12.1978
NETHERLANDS	26.4.1976	28.6.1976	2.2.1978		2.2.1978
NORWAY	28.12.1978			28.12.1978	28.12.1978
TURKEY	29.12.1978	8.6.1976		29.12.1978	29.12.1978

⁽¹⁾ This Agreement appears in Volume 6, page 1255.

⁽²⁾ The first updating supplement appears in Volume 7, page 1309.

⁽³⁾ See Article 54(a) of the Agreement.

The International Cocoa Agreement 1975
(2nd updating supplement)

INFORMATION CONCERNING

the International Cocoa AGREEMENT, 1975 ⁽¹⁾ — 2nd updating supplement⁽²⁾

Date of entry into force — provisional: 1.10.1976

— definitive: 7.11.1978

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of provisional application	Date of deposit of instruments		Date of entry into force ⁽³⁾
			of ratification, approval, acceptance, etc.	of accession	
<i>Exporting members</i>					
BRAZIL	9.6.1976	14.9.1976	7.11.1978		7.11.1978
PERU		28.8.1976		31.8.1978	31.8.1978
<i>Importing members</i>					
BELGIUM/LUXEMBOURG	23.8.1976	30.9.1976	6.10.1978		6.10.1978
GERMANY (Fed. Rep.)	14.7.1976	29.9.1976	28.3.1978		28.3.1978
ITALY	23.8.1976	29.9.1976	14.3.1978		14.3.1978
NETHERLANDS	5.8.1976	16.9.1976	31.3.1978		31.3.1978
PHILIPPINES				11.8.1978	11.8.1978
PORTUGAL		21.9.1978			

(1) This Agreement appears in Volume 6, page 1335.

(2) The first updating supplement appears in Volume 7, page 1315.

(3) These dates refer to the period during which the Agreement was in force provisionally.

Protocols

for the third extension of the Wheat Trade
Convention and the Food Aid Convention con-
stituting the International Wheat Agreement, 1971

(2nd updating supplement)

INFORMATION CONCERNING

the PROTOCOLS ⁽¹⁾ for the third extension of the Wheat Trade Convention and the Food Aid Convention constituting the International Wheat AGREEMENT, 1971 ⁽²⁾ — 2nd updating supplement ⁽³⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of provisional application	Date of deposit of instruments		Date of entry into force
			of ratification, acceptance, approval, etc.	of accession	

(a) Wheat Trade Convention, 1971 (extension)

<i>Exporting and importing members</i>					
ITALY		17.6.1976		27.7.1978	27.7.1978
NETHERLANDS		17.6.1976		30.6.1978	30.6.1978
<i>Exporting members</i>					
ARGENTINA	2.4.1976	2.4.1976	22.2.1978		22.2.1978

<i>Importing members</i>				
BOLIVIA	6.4.1976		14.2.1978	14.2.1978
IRAN			19.1.1978	19.1.1978
ISRAEL	1.4.1976		16.2.1978	16.2.1978

(b) *Food Aid Convention, 1971 (extension)*

ARGENTINA	2.4.1976	2.4.1976	22.2.1978		22.2.1978
ITALY		17.6.1976		27.7.1978	27.7.1978
NETHERLANDS		17.6.1976		30.6.1978	30.6.1978

(1) These Protocols appear in Volume 6, page 1473.

(2) This Convention appears in Volume 5, page 749.

(3) The first updating supplement appears in Volume 7, page 1323.

1978 Protocols

for the fourth extension of the Wheat Trade
Convention and the Food Aid Convention
constituting the International Wheat Agreement,
1971

1978 PROTOCOLS

for the fourth extension of the Wheat Trade Convention
and the Food Aid Convention constituting the International
Wheat Agreement, 1971 ⁽¹⁾

COUNCIL DECISION

of 12 May 1978

concerning the signing and the deposit of a declaration of provisional
application of the Protocols for the fourth extension of the Wheat Trading
Convention and the Food Aid Convention constituting the International
Wheat Agreement, 1971

(78/690/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

HAS DECIDED AS FOLLOWS:

Sole Article

The President of the Council is hereby authorized to designate the
person empowered to sign the declaration of provisional application of

(1) OJ No L 236, 26.8.1978.

the Protocols for the fourth extension of the Wheat Trading Convention and the Food Aid Convention constituting the International Wheat Agreement, 1971, annexed hereto, and to deposit it with the Government of the United States of America.

Done at Brussels, 12 May 1978.

For the Council
The President
P. DALSAGER

ANNEX

Declaration of provisional application of the Protocols for the fourth extension of the Wheat Trading Convention and the Food Aid Convention constituting the International Wheat Agreement, 1971, the texts of which were drawn up by the Conference held for that purpose in Geneva on 23 March 1978

It will not be possible for the European Economic Community to complete by 23 June 1978 the institutional procedures provided for in Article 6 of the Protocol for the fourth extension of the Wheat Trading Convention, 1971, and in Article VI of the Protocol for the fourth extension of the Food Aid Convention, 1971.

Therefore, in accordance with Articles 8 and VIII of the said Protocols, the Community makes this declaration of provisional application of the Protocols. By lodging such a declaration, the Community considers itself to be provisionally a party to the Protocols, with all the rights and obligations which result therefrom, until such time as the Council of the European Communities will have taken a final decision on the matter.

*On behalf of the Council of
the European Communities*

ADDENDUM

1978 PROTOCOL

for the fourth extension of the Wheat Trading Convention, 1971

THE GOVERNMENTS PARTY TO THIS PROTOCOL,

Considering that the Wheat Trading Convention, 1971 (hereinafter referred to as 'the Convention'), of the International Wheat Agreement, 1971, which was further extended by the 1976 Protocol, expires on 30 June 1978,

HAVE AGREED AS FOLLOWS:

Article 1

Extension, expiry and termination of the Convention

Subject to the provisions of Article 2 of this Protocol, the Convention shall continue in force between the parties to this Protocol until 30 June 1979 provided that, if a new International Agreement covering wheat enters into force before 30 June 1979 this Protocol shall remain in force only until the date of entry into force of the new Agreement.

Article 2

Inoperative provisions of the Convention

The following provisions of the Convention shall be deemed to be inoperative with effect from 1 July 1978:

- (a) Article 19 (4);
- (b) Articles 22 to 26 inclusive;
- (c) Article 27 (1);
- (d) Articles 29 to 31 inclusive.

Article 3

Definition

Any reference in this Protocol to a 'government' or 'governments' shall be construed as including a reference to the European Economic Community (hereinafter referred to as 'the Community'). Accordingly, any reference in this Protocol to 'signature' or to the 'deposit of instruments of ratification, acceptance, approval or conclusion' or 'an instrument of accession' or 'a declaration of provisional application' by a government shall, in the case of the Community, be construed as including signature or declaration of provisional application on behalf of the Community by its competent authority and the deposit of the instrument required by the institutional procedures of the Community to be deposited for the conclusion of an International Agreement.

Article 4

Finance

The initial contribution of any exporting or importing member acceding to this Protocol under Article 7 (1) (b) thereof, shall be assessed by the Council on the basis of the votes to be distributed to it and the period remaining in the current crop year, but the assessments made upon other exporting and importing members for the current crop year shall not be altered.

Article 5

Signature

This Protocol shall be open for signature in Washington from 26 April 1978 until and including 17 May 1978 by governments of countries party to the Convention as further extended by the 1976 Protocol, or which are provisionally regarded as party to the Convention as further extended by the 1976 Protocol, on 23 March 1978, or which are members

of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, and are listed in Annex A or B to the Convention.

Article 6

Ratification, acceptance, approval or conclusion

This Protocol shall be subject to ratification, acceptance, approval or conclusion by each signatory government in accordance with its respective constitutional or institutional procedures. Instruments of ratification, acceptance, approval or conclusion shall be deposited with the Government of the United States of America not later than 23 June 1978, except that the Council may grant one or more extensions of time to any signatory government that has not deposited its instrument of ratification, acceptance, approval or conclusion by that date.

Article 7

Accession

1. This Protocol shall be open for accession:
 - (a) until 23 June 1978 by the government of any member listed in Annex A or B to the Convention as of that date, except that the Council may grant one or more extensions of time to any government that has not deposited its instrument by that date; and
 - (b) after 23 June 1978 by the government of any member of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, upon such conditions as the Council considers appropriate by not less than two thirds of the votes cast by exporting members and two thirds of the votes cast by importing members.
2. Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America.

3. Where, for the purposes of the operation of the Convention and this Protocol, reference is made to members listed in Annex A or B to the Convention, any member the government of which has acceded to the Convention on conditions prescribed by the Council, or to this Protocol in accordance with paragraph 1 (b) of this Article, shall be deemed to be listed in the appropriate Annex.

Article 8

Provisional application

Any signatory government may deposit with the Government of the United States of America a declaration of provisional application of this Protocol. Any other government eligible to sign this Protocol or whose application for accession is approved by the Council may also deposit with the Government of the United States of America a declaration of provisional application. Any government depositing such a declaration shall provisionally apply this Protocol and be provisionally regarded as a party thereto.

Article 9

Entry into force

1. This Protocol shall enter into force among those governments which have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, in accordance with Articles 6, 7 and 8 of this Protocol by 23 June 1978 as follows:

- (a) on 24 June 1978 with respect to all provisions of the Convention other than Articles 3 to 9 inclusive, and Article 21; and
- (b) on 1 July 1978 with respect to Articles 3 to 9 inclusive, and Article 21 of the Convention,

if such instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application have been deposited not later than 23 June 1978 on behalf of governments representing exporting members which held at least 60% of the votes set out in

Annex A and representing importing members which held at least 50% of the votes set out in Annex B, or would have held such votes respectively if they had been parties to the Convention on that date.

2. This Protocol shall enter into force for any government that deposits an instrument of ratification, acceptance, approval, conclusion or accession after 23 June 1978 in accordance with the relevant provisions of this Protocol, on the date of such deposit except that no part of it shall enter into force for such a government until that part enters into force for other governments under paragraph 1 or 3 of this Article.

3. If this Protocol does not enter into force in accordance with paragraph 1 of this Article, the governments which have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, may decide by mutual consent that it shall enter into force among those governments that have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application.

Article 10

Notification by depositary government

The Government of the United States of America as the depositary government shall notify all signatory and acceding governments of each signature, ratification, acceptance, approval, conclusion, provisional application of, and accession to, this Protocol as well as of each notification and notice received under Article 27 of the Convention and each declaration and notification received under Article 28 of the Convention.

Article 11

Certified copy of the Protocol

As soon as possible after the definitive entry into force of this Protocol, the depositary government shall send a certified copy of this Protocol in

the English, French, Russian and Spanish languages to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations. Any amendments to this Protocol shall likewise be communicated.

Article 12

Relationship of the preamble to Protocol

This Protocol includes the preamble to the 1978 Protocols for the fourth extension of the International Wheat Agreement, 1971.

In witness whereof the undersigned, having been duly authorized to this effect by their respective governments or authorities, have signed this Protocol on the dates appearing opposite their signatures.

The texts of this Protocol in the English, French, Russian and Spanish languages shall be equally authentic. The originals shall be deposited with the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding party and to the Executive Secretary of the Council.

1978 PROTOCOL

for the fourth extension of the Food Aid Convention, 1971

THE PARTIES TO THIS PROTOCOL,

Considering that the Food Aid Convention, 1971 (hereinafter referred to as 'the Convention'), of the International Wheat Agreement, 1971, which was further extended by the 1976 Protocol, expires on 30 June 1978,

HAVE AGREED AS FOLLOWS:

Article I

Extension, expiry and termination of the Convention

Subject to the provisions of Article II of this Protocol, the Convention shall continue in force between the parties to this Protocol until 30 June 1979 provided that, if a new Agreement covering food aid enters into force before 30 June 1979 this Protocol shall remain in force only until the date of entry into force of the new Agreement.

Article II

Inoperative provisions of the Convention

The provisions of Article II (1), (2) and (3), of Article III (1) and of Articles VI to XIV inclusive, of the Convention, shall be deemed to be inoperative with effect from 1 July 1978.

Article III

International food aid

1. The parties to this Protocol agree to contribute as food aid to the developing countries, wheat, coarse grains or products derived there-

from, suitable for human consumption and of an acceptable type and quality, or the cash equivalent thereof, in the minimum annual amounts specified in paragraph 2 below:

2. The minimum annual contribution of each party to this Protocol is fixed as follows:

(tonnes)

States	Quantities
Argentina	23 000
Australia	225 000
Canada	495 000
European Economic Community	1 287 000
Finland	14 000
Japan	225 000
Sweden	35 000
Switzerland	32 000
United States of America	1 890 000

3. For the purpose of the operation of this Protocol, any party which has signed this Protocol pursuant to Article V (2) thereof, or which has acceded to this Protocol pursuant to Article VII (2) or (3) thereof, shall be deemed to be listed in Article III (2) of this Protocol together with the minimum contribution of such party as determined in accordance with the relevant provisions of Article V or VII of this Protocol.

Article IV

Food Aid Committee

There shall be established a Food Aid Committee whose membership shall consist of the parties listed in Article III (2) of this Protocol and of those others that become parties to this Protocol. The Committee shall appoint a chairman and a vice-chairman.

Article V

Signature

1. This Protocol shall be open for signature in Washington from 26 April 1978 until and including 17 May 1978 by the Governments of

Argentina, Australia, Canada, Finland, Japan, Sweden, Switzerland and the United States of America, and by the European Economic Community and its Member States, provided that they sign both this Protocol and the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971.

2. This Protocol shall also be open for signature, on the same conditions, to any party to the Food Aid Convention, 1967, which is not enumerated in paragraph 1 of this Article, provided that its contribution is at least equal to that which it agreed to make in the Food Aid Convention, 1967.

Article VI

Ratification, acceptance, approval or conclusion

This Protocol shall be subject to ratification, acceptance, approval or conclusion by each signatory in accordance with its constitutional or institutional procedures, provided that it also ratifies, accepts, approves or concludes the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971. Instruments of ratification, acceptance, approval or conclusion shall be deposited with the Government of the United States of America not later than 23 June 1978, except that the Food Aid Committee may grant one or more extensions of time to any signatory that has not deposited its instrument of ratification, acceptance, approval or conclusion by that date.

Article VII

Accession

1. This Protocol shall be open for accession by any party referred to in Article V of this Protocol, provided it also accedes to the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971, and provided further that in the case of any party referred to in Article V (2) its contribution is at least equal to that which it agreed to make in the Food Aid Convention, 1967. Instruments of accession under this paragraph shall be deposited not later than 23 June 1978, except that the

Food Aid Committee may grant one or more extensions of time to any party that has not deposited its instrument of accession by that date.

2. The Food Aid Committee may approve accession to this Protocol, as a donor, by the government of any member of the United Nations, of its specialized agencies or of the International Atomic Energy Agency, on such conditions as the Food Aid Committee considers appropriate, provided that the government also accedes at the same time to the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971, if not already a party to it.

3. Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America.

Article VIII

Provisional application

Any party referred to in Article V of this Protocol may deposit with the Government of the United States of America a declaration of provisional application of this Protocol, provided it also deposits a declaration of provisional application of the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971. Any other party whose application for accession is approved may also deposit with the Government of the United States of America a declaration of provisional application, provided that the party also deposits a declaration of provisional application of the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971, unless it is already a party to that Protocol or has already deposited a declaration of provisional application of that Protocol. Any such party depositing such a declaration shall provisionally apply this Protocol and be provisionally regarded as a party thereto.

Article IX

Entry into force

1. This Protocol shall enter into force for those parties that have deposited instruments of ratification, acceptance, approval, conclusion or accession:

- (a) on 24 June 1978 with respect to all provisions other than Article II of the Convention and Article III of the Protocol, and
- (b) on 1 July 1978 with respect to Article II of the Convention and Article III of the Protocol,

provided that all parties listed in Article V (1) of this Protocol have deposited such instruments or a declaration of provisional application by 23 June 1978 and that the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971, is in force. For any other party that deposits an instrument of ratification, acceptance, approval, conclusion or accession after the entry into force of the Protocol, this Protocol shall enter into force on the date of such deposit.

2. If this Protocol does not enter into force in accordance with the provisions of paragraph 1 of this Article, the parties which by 24 June 1978 have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application may decide by mutual consent that it shall enter into force among those parties that have deposited instruments of ratification, acceptance, approval, conclusion or accession, or declarations of provisional application, provided that the 1978 Protocol for the fourth extension of the Wheat Trading Convention, 1971, is in force, or they may take whatever other action they consider the situation requires.

Article X

Notification by depositary government

The Government of the United States of America as the depositary government shall notify all signatory and acceding parties of each signature, ratification, acceptance, approval, conclusion, provisional application of, and accession to this Protocol.

Article XI

Certified copy of the Protocol

As soon as possible after the definitive entry into force of this Protocol, the depositary government shall send a certified copy of this Protocol

in the English, French, Russian and Spanish languages to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations. Any amendments to this Protocol shall likewise be communicated.

Article XII

Relationship of the preamble to Protocol

This Protocol includes the preamble to the 1978 Protocols for the fourth extension of the International Wheat Agreement, 1971.

In witness whereof the undersigned, having been duly authorized to this effect by their respective governments or authorities, have signed this Protocol on the dates appearing opposite their signatures.

The texts of this Protocol in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited with the Government of the United States of America which shall transmit certified copies thereof to each signatory and acceding party.

DECLARATIONS OR RESERVATIONS

DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES

Washington DC, May 17, 1978

I have the honour to inform you that in connection with the Protocol for the Fourth Extension of the Wheat Trade Convention of 1971, the Council of the European Communities does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978, relating to the European Economic Community.

UNITED KINGDOM

Declaration on behalf of Her Majesty's Government

I have the honour to inform you that in connection with the Protocol for the further extension of the Wheat Trade Convention, 1971, the Government of the United Kingdom of Great Britain and Northern Ireland does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on 15 May 1978 relating to the European Economic Community.

IRELAND

May 17, 1978

I have the honour to inform you that, in connection with the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of Ireland does not accept the reservation relating to the European Economic Community accompanying the signature of the Union of Soviet Socialist Republics of that Protocol on May 15, 1978.

FEDERAL REPUBLIC OF GERMANY

May 16, 1978

I have the honour to inform you that in connection with the Protocol for the further extension of the Wheat Trade Convention, 1971, the Government of the Federal Republic of Germany does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978 relating to the European Economic Community.

FEDERAL REPUBLIC OF GERMANY ⁽¹⁾

Washington DC, 28 September 1978

In connection with the deposit today of the instrument of ratification of the Protocol for the fourth extension of the Wheat Trade Convention, 1971, I have the honour to declare on behalf of the Government of the Federal Republic of Germany that the said Protocol shall also apply to Berlin (West) with effect from the date on which it has entered into force for the Federal Republic of Germany.

⁽¹⁾ Translated by the translation departments of the Communities from the German text forwarded by the depositary.

FEDERAL REPUBLIC OF GERMANY (1)

Washington DC, 28 September 1978

In connection with the deposit today of the instrument of ratification of the Protocol for the fourth extension of the Food Aid Agreement, 1971, I have the honour to declare on behalf of the Government of the Federal Republic of Germany that the said Protocol shall also apply to Berlin (West) with effect from the date on which it has entered into force for the Federal Republic of Germany.

LUXEMBOURG

May 17, 1978

I have the honour to inform you that in connection with the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of the Grand Duchy of Luxembourg does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978 relating to the European Economic Community.

FRANCE (2)

Washington DC, 17 May 1978

I have the honour to inform you with reference to the Protocol for the fourth extension of the Wheat Trade Convention 1971 that the French Government does not accept the reservation which the Union of Soviet Socialist Republics entered with regard to the Community when it signed that Protocol on 15 May 1978.

(1) Translated by the translation departments of the Communities from the German text forwarded by the depositary.

(2) Translated by the translation departments of the Communities from the French text forwarded by the depositary.

ITALY

Washington DC, May 17, 1978

The Embassy of Italy presents its compliments to the Department of State and has the honour to inform that in connection with the Protocol for the fourth extension of the Wheat Trade Convention, 1971, the Government of the Republic of Italy does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978 relating to the European Economic Community.

USSR

The Government of the Union of Soviet Socialist Republics states that the participation of the Union of Soviet Socialist Republics in the Protocol does not create for the USSR any obligations with respect to the European Economic Community and that the provisions of the Protocol, limiting the possibility for some States to participate in it, are in contradiction to the generally recognized principle of sovereign equality of States.

DENMARK

May 17, 1978

I have the honour to inform you that in connection with the Protocol for the Fourth Extension of the Wheat Trade Convention, 1971, the Government of Denmark does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978, relating to the European Economic Community.

NETHERLANDS

Washington DC, May 17, 1978

I have the honour to inform you that in connection with the Protocol for the fourth extension of the Wheat Trade Convention, 1971, the Government of the Kingdom of the Netherlands does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978 relating to the European Economic Community.

BELGIUM

Washington, May 16, 1978

I have the honour to inform you that in connection with the Protocol for the further extension of the Wheat Trade Convention, 1971, the Government of Belgium does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on May 15, 1978 relating to the European Economic Community.

JAPAN

May 16, 1978

I have the honour to inform Your Excellency that in signing the Protocol for the Fourth Extension of the Food Aid Convention, 1971 of the International Wheat Agreement, 1971, the Government of Japan makes the following reservation thereto.

'The Government of Japan reserves the right to discharge its obligations under Article III of this Protocol by providing assistance in the form of rice, not excluding rice produced in non-member developing countries, or, if requested by recipient countries, in the form of agricultural materials.'

I have further the honour to request Your Excellency to have the foregoing reservation circulated among the signatory and acceding governments.

IRAQ (1)

This ratification constitutes, under no circumstances, a recognition of Israel or entering into any relations with it.

ISRAEL (2)

Washington DC, 22 January 1979

The Ambassador of Israel presents his compliments to The Honourable Secretary of State, and in reply to the Secretary's Note of September 22, 1978 referring to the Protocols for the Fourth Extension of the Wheat Trade Convention and Food Aid Convention Constituting the International Wheat Agreement, 1971, which were done at Washington on April 26, 1978, advising, *inter alia*, of the ratification of the Wheat Trade Protocol by Iraq and quoting a declaration by Iraq, has the honour to communicate the following:

The Government of the State of Israel has noted the political character of the statement made by the Government of Iraq on that occasion. In the view of the Government of the State of Israel, this Protocol is not the proper place for making such political pronouncements. Moreover, the said declaration cannot in any way affect whatever obligations are binding upon Iraq under general international law or under particular conventions. The Government of the State of Israel will, insofar as concerns the substance of the matter, adopt towards the Government of Iraq an attitude of complete reciprocity.

It is respectfully requested that the Department of State notify the other contracting parties of the content of this Note.

(1) Extract from the depositary's letter of 29.8.1978 to the Contracting Parties.

(2) Israel ratified the Wheat Trade Convention on 21.8.1975 (see Volume 5, page 818) and signed the 1976 Extending Protocols on 1.4.1976 (see Volume 6, page 1496).

THE REPUBLIC OF CUBA (1)

WHEREAS the Executive Committee of the Council of Ministers, in accordance with the provisions of subparagraph (ch) of the Constitution, unanimously agreed on 1 September 1978 to approve the signing of and to submit to the said Council for ratification the 1978 Protocol for the fourth extension of the 1971 Wheat Trade Convention, subject to the following:

DECLARATIONS

- 'The Republic of Cuba declares that signing the Protocol for the fourth extension of the 1971 Wheat Trade Convention may not be interpreted as recognition of the fascist Government of South Africa, which does not represent the South African people and which, because of its systematic practice of the discriminatory policy of apartheid, has been expelled from international organizations, has received the condemnation of the United Nations, and has been rejected by all peoples of the world.'
- 'The signing by the Republic of Cuba of the Protocol for the fourth extension of the 1971 Wheat Trade Convention may not be interpreted as recognition or acceptance of the Republic of Korea, inasmuch as it is not considered to be genuinely representative of the interests of the Korean people.'
- 'The Republic of Cuba wishes to reiterate that the provisions of Article 28 of the 1971 Wheat Trade Convention are no longer applicable because they are contrary to the Declaration on the granting of independence to colonial countries and peoples (Resolution 1514) made by the United Nations General Assembly on 14 December 1960, proclaiming the necessity of bringing colonialism in all its forms and manifestations to a speedy and unconditional end.'
- 'The Republic of Cuba declares in relation to Article 3 of the Protocol for the fourth extension of the Wheat Trade Convention that the participation of the European Economic Community therein does not signify the acceptance of legal obligations by the Republic of Cuba.'

(1) Translated by the translation departments of the Communities from the Spanish text forwarded by the depositary.

INFORMATION CONCERNING

the 1978 PROTOCOLS ⁽¹⁾ for the fourth extension of the Wheat Trade Convention and the Food Aid Convention constituting the International Wheat AGREEMENT, 1971 ⁽²⁾

Open for signature: 26.4.1978 — 17.5.1978

Depository: Government of the United States of America, Washington (USA)

Date of entry into force: 24.6.1978 ⁽³⁾

Duration: 1 year

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of provisional application	Date of deposit of instruments		Date of entry into force ⁽⁵⁾	Declarations or reservations ⁽⁷⁾
			of ratification, acceptance, approval, etc.	of accession		

(a) *Wheat Trade Convention, 1971 (extension)*

<i>Exporting and importing members</i>						
EEC	17.5.1978	23.6.1978			(6)	yes
BELGIUM	17.5.1978	17.5.1978			(6)	yes
DENMARK	17.5.1978		21.6.1978			yes
FRANCE	17.5.1978	22.6.1978	3.11.1978		3.11.1978	yes

GERMANY (Fed. Rep.)	17.5.1978	17.5.1978	28.9.1978		28.9.1978	yes
IRELAND	17.5.1978	23.6.1978	18.8.1978		18.8.1978	yes
ITALY	17.5.1978	17.5.1978			(6)	yes
LUXEM- BOURG	17.5.1978	17.5.1978			(6)	yes
NETHER- LANDS	17.5.1978		23.6.1978			yes
UNITED KINGDOM (*)	17.5.1978	17.5.1978			(6)	yes
<i>Exporting members</i>						
ARGENTINA	17.5.1978	26.5.1978			(6)	
AUSTRALIA				13.6.1978		
CANADA	17.5.1978		31.5.1978			
GREECE	17.5.1978					
KENYA		23.6.1978			(6)	
SPAIN	17.5.1978	22.6.1978	28.12.1978		28.12.1978	
SWEDEN	17.5.1978	22.6.1978	3.7.1978		3.7.1978	

(1) OJ No L 236, 26.8.1978.

(2) These Conventions appear in Volume 5, pages 749 *et seq.*

(3) The date of entry into force of Articles 3 to 9 inclusive and Article 21 of the Wheat Trade Convention, Article II of the Food Aid Convention and Article III of the Protocol to the latter is 1.7.1978.

(4) Pursuant to Article 28(3), the United Kingdom has extended the territorial application of the Convention to St. Vincent, Belize, Bermuda, the British Virgin Islands, Gibraltar, the Gilbert Islands, Hong Kong, Montserrat and St. Helena and Dependencies.

(5) This date is given only where it falls after the date of entry into force of the Protocol.

(6) See date of notification of provisional application.

(7) The texts of these declarations or reservations will be found on pages 3125 to 3131.

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of provisional application	Date of deposit of instruments		Date of entry into force (1)	Declarations or reservations (2)
			of ratification, acceptance, approval, etc.	of accession		
UNION OF SOVIET SOCIALIST REPUBLICS	15.5.1978		9.6.1978			yes
UNITED STATES	17.5.1978	20.6.1978			(3)	
<i>Importing members</i>						
AUSTRIA	11.5.1978					
BARBADOS				21.6.1978		
BOLIVIA				23.6.1978		
BRAZIL	17.5.1978	19.6.1978			(3)	
COSTA RICA		23.6.1978			(3)	
CUBA				15.9.1978	15.9.1978	yes
ECUADOR	16.5.1978	15.6.1978	9.8.1978		9.8.1978	
EGYPT	16.5.1978	19.6.1978	18.7.1978		18.7.1978	
EL SALVADOR		16.6.1978			(3)	
FINLAND	12.5.1978	23.6.1978	22.12.1978		22.12.1978	
GUATEMALA		14.6.1978			(3)	
INDIA	16.5.1978		21.6.1978			
IRAN		19.6.1978			(3)	

IRAQ	9.5.1978	23.6.1978	25.8.1978		25.8.1978	yes
JAPAN	16.5.1978	23.6.1978	15.11.1978		15.11.1978	yes
KOREA (Rep. of)	11.5.1978		23.5.1978			
LEBANON	15.5.1978					
MALTA		21.6.1978		3.7.1978	3.7.1978	
MAURITIUS	9.5.1978	20.6.1978	30.8.1978		30.8.1978	
NIGERIA		18.8.1978			(³)	
NORWAY	16.5.1978	23.6.1978	3.7.1978		3.7.1978	
PAKISTAN	11.5.1978		19.6.1978		19.6.1978	
PANAMA		23.6.1978		17.7.1978	17.7.1978	
PERU	17.5.1978		5.10.1978		5.10.1978	
PORTUGAL	17.5.1978	21.6.1978			(³)	
SAUDI ARABIA		14.6.1978		9.8.1978	9.8.1978	
SOUTH AFRICA (Rep. of)	2.5.1978		9.6.1978			
SWITZER- LAND	15.5.1978	7.6.1978			(³)	
SYRIA		18.1.1978		2.11.1978	2.11.1978	
TRINIDAD & TOBAGO				15.12.1978	15.12.1978	
TUNISIA		4.5.1978			(³)	
VATICAN CITY	5.5.1978	22.6.1978	20.12.1978		20.12.1978	
VENEZUELA		6.7.1978			(³)	

(1) This date is given only where it falls after the date of entry into force of the Protocol.

(2) The texts of these declarations or reservations will be found on pages 3125 to 3131.

(3) See date of notification of provisional application.

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of provisional application	Date of deposit of instruments		Date of entry into force (2)	Declarations or reservations (4)
			of ratification, acceptance, approval, etc.	of accession		

(b) *Food Aid Convention, 1971 (extension)*

EEC	17.5.1978	23.6.1978			(3)	
BELGIUM	17.5.1978	17.5.1978			(3)	
DENMARK	17.5.1978		21.6.1978			
FRANCE	17.5.1978	22.6.1978	3.11.1978		3.11.1978	
GERMANY (Fed., Rep.)	17.5.1978	17.5.1978	28.9.1978		28.9.1978	yes
IRELAND	17.5.1978	23.6.1978	18.8.1978		18.8.1978	
ITALY	17.5.1978	17.5.1978			(3)	
LUXEM- BOURG	17.5.1978	17.5.1978			(3)	
NETHER- LANDS	17.5.1978		23.6.1978			
UNITED KINGDOM (1)	17.5.1978	17.5.1978			(3)	
ARGENTINA	17.5.1978	26.5.1978			(3)	
AUSTRALIA				13.6.1978		

CANADA	17.5.1978		31.5.1978			
FINLAND	12.5.1978	23.6.1978	22.12.1978		22.12.1978	
JAPAN	16.5.1978	23.6.1978	15.11.1978		15.11.1978	yes
SWEDEN	17.5.1978	22.6.1978	3.7.1978		3.7.1978	
SWITZER- LAND	15.5.1978	7.6.1978			(³)	
UNITED STATES	17.5.1978	20.6.1978			(³)	

(1) Pursuant to Article 28(3), the United Kingdom has extended the territorial application of the Convention to St. Vincent, Belize, Bermuda, the British Virgin Islands, Gibraltar, the Gilbert Islands, Hong Kong, Montserrat and St. Helena and Dependencies.

(2) This date is given only where it falls after the date of entry into force of the Protocol.

(3) See date of notification of provisional application.

(4) The texts of these declarations or reservations will be found on pages 3125 to 3131

International Olive Oil Agreement, 1963

as amended by the Protocols of 7 March 1969 and 23 March 1973, further extending the Agreement

INTERNATIONAL OLIVE OIL AGREEMENT, 1963
as amended by the Protocols of 7 March 1969 and 23 March
1973, further extending the Agreement ⁽¹⁾

COUNCIL DECISION

of 19 December 1977

**on the application by the European Economic Community, as a provisional
measure, of the Protocol of 23 March 1973 for the extension of the 1963
International Olive Oil Agreement**

(78/544/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the 1963 International Olive Oil Agreement, as last extended
and amended by the Protocol of 23 March 1973, in a general way pro-
motes international cooperation and contributes to the achievement of
the Community's objectives in the fields of commercial policy and
common agricultural policy;

(1) OJ No L 169, 26.6.1978.

Whereas it is advisable that the Community declares its intention to accede to the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement, and to apply that Protocol as a provisional measure,

HAD ADOPTED THIS DECISION:

Article 1

The European Economic Community declares its intention to accede to the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement.

The provisions of this Protocol shall apply provisionally from 1 January 1978.

The texts of the Protocol and of the International Olive Oil Agreement, as amended by the said Protocol, are annexed to this Decision.

Article 2

The President of the Council is authorized to designate the person empowered to notify the Government of Spain, with whom the Agreement and Protocol are deposited, of this Decision.

Done at Brussels, 19 December 1977.

For the Council
The President
H. SIMONET

ANNEX I

INTERNATIONAL OLIVE OIL AGREEMENT, 1963

as amended by the Protocols of 7 March 1969 and 23 March 1973, further extending to the Agreement

PREAMBLE

(i) RECALLING that the olive:

- is a perennial fruit tree which, under conditions regarded as normal, begins to produce at an age varying between six and 15 years and on an average comes into full production when approximately 30 years old,
- is a plant indispensable for the maintenance and conservation of certain soils, and allows of developing lands which will not yield any other crop,
- is a plant on which depend the existence and standard of living of millions of families who are wholly dependent on the measures that are taken for maintaining and developing the consumption of its products, both in the producing countries themselves and to non-producing consumer countries.

RECALLING that, while olive oil, which is the chief of the resources derived from olive-growing, occupies a relatively restricted place in world nutrition at the present time, it nevertheless forms an essential basic commodity in the regions where olive-growing is established,

STRESSING in this connection the extreme importance of this production in the economy of numerous countries;

(ii) RECALLING that the essential feature of the olive oil market lies in the irregularity of harvests and in that of supplying the market,

and these irregularities result in fluctuations in the value of the production and in instability of prices and of receipts from exportation, as well as in considerable differences in the incomes of producers,

RECALLING that these facts give rise to special difficulties that may cause serious damage to the interests of producers and consumers and may jeopardize the general policies of economic expansion in the countries of the regions where olive-growing is established and is capable of undergoing the necessary expansion,

RECALLING that it is particularly necessary to remedy this situation by suitable measures, taking account of the very special features of olive-growing and of the olive oil market;

- (iii) RECALLING that such measures transcend the national field and international action is indispensable;
- (iv) CONSIDERING that it is essential to continue and develop the work undertaken within the framework of the International Olive Oil Agreement, 1956,

THE PARTIES TO THIS AGREEMENT HAVE AGREED AS FOLLOWS:

CHAPTER I

GENERAL OBJECTIVES

Article 1

The objectives of this Agreement are:

1. to promote international cooperation in connection with world olive oil problems, to prevent the occurrence of any unfair competition in the world olive oil trade and to ensure the delivery of a commodity that conforms to all the specifications of the contracts concluded;

2. to put into operation, or to facilitate, the application of such measures as are calculated to extend the production and consumption of, and international trade in, olive oil;
3. to strive to obtain a balance between production and consumption;
4. to reduce the disadvantages due to fluctuations of supplies on the market;
5. to examine the possibility of taking necessary action with regard to other products of the olive tree;
6. to continue and extend the work undertaken under the International Olive Oil Agreement, 1956.

CHAPTER II

PARTICIPATION

Article 2

Each Contracting Party shall constitute a single member of the Council except as otherwise provided in Article 24 (2) of this Agreement.

CHAPTER III

DEFINITIONS

Article 3

1. 'The Council' means the International Olive Oil Council referred to in Article 21 of this Agreement.
2. 'The Executive Committee' means the committee established under the conditions laid down in Article 30 of this Agreement.

3. 'The olive crop year' means the period between 1 November of each year and 31 October of the following year.

4. 'Mainly producing member' means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, exceeded its imports from 1966 to 1971 inclusive.

5. 'Mainly importing member' means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, been smaller than its imports from 1966 to 1971 inclusive, or for which no production of olive oil was recorded during the same crop years.

6. 'Member' means a Contracting Party or a territory or group of territories given separate representation under Article 24 (2) of this Agreement.

7. The European Economic Community, if it becomes a Contracting Party, shall be considered both as a mainly producing member and a mainly importing member, provided that:

(i) the provisions of Article 16 of this Agreement shall not apply to the Community;

(ii) notwithstanding Article 28 (1) of this Agreement, the Community shall be entitled, in all matters falling within Community jurisdiction, to cast the votes in the Council allotted to each of its Member States which are Contracting Parties, whether they are mainly producing or mainly importing members;

(iii) the Community shall also be entitled, in all matters falling within Community jurisdiction, to cast in any committee of the Council the votes of its Member States which are members of that committee; and

(iv) notwithstanding Article 33 of this Agreement, the contributions of the Community to the administrative budget for each calendar year

shall be fixed by the Council on the basis of the number of votes in the Council allotted to States members of the Community which are Contracting Parties; such contributions shall replace individual contributions by those States.

CHAPTER IV

GENERAL OBLIGATIONS

Article 4

The members undertake not to adopt any measures contrary to the obligations contracted under this Agreement or to the general objectives set forth in Article 1.

Article 5

The members undertake to adopt such measures as they deem appropriate to facilitate trade in, and to develop consumption of, olive oil.

Article 6

The members declare that, in order to raise the standard of living of populations, they will endeavour to maintain fair standards in working conditions throughout the olive-growing and olive oil industry and in activities deriving therefrom.

Article 7

The members undertake to make available and supply all the statistics, data and documentation necessary to enable the Council to discharge its functions under this Agreement, and, in particular, all information required to establish the olive oil balance-sheet, and to acquire a knowledge of members' national olive oil policies.

CHAPTER V

DESIGNATIONS AND DEFINITIONS OF OLIVE OILS AND OF OLIVE-RESIDUE OILS

INDICATIONS OF SOURCE AND APPELLATIONS OF ORIGIN

Article 8

1. The designation 'olive oil' shall be restricted to the oil obtained exclusively from the olive, excluding oils obtained by solvents or re-esterification processes, as well as any mixture with oils of any other nature.
2. Members shall undertake to suppress both in domestic and international trade, with the least possible delay and in any case before the expiry of this Agreement, any use of the designation 'olive oil' alone or in combination with other words, which is not in conformity with this Article.
3. The designation 'olive oil' used alone will in no case be applied to olive-residue oils.

Article 9

1. The designations of olive oil and olive-residue oils of different qualities are given in Annex A to this Agreement, which specifies the corresponding definition for each designation, taking into account for each such quality the recommendations passed under Article 22 (2) of this Agreement, covering standards for the physical and chemical characteristics of olive oil and olive-residue oil.
2. Such designations, which are compulsory for international trade purposes, must be used for each quality of olive oil and of olive-residue oil and they shall appear in clearly legible characters on all containers.

Article 10

1. Members undertake to adopt at the earliest possible date and before the expiry of this Agreement all necessary measures, in the manner prescribed by their respective legislations, to ensure the application of the principles and provisions set forth in Articles 9 and 11 of this Agreement and shall endeavour to apply them in their domestic trade.

2. They undertake in particular to prohibit and repress the use within their territories, for international trade purposes, of indications of source, appellations of origin and designations of olive oils and of olive-residue oils contrary to those principles. This undertaking shall apply to all inscriptions placed on containers, invoices, way-bills or commercial documents, as well as to those used in advertising, trade marks, registered brand names or illustrations used in the international marketing of olive oils and olive-residue oils, in so far as such inscriptions might constitute false statements or give rise to confusion as to the origin, source or quality of the olive oils and olive-residue oils.

Article 11

1. Indications of source or appellations of origin, when given, may only be applied to virgin olive oils produced exclusively in the country, region or locality mentioned or coming exclusively therefrom.

2. Blended olive oil, whatever its origin, may only bear the indication of source of the exporting country. Nevertheless, when the oil has been prepared and exported by the country supplying the virgin olive oils used in the blend, it may be identified by the appellation of origin of the virgin olive oil used in the said blend. Where use is made of the generic designation 'Riviera', well known in the international trade as a blend of virgin and refined olive oil, this designation must in every case be followed by the word 'type'. The word 'type' must appear on all containers in printed characters of the same size and manner of presentation as the word 'Riviera'.

Article 12

1. Any disputes on the subject of indications of source and appellations of origin arising from interpretation of the clauses of this Chapter of this Agreement, or from difficulties in applying these provisions which have not been settled by direct negotiation, shall be examined by the Council.

2. The Council shall endeavour to bring about conciliation after the Advisory Committee provided for in Article 35 (1) of this Agreement has expressed its opinion and prior consultation with the World Intellectual Property Organization, the International Federation of Olive Growers, and with a competent professional organization of a mainly importing member and, should the need arise, with the International Chamber of Commerce and the international institutions specialized in analytical chemistry; should it be unsuccessful and after all efforts to reach agreement have been exhausted, the members concerned shall have the right of recourse, as a last resort, to the International Court of Justice.

CHAPTER VI

WORLDWIDE PUBLICITY TO PROMOTE OLIVE OIL CONSUMPTION

Publicity programmes

Article 13

1. The members contributing to the publicity fund referred to in paragraph 3 of this Article undertake jointly to conduct general olive oil publicity campaigns with a view to maintaining and increasing olive oil consumption throughout the world. Such campaigns shall be based on the use of the designation 'olive oil' as defined in Article 8 of this Agreement.

2. Such campaigns shall take the form of educational and advertising campaigns and shall deal with the organoleptic and chemical characteristics and, if necessary, the nutritive, therapeutic and other properties of olive oil, but excluding any indication of quality, origin or country of export.

3. The resources of the publicity fund shall be used in accordance with the following criteria:

- (i) importance of consumption with the aim of maintaining and, if possible, developing existing markets;
- (ii) creation of new markets for olive oil;
- (iii) productiveness of publicity outlay.

Article 14

The general and more limited publicity campaigns to be undertaken under Article 13 above shall be decided on by the Council according to the resources made available to it for the purpose and having regard to the following considerations and opinions:

- (a) priority shall be given to action in the mainly producing countries and in countries where the consumption of olive oil is likely to increase;
- (b) the execution of campaigns may not be envisaged before the date on which the actual payments into the publicity fund total 70% of the contributions due;
- (c) consultation of appropriate agencies and institutions.

Article 15

The Council shall be responsible for administering the funds allotted for joint publicity purposes. The Council shall prepare annually, as an annex to its own budget, an estimate of receipts and expenditure relating to this publicity.

Publicity fund

Article 16

1. The mainly producing members undertake to place at the disposal of the Council, for each calendar year, for joint publicity purposes, a sum of money equivalent to US \$300 000 and payable in that currency. Nevertheless, the Council may decide what proportion of its contribution each member may be permitted to pay in other currencies.

The sum of \$300 000 mentioned above may be increased by the Council without, however, exceeding \$500 000, on condition on the one hand, that no member's contribution may be increased without its consent and, on the other hand, that any modification which may be made on that occasion in the coefficients set out in Annex B to the Agreement as amended, 1973, shall require a unanimous decision of the mainly producing members.

The sum of \$300 000 referred to above may be reduced if the aggregate production of the members represents less than 80% of the world production of olive oil during the reference period mentioned in Article 3. In that event, the sum of \$300 000 shall be reduced to an amount proportionate to the share of world production represented by the aggregate production of the mainly producing members.

By special agreement with the Council, the mainly importing members may make contributions to the publicity fund.

2. The mainly producing members, as defined in Article 3, shall contribute to the publicity fund in accordance with the coefficient established for each of them as set out in Annex B to the Agreement as amended, 1973. The coefficients in question, determined according to the average production and average net exports or imports of olive oil of each of the members during the olive crop years referred to in Article 3 of the Agreement as amended, 1973, in the proportion of 20% for production and 80% for net exports or imports, shall be subject to revision by the Council in 1976 for the purpose of their application

with effect from 1 January 1977. Such revision shall be effected by a decision taken by a majority of four fifths of the votes cast, including the votes of at least 70% of the number of mainly producing members, taking into consideration the average production and average net exports or imports of olive oil of each of the mainly producing members during the olive crop years 1968/69 to 1973/74, in the same proportion as specified above for such production and such net exports or imports.

3. The contributions to the publicity fund of the mainly producing members not mentioned in the aforesaid Annex B which become Parties to this Agreement shall be determined by the application to each of them of a coefficient established by special agreement between the Council and the member concerned and calculated in proportion to the coefficient shown in Annex B to the Agreement as amended, 1973, with respect to the members therein mentioned.

4. The contributions to the publicity fund shall be payable for the whole of the financial year, including the financial year during which the instruments of ratification, acceptance, approval or accession are deposited, whatever the date of such deposit.

5. Contributions to the publicity fund shall become due at the beginning of each calendar year.

6. The contributions to the publicity fund of the governments of States which become Parties to this Agreement after it has come into force, shall become payable as soon as they have become Parties to this Agreement, for the current calendar year, and afterwards under the same conditions as established for the other Parties.

7. With regard to collection of contributions to the publicity fund and in the event of delay in the payment of same, the provisions of Article 33 (5) of this Agreement shall apply.

8. If the Agreement expires and is not extended or renewed, any funds not used for publicity shall be refunded to the members proportionately to their total contributions for publicity during the period of validity of the International Agreement on Olive Oil, 1956, and of this Agreement.

9. For all decisions relating to publicity, each mainly producing member shall be allotted a number of votes proportionate to its contribution to the publicity fund under this Article. Any fractional vote resulting from the application of the coefficient established under the provisions of this Agreement shall be counted as a whole vote.

When a member concludes a special agreement with the Council under the last subparagraph of paragraph 1 of this Article to make a contribution to the publicity fund, it shall acquire a number of votes proportionate to its contribution, on condition that the agreement in question covers the period still to run before the expiry of the Agreement.

Article 17

The technical execution of publicity programmes may be entrusted by the Council to specialized bodies of its own choice, representative of the olive-growing and olive oil industries, among others the International Federation of Olive Growers.

Article 18

The Council may receive voluntary contributions from governments or from other sources for joint publicity purposes. Such occasional resources shall be added to the amount of the publicity fund as determined by Article 16 of this Agreement.

CHAPTER VII

ECONOMIC MEASURES

Article 19

1. Within the framework of the general objectives defined in Article 1 of this Agreement, with a view to contributing towards the normalization of the olive oil market and towards the correction of any imbalance between international supply and demand due to irregularity of crops or other causes, the Council shall, at the beginning of each olive crop year, make a detailed examination of olive oil balance sheets and an overall estimate of olive oil supplies and requirements, on the basis of the information supplied by each member under Article 7 of this Agreement, of whatever information may be supplied by governments of States not members of this Agreement interested in international trade in olive oil, and of any other relevant statistical information available to the Council.

2. Not later than 1 March each year, members shall officially inform the Council of the olive oil surpluses held in their territory over and above normal exports reported under paragraph 1, and which they wish to export to members or to non-members of this Agreement during the current olive crop year.

3. Not later than 1 March each year, members with deficits, after estimating all their requirements, both for consumption and export, shall officially inform the Council of their estimated import requirements during the current olive crop year.

4. Not later than 1 April, the Director of the Council shall notify all the members of the estimated olive oil surpluses and deficits of members and non-members of this Agreement during the current olive crop year, in order to facilitate direct negotiations between exporting and importing concerns of members. If they have such information, the members shall inform the Council as quickly as possible of the positive results thus obtained.

5. Not later than 31 May, the Council shall make a fresh overall estimate of olive oil supplies and requirements and a fresh examination of the market situation taking into account all the information available at this date, and may propose to members such measures as it deems desirable.

Article 20

The Council shall continue its studies with a view to making, as early as possible, recommendations to members calculated to secure the long term normalization of the olive oil market by means of suitable measures designed to encourage international trade.

CHAPTER VIII

ADMINISTRATION

International Olive Oil Council

Article 21

The International Olive Oil Council shall be entrusted with the administration of this Agreement.

Functions of the Council

Article 22

1. Within the framework of its administrative functions under the terms of the Agreement and apart from its particular duties in connection with the joint publicity fund, the Council shall be responsible for promoting action for the stabilization and expansion of the world olive oil economy, by every means in its power, in the fields of production, trade and consumption.

2. The Council shall examine ways and means of securing the development of international trade and an increase in olive oil consumption. It shall in particular make to members appropriate recommendations concerning:

- (i) the adoption and application of a standard international contract for transactions in olive oil and olive-residue oil;
- (ii) the constitution and functioning of an International Reconciliation and Arbitration Board to deal with possible disputes in matters of olive oil and olive-residue oil transactions;
- (iii) the setting of uniform standards for the chemical and physical characteristics of olive oil and of olive-residue oils;
- (iv) the setting of uniform methods of analysis.

3. The Council shall take all measures that could lead to the drafting of a code of standard fair trade practices for the international olive oil and olive-residue oil trade, particularly with respect to margins of tolerance.

4. The Council shall take any measures it considers useful in order to suppress unfair competition on the international level by States which are not Parties to the Agreement or by persons subject to the jurisdiction of such States.

5. The Council may also undertake studies on questions relating to olive oil and olive-growing, and the stabilization and expansion of the olive oil market.

Furthermore, it is authorized to undertake or cause to be undertaken other work, in particular the collection of detailed information concerning special assistance in different forms to olive oil activities, so as to be able to formulate any recommendations and suggestions it may deem advisable for the attainment of the general objectives listed in Article 1 of this Agreement.

All such studies and work should particularly cover as large a number of countries or group of countries as possible and take into account the general economic and social conditions of the countries concerned.

6. The Council shall establish procedures under which the members shall inform the Council of the conclusions at which they have arrived after considering the recommendations and suggestions referred to in this Article or arising from application of this Agreement.

Article 23

1. The Council shall draw up rules of procedure in conformity with the provisions of this Agreement. It shall keep up to date such records as are required to enable it to discharge its functions under this Agreement, and such other records as it considers desirable. In the event of inconsistency between the rules of procedure thus adopted and the provisions of this Agreement, the Agreement shall prevail.

2. The Council shall draw up, prepare and publish any reports, studies, charts, analyses or other documents which it may deem useful and necessary.

3. The Council shall publish, at least once a year, a report on its activities and on the operation of this Agreement.

4. The Council may delegate to the executive committee, constituted under the conditions specified in Article 30, the exercise of each of its powers and each of its functions except those of Articles 16, 25 (1) and 33 (2) and (3). The Council may, at any time, revoke such delegation of powers.

5. The Council may appoint such special committees as it deems useful for assisting it in the exercise of its functions under this Agreement.

6. The Council shall exercise such other functions as are necessary for the execution of the provisions of this Agreement.

Composition of the Council

Article 24

1. Subject to the provisions of paragraph 2 of this Article, each Contracting Party shall be a member of the Council with a right to vote. It shall have the right to be represented on the Council by a delegate and it may designate alternates. The delegate and alternates may be accompanied at the meetings of the Council by as many advisers as each member deems necessary.

2. A Contracting Party which is mainly interested in the importation or consumption of olive oil and which represents in international affairs one or more dependent or self-governing territories mainly interested in the production or exportation of olive oil, or vice versa, shall be entitled either to joint representation in the Council with the dependent or self-governing territories which it represents in international affairs or, if it so desires, to the separate representation of such territory or territories.

3. The Council shall elect, from among the members of the delegations of the Contracting Parties, a chairman who shall not be entitled to vote and who shall hold office for the period of one olive crop year. In the event of the chairman being a voting delegate, his right to vote shall be exercised by another member of his delegation. The chairman shall receive no remuneration.

4. The Council shall also elect, from among the members of the delegations of the Contracting Parties, a deputy chairman. The deputy chairman, in the event of his being a voting delegate, shall have the right to vote except when acting as chairman, in which case he will transfer his right to vote to another member of his delegation. He shall hold office for the period of one olive crop year and shall receive no remuneration.

Meetings of the Council

Article 25

1. The seat of the Council shall be Madrid unless the Council decides otherwise by a majority of two thirds of the votes cast. It shall hold its

sessions there unless it decides, as an exception, to hold a particular session in another place. Should a member invite the Council to meet elsewhere than at its seat and if a decision is taken agreeing to the invitation, the said member shall bear the extra expenditure resulting from such invitation for the budget of the Council.

2. The Council shall meet at least twice a year, taking account in particular of the provisions of Article 19 of this Agreement.

3. The Council may be convened at any time by its chairman at his discretion. The chairman shall also convene the Council if so requested:

(i) by five members;

(ii) by one or more members holding at least 10% of the total votes;

(iii) by the executive committee;

(iv) when a member of the Council appeals against a decision of the said committee in accordance with Article 30 (8) of this Agreement.

4. Notice of the sessions envisaged in paragraph 2 of this Article must be sent out at least 30 days before the date of the first meeting of each of them.

Notice of the sessions envisaged in paragraph 3 of this Article must be sent out at least seven days before the date of the first meeting of each of them.

Article 26

The quorum required for any Council meeting shall consist of two thirds of the total number of votes, on the understanding that this quorum shall include the votes of not less than two members referred to in Article 3 (5) of this Agreement. Nevertheless, if such a quorum is not reached on the day appointed for a meeting of the Council convened in conformity with Article 25, the said meeting shall be held 24 hours later and the presence

of representatives holding at least 50% of the total votes of the members shall then constitute a quorum.

Article 27

The Council may take decisions without holding a meeting, by an exchange of correspondence between the chairman and the members, provided that no member raises any objection to such procedure. Any decision thus taken shall be communicated as speedily as possible to all the members, and shall be entered in the record of the following meeting of the Council.

Article 28

1. Subject to the provisions of Article 16 (9), the number of votes allotted to each member shall be that shown in Annex C to this Agreement, no State member being entitled to more than 450 votes and no member to less than five votes.

2. The number of votes allotted to countries not mentioned in Annex C, which become Parties to this Agreement, shall be determined by special agreement between the Council and each government concerned, due regard being had to the importance of the said countries in the olive oil economy.

Article 29

1. Unless otherwise provided for in this Agreement, decisions of the Council shall be taken by a majority of the votes cast, on the understanding that this majority must include the votes of at least three members. The votes of abstaining members shall not be counted.

2. A mainly producing member may authorize the voting delegate of another mainly producing member to represent its interests and to

exercise its right to vote at one or more meetings of the Council. Evidence of such authorization acceptable to the Council shall be submitted to the Council.

3. The voting delegate of a mainly producing member, in addition to the powers and the right to vote held by that member, may only represent the interests and exercise the right to vote of one other mainly producing member.

4. A mainly importing member may authorize the voting delegate of another mainly importing member to represent its interests and to exercise its right to vote at one or more meetings of the Council. Evidence of such authorization acceptable to the Council shall be submitted to the Council.

5. The voting delegate of a mainly importing member may, in addition to the powers and the right to vote held by that member, represent the interests and exercise the right to vote of several mainly importing members.

Executive committee

Article 30

1. The Council may appoint an executive committee composed of three fifths and two fifths respectively of representatives of mainly producing and mainly importing members.

2. The members of the executive committee shall be appointed for one olive crop year. They may be re-elected.

3. The executive committee shall exercise the powers and functions delegated to it by the Council in accordance with Article 23 (4).

4. The chairman of the Council shall be the chairman of the executive committee. He shall not be entitled to vote.

5. The committee shall draw up its rules of procedure, subject to the approval of the Council.
6. Each member of the executive committee shall have one vote. In the committee, decisions shall be taken by a majority of the votes cast.
7. Any member shall be entitled to appeal to the Council according to the procedure prescribed by the latter, against any decision of the executive committee, and the executive committee's decision shall be suspended pending the outcome of the appeal. In so far as a Council decision differs from that of the executive committee, the latter shall be modified accordingly.

Secretariat

Article 31

1. The Council shall have a secretariat composed of a director and such staff as may be necessary to carry out the work of the Council, the executive committee and its committees. The Council shall appoint the director and shall define his responsibilities. The members of the staff shall be appointed under regulations established by the Council, and shall not hold any office outside the organization or accept any other employment.
2. It shall be a condition of employment for the director and the staff of the secretariat that they shall have no direct or indirect commercial or financial interests in any of the various sectors of the olive-growing and olive oil industries or, if they have, that they shall renounce them.
3. The responsibilities of the director and of the members of the staff are exclusively international in character. In the discharge of their duties, they shall not seek or receive instructions from any government or from any other authority external to the organization. They shall refrain from any action incompatible with their position as international officials.

4. The members shall respect the international character of the responsibilities of the members of the secretariat and shall not seek to influence them in the discharge of their duties.

CHAPTER IX

PRIVILEGES AND IMMUNITIES

Article 32

1. Within the territory of each member, and in so far as its legislation allows, the Council shall have the legal capacity necessary for the performance of the functions conferred upon it by this Agreement.

2. In so far as its legislation allows, the government of the State in which the seat of the Council is situated shall exempt from taxation the funds of the Council and the salaries paid by the Council to its personnel.

3. The Council, the director and the staff of the secretariat are granted the privileges, immunities and facilities set out in the Agreement concerning the seat of the Council between the Council and the government of the State in which the seat is located.

CHAPTER X

FINANCIAL PROVISIONS

Article 33

1. Except for the expenses of the chairman of the Council, which shall be borne by the Council, the expenses of delegations to the Council and of members of the executive committee shall be borne by the members

concerned. The contribution of each member to the administrative budget, for each calendar year, shall be proportionate to the number of votes it has when the budget for that year is adopted.

2. During its first session, the Council shall vote an administrative budget covering the first calendar year and shall fix the amount of the contribution to be paid by each member.

Each year, subsequently, during the autumn session, the Council shall vote its administrative budget for the following calendar year and fix the amount of the contributions of each member for the aforesaid calendar year.

3. The initial contribution of each member becoming a Party to this Agreement shall be fixed by the Council on the basis of the number of votes allotted to the said member and of the fraction of the year remaining. The contributions fixed for the other members for the current calendar year, however, shall not be modified.

4. Payment of contributions under this Article shall fall due at the beginning of each calendar year for which such contributions have been fixed and shall be payable in the currency of the country in which the seat of the Council is situated.

5. Should a member not fully settle its contribution to the administrative budget within six months from the outset of the financial year, the director shall request it to do so as soon as possible. If the said member does not settle its contribution within three months of the above time limit, its right to vote in Council sessions and committee meetings shall be suspended until its contribution has been fully settled. Nevertheless, except by a vote of the Council, it shall not be deprived of any of its other rights or released from any of its obligations under this Agreement. It cannot be exonerated by any vote from financial obligations under this Agreement.

6. After the spring session the Council shall publish a certified statement of its receipts and expenditure during the previous calendar year.

7. In case of dissolution, and prior thereto, the Council shall take the necessary steps for the settlement of its liabilities, the depositing of its archives and the disposal of any surplus assets existing at the date of the expiry of this Agreement.

CHAPTER XI

COOPERATION WITH OTHER ORGANIZATIONS AND THE ADMISSION OF OBSERVERS

Article 34

1. The Council may make whatever arrangements are appropriate for consultation or cooperation with the United Nations and its organs, in particular the United Nations Conference on Trade and Development (UNCTAD) and with the Food and Agriculture Organization and such other specialized agencies of the United Nations and intergovernmental organizations as may be appropriate. It may also make such arrangements as are appropriate in respect of its cooperation with governmental and non-governmental agencies or institutions. It may also invite any of the organizations referred to in this Article to attend any of its meetings as an observer.

2. The Council, bearing in mind the particular role of UNCTAD in international commodity trade, will, as it considers appropriate, keep that organization informed of its activities and programmes of work.

3. The Council may also invite any State which is a member of the United Nations or of one of its specialized agencies or of the International Atomic Energy Agency but not yet Party to this Agreement to attend any of its meetings as an observer.

CHAPTER XII

DISPUTES AND COMPLAINTS

Article 35

1. Any dispute, other than as referred to in Article 12, concerning the interpretation or implementation of this Agreement, which has not been settled by negotiations between the parties concerned shall, at the request of a member which is a party to the dispute, be referred to the Council for decision after consulting, if necessary, an advisory commission, the composition of which shall be fixed by the Council's rules of procedure.
2. The advisory commission's opinion, with reasons stated, shall be submitted to the Council which shall settle the dispute after due consideration of all pertinent information.
3. Any complaint that any member has not fulfilled the obligations imposed upon it by this Agreement shall, at the request of the member making the complaint, be referred to the Council, which shall take a decision on the subject after consulting the members concerned and, if necessary, following the advice of the advisory commission mentioned in paragraph 1 of this Article.
4. A member may be found, by a vote of the Council, to have committed a breach of this Agreement.
5. Should the Council find that a member has committed a breach of this Agreement, it may apply sanctions to that member which may range from a warning to a suspension of the right to vote of the member concerned until it has complied with its obligations, or to exclude such member from the Agreement.

CHAPTER XIII (1)

SIGNATURE, RATIFICATION, ACCEPTANCE, APPROVAL, ACCESSION AND ENTRY INTO FORCE

Article 36

1. This Agreement shall be open for signature until 30 June 1963 by the governments which have been invited to the United Nations Conference on Olive Oil, 1963.
2. This Agreement shall be submitted for ratification, acceptance or approval by the signatory States in conformity with their respective constitutional procedures and the instruments of ratification, acceptance, or approval shall be deposited with the Government of Spain which shall be the depositary government of the Agreement.
3. This Agreement shall be open for accession by any State invited to the United Nations Conference on Olive Oil. Accession shall be effected by the deposit of an instrument of accession with the depositary government. After the coming into force of the said Agreement, any other State member of the United Nations or the Food and Agriculture Organization of the United Nations may accede to it.
4. This Agreement shall enter into force on 1 October 1963, if the governments of five mainly producing countries and the governments of two mainly importing countries have ratified, accepted, approved or acceded to it, or on any later date on which these conditions are met. Nevertheless, in the event that the governments of only four mainly pro-

(1) The provisions embodied in this Chapter have not been in force since 25 November 1967, from which date (after the duration of the International Olive Oil Agreement, 1963, was extended under Article 37 (4) of said Agreement) came into force the provisions laid down by the Protocols of 30 March 1967 and 7 March 1969 for the further extension of the Agreement.
After provisional or definitive entry into force of the Protocol of 23 March 1973 for the further extension of the Agreement, as amended, the provisions to be found in Articles 3 to 13 of that Protocol will be applicable.

ducing countries and the governments of two mainly importing countries have either ratified, accepted, approved or acceded to it by 1 October 1963, the said governments may decide by mutual agreement that it shall enter into force on that date.

5. A State shall become a Party to this Agreement from the date on which it has deposited its instruments of ratification, acceptance, approval or accession with the depositary government, or from the date of entry into force of this Agreement in accordance with paragraph 4 of this Article, whichever date is the later.

6. The Agreement may enter into force provisionally. For this purpose, a notification by a signatory government undertaking to seek ratification acceptance or approval of the Agreement in accordance with its constitutional procedures as rapidly as possible, which is received by the depositary government not later than 30 September 1963, shall be regarded as equal in effect to an instrument of ratification, acceptance or approval.

7. Signatory governments which have not ratified, accepted or approved this Agreement but which have made notifications under the preceding paragraph of this Article may, if they so desire, take part in the work of the Council as non-voting observers.

8. Signatory governments which have made notifications under paragraph 6 of this Article may also inform the depositary government that they undertake provisionally to apply this Agreement. Any government having made such an undertaking shall be provisionally considered as a Party to this Agreement, with all the rights and duties of that status, until either it deposits its instrument of ratification, acceptance or approval, or until 1 October 1964, whichever is earlier. If by 1 October 1964 that government has not yet deposited such an instrument, it shall, unless the Council decides to the contrary, cease to be provisionally considered as a Party to the Agreement, but may, if it so desires, take part in the work of the Council as a non-voting observer.

9. The depositary government shall notify all members of the United Nations and of the Food and Agriculture Organization of the United Nations of any signature, ratification, acceptance or approval of this Agreement, or of any accession thereto, and shall also inform them of any reservations or conditions attached. It shall further inform all participating governments of any notification made under paragraph 6 of this Article, and of any undertaking made under paragraph 8 thereof.

CHAPTER XIV ⁽¹⁾

DURATION, AMENDMENT, SUSPENSION, WITHDRAWAL, EXPIRY, RENEWAL

Article 37

1. This Agreement shall remain in force until 30 September 1967, unless the conditions for its entry into force laid down in Article 36 (4) are no longer fulfilled.
2. The Council shall, at such time as it considers appropriate, communicate to the members its recommendations regarding extension or renewal of this Agreement.
3. On expiry of this Agreement and except in the event of its extension or renewal, the operations for which the Council is responsible and the funds it administers shall be liquidated on terms to be established by the Council with due regard for the provisions of this Agreement.

(1) As provided for in the Protocols of 30 March 1967 and 7 March 1969 for the further extension of the International Olive Oil Agreement, 1963, the said Agreement remained in force until 30 September 1969 and then again until 31 December 1973, unless the said dates are extended as per relative provisions in the Protocols mentioned.

As laid down in Article 1 (1) of the Protocol of 23 March 1973 for the further extension of the Agreement, as amended, this latter will remain in force until 31 December 1978 unless extended as per Article 10 of that Protocol.

In addition, where the reference to Article 36 (4) is concerned, the information given in the footnote concerning provisions in Chapter XIII and, therefore, the Article 36 in question, should be taken into account.

In order to apply these provisions and other clauses concerning liquidation, the Council shall continue its mission as long as is necessary and shall exercise the powers and functions given to it under this Agreement to the full extent necessary for the completion of its task.

4. If an Agreement to extend or renew the present Agreement has been negotiated and before the expiry of the present Agreement has received a sufficient number of signatures to enable it to enter into force in accordance with the relevant provisions, after ratification, acceptance or approval, and if this new Agreement has not entered into force either provisionally or definitively by the date of expiry of the present Agreement, then the present Agreement shall be extended until the entry into force of the new Agreement, provided that the period of such extension shall not exceed 12 months.

Article 38

1. In the event of circumstances arising which, in the opinion of the Council or of a member, hamper or threaten to hamper the functioning of the Agreement as amended, 1973, the Council may recommend to the Contracting Parties an amendment of this Agreement.

2. If the interested member so requests, the voting procedure by correspondence established by Article 27 shall be used.

3. The Council shall fix a time limit within which each Contracting Party shall notify the depositary government whether or not it accepts an amendment recommended under paragraphs 1 and 2 of this Article.

4. If, before the final date set in conformity with paragraph 3 of this Article, all the Contracting Parties accept an amendment, it shall enter into force immediately after the receipt by the depositary government of the last acceptance. The depositary government shall immediately communicate this circumstance to the Council.

5. If, by the final date set in conformity with paragraph 3 of this Article, an amendment is not accepted by the Contracting Parties holding two thirds of the votes, such amendment shall not enter into force.

6. If, by the final date set in conformity with paragraph 3 of this Article, an amendment is accepted by or on behalf of members holding two thirds of the votes, but not by or on behalf of all members:

- (a) the amendment shall enter into force for the Contracting Parties which have given notice of their acceptance in accordance with paragraph 3 of this Article, at the beginning of the olive crop year immediately following the final date, in conformity with the provisions of this paragraph;

- (b) the Council shall decide immediately whether the amendment is of such importance that members which have not accepted the amendment must be suspended from participation in the Agreement as amended, 1973, as from the date on which such amendment comes into force in accordance with subparagraph (a) above, and shall inform all members accordingly. Should the Council decide that the amendment is of such importance, the members which have not accepted it shall inform the Council before the date on which the amendment is to enter into force in accordance with subparagraph (a) above, whether they still consider such an amendment unacceptable; the participation in the Agreement as amended, 1973, of members which have so decided and those which have not given notice of their decision shall then be automatically suspended from the date of entry into force of the amendment. Nevertheless, should any such member satisfy the Council that it was prevented from accepting the amendment before its entry into force, in accordance with subparagraph (a) above, on account of constitutional or institutional difficulties beyond its control, the Council may defer suspension until such difficulties have been overcome and the member has notified the Council of its decision.

7. The Council shall lay down the rules under which a member whose participation has been suspended in accordance with paragraph 6 (b) of this Article may be reinstated, as well as the necessary rules for carrying out the provisions of this Article.

Article 39

1. Should a Contracting Party consider its interests seriously endangered by the fact that a signatory fails to ratify, accept or approve this Agreement as amended, 1973, or because of conditions or reservations attached to a signature, ratification, acceptance or approval, it shall so notify the depositary government. On receipt of such notification, the depositary government shall inform the Council which shall examine the question during its first session following receipt of such notification. If, after examination of the question by the Council the Contracting Party continues to consider its interests seriously endangered, it may withdraw from the Agreement as amended by giving notice of its withdrawal to the depositary government within a period of 30 days after being notified of the Council's decision.

2. The procedure laid down in paragraph 1 of this Article shall be applied in the following cases:

- (a) when a Contracting Party declares that circumstances beyond its control prevent it from fulfilling its obligations under this Agreement;
- (b) when a Contracting Party considers its interests under the Agreement seriously prejudiced by the withdrawal of another Contracting Party;
- (c) when a Contracting Party considers its interests under the Agreement seriously prejudiced through a measure taken by another Contracting Party if the said measure is not withdrawn or modified in accordance with the recommendations made by the Council, on receipt of a complaint;
- (d) when a Contracting Party considers that its interests have been seriously prejudiced by a Council decision, taken by virtue of the powers invested in it or by means of an amendment, as provided for under Article 38 (6) (b).

3. A Contracting Party may, by giving notice to the depositary government, withdraw from the Agreement if it is involved in hostilities.

4. Any withdrawal made in accordance with the provisions of paragraph 2 (a) to (d) or with those of paragraphs 1 and 3, will be effective from the date of receipt of definitive notification by the depositary government.

Article 40

The depositary government shall inform without delay all members of any notification of withdrawal which has been brought to its notice in accordance with Article 39 of this Agreement.

Article 41

1. Any Contracting Party which withdraws from the Agreement and any member whose participation in the Agreement as amended, 1973, is suspended during the period of its application, must discharge all its obligations as regards contributions to the Council and respect any commitments undertaken before the effective date of withdrawal or suspension.

2. Any Contracting Party that withdraws from the Agreement as amended, 1973, during the period of its operation, has no claim to any part of the proceeds of the liquidation of the Council's assets on the expiry of the said Agreement.

ANNEX A

Designations and definitions of olive oils and olive-residue oils

1. *Virgin olive oils* (*Note*: The expression 'pure virgin olive oil' may also be used): Olive oils produced solely by mechanical processes and free from any admixture of other oils classified as follows:
 - (a) *Extra*: Olive oil of absolutely perfect flavour, having a maximum acidity — i.e. oleic acid content — of 1 gram per 100 grams.
 - (b) *Fine*: Olive oil with the same characteristics as extra, except that its maximum acidity — i.e. oleic acid content — is 1.5 grams per 100 grams.
 - (c) *Ordinary* (*Note*: The expression 'semi-fine' may also be used as the equivalent of or instead of 'ordinary'): Olive oil of good flavour having a maximum acidity — i.e. oleic acid content — of 3 grams per 100 grams, with a margin of tolerance of 10% with respect to the indicated acidity.
 - (d) *Lampante* (lamp oil): Off-flavour olive oil or olive oil having an acid content in terms of oleic acid superior to 3.3 grams per 100 grams.
2. *Refined olive oils* (*Note*: The expression 'pure refined olive oil' may also be used): Obtained by refining virgin olive oil.
3. *Pure olive oils*: Consisting of a blend of virgin olive oil and refined olive oil. Mixed oils may also be classified as types, the characteristics of which are determined by mutual agreement between buyers and sellers.
4. *Olive-residue oils*: Oils obtained by treating olive residues with solvents.
5. *Refined olive-residue oils*: Oils obtained by refining the oils mentioned in paragraph 4 and intended for food use.

(*Note:* Blends of refined olive-residue oil and virgin olive oil habitually destined for domestic consumption in certain producing countries are called 'refined olive-residue oil and olive oil'. These blends shall not, under any circumstances, be termed simply 'olive oil'.)

6. *Olive-residue oils for technical use:* All other oils from olive residues.

ANNEX B

Coefficients assigned to each of the mainly producing countries named below for the purpose of calculating the contributions to be paid to the publicity fund

Algeria	1.47
Egypt	0.17
Argentina	2.07
Greece	5.77
Israel	0.17
Italy	33.67
Lebanon	0.47
Morocco	1.61
Portugal	3.07
Spain	37.07
Syria	0.82
Tunisia	10.07
Turkey	3.57
Total	<hr/> 100.00

ANNEX C

Mainly producing members

Algeria	27
Egypt	5
Argentina	21
European Economic Community:	
— Italy	450
Greece	187
Israel	8
Lebanon	12
Morocco	42
Portugal	78
Spain	450
Syria	28
Tunisia	88
Turkey	104

Mainly importing members

Dominican Republic	5
European Economic Community:	
— Belgian/Luxembourg	5
— Denmark	5
— Federal Republic of Germany	8
— France	25
— Ireland	5
— Netherlands	5
— United Kingdom	8
Gabon	5
Libya	28
Uruguay	5

PROTOCOL OF 23 MARCH 1973

further extending the International Olive Oil Agreement,
1963, with amendments ⁽¹⁾

THE PARTIES TO THIS PROTOCOL,

CONSIDERING that the International Olive Oil Agreement, 1963 (which succeeded that of 1956), extended by the Protocols adopted in Geneva on 30 March 1967 and on 7 March 1969, including the amendments which entered into force on 1 November 1971 (these three instruments being hereinafter referred to as 'the Agreement') is due, in principle, to expire on 31 December 1973,

DESIRING to continue the Agreement in force beyond that date,

HAVE AGREED AS FOLLOWS:

Article 1

1. The Agreement, as amended by this Protocol, shall, as between the Parties to the Protocol, continue in force until 31 December 1978.
2. Any government which becomes a Party to this Protocol shall be a Party to the Agreement as amended thereby.

⁽¹⁾ OJ No L 169, 26.6.1978.

3. So far as the Parties to this Protocol are concerned, the Agreement and this Protocol shall be read and interpreted as one single instrument and shall be known as the International Olive Oil Agreement, 1963, as amended, 1973.

Article 2

The relevant provisions of the Agreement are amended as follows:

PREAMBLE

Delete the first paragraph under heading (i) and substitute therefor:

‘— is a perennial fruit tree which, under conditions regarded as normal, begins to produce at an age varying between six and 15 years and on an average comes into full production when approximately 30 years old,’.

Amend (iv) to read:

‘**CONSIDERING** that it is essential to continue and develop the work undertaken within the framework of the International Olive Oil Agreement, 1956,’.

CHAPTER I

General objectives

Article 1

Delete paragraph 1 and substitute therefor:

‘1. to promote international cooperation in connection with world olive oil problems, to prevent the occurrence of any unfair competition in the world olive oil trade and to ensure the delivery of a commodity that conforms to all the specifications of the contracts concluded;’.

Insert a new paragraph 5 as follows:

'5. to examine the possibility of taking necessary action with regard to other products of the olive tree;'

Re-number paragraph 5 as paragraph 6 and modify it to read as follows:

'6. to continue and extend the work undertaken under the International Olive Oil Agreement, 1956.'

CHAPTER II

Participation

Article 2

Replace the text of the Article by the following:

'Each Contracting Party shall constitute a single member of the Council except as otherwise provided in Article 24 (2) of this Agreement.'

CHAPTER III

Definitions

Article 3

Delete paragraph 1 and substitute therefor:

'1. "The Council" means the International Olive Oil Council referred to in Article 21 of this Agreement.'

Delete paragraph 4 and substitute therefor:

'4. "Mainly producing member" means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, exceeded its imports from 1966 to 1971 inclusive.'

Delete paragraph 5 and substitute therefor:

'5. "Mainly importing member" means a member whose production of olive oil has, during the 1965/66 to 1970/71 olive crop years inclusive, been smaller than its imports from 1966 to 1971 inclusive, or for which no production of olive oil was recorded during the same crop years.'

Insert a new paragraph 6 as follows:

'6. "Member" means a Contracting Party or a territory or group of territories given separate representation under Article 24 (2) of this Agreement.'

Insert a new paragraph 7 as follows:

'7. The European Economic Community, if it becomes a Contracting Party, shall be considered both as a mainly producing member and a mainly importing member, provided that:

- (i) the provisions of Article 16 of this Agreement shall not apply to the Community;
- (ii) notwithstanding Article 28 (1) of this Agreement, the Community shall be entitled, in all matters falling within Community jurisdiction, to cast the votes in the Council allotted to each of its Member States which are Contracting Parties, whether they are mainly producing or mainly importing members;
- (iii) the Community shall also be entitled, in all matters falling within Community jurisdiction, to cast in any committee of the Council the votes of its Member States which are members of that committee; and
- (iv) notwithstanding Article 33 of this Agreement, the contributions of the Community to the administrative budget for each calendar year shall be fixed by the Council on the basis of the number of votes in the Council allotted to States members of the Community which are Contracting Parties; such contributions shall replace individual contributions by those States.'

CHAPTER IV

General obligations

Article 4

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 5

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 6

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Delete the phrase 'and to avoid the introduction of unfair competitive practices in world trade in olive oil'.

Article 7

Delete the phrase 'participating governments' and, in each case, substitute the word 'members' therefor.

CHAPTER V

Delete the title and substitute therefor:

**'Designations and definitions of olive oils and of olive-residue oils
Indications of source and appellations of origin'**

Article 8

Delete paragraph 1 and substitute therefor:

'1. The designation "olive oil" shall be restricted to the oil obtained exclusively from the olive, excluding oils obtained by solvents or re-esterification processes, as well as any mixture with oils of any other nature.'

Paragraph 2 is redrafted as follows:

'2. Members shall undertake to suppress both in domestic and international trade, with the least possible delay and in any case before the expiry of this Agreement, any use of the designation "olive oil" alone or in combination with other words, which is not in conformity with this Article.'

Article 9

Delete paragraph 1 and substitute therefor:

'1. The designations of olive oils and of olive-residue oils of different qualities are given in Annex A to this Agreement, which specifies the corresponding definition for each designation, taking into account for each such quality, the recommendations passed under Article 22 (2) of this Agreement, covering standards for the physical and chemical characteristics of olive oil and olive residue-oil.'

Delete paragraph 2 and substitute therefor:

'2. Such designations, which are compulsory for international trade purposes, must be used for each quality of olive oil and of olive-residue oil and they shall appear in clearly legible characters on all containers.'

Article 10

Paragraph 1: Delete the phrase 'Participating governments' and substitute the word 'Members' therefor.

After the word 'adopt' insert: 'at the earliest possible date and before the expiry of this Agreement'.

Delete the phrase 'Articles 8, 9, 11 and 12 of this Agreement' and substitute therefor: 'Articles 9 and 11 of this Agreement and shall endeavour to apply them in their domestic trade.'

Paragraph 2: Delete the phrase 'of appellations of origin, indications of source and designations of olive oils' and substitute therefor: 'of indications of source, appellations of origin and designations of olive oils and of olive-residue oils'.

After the phrase 'used in the international marketing of olive oils,' add: 'and olive-residue oils,'.

At the end of the paragraph insert the phrase 'and olive-residue oils.'

Article 11

Paragraph 1: Delete the phrase 'Appellations of origin or indications of source,' and substitute therefor: 'Indications of source or appellations of origin,'.

Article 12

Paragraph 1: Delete the paragraph and substitute therefor:

'1. Any disputes on the subject of indications of source and appellations of origin arising from interpretation of the clauses of this Chapter of this Agreement, or from difficulties in applying these provisions which have not been settled by direct negotiation, shall be examined by the Council.'

Paragraph 2: Delete the paragraph and substitute therefor:

'2. The Council shall endeavour to bring about conciliation after the Advisory Commission provided for in Article 35 (1) of this Agree-

ment has expressed its opinion and prior consultation with the World Intellectual Property Organization, the International Federation of Olive Growers, and with a competent professional organization of a mainly importing member and, should the need arise, with the International Chamber of Commerce and the international institutions specialized in analytical chemistry; should it be unsuccessful and after all efforts to reach agreement have been exhausted, the members concerned shall have the right of recourse, as a last resort, to the International Court of Justice.’.

CHAPTER VI

Worldwide publicity to promote olive oil consumption

Article 13

Paragraph 1: Delete the phrase ‘The participating governments’ and substitute the following therefor: ‘The members contributing to the publicity fund referred to in paragraph 3 of this Article’.

Paragraph 2: After the phrase: ‘chemical characteristics and’ insert: ‘, if necessary,’.

Article 14

Delete this Article and substitute therefor:

‘The general and more limited publicity campaigns to be undertaken under Article 13 above shall be decided on by the Council according to the resources made available to it for the purpose and having regard to the following considerations and opinions:

- (a) priority shall be given to action in the mainly producing countries and in countries where the consumption of olive oil is likely to increase;
- (b) the execution of campaigns may not be envisaged before the date on which the actual payments into the publicity fund total 70% of the contributions due;
- (c) consultation of appropriate agencies and institutions.’.

Article 16

Paragraph 1. First clause: In the first sentence, delete the phrase 'The participating governments of the mainly producing countries' and substitute therefor: 'The mainly producing members'.

In the second sentence, delete the word 'government' and substitute the word 'member' therefor.

Second clause: Delete the word 'country's' and substitute the word 'member's' therefor.

Delete the phrase 'any modification in the coefficients set out in Annex B to the Agreement shall require a unanimous decision in view of paragraph 2 of this Article' and substitute therefor: 'any modification which may be made on that occasion in the coefficients set out in Annex B to the Agreement as amended, 1973, shall require a unanimous decision of the mainly producing members.'

Third clause: in the first sentence, delete the phrase 'countries which are parties to this Agreement' and substitute the word 'members' therefor.

In the second sentence, delete the phrase 'countries which are parties to this Agreement' and substitute the word 'members' therefor.

Fourth clause: In the first sentence, delete the phrase 'the governments of other participating countries' and substitute therefor: 'the mainly importing members'.

In the English text, delete the second sentence of this clause.

Paragraph 2. First sentence: Delete the phrase 'The participating governments of the mainly producing countries,' and substitute therefor: 'The mainly producing members,'.

Delete the phrase 'Annex B to this Agreement' and substitute therefor: 'Annex B to the Agreement as amended, 1973.'

In the English text, after the first sentence add the following:

'The coefficients in question, determined according to the average production and average net exports or imports of olive oil of each of the members during the olive crop years referred to in Article 3 of the Agreement as amended, 1973, in the proportion of 20 % for production and 80 % for net exports or imports, shall be subject to revision by the Council in 1976 for the purpose of their application with effect from 1 January 1977. Such revision shall be effected by a decision taken by a majority of four fifths of the votes cast, including the votes of at least 70 % of the number of mainly producing members, taking into consideration the average production and average net exports or imports of olive oil of each of the mainly producing members during the olive crop years 1968/69 to 1973/74, in the same proportion as specified above for such production and such net exports or imports.'

Paragraph 3: Delete the phrase 'governments of mainly producing countries' and substitute therefor: 'mainly producing members'. Delete the word 'government' and substitute the word 'member' therefor. Delete the phrase 'Annex B to this Agreement' and substitute therefor: 'Annex B to the Agreement as amended, 1973,'. Delete the word 'governments' and substitute the word 'members' therefor.

Paragraph 7: Delete the paragraph and substitute the following therefor:

'7. With regard to the collection of contributions to the publicity fund and in the event of delay in the payment of same, the provisions of Article 33 (5) of this Agreement shall apply.'

Paragraph 8: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Paragraph 9: First clause: Delete the phrase 'participating government of a mainly producing country' and substitute therefor: 'mainly producing member'.

Second clause: Delete the word 'country' and substitute the word 'member' therefor.

CHAPTER VII

Economic measures

Article 19

Paragraph 1: Delete the phrase 'participating government' and substitute the word 'member' therefor.

Delete the phrase 'non-participating governments' and substitute therefor: 'governments of States not members of this Agreement'.

Paragraph 2: Delete the phrase 'participating governments' and substitute the word 'member' therefor.

Delete the phrase 'held in their countries' and substitute therefor: 'held in their territory'.

Delete the phrase 'to export to participating or other countries' and substitute therefor: 'to export to members or to non-members of this Agreement'.

Paragraph 3: Delete the phrase 'governments of countries' and substitute the word 'members' therefor.

Paragraph 4: In the first sentence, delete the phrase 'participating governments' and substitute the word 'members' therefor.

Delete the phrase 'member and other countries' and substitute therefor: 'members and non-members of this Agreement'.

Delete the phrase 'participating countries' and substitute the word 'members' therefor.

In the second sentence, delete the phrase 'participating governments' and substitute the word 'members' therefor.

Paragraph 5: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 20

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

CHAPTER VIII

Administration

Article 21

In the title preceding this Article, delete the phrase 'Olive Oil Council' and substitute therefor: 'International Olive Oil Council' ⁽¹⁾.

Delete the text and substitute the following: 'The International Olive Oil Council shall be entrusted with the administration of this Agreement.'

Article 22

Paragraph 2: After the phrase 'ways and means of securing' insert: 'the development of international trade and'.

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Paragraph 2. Subparagraph (i): At the end of the subparagraph insert: 'and olive-residue oil:'.

Subparagraph (ii): Delete the phrase 'International Arbitration Boards' and substitute therefor: 'an International Reconciliation and Arbitration Board'.

After the phrase 'of olive oil' insert: 'and olive residue-oil'.

Subparagraph (iii): At the end of the subparagraph insert: 'and of olive-residue oils:'.

Subparagraph (iv): Delete the phrase 'of olive oil'.

⁽¹⁾ This change only affects the English, French and Spanish versions.

Paragraph 3: After the phrase 'olive oil' insert: 'and olive-residue oil'.

Paragraph 5. First clause: After the phrase 'relating to olive oil' insert: 'and olive-growing,'.

Second clause: Delete the phrase 'suggestions and recommendations' and substitute therefor: 'recommendations and suggestions'.

Delete the word 'aims' and substitute the word 'objectives' therefor ⁽¹⁾.

Third clause: After the word 'countries' insert: 'or groups of countries'.

Paragraph 6: Delete the paragraph and substitute the following:

'6. The Council shall establish procedures under which the members shall inform the Council of the conclusions at which they have arrived after considering the recommendations and suggestions referred to in this Article or arising from application of this Agreement.'

Article 24

Paragraph 1: Delete the first sentence and substitute therefor: 'Subject to the provisions of paragraph 2 of this Article, each Contracting Party shall be a member of the Council with a right to vote.'

In the third sentence, delete the phrase 'participating government' and substitute the word 'member' therefor.

Paragraph 2: Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Paragraph 3: In the first sentence, delete the phrase 'participating governments,' and substitute therefor: 'Contracting Parties,'.

In the second sentence, delete the phrase 'of the delegation of his government.' and substitute therefor: 'of his delegation.'.

Paragraph 4: Delete the phrase 'participating governments,' and substitute therefor: 'Contracting Parties,'.

(1) In the English text only.

Article 25

Paragraph 1: Insert the following sentence at the end of the paragraph: 'Should a member invite the Council to meet elsewhere than at its seat and if a decision is taken agreeing to the invitation, the said member shall bear the extra expenditure resulting from such invitation for the budget of the Council.'

Paragraph 3. Subparagraph (i): Delete the phrase 'participating governments;' and substitute the word 'members;' therefor.

Subparagraph (ii): Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 26

Delete the phrase 'governments of the countries' and substitute the word 'members' therefor. Delete the phrase 'participating governments, and substitute the word 'members' therefor.

Article 27

In the first sentence, delete the phrase 'participating governments,' and substitute the word 'members,' therefor. Delete the phrase 'participating government' and substitute the word 'member' therefor.

In the second sentence, delete the phrase 'participating governments,' and substitute the word 'members', therefor.

Article 28

Paragraph 1: Delete the phrase 'participating country' and substitute the word 'member' therefor.

Add the following phrase to the present text: ‘..., no State member being entitled to more than 450 votes and no member to less than five votes.’.

Paragraph 2: Delete this paragraph.

Paragraph 3: Renumber as paragraph 2.

Article 29

Paragraph 1: Delete the word ‘countries.’ and substitute the word ‘members.’ therefor.

Add the following sentence: ‘The votes of abstaining members shall not be counted.’.

Paragraph 2: Delete the phrase ‘The Government of a participating mainly producing country’ and substitute therefor: ‘A mainly producing member’.

Delete the phrase ‘another mainly producing country’ and substitute therefor: ‘another mainly producing member.’

Paragraph 3: Delete the phrase ‘mainly producing country’ in both instances and substitute therefor: ‘mainly producing member’.

Delete the phrase ‘held by his own country,’ and substitute therefor: ‘held by that member,’.

Paragraph 4: Delete the phrase ‘The government of a participating mainly importing country’ and substitute therefor: ‘A mainly importing member’.

Delete the word ‘country’ and substitute the word ‘member’ therefor.

Paragraph 5: Delete the phrase ‘a mainly importing country’ and substitute therefor: ‘a mainly importing member’.

Delete the phrase 'held by his country,' and substitute therefor: 'held by that member,'.

Delete the phrase 'mainly importing countries.' and substitute therefor: 'mainly importing members.'.

Article 30

Paragraphs 1 and 2: Delete these paragraphs and substitute therefor a paragraph 1 as follows:

1. The Council may appoint an executive committee composed of three fifths and two fifths respectively of representatives of mainly producing and mainly importing members.'.

Paragraph 3: Renumber this paragraph as paragraph 2 and delete in it the words 'on the proposal of each of the two groups mentioned in paragraph 1 of this Article.'.

Paragraphs 4, 5, 6 and 7: Renumber these paragraphs as 3, 4, 5 and 6 respectively.

Paragraph 8: Renumber this paragraph as paragraph 7. Delete the phrase 'participating government' and substitute the word 'member' therefor.

Article 31

Paragraph 4: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

CHAPTER IX

Statute, immunities and privileges

Delete the title and substitute therefor:

'Privileges and immunities'.

Article 32

Paragraph 1: Delete the phrase 'each participating State,' and substitute therefor: 'the territory of each member,'.

Insert a new paragraph 3 as follows:

'3. The Council, the director and the staff of the secretariat are granted the privileges, immunities and facilities set out in the Agreement concerning the seat of the Council between the Council and the government of the State in which the seat is located.'

CHAPTER X

Financial provisions

Article 33

Paragraph 1: Delete the phrase 'their respective governments.' and substitute therefor: 'the members concerned.'

Delete the phrase 'participating government' and substitute the word 'member' therefor.

Paragraph 2: In the first sentence, delete the phrase 'participating government.' and substitute the word 'member' therefor.

In the second sentence, delete the word 'government' and substitute the word 'member' therefor.

Paragraph 3: In the first sentence, delete the phrase 'participating government' and substitute the word 'member' therefor. Delete the phrase 'under Article 36'. Delete the word 'country' and substitute the word 'member' therefor.

In the second sentence, delete the phrase 'participating governments' and substitute the word 'members' therefor.

Paragraph 5: Delete the paragraph and substitute the following:

'5. Should a member not fully settle its contribution to the administrative budget within six months from the outset of the financial year, the director shall request it to do so as soon as possible. If the said member does not settle its contribution within three months of the above time limit, its right to vote in Council sessions and committee meetings shall be suspended until its contribution has been fully settled. Nevertheless, except by a vote of the Council, it shall not be deprived of any of its other rights or released from any of its obligations under this Agreement. It cannot be exonerated by any vote from financial obligations under this Agreement.'

CHAPTER XI

Cooperation with other organizations

Delete the title and substitute therefor:

'Cooperation with other organizations and the admission of observers'

Article 34

Delete the Article and substitute therefor:

'1. The Council may make whatever arrangements are appropriate for consultation or cooperation with the United Nations and its organs, in particular the United Nations Conference on Trade and Development (UNCTAD) and with the Food and Agriculture Organization and such other specialized agencies of the United Nations and intergovernmental organizations as may be appropriate. It may also make such arrangements as are appropriate in respect of its cooperation with governmental and non-governmental agencies or institutions. It may also invite any of the organizations referred to in this Article to attend any of its meetings as an observer.

2. The Council, bearing in mind the particular role of UNCTAD in international commodity trade, will, as it considers appropriate, keep that organization informed of its activities and programmes of work.

3. The Council may also invite any State which is a member of the United Nations or of one of its specialized agencies or of the International Atomic Energy Agency but not yet Party to this Agreement to attend any of its meetings as an observer.’.

CHAPTER XII

Disputes and complaints

Article 35

Paragraph 1: Delete the phrase ‘participating government’ and substitute the word ‘member’ therefor.

Paragraph 3: Delete the phrase ‘participating government’ in both instances, and substitute the word ‘member’ therefor.

After the phrase ‘decision on the subject’ insert the phrase: ‘after consulting the members concerned’.

Paragraph 4: Delete the phrase ‘participating government’ and substitute the word ‘member’ therefor.

Paragraph 5: Delete the phrase ‘participating government’ and substitute the word ‘member’ therefor.

Delete the word ‘government’ and in each instance substitute the word ‘member’ therefor ⁽¹⁾.

⁽¹⁾ This change only affects the English, French and Italian versions.

CHAPTER XIV

Duration, amendment, suspension, withdrawal, expiry, renewal

Article 37

Paragraph 2: Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 38

Paragraph 1: Delete the phrase 'participating government,' and substitute the word 'member,' therefor.

Delete the phrase 'this Agreement,' and substitute therefor: 'the Agreement as amended, 1973,'.

Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Paragraph 2: Delete the word 'government' and substitute the word 'member' therefor.

Paragraph 3: Delete the phrase 'participating governments shall notify the depositary government' and substitute therefor: 'Contracting Party shall notify the depositary government'.

Paragraph 4: Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Paragraph 5: Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Paragraph 6: Delete the phrase 'by the governments of the participating countries' and substitute therefor: 'by or on behalf of members'.

Delete the phrase 'by the governments of all the participating countries' and substitute therefor: 'by or on behalf of all members'.

Subparagraph (a): Delete the phrase 'participating governments' and substitute therefor: 'Contracting Parties'.

Subparagraph (b): Delete and substitute therefor:

'(b) The Council shall decide immediately whether the amendment is of such importance that members which have not accepted the amendment must be suspended from participation in the Agreement as amended, 1973, as from the date on which such amendment comes into force in accordance with subparagraph (a) above, and shall inform all members accordingly. Should the Council decide that the amendment is of such importance, the members which have not accepted it shall inform the Council before the date on which the amendment is to enter into force in accordance with subparagraph (a) above, whether they still consider such an amendment unacceptable; the participation in the Agreement as amended, 1973, of members which have so decided and those which have not given notice of their decision shall then be automatically suspended from the date of entry into force of the amendment. Nevertheless, should any such member satisfy the Council that it was prevented from accepting the amendment before its entry into force, in accordance with subparagraph (a) above, on account of constitutional or institutional difficulties beyond its control, the Council may defer suspension until such difficulties have been overcome and the member has notified the Council of its decision.'

Paragraph 7: Delete the phrase 'participating government suspended' and substitute therefor: 'member whose participation has been suspended'.

Article 39

Paragraph 1: Delete and substitute therefor:

'1. Should a Contracting Party consider its interest seriously endangered by the fact that a signatory fails to ratify, accept or approve this Agreement as amended, 1973, or because of conditions or reservations attached to a signature, ratification, acceptance or approval, it

shall so notify the depositary government. On receipt of such notification, the depositary government shall inform the Council which shall examine the question during its first session following receipt of such notification. If, after examination of the question by the Council the Contracting Party continues to consider its interests seriously endangered, it may withdraw from the Agreement as amended by giving notice of its withdrawal to the depositary government within a period of 30 days after being notified of the Council's decision.'

Paragraph 2. Subparagraph (a): Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Subparagraph (b): Delete the phrase, in the first two instances, 'participating government' and substitute therefor: 'Contracting Party'.

Delete the phrase 'or by the withdrawal under Article 42 (2) of all or some of the non-metropolitan territories represented by another participating government'.

Subparagraph (c): Delete the phrase 'participating government' in both instances and substitute therefor: 'Contracting Party'.

Subparagraph (d): Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Paragraph 3: Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Article 40

Delete the phrase 'participating governments' and substitute the word 'members' therefor.

Article 41

Paragraph 1: Delete the phrase 'participating government which withdraws, or is suspended from the Agreement' and substitute therefor: 'Contracting Party which withdraws from the Agreement and any member whose participation in the Agreement is suspended'.

Add after the word 'Agreement' the phrase 'as amended, 1973,'.

Paragraph 2: Delete the phrase 'participating government' and substitute therefor: 'Contracting Party'.

Add after the word 'Agreement' the phrase 'as amended, 1973,'.

CHAPTER XV

Territorial application

Article 42

Delete this Chapter, consisting of Article 42 (1), (2) and (3).

Annex A

Delete the title and substitute therefor: '**Designations and definitions of olive oils and olive-residue oils**'

Paragraph 1: After the words 'Olive oils produced', insert the word 'solely'.

Delete the words 'types of oils or oils extracted in a different manner', and substitute the word 'oils' therefor.

Annex B

Delete the list of countries and their coefficients and replace by the following:

'Algeria	1·47
Egypt	0·17
Argentina	2·07
Greece	5·77
Israel	0·17
Italy	33·67
Lebanon	0·47
Morocco	1·61
Portugal	3·07
Spain	37·07
Syria	0·82
Tunisia	10·07
Turkey	3·57
	<hr/>
Total	100·00'

Annex C

Delete the contents of the Annex and replace by the following:

'Mainly producing members

Algeria	27
Egypt	5
Argentina	21
European Economic Community:	
— Italy	450
Greece	187
Israel	8
Lebanon	12
Morocco	42
Portugal	78
Spain	450
Syria	28
Tunisia	88
Turkey	104

Mainly importing members

Dominican Republic	5
European Economic Community:	
— Belgium/Luxembourg	5
— Denmark	5
— Federal Republic of Germany	8
— France	25
— Ireland	5
— Netherlands	5
— United Kingdom	8
Gabon	5
Libya	28
Uruguay	5'

Annex D

Delete.

Article 3

1. Any government which is a member of the United Nations Conference on Trade and Development may become a Party to this Protocol in accordance with its constitutional or institutional procedures:

- (a) by signing it; or
- (b) by ratifying, accepting or approving it after having signed it subject to ratification, acceptance or approval; or
- (c) by acceding to it.

2. Each signatory government shall, on signing this Protocol, state whether, according to its constitutional or institutional procedures, its signature is, or is not, subject to ratification, acceptance or approval.

Article 4

This Protocol shall be open in Madrid with the Government of Spain, the depositary government of the Agreement and of this Protocol, until 30 October 1973 inclusive, for signature by any government which is on that date a party to the Agreement.

Article 5

In cases where ratification, acceptance or approval is required, the appropriate instrument shall be deposited with the depositary government of the Agreement not later than 31 December 1973, on the understanding that the Council may grant an extension or extensions of this time to any signatory government which has not deposited the said instrument by this date.

Article 6

Any non-signatory government entitled to accede to this Protocol under Article 9, may notify the depositary government that it is undertaking to satisfy the constitutional or institutional procedures required to accede to this Protocol as rapidly as possible.

Article 7

1. Any signatory government which has not been able to deposit its instrument of ratification, acceptance or approval by 31 December 1973 and has been granted an extension of time under Article 5 of this Protocol and any non-signatory government which has made a notification pursuant to Article 6 of this Protocol may indicate to the depositary government that they will provisionally apply the Agreement as amended by this Protocol.

2. During the entire period when the Agreement as amended by this Protocol is in force, either definitively or provisionally a signatory government which has been granted an extension of time under Article 5

of this Protocol or a non-signatory government which has given an indication under paragraph 1 of this Article shall be a provisional member with all the rights and duties of a member until that government becomes a Contracting Party.

Article 8

1. This Protocol shall enter definitively into force on 1 January 1974, or on any date within the following 12 months, between the governments which have signed it, and, in cases where their constitutional or institutional procedures so require, have ratified, accepted or approved it, or have acceded to it, if these governments include those of six mainly producing countries, together accounting for at least 60% of worldwide olive oil production during the reference period stipulated in Article 3 of this Agreement, as well as those of three mainly importing countries. If this Protocol has not definitively entered into force in accordance with the preceding sentence, it shall do so at any time after it is provisionally in force when the numerical and production percentage requirements of this paragraph are satisfied by the deposit of instruments of ratification, acceptance, approval or accession.

2. This Protocol shall enter provisionally into force on 1 January 1974, or on any date within the following 12 months, between the governments which have signed it and, in cases where their constitutional or institutional procedures so require, have ratified, accepted or approved it, or have acceded to it, or have indicated that they will apply it provisionally, if these governments include those of six mainly producing countries together accounting for at least 60% of worldwide olive oil production during the reference period stipulated in Article 3 of the Agreement, as well as those of three mainly importing countries.

3. If by 1 January 1974 this Protocol has not entered into force either provisionally or definitively in the manner described in paragraphs 1 and 2 of this Article, but has received a sufficient number of signatures to enable it to enter into force after ratification, acceptance or approval in

conformity with the relevant provisions of this Protocol, then the Agreement shall, in accordance with Article 37 (4), continue in force beyond 1 January 1974 until the date of the provisional or definitive entry into force of this Protocol, provided that the period of such extension shall not exceed 12 months.

4. If by 30 October 1973 this Protocol has not received a number of signatures sufficient for it to enter into force after ratification, acceptance or approval, the governments which have signed it and, where their constitutional or institutional procedures so require, have ratified, accepted, approved or acceded to the said Protocol or have stated that they will apply it provisionally, may decide by common agreement that this Protocol shall enter into force among themselves, or may take whatever other action they consider is required by the circumstances.

Article 9

1. This Protocol shall be open for accession by any non-signatory government which is a member of the United Nations Conference on Trade and Development.

2. Accession to this Protocol shall be deemed to be accession to the Agreement as amended, 1973.

3. Accession shall be effected by the deposit of an instrument of accession with the depositary government of the Agreement and shall take effect from the date of deposit of such instrument or on the date of entry into force of this Protocol, whichever date is the later.

Article 10

If by 31 December 1978 a new agreement to extend or renew the Agreement as continued in force by this Protocol has been negotiated and has received a sufficient number of signatures to enable it to enter into

force after ratification, acceptance or approval in conformity with the relevant provisions of the Agreement and if that new Agreement has not entered into force, either provisionally or definitively, the present Protocol shall continue in force beyond 31 December 1978 until the entry into force of the new Agreement, provided that the period of such extension shall not exceed 12 months.

Article 11

1. Any government may, upon signature, or upon deposit of its instrument of ratification, acceptance or approval of this Protocol, or upon accession thereto, declare by notice addressed to the depositary government that the Agreement as amended, 1973, shall extend to any of the territories for whose international relations that government is for the time being ultimately responsible. The said Agreement shall extend to the territories named in the notification from the date of such notification or from the date on which the present Protocol enters into force for that government, whichever is the later.

2. Any Contracting Party which has made a declaration pursuant to paragraph 1 of this Article may at any later time, by notification to the depositary Government, declare that the Agreement as amended, 1973, shall cease to extend to the territory named in the notification and the said Agreement shall cease to extend to such territory from the date of such notification.

3. When a territory to which the Agreement as amended, 1973, has been extended under paragraph 1 of this Article subsequently attains independence, its government may, within 90 days after the attainment of independence, declare by notification to the depositary government that it has assumed the rights and obligations of a Contracting Party to the Agreement as amended, 1973. It shall become a Contracting Party to the said Agreement from the date of such notification.

Article 12

The depositary government of the Agreement shall without delay inform the signatory and acceding governments of any signature, ratification, acceptance or approval of, or accession to, this Protocol, of any notification and any indication made under Articles 6 and 7 of this Protocol, and of the date of entry into force of this Protocol.

Article 13

The European Economic Community shall have the same rights and powers as the governments referred to in the present Protocol, including those referred to in Articles 3 and 9 thereof.

In witness whereof, the undersigned, having been duly authorized to this effect by their respective governments, have signed this Protocol on the dates appearing opposite their signatures.

The texts of the present Protocol in the Arabic, English, French, Italian and Spanish languages shall all be equally authentic, the originals being deposited with the Government of Spain which shall furnish certified true copies thereof to all governments that have signed or acceded to this Protocol.

Done at Geneva, 23 March 1973.

ANNEX II

Notification of intention to accede to the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement with amendments to the said Agreement, and of the provisional application of the Agreement as amended by the abovementioned Protocol

In accordance with Articles 6 and 9 of the Protocol of 23 March 1973 for the extension of the 1963 International Olive Oil Agreement with amendments to the said Agreement, the Council of the European Communities has the honour to inform the Government of Spain, depositary of this Protocol that it intends to implement the institutional procedures necessary for the accession of the European Economic Community to the said Protocol.

In accordance with Article 7 of the abovementioned Protocol, the European Economic Community also indicates that it will apply the Agreement as amended by the Protocol of 23 March 1973 provisionally from 1 January 1978.

INFORMATION CONCERNING

— International Olive Oil AGREEMENT, 1963, as amended ⁽¹⁾ by the Protocols of 7 March 1969 and 23 March 1973, further extending the AGREEMENT

— PROTOCOL ⁽¹⁾ of 23 March 1973 further extending the International Olive Oil Agreement, 1963, with amendments

Open for signature: from 23.3.1973 until 30.10.1973

Depositary: Government of Spain, Madrid (Spain)

Date of entry into force of the Protocol: — provisional 16.12.1974

— definitive 31.1.1975

Duration: until 31.12.1978 ⁽²⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of intention to accede ⁽⁴⁾	Date of notification of provisional application	Date of deposit of instruments		Date of entry into force ⁽⁶⁾
				of ratification, acceptance, approval, etc.	of accession	
<i>Mainly producing and mainly importing member</i>						
EEC		2.2.1978	2.2.1978 ⁽⁵⁾			⁽⁵⁾

<i>Mainly producing members</i>						
ITALY		16.11.1977	16.11.1977			(7)
ALGERIA	29.10.1973		26.12.1973	14.2.1975		14.2.1975
EGYPT (3)		10.4.1974	10.4.1974		30.11.1974	
GREECE	29.10.1973		2.5.1974	31.1.1975		
ISRAEL					18.4.1974	
LEBANON		10.11.1973	5.11.1974			(7)
MOROCCO	30.10.1973		1.2.1974	27.4.1976		27.4.1976
PORTUGAL	26.10.1973		18.12.1973	20.12.1974		
SPAIN	21.7.1973			16.12.1974		
SYRIA	20.9.1973					
TUNISIA	28.9.1973		11.1.1974	14.3.1974		
TURKEY	11.10.1973			8.5.1974		
YUGO-SLAVIA					28.7.1973	

(1) OJ No L 169, 26.6.1978. The original Agreement of 1963, which expired on 30.9.1967, was last extended on 23.3.1973.

(2) Article 10 of this Protocol states however that 'if by 31 December 1978 a new Agreement to extend or renew the Agreement as continued in force by this Protocol has been negotiated and has received a sufficient number of signatures to enable it to enter into force after ratification, acceptance or approval in conformity with the relevant provisions of the Agreement and if that new Agreement has not entered into force either provisionally or definitively, the present Protocol shall continue in force beyond 31 December 1978 until the entry into force of the new Agreement, provided that the period of such extension shall not exceed 12 months'.

(3) The Government of the Arab Republic of Egypt became a mainly importing member on 1.1.1976.

(4) See Article 6 of the Protocol.

(5) Provisional application with effect from 1.1.1978.

(6) This date is only given where it falls after the date of entry into force of the Protocol.

(7) See date of notification of provisional application.

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of intention to accede (3)	Date of notification of provisional application	Date of deposit of instruments		Date of entry into force (2)
				of ratification, acceptance, approval, etc.	of accession	
<i>Mainly importing members</i>						
BELGIUM/ LUXEM- BOURG	9.10.1973		14.2.1975	14.10.1975		14.10.1975
DENMARK		2.2.1978	2.2.1978(*)		6.3.1978	6.3.1978
FRANCE	22.8.1973(2)					
GERMANY (Fed. Rep.)	25.10.1973		28.12.1977(*)	27.12.1978		27.12.1978
IRELAND		5.1.1978	5.1.1978(*)		7.2.1978	7.2.1978
NETHER- LANDS		29.12.1977	29.12.1977(*)		22.4.1978	22.4.1978
UNITED KINGDOM	30.10.1973		21.12.1973	27.4.1974		
CHILE(*)		6.12.1974	6.12.1974		26.11.1975	26.11.1975
DOMINICAN REP.		15.3.1974	15.3.1974		26.11.1975	26.11.1975
LIBYA	29.10.1973		10.10.1974	17.2.1976		17.2.1976
PANAMA					10.10.1973	

-
- (1) The Government of Chile was party to the International Olive Oil Agreement, 1963, as extended and amended by the Protocol of 23.3.1973, from 16.12.1974 until 3.12.1977, the date on which its withdrawal from the Agreement became effective.
 - (2) Subject to ratification.
 - (3) See Article 6 of the Protocol.
 - (4) Provisional application with effect from 1.1.1978.
 - (5) This date is only given where it falls after the date of entry into force of the Protocol.
-

Other agreements

INTERNATIONAL CONVENTION
on the simplification and harmonization of customs pro-
cedures
(3rd updating supplement)

ANNEX A. 1
concerning customs formalities prior to the lodgement of the goods
declaration

ANNEX A. 2
concerning the temporary storage of goods

ANNEX D. 1
concerning rules of origin
(updating supplement)

ANNEX D. 2
concerning documentary evidence of origin
(updating supplement)

ANNEX E. 1
concerning customs transit
(updating supplement)

ANNEX E. 3
concerning customs warehouses
(3rd updating supplement)

ANNEX E. 6
concerning temporary admission for inward processing
(updating supplement)

ANNEX E. 8
concerning temporary exportation for outward processing

INTERNATIONAL CONVENTION
on the simplification and harmonization of customs procedures (1)
(3rd updating supplement)

COUNCIL DECISION

of 6 June 1978

accepting on behalf of the Community three Annexes to the International Convention on the simplification and harmonization of customs procedures(2)

(78/528/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITY

Having regard to the Treaty establishing the European Economic Community,

Having regard to the recommendation from the Commission

Whereas, by Decision 75/199/EEC, the Community concluded the International Convention on the simplification and harmonization of customs procedures and accepted the Annex thereto concerning customs warehouses;

(1) This Convention appears in Volume 5, page 825.

(2) OJ No L 160, 17.6.1978.

Whereas Annexes to the said Convention concerning customs formalities prior to the lodgement of the goods declaration, the temporary storage of goods and free zones can be accepted by the Community

Whereas nevertheless advisable to make the acceptance of these Annexes subject to certain reservations in order to take account of the special requirements of the customs union,

HAS DECIDED AS FOLLOWS:

Article 1

The following Annexes to the International Convention on the simplification and harmonization of customs procedures are hereby accepted on behalf of the Community:

- Annex 1 concerning customs formalities prior to the lodgement of the goods declaration, with reservations regarding standards 11 and;
- Annex 2 concerning the temporary storage of goods, with reservations regarding recommended practices 10, 13 and 21;
- Annex 3 concerning free zones, with a reservation regarding standard 21.⁽¹⁾

The texts of the abovementioned Annexes are annexed to this Decision.

Article 2

The Commission shall inform the General Secretariat of the Customs Cooperation Council of the acceptance of the Annexes referred to in Article 1 subject to the reservations mentioned in that Article.

Done at Luxembourg, 6 June 1978.

For the Council
The President
K. B. ANDERSEN

⁽¹⁾ This Annex did not enter into force on 31.12.1978.

ANNEX A.1

Annex concerning customs formalities prior to the lodgement of the goods declaration⁽¹⁾

INTRODUCTION

Goods may be introduced into a country by many different modes of transport. In order to safeguard the revenue and ensure compliance with national legislation, the carrier having introduced goods into the customs territory must produce them, and the means of transport by which they are carried, to the customs authorities at the earliest possible time. The provisions necessary to control the introduction of goods into the customs territory depend, to a large extent, upon the geography of the country and other circumstances such as the principal modes of transport bringing goods into the country.

In many cases the customs office at which the goods are to be produced and the goods declaration is to be lodged is situated at the place where the goods are introduced into the customs territory; however, in other cases, this customs office is situated some distance from that place. It is essential that the customs authorities be in a position to control the conveyance of goods to the customs office at which the goods are to be produced to the customs.

The interests of the customs may be safeguarded by placing obligations on the carrier through regulations and by means of physical surveillance by the customs of means of transport and goods introduced into the customs territory.

⁽¹⁾ OJ No L 160, 17.6.1978.

It is important that these measures cause a minimum of inconvenience to international trade. To this end all formalities to be accomplished by the carrier should be as simple as possible and information concerning them should be readily available to all interested persons.

This Annex does not cover goods which arrive under a customs procedure, e.g. international customs transit, goods carried by post or in travellers' baggage or the temporary storage of goods, nor does it cover certain other formalities which may be applicable in the case of particular modes of transport, e.g. presentation of a report on the arrival of a ship.

DEFINITIONS

For the purposes of this Annex:

- (a) the term 'customs formalities prior to the lodgement of the goods declaration' means all the operations to be carried out by the person concerned and by the customs from the time goods are introduced into the customs territory to the placing of the goods under a customs procedure;

Note:

Temporary storage may be considered as a customs procedure.

- (b) the term 'customs territory' means the territory in which the customs law of a State applies in full;
- (c) the term 'carrier' means the person actually transporting goods or in charge of or responsible for the operation of the means of transport;
- (d) the term 'import duties and taxes' means customs duties and all other duties, taxes, fees or other charges which are collected on or in connection with the importation of goods, but not including fees and charges which are limited in amount to the approximate cost of services rendered;

- (e) the term 'goods declaration' means a statement made in the form prescribed by the customs, by which the persons interested indicate the particular customs procedure to be applied to the goods and furnish the particulars which the customs require to be declared for the application of that procedure;
- (f) the term 'customs control' means measures applied to ensure compliance with the laws and regulations which the customs are responsible for enforcing;
- (g) the term 'person' means both natural and legal persons unless the context otherwise requires.

PRINCIPLES

1. *Standard*
Customs formalities prior to the lodgement of the goods declaration shall be governed by the provisions of this Annex.
2. *Standard*
National legislation shall specify the conditions to be fulfilled and the formalities to be accomplished in respect of goods which are introduced into the customs territory.
3. *Standard*
All goods which are introduced into the customs territory, regardless of whether they are liable to import duties and taxes, shall be subject to customs control.
4. *Standard*
Customs formalities prior to the lodgement of the goods declaration shall be reduced to the minimum necessary to ensure compliance with the laws and regulations which the customs are responsible for enforcing.

5.

Standard

Customs formalities prior to the lodgement of the goods declaration shall apply equally, regardless of the country of origin of the goods or the country whence they arrived.

INTRODUCTION OF GOODS INTO THE CUSTOMS TERRITORY

Places at which goods may be introduced into the customs territory

6.

Standard

National legislation shall specify the places at which goods may be introduced into the customs territory. In determining these places the factors to be taken into account shall include the particular requirements of trade, industry and transport.

Note:

Countries may specify for this purpose the customs routes, that is to say, the roads, railways, waterways and any other routes (pipelines, etc.) which must be used for the importation of goods.

Obligations of the carrier

7.

Standard

The fact of having introduced goods into the customs territory shall carry with it the obligation upon the carrier to convey them directly to a designated customs office or other place specified by the customs authorities without altering their nature or their packaging.

8.

Standard

Where the conveyance of the goods from the place of their introduction into the customs territory to a designated customs office or other specified place is interrupted by accident or *force majeure*, the carrier shall be required to take precautions to prevent the goods from entering into unauthorized circulation and to advise the customs or other competent authorities of the nature of the accident or other circumstance which has interrupted the journey.

Customs control

9.

Standard

Customs control in respect of imported goods shall be reduced to the minimum.

Notes:

1. Customs control may include the boarding and searching of means of transport.
2. The customs authorities may have the power to take special control measures which are applied only in specified areas, for example, in the frontier zone.
3. As a rule it is not necessary to take control measures which involve unloading goods, affixing seals or identification marks to means of transport or goods or conveyance of goods under customs escort. However, where the customs authorities consider such control measures to be indispensable, they would apply those which would cause the least inconvenience to both the customs and the carrier while still providing adequate safeguards. Customs seals and identification marks affixed by foreign customs authorities would normally be accepted unless they were considered not to be sufficient or secure.

PRODUCTION OF GOODS TO THE CUSTOMS

Documentation

10. *Recommended practice*

Where the customs office at which the goods are to be produced is not located at the place where the goods are introduced into the customs territory, no document should be required to be lodged with the customs authorities at that place.

Note:

For the purpose of identifying the goods, the customs authorities may require the presentation of commercial, transport or other accompanying documents.

11. *Standard*

Where the customs authorities require documentation in respect of the production of the goods to the customs, this shall not be required to contain more than the information necessary to identify the goods and the means of transport.

Note:

The information is normally obtained from commercial and transport documents, the contents of which may vary from one mode of transport to another. The customs authorities would not normally require any more than a description of the goods and of the packages (marks and numbers, number and kind, weight) and identification of the means of transport. Some international agreements lay down the maximum information which may be required (e.g. the country may be a Contracting Party to Annex 9 to the Convention on International Civil Aviation or the Convention on Facilitation of International Maritime Traffic).

12. *Recommended practice*

Where the documents produced to the customs are made out in a language which is not specified for this purpose or in a language which

is not a language of the country into which the goods are introduced, a translation of the particulars given in those documents should not be required as a matter of course.

Competence and hours of business of customs offices

13.

Standard

The customs authorities shall designate the customs offices at which goods may be produced to the customs. In determining the competence of these offices and their hours of business, the factors to be taken into account shall include the particular requirements of trade and industry and transport.

Notes:

1. In some countries the competence of the customs offices is determined with reference to the customs routes and their importance.
2. Where necessary the competence of certain customs offices may be restricted to certain modes of transport or to certain categories of goods or to goods consigned to specified areas (e.g. the frontier zone or an industrial zone).

14.

Recommended practice

Where corresponding customs offices are located on a common frontier, the customs authorities of the two countries concerned should correlate the business hours and the competence of those offices.

Note:

In some cases joint controls have been established at common frontiers with customs offices of the two countries installed at the same place and sometimes in the same building.

Arrival outside working hours

15.

Standard

The customs authorities shall specify the precautions to be taken by the carrier to prevent the goods from entering into unauthorized circulation in the customs territory when they arrive at a customs office outside working hours.

Note:

The carrier may be required to keep the goods at a specific place at or in the vicinity of the customs office.

16.

Recommended practice

At the request of the carrier, and for reasons deemed valid by the customs authorities, the latter should, so far as possible, allow the customs formalities prior to the lodgement of the goods declaration to be accomplished outside the business hours of the customs office; any expenses which this entails may be charged to the carrier.

UNLOADING

Places of unloading

17.

Standard

National legislation shall specify the places which are approved for unloading.

18.

Recommended practice

At the request of the person concerned, and for reasons deemed valid by the customs authorities, the latter should allow goods to be unloaded at a place other than the one approved for unloading; any expenses which this entails may be charged to the person concerned.

Note:

Goods may be unloaded, according to the circumstances, at the premises of the person concerned, at premises with appropriate equipment or at any place within the customs surveillance zone.

Commencement of unloading

19. *Recommended practice*

The commencement of unloading should be permitted as soon as possible after the arrival of the means of transport at the place of unloading.

20. *Recommended practice*

At the request of the person concerned, and for reasons deemed valid by the customs authorities, the latter should, so far as administrative circumstances permit, allow unloading to proceed outside the business hours of the customs office; any expenses which this entails may be charged to the person concerned.

GOODS DAMAGED, DESTROYED OR LOST

21. *Standard*

Total or partial exemption, as the case may be, from payment of import duties and taxes, shall be granted in respect of goods damaged, destroyed or irrecoverably lost by accident or *force majeure* during the accomplishment of the customs formalities prior to the lodgement of the goods declaration provided that the facts are duly established to the satisfaction of the customs authorities.

Note:

At the request of the person concerned, remnants of goods covered by this standard may be:

- (a) cleared for home use in their existing state as if they had been imported in that state; or
- (b) re-exported; or
- (c) rendered commercially valueless under customs control, without expense to the revenue; or
- (d) with the consent of the customs authorities, abandoned free of all expenses to the revenue.

RESPONSIBILITY FOR THE PAYMENT OF IMPORT DUTIES
AND TAXES

22.

Standard

National legislation shall specify the person or persons responsible for the payment of any import duties and taxes in respect of goods introduced into the customs territory which have not been produced to the customs in compliance with the conditions and formalities to be fulfilled prior to the lodgement of the goods declaration.

INFORMATION CONCERNING CUSTOMS FORMALITIES
PRIOR TO THE LODGEMENT OF THE GOODS
DECLARATION

23.

Standard

The customs authorities shall ensure that all relevant information regarding customs formalities prior to the lodgement of the goods declaration is readily available to any person interested.

ANNEX A.2

Annex concerning the temporary storage of goods⁽¹⁾

INTRODUCTION

It is important that, on arrival, goods may be permitted to be unloaded from the means of transport as soon as possible. In recognition of this fact customs administrations have introduced arrangements under which the discharge of cargo may commence as soon as possible after arrival with a minimum of formalities subject to the revenue being safeguarded.

For a variety of reasons some time may elapse between the arrival of the goods and the lodgement of the relevant goods declaration. In these circumstances customs authorities require the goods to be kept under customs control and for this purpose they are usually placed in a specified area where they are stored pending lodgement of the goods declaration. Such areas are termed temporary stores and may consist of buildings or may be enclosed or unenclosed spaces.

The provisions of this Annex do not apply to the storage of goods in customs warehouses or in free zones.

DEFINITIONS

For the purposes of this Annex:

- (a) the term 'temporary storage of goods' means the storing of goods under customs control in premises and enclosed or unenclosed spaces specified by the customs (hereinafter called temporary stores) pending lodgement of the goods declaration;

(1) OJ No L 160, 17.6.1978.

- (b) the term 'import duties and taxes' means customs duties and all other duties, taxes, fees or other charges which are collected on or in connection with the importation of goods, but not including fees and charges which are limited in amount to the approximate cost of services rendered;
- (c) the term 'goods declaration' means a statement made in the form prescribed by the customs, by which the persons interested indicate the customs procedure to be applied to the goods and furnish the particulars which the customs requires to be declared for the application of that procedure;
- (d) the term 'customs control' means measures applied to ensure compliance with the laws and regulations which the customs are responsible for enforcing;
- (e) the term 'security' means that which ensures to the satisfaction of the customs that an obligation to the customs will be fulfilled. Security is described as 'general' when it ensures that the obligations arising from several operations will be fulfilled;
- (f) the term 'person' means both natural and legal persons, unless the context otherwise requires.

PRINCIPLES

1. *Standard*

The temporary storage of goods shall be governed by the provisions of this Annex.

2. *Standard*

National legislation shall specify the conditions to be fulfilled and the formalities to be accomplished in respect of goods placed in temporary store.

SCOPE

3. *Standard*
The customs authorities shall authorize the establishment of temporary stores whenever they deem it necessary to meet the requirements of trade and industry.

Notes:

1. In accordance with the provisions of national legislation, temporary stores may be managed by the customs authorities, by other authorities or by natural or legal persons.
2. Temporary stores may be open to all importers and other persons entitled to dispose of goods being imported, or use of them may be restricted to specified persons.

4. *Standard*
Temporary storage shall be allowed in respect of all kinds of goods irrespective of quantity, country of origin or country whence arrived. However, goods which constitute a hazard, which are likely to affect other goods or which require special installations shall be admitted only into temporary stores specially designed to receive them.

5. *Standard*
The only document to be required when goods are placed in temporary store shall be that used to describe the goods when they are produced to the customs.

MANAGEMENT OF TEMPORARY STORES

6. *Standard*
The requirements as regards the construction, layout and management of temporary stores and the arrangements for the storage of goods,

for stock-keeping and accounting and for customs control shall be laid down by the customs authorities.

Notes:

1. For the purposes of control the customs may, in particular:

- keep, or require to be kept, accounts of goods placed in the temporary store (by using either special registers or the relevant documentation);
- keep the temporary store under permanent or intermittent supervision;
- require that the temporary store be double-locked (secured by the lock of the person concerned and by customs lock);
- take stock of the goods in the temporary store from time to time.

2. Goods are usually required to be stored in locked premises. However, bulky or heavy goods and low-duty goods which constitute little revenue risk are frequently stored in unenclosed spaces under customs supervision.

7.

Standard

National legislation shall specify the person or persons held responsible for the payment of any import duties and taxes chargeable on goods placed in a temporary store which are not accounted for to the satisfaction of the customs authorities.

8.

Standard

When security is required from the authority or person managing a temporary store, the customs authorities shall accept a general security.

9. *Recommended practice*

The amount of any security should be set as low as possible having regard to the import duties and taxes potentially chargeable.

10. *Recommended practice*

The customs authorities should waive security where the temporary store is under adequate customs supervision, in particular where it is customs locked.

AUTHORIZED OPERATIONS

11. *Standard*

Any person entitled to dispose of goods in temporary stores shall, for the purposes of preparing the goods declaration, be allowed to:

- (a) inspect them;
- (b) weigh them;
- (c) take samples, against payment of the import duties and taxes where appropriate.

12. *Standard*

Goods in temporary store shall be allowed to undergo normal operations necessary for their preservation in their unaltered state.

Note:

The normal operations necessary for the preservation of the goods in their unaltered state may include cleaning, beating, removal of dust, sorting and repair or change of faulty packings.

13.

Recommended practice

Goods in temporary store should be allowed under such conditions as may be laid down by the customs authorities, to undergo normal operations necessary to facilitate their removal from store and their further transport.

Note:

These operations may include sorting, piling, weighing, marking, labelling. They may also involve the consolidation of different consignments of goods intended for further transport under a single transport document and/or a single customs document (groupage).

DURATION OF TEMPORARY STORAGE

14.

Standard

Where national legislation lays down a time limit for temporary storage, the time allowed shall be sufficient to enable the importer to complete the necessary formalities to place the goods under a customs procedure.

Note:

The time limit laid down may vary according to the mode of transport used, and in the case of goods imported by sea may well be of considerable duration.

15.

Recommended practice

At the request of the person concerned, and for reasons deemed valid by the customs authorities, the latter should extend the period initially fixed.

DETERIORATION, DAMAGE, LOSS, DESTRUCTION OR
ABANDONMENT OF GOODS

16.

Standard

Goods deteriorated, spoiled or damaged by accident or *force majeure* before leaving the temporary store shall be allowed to be cleared as if they had been imported in their deteriorated, spoiled or damaged state.

17.

Standard

Goods in temporary store which are destroyed or irrecoverably lost by accident or *force majeure* shall not be subjected to import duties and taxes, provided that such destruction or loss is duly established to the satisfaction of the customs authorities.

Any waste or scrap remaining after destruction shall be liable, if taken into home use, to the import duties and taxes that would be applicable to such waste and scrap imported in that state.

18.

Standard

At the request of the person entitled to dispose of them, goods in temporary store shall be allowed to be abandoned, in whole or in part, to the revenue or to be destroyed or rendered commercially valueless under customs control, as the customs authorities may decide. Such abandonment or destruction shall not entail any cost to the revenue.

Any waste or scrap remaining after destruction shall be liable, if taken into home use, to the import duties and taxes that would be applicable to such waste and scrap imported in that state.

REMOVAL FROM TEMPORARY STORE

19.

Standard

Any person having the right to dispose of the goods shall be entitled to remove them from temporary store subject to compliance with the conditions and formalities in each case.

Note:

The customs authorities may require the person concerned to establish his right to dispose of the goods.

GOODS NOT REMOVED FROM TEMPORARY STORE

20.

Standard

National legislation shall specify the procedure to be followed when goods are not removed from temporary store within the period laid down.

21.

Recommended practice

When goods not removed from temporary store are sold by the customs, the proceeds of the sale, after deduction of the import duties and taxes and all other charges and expenses incurred, should either be made over to the person(s) entitled to receive them, when this is possible, or be held at their disposal for a specific period.

INFORMATION CONCERNING TEMPORARY STORAGE

22.

Standard

The customs authorities shall ensure that all relevant information regarding the temporary storage of goods is readily available to any person interested.

ANNEX D.1
concerning rules of origin⁽¹⁾
(updating supplement)

⁽¹⁾ See summary table on page 3280 of this volume.

ANNEX D.2
concerning documentary evidence of origin⁽¹⁾
(updating supplement)

⁽¹⁾ See summary table on page 3280 of this volume.

ANNEX E.1
concerning customs transit⁽¹⁾
(updating supplement)

(1) See summary table on page 3280 of this volume.

ANNEX E.3
concerning customs warehouses⁽¹⁾
(3rd updating supplement)

(1) See summary table on page 3280 of this volume.

ANNEX E.6
concerning temporary admission for inward processing⁽¹⁾
(updating supplement)

(1) See summary table on page 3280 of this volume.

ANNEX E.8

Concerning temporary exportation for outward processing⁽¹⁾

COUNCIL DECISION

of 3 June 1977

accepting on behalf of the Community several Annexes to the International Convention on the simplification and harmonization of customs procedures

(77/415/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the recommendation from the Commission,

Whereas, in accordance with Council Decision 75/119/EEC of 18 March 1975⁽²⁾, the Community is a party to the International Convention on the simplification and harmonization of customs procedures:

Whereas the Annexes to the said Convention concerning rules of origin, documentary evidence of origin, customs transit, temporary admission for inward processing and temporary exportation for outward processing are acceptable to the Community; whereas it is nevertheless advisable to make acceptance of the Annexes concerning rules of origin, documentary evidence of origin, temporary admission for inward processing and temporary exportation for outward processing subject to certain reservations in order to take account of the special requirements of the customs union,

⁽¹⁾ OJ No L 166, 4.7.1977.

⁽²⁾ OJ No L 100, 21.4.1975.

HAS DECIDED AS FOLLOWS:

Article 1

The following Annexes to the International Convention on the simplification and harmonization of customs procedures are accepted on behalf of the Community:

- Annex D.1 concerning rules of origin, except for standards 7 and 8 and recommended practice 10,
- Annex D.2 concerning documentary evidence of origin, except for recommended practices 3, 10 and 12,
- Annex E.1 concerning customs transit,
- Annex E.6 concerning temporary admission for inward processing, except for standards 19 and 34 and recommended practices 5, 16, 18 and 27,
- Annex E.8 concerning temporary exportation for outward processing, except for standard 20 and recommended practices 3, 9 and 10.

The texts of the above Annexes are annexed to this Decision.

Article 2

The Commission shall inform the Secretariat of the Customs Cooperation Council of the acceptance by the Community of the Annex concerning customs transit and, subject to the reservations referred to in Article 1, of the Annexes concerning rules of origin, documentary evidence of origin, temporary admission for inward processing and temporary exportation for outward processing.

Done at Brussels, 3 June 1977.

For the Council
The President
D. OWEN

ANNEX E.8

ANNEX CONCERNING TEMPORARY EXPORTATION FOR OUTWARD PROCESSING

Introduction

Most States have made provision in their national legislation for total or partial exemption from import duties and taxes when goods which are re-imported after manufacturing, processing or repair abroad are declared for home use. The customs procedure which provides for this exemption is that of temporary exportation for outward processing.

The application of this procedure may be made subject to the condition that the processing operations envisaged are regarded by the competent authorities as not detrimental to national interests.

The exemption granted on the re-importation of the goods processed abroad is usually partial; however, it may be total, in particular where repairs have been carried out abroad free of charge.

Definitions

For the purposes of this Annex:

- (a) the term 'temporary exportation for outward processing' means the customs procedure under which goods which are in free circulation in a customs territory may be temporarily exported for manufacturing, processing, or repair abroad and then re-imported with total or partial exemption from import duties and taxes;
- (b) the term 'goods in free circulation' means goods which may be disposed of without customs restriction;

- (c) the term 'import duties and taxes' means the customs duties and all other duties, taxes, free of other charges which are collected on or in connection with the importation of goods, but not including fees and charges which are limited in amount to the approximate cost of services rendered;
- (d) the term 'compensating products' means the products obtained abroad during or as a result of the manufacturing, processing or repair of the goods temporarily exported for outward processing;
- (e) the term 'customs control' means the measures applied to ensure compliance with the laws and regulations which the customs are responsible for enforcing;
- (f) the term 'person' means both natural and legal persons, unless the context otherwise requires.

Principle

1. *Standard*

Temporary exportation for outward processing shall be governed by the provisions of this Annex.

Field of application

2. *Standard*

National legislation shall specify the circumstances in which temporary exportation for outward processing may be allowed and shall lay down the requirements which must be met.

Notes:

- 1. The circumstances in which temporary exportation for outward processing is allowed may be set out in general terms and/or in detail.
- 2. Temporary exportation for outward processing may be made subject to the condition that the processing operations envisaged are not detrimental to national interests.

3. The customs authorities may require a person exporting goods temporarily for outward processing to specify the processing or manufacturing operation which the goods are to undergo abroad.

3. *Recommended practice*

Temporary exportation for outward processing should not be refused solely on the grounds that the goods are to be processed in a given country.

4. *Standard*

Temporary exportation of goods for outward processing shall not be restricted to the owner of the goods.

Temporary exportation of the goods

(a) Formalities prior to temporary exportation of the goods

5. *Standard*

Where temporary exportation for outward processing is subject to prior authority, national legislation shall specify the circumstances in which such authority is required and the authorities empowered to grant it.

6. *Recommended practice*

Persons who carry on large-scale and continuous temporary exportation for outward processing operations involving the same type of goods should be granted a general authorization covering such operations.

7. *Recommended practice*

Where such action will facilitate a temporary exportation for outward processing operation or the competent authorities deem it necessary, these authorities should fix a rate of yield for that operation. The

description, quality and quantity of the various compensating products shall be specified upon fixing that rate.

Notes:

1. In order to fix the rate of yield, the customs authorities may take as a basis the conditions under which the operation is carried out, in so far as these are known. They may require production of the contracts with the foreign undertaking which is to carry out the processing or manufacturing. They may also take as a basis the rates of yield fixed by the customs authorities in the country in which the processing operations are to be carried out.

2. Standard rates of yield may be fixed when the outward processing operations:

- relate to goods whose characteristics remain reasonably constant,
- are customarily carried out under clearly defined technical conditions, and
- give compensating products of constant quality.

(b) Declaration for temporary exportation

8. *Standard*

National legislation shall specify the conditions under which goods to be temporarily exported for outward processing shall be produced at the competent customs office and a goods declaration (outwards) shall be lodged.

9. *Recommended practice*

Customs authorities should allow the goods declaration (outwards) form to be used for making out the declaration for the temporary exportation of goods for outward processing.

10. *Recommended practice*

If special forms are used for making out the declaration for the temporary exportation of goods for outward processing, they should

be harmonized with the form used for the goods declaration (outwards).

(c) *Examination of the goods*

11.

Recommended practice

At the request of the declarant and for reasons deemed valid by the customs authorities, the latter should, so far as possible, allow goods that are to be temporarily exported for outward processing to be examined on private premises; the expenses entailed by such examination may be charged to the declarant.

(d) *Identification measures*

12.

Standard

The requirements relating to the identification of goods to be temporarily exported for outward processing shall be laid down by the customs authorities, due account being taken, for example, of the nature of the goods and of the operation to be carried out.

Notes:

1. For the identification of goods to be temporarily exported for outward processing, the customs authorities may affix customs marks (seals, stamps, perforations, etc.), or rely on marks, numbers or other indications permanently affixed to the goods or on the description of the goods, scale plans or photographs, or take samples.

2. The customs authorities may also allow identification of the goods to be ensured by production, at the time of importation of the compensating products, of a written declaration by the importer concerning the identity of the goods contained in those products supported, as appropriate, by the commercial documents relating to the operation in question.

13.

Recommended practice

Where no other identification measure is feasible, the customs authorities should make use of an information document conforming to the model in Appendix I to this Annex provided that the processing or manufacturing is to be carried out in the customs territory of a Contracting Party that has agreed to take part in the use of information documents in accordance with the principles set out in Appendix I to this Annex.

Duration of temporary exportation

14.

Standard

Where customs authorities impose a time limit for temporary exportation for outward processing, this time limit shall be fixed by reference to the time necessary to complete the processing operations, up to the maximum period, if any, laid down in the national legislation.

15.

Recommended practice

At the request of the person concerned, and for reasons deemed valid by the customs authorities, the latter should extend the period initially fixed.

Importation of compensating products

16.

Standard

National legislation shall specify the conditions under which the compensating products shall be produced at the competent customs office and a goods declaration shall be lodged.

Notes:

1. National legislation may prescribe that the goods declaration shall contain the particulars needed to permit discharge of the temporary

exportation for outward processing declaration concerning the goods utilized.

2. National legislation may provide that the products obtained abroad from the treatment of goods identical in description, quality and technical characteristics to those temporarily exported for outward processing shall be deemed to be compensating products for the purposes of this Annex (setting-off with equivalent goods).

17. *Recommended practice*

Provision should be made to permit compensating products to be imported through a competent customs office other than that through which the goods were temporarily exported for outward processing.

18. *Standard*

Provision shall be made to permit compensating products to be imported in one or more consignments.

19. *Recommended practice*

At the request of the importer, and for reasons deemed valid by the customs authorities, the latter should, so far as possible, allow imported compensating products to be examined on private premises; the expenses entailed by such examination may be charged to the importer.

20. *Standard*

At the request of the person concerned, the competent authorities shall, under the conditions laid down by national legislation, allow goods temporarily exported for outward processing to be re-imported with total exemption from import duties and taxes if they could not undergo the manufacturing, processing or repair for which they were sent abroad and are returned to the exporter in the same state.

This exemption shall not apply to import duties and taxes which have been repaid or remitted in connection with the temporary exportation of the goods for outward processing.

21.

Standard

Unless national legislation requires the re-importation of goods temporarily exported for outward processing, provision shall be made for terminating temporary exportation for outward processing by declaring the goods for outright exportation subject to compliance with the conditions and formalities applicable in such case.

Import duties and taxes applicable to compensating products

22.

Standard

National legislation shall specify the extent of the exemption from import duties and taxes granted when compensating products are taken into home use, and the method of calculation of that exemption.

Note:

In the case of partial exemption, the assessment of import duties and taxes may be based on the value added by the processing of the goods abroad. It may also be made by deducting from the amount of the import duties and taxes applicable to the compensating products the amount of the import duties and taxes that would be charged on the goods temporarily exported for outward processing that were used to obtain the compensating products if these goods were imported from the country where they were processed in the state in which they were exported to that country. The rates used to calculate the deduction are those in force at the time determined for the purpose of taking the compensating products into home use; however, where the rates to be taken into consideration under this rule are higher than those applicable

to the compensating products, the deduction may be calculated at the rates applicable to those products.

23.

Standard

The exemption from import duties and taxes provided for in respect of compensating products shall not apply to duties and taxes which have been repaid or remitted in connection with the temporary exportation of the goods for outward processing.

24.

Recommended practice

Where goods temporarily exported for outward processing have been repaired abroad free of charge, provision should be made for them to be re-imported with total exemption from import duties and taxes on the conditions laid down in national legislation.

25.

Recommended practice

The exemption from import duties and taxes should be granted if the compensating products were placed in a customs warehouse or a free zone before being declared for home use.

26.

Recommended practice

The exemption from import duties and taxes should be granted if the compensating products were placed under a temporary admission procedure before being declared for home use.

27.

Recommended practice

The exemption from import duties and taxes should be granted if the ownership of the compensating products is transferred before they are taken into home use, provided that they are taken into home use in the name or for the account of the person who placed the goods under the temporary exportation for outward processing procedure.

Note:

Certain internal taxes may become chargeable because of the transfer of ownership of the goods.

Information concerning temporary exportation for outward processing

28.

Standard

The customs authorities shall ensure that all relevant information regarding temporary exportation for outward processing is readily available to any person interested.

C	Nature of proposed operations					
D	Particulars of examinations carried out			F	Certified to correspond with the particulars shown on	
				<i>(Customs document)</i>		
				No	dated	
				<i>(Place)</i>	<i>(Date)</i>	
E	Means of identification used			<i>(Signature)</i>	<i>(Customs office stamp)</i>	

(¹) Unused lines or boxes must be struck out or the word 'nil' written across them.

(²) Delete if inapplicable.

II

TO BE COMPLETED AT IMPORTATION (1)

Customs administration of Customs office of 	A The goods described { in Part I (2) intended for manufacture / processing / repair (2) below were entered { by on behalf of (2) (Name of importer in block capitals) of (Address in block capitals)					
B Number, type, marks and numbers of packages	Specification of goods					
	Tariff reference No	Commercial description	Quantity		Value	Remarks
1	2	3	Gross weight	Net weight, number, volume, measurements, etc.	6	7

C Nature of proposed operations

.....

.....

.....

D Particulars of examinations carried out

.....

.....

.....

.....

F Certified to correspond with the particulars shown on

(Customs document)

No dated

(Place)

(Date)

E Means of identification used

.....

.....

.....

.....

(Signature)

(Customs office stamp)

(¹) Unused lines or boxes must be struck out or the word 'nil' written across them.
 (²) Delete if inapplicable.

<p>C Nature of operations (Include particulars of any parts added and/or any manufacturing waste)</p>	<p>G Split re-exportation No</p> <p style="text-align: center;">No (Customs document) dated (Customs office)</p> <p style="font-size: 2em; vertical-align: middle;">}</p> <p style="vertical-align: middle;">Particulars as in Part 1, box F</p>
<p>D Particulars of examinations carried out</p>	<p>F Certified to correspond with the particulars shown on</p> <p style="text-align: center;">(Customs document)</p> <p>No dated</p> <p style="text-align: center;">(Place) (Date)</p> <p style="text-align: center;">(Signature) (Customs office stamp)</p> <div style="border: 1px dashed black; width: 80px; height: 80px; margin: 0 auto;"></div>
<p>E It <input type="checkbox"/> has <input type="checkbox"/> has not ⁽²⁾ been established that the re-exported goods</p> <p><input type="checkbox"/> are those which were imported</p> <p><input type="checkbox"/> have been made or obtained from the goods imported ⁽²⁾</p> <p>Means of identification used</p>	

(1) Unused lines or boxes must be struck out or the word 'nil' written across them.

(2) Delete if inapplicable.

For official use only

Note for the use of the information document

1. The exporter must ensure that, subject to any conditions they may lay down, the customs authorities of the country of temporary importation are in a position to establish the identity of the goods.
2. The duly completed information document (ID) must be presented to the customs authorities whenever the goods are cleared.
3. If the goods are to be re-imported in split consignments the following procedure applies.
 - (a) *Temporary exportation*
The exporter produces the ID in duplicate. The customs certify both copies (Part I) and return them to the exporter who sends the original ID to the importer who keeps it until the last split re-exportation. The exporter keeps the duplicate ID.
 - (b) *Temporary importation*
The importer produces the original ID to the customs who certify Part II and return the ID to him.
 - (c) *Split re-exportation*
The re-exporter completes an additional Part III (including box G) and produces it to the customs together with the original ID. The customs certify the additional Part III after checking it against the ID. The re-exporter

sends the additional Part III to re-importer.

(d) *Split re-importation*

The re-importer produces the additional Part III and his copy of the ID to the customs for checking against each other.

(e) *Last split re-exportation*

The re-exporter completes Part III of the original ID (including box G). The customs certify the original ID and return it to the re-exporter who sends it to the re-importer.

(f) *Last split re-importation*

The re-importer produces both copies of the ID to the customs.

APPENDIX II

Principles governing the use of the information document

- (1) The information document may be used when it would not be possible to identify the goods on re-importation by the usual means of control (seals, marks, samples, etc.) or to accept a written declaration by the re-importer concerning the identity of the goods.
- (2) The exporter should ensure that, subject to any condition they may lay down, the customs authorities of the country of temporary importation are in a position to establish the identity of the goods.
- (3) When an information document has been certified by the customs authorities of the country of temporary exportation, the customs authorities of the country of temporary importation should give the required certification.
- (4) Customs authorities of the country of temporary importation should endeavour to complete the information document whenever requested to do so, even if the goods in question are not imported under a temporary admission procedure (e.g. because they are not liable to import duties and taxes).
- (5) It would be open to the customs administrations of the countries concerned to reach agreement on modifications in the form or use the information document to cover cases where exceptional difficulty in the identification of goods on their re-importation renders this necessary.

DECLARATIONS OR RESERVATIONS

A.1

EUROPEAN ECONOMIC COMMUNITY

Standard 11

Community regulations provide that the summary declaration shall also show the port where the goods were loaded on to the means of transport. Under the regulations, Members may also require other particulars than those prescribed by the Regulations themselves to be entered in the summary declaration.

Standard 21

Total or partial exemption from duties chargeable by reference to weight cannot be granted in respect of damaged goods which are cleared for home use.

GERMANY (FEDERAL REPUBLIC OF)

Standards 11 and 21

The reasons for these reservations are the same as those given by the European Economic Community.

Note:

See reservations entered by EEC.

DENMARK*Standards 11 and 21*

The reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

CANADA*Recommended Practice 10*

Canadian legislation stipulates that at certain times, for enforcement reasons, a document may be required at the place where the goods are introduced into the Customs territory.

Standard 11

In addition to the information necessary to identify the goods and means of transport, Canadian legislation requires the name of the consignee.

EUROPEAN ECONOMIC COMMUNITY*General*

Under Community regulations Members are free to decide whether or not to establish temporary stores on their territory, provided that where such stores are introduced, they conform to Community regulations. The temporary storage procedure does not exist in the Netherlands.

Recommended Practice 10

Under Community regulations, the conditions under which goods are kept in temporary storage are left to Members' competent authorities.

Recommended Practice 13

Under Community regulations, goods in temporary store may only undergo normal handling operations to ensure their preservation in a fit state. The operations listed in Recommended Practice 13 go beyond such simple preservation and are more akin to operations normally authorized in a Customs warehouse.

Recommended Practice 21

Under Community regulations, the method of disposal of goods not removed from temporary store is left to the discretion of Members' competent authorities.

GERMANY (FEDERAL REPUBLIC OF)*Recommended Practice 13*

The reasons for this reservation are the same as those given by the European Economic Community.

Note:

See reservations entered by EEC.

AUSTRIA*Standard 12*

Other operations than packing, repacking, refilling or taking samples are only permitted in a railway lock-up.

Recommended Practice 13

Operations necessary to facilitate the removal from store or the further transport of temporary stored goods are not allowed.

Recommended Practice 15

The period initially fixed (two months) cannot be extended.

Standard 18

For incomplete destruction it is necessary to store the goods in a warehouse or bring them into a Customs free zone. Moreover, incomplete destruction of goods is authorized only if such destruction is in the interest of the national economy; in open Customs warehouses such destruction is excluded.

DENMARK*Recommended Practices 10, 13 and 21*

The reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

CANADA*Recommended Practice 10*

Under Canadian legislation, security is never waived.

Standard 11

Canadian legislation makes no provision for the operations described in this Standard, as the goods do not remain in temporary stores long enough to warrant these operations being carried out routinely. However, in exceptional circumstances, the importer may be authorized to inspect, take samples from, mark, etc., goods in temporary stores, under the conditions deemed necessary by the Customs.

Standard 12

Canadian legislation does not provide for the operations described in this Standard, as the goods do not remain in temporary stores long enough to warrant these operations being carried out routinely. However, in exceptional circumstances, the importer may be authorized to inspect, take samples from, mark, etc., goods in temporary stores, under the conditions deemed necessary by the Customs.

Recommended Practice 13

Canadian legislation does not provide for the operations described in this Recommended Practice, as the goods do not remain in temporary stores long enough to warrant these operations being carried out routinely. However, in exceptional circumstances, the importer may be authorized to inspect, take samples from, mark, etc., goods in temporary stores, under the conditions deemed necessary by the Customs.

GERMANY (FEDERAL REPUBLIC OF)

Standards 7 and 8

Recommended Practice 10

The reasons for these reservations are the same as those given by the European Economic Community.

Note:

See reservations entered by EEC.

LUXEMBOURG

Standards 7 and 8

Recommended Practice 10

The reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

BELGIUM

Standards 7 and 8

Recommended Practice 10

The Belgian Government is unable to accept these three provisions because of differences identical to those which prompted the reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

GERMANY (FEDERAL REPUBLIC OF)*Recommended Practices 3, 10 and 12*

The reasons for these reservations are the same as those given by the European Economic Community.

Standard 9

In the Federal Republic of Germany, certificates of origin are issued by trade associations (Chambers of Commerce and Industry, Chambers of Commerce, Chambers of Agriculture) and by the Federal Office for Trade and Industry (for films).

Customs offices may also issue certificates of origin.

Certificates of origin for goods receiving preferential treatment may be issued by Customs offices only.

Note:

See reservations entered by EEC.

LUXEMBOURG*Recommended Practices 3, 10 and 12*

The reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

BELGIUM

Recommended Practices 3, 10 and 12

The Belgian Government is unable to accept these three provisions because of differences identical to those which prompted the reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

IVORY COAST

Standards 17 and 18

The operations referred to in these Standards may not be carried out unless they have first been authorized by the Customs.

Standards 21, 22 and 23

Relief is not allowed if the warehouse is not under the constant control of the Customs administration.

ZAIRE

Recommended Practice 9

Security must be furnished by the operators of private warehouses.

Recommended Practice 11

Goods whose importation and transit is prohibited are not allowed to be stored in public warehouses.

Recommended Practice 13

Repayment is granted only on the actual re-exportation of the imported goods.

Recommended Practice 14

The obligations assumed under the temporary admission procedure may be discharged by exporting the goods or by clearing them for home use.

Recommended Practice 15

Exemption from, or repayment of, internal duties and taxes is granted only on the actual exportation of the goods which are liable to, or have borne, such duties and taxes.

Standard 21

Liability to duty is determined, should the case arise, by the account taken when goods enter private warehouses; the state of the goods is deemed to remain that ascertained on admission to the warehouse.

Standards 22 and 23

Duties are chargeable on any shortages found in private warehouses, whatever their nature and even where the goods have been destroyed by fire or any other case of *force majeure*.

NEW ZEALAND

Recommended Practice 11

New Zealand legislation also prohibits storage in Customs warehouses of goods that have arrived in New Zealand without an import licence.

GERMANY (FEDERAL REPUBLIC OF)

Recommended Practices 5 and 27

Standards 19 and 34

The reasons for these reservations are the same as those given by the European Economic Community.

Note:

See reservations entered by EEC.

LUXEMBOURG

Recommended Practices 5, 16, 18 and 27

Standards 19 and 34

The reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

BELGIUM

Recommended Practices 5, 16, 18 and 27

Standards 19 and 34

The Belgian Government is unable to accept these six provisions because of differences identical to those which prompted the reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

NEW ZEALAND

Recommended Practice 7

New Zealand legislation provides that the temporary admission of goods for inward processing is subject to such a condition.

Standard 34

New Zealand legislation does not make such provision because there are no free ports or free zones in New Zealand.

Recommended Practice 35

New Zealand legislation does not at present provide for terminating the temporary admission of compensating products by placing them in a Customs warehouse. The New Zealand procedures and legislation are currently under examination with a view to making appropriate amendments to enable acceptance of this Recommended Practice at an early date.

EUROPEAN ECONOMIC COMMUNITY*Recommended Practice 3*

The Community reserves the right not to apply this Recommended Practice if and insofar as it conflicts or may conflict with the implementation of Community trade policy.

Recommended Practices 9 and 10

At the present stage of harmonization of Community Customs legislation these provisions cannot be accepted.

Standard 20

The Community reserves the right not to apply this Standard if and insofar as it conflicts or may conflict with the implementation of Community agricultural policy.

GERMANY (FEDERAL REPUBLIC OF)*Recommended Practices 3, 9 and 10**Standard 20*

The reasons for these reservations are the same as those given by the European Economic Community.

Note:

See reservations entered by EEC.

LUXEMBOURG

Recommended Practices 3, 9 and 10

Standard 20

The reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

DENMARK

Recommended Practices 3, 9 and 10

Standard 20

The Danish Government is unable to accept these four provisions as they do not conform with Community legislation.

Note:

See reservations entered by EEC.

BELGIUM

Recommended Practices 3, 9 and 10

Standard 20

The Belgian Government is unable to accept these four provisions because of differences identical to those which prompted the reservations entered by the European Economic Community.

Note:

See reservations entered by EEC.

SWITZERLAND*Standard 2*

Under Swiss regulations, only goods whose identity can be determined without particular difficulty can, in principle, be temporarily exported for outward processing.

Standard 5

In principle, temporary exportation for outward processing requires authorization from the General Directorate of Customs.

Recommended Practice 9

No special form is provided for the Goods declaration for temporary exportation for outward processing. In fact, the form prescribed is the same as that used for temporary importation. As a result, the Goods declaration (outwards) form is not acceptable for the procedure provided for by this Annex.

Recommended Practice 10

No special form is provided for the Goods declaration for temporary exportation for outward processing. In fact, the form prescribed is the same as that used for temporary importation. As a result, the Goods declaration (outwards) form is not acceptable for the procedure provided for by this Annex.

Recommended Practice 17

In certain rather exceptional cases, the Customs authorities may require that compensating products be imported through a specified Customs office.

Recommended Practice 24

Due to the collection system in force in Switzerland, based on the application of specific Customs duties, materials added during an outward processing operation are not exempt when the compensating products are imported, and are consequently liable to Customs duties, calculated according to weight. However, the other taxes collected by the Customs at importation are not chargeable on the value of the added material, or on that of the labour, if the repair has been carried out free of charge under guarantee.

CANADA*Recommended Practice 9*

Canadian legislation stipulates that, in addition to the Goods declaration (outwards), a special supplementary form is required.

Recommended Practice 24

Canadian legislation stipulates that duties and taxes are levied on the value of repairs carried out abroad, even if the goods are repaired free of charge.

INFORMATION CONCERNING

the International CONVENTION on the simplification and harmonization of customs procedures ⁽¹⁾ and its Annexes

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽²⁾	Declarations or reservations ⁽³⁾
		of ratification, acceptance, approval, etc.	of accession		

— International CONVENTION on the simplification and harmonization of customs procedures — 3rd updating supplement ⁽⁴⁾

FINLAND	25.6.1974 ⁽⁵⁾	23.11.1977		23.2.1978	
IVORY COAST			2.6.1978	2.9.1978	
ZAIRE			24.10.1977	24.1.1978	

— *Annex A.1 concerning customs formalities prior to the lodgement of the goods declaration* ⁽⁶⁾

Open for acceptance: from 15.6.1976

Depositary: same as Convention

Date of entry into force: 18.11.1977

Duration: same as Convention

EEC						
DENMARK		20.6.1978			20.9.1978	yes
GERMANY (Fed. Rep.)		19.12.1978			(1)	yes
		21.8.1978			21.11.1978	yes
ALGERIA		18.8.1977				
AUSTRIA		24.7.1977				
CAMEROON		3.2.1978			3.5.1978	yes
CANADA		10.6.1977				
NEW ZEALAND		14.7.1977				
SWITZERLAND		13.4.1977				

-- Annex A.2 concerning the temporary storage of goods (6)

Open for acceptance: from 15.6.1976

Depositary: same as Convention

Date of entry into force: 18.11.1977

Duration: Same as Convention

EEC						
DENMARK		20.6.1978			20.9.1978	yes
GERMANY (Fed. Rep.)		19.12.1978			(1)	yes
		21.8.1978			21.11.1978	yes

(1) This Convention appears in Volume 5, page 825.

(2) This date is given only where it falls after the date of entry into force of the Convention or of the Annex.

(3) The texts of these declarations or reservations will be found on pages 3265 to 3279.

(4) The first updating supplement appears in Volume 6, page 1503, the second in Volume 7, page 1406.

(5) Signature subject to ratification.

(6) Of No L 160, 17.6.1978.

(7) As at 31.12.1978 this act had not yet entered into force for these Contracting Parties.

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽¹⁾	Declarations or reservations ⁽²⁾
		of ratification, acceptance, approval, etc.	of accession		
ALGERIA AUSTRIA CANADA NEW ZEALAND SWITZERLAND		18.8.1977 24.7.1977 10.6.1977 14.7.1977 13.4.1977			yes yes

— Annex D.1 concerning rules of origin⁽³⁾ — updating supplement

BELGIUM GERMANY (Fed. Rep.) LUXEMBOURG		20.1.1978 21.8.1978 21.6.1978		20.4.1978 21.11.1978 21.9.1978	yes yes yes
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— Annex D.2 concerning documentary evidence of origin⁽³⁾ — updating supplement

BELGIUM GERMANY (Fed. Rep.) LUXEMBOURG		20.1.1978 21.8.1978 21.6.1978		20.4.1978 21.11.1978 21.9.1978	yes yes yes
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— Annex E.1 concerning customs transit ⁽³⁾ — updating supplement

BELGIUM		20.1.1978		20.4.1978	
GERMANY (Fed. Rep.)		21.8.1978		21.11.1978	
LUXEMBOURG		21.6.1978		21.9.1978	

— Annex E.3 concerning customs warehouses ⁽⁴⁾ 3rd updating supplement ⁽⁵⁾

IVORY COAST		2.6.1978		2.9.1978	yes
NEW ZEALAND		26.10.1978		⁽⁶⁾	yes
ZAIRE		24.10.1977		24.1.1978	yes

— Annex E.6 concerning temporary admission for inward processing ⁽³⁾ — updating supplement

BELGIUM		20.1.1978		20.4.1978	yes
GERMANY (Fed. Rep.)		21.8.1978		21.11.1978	yes
LUXEMBOURG		21.6.1978		21.9.1978	yes
NEW ZEALAND		23.11.1977		23.2.1978	yes

(1) This date is given only where it falls after the date of entry into force of the Convention or Annex.

(2) The texts of these declarations or reservations will be found on pages 3265 to 3279.

(3) This Annex appears in Volume 7, page 1336 *et seq.*

(4) This Annex appears in Volume 5, page 839.

(5) The first updating supplement appears in Volume 6, page 1503, and the second in Volume 7, page 1406.

(6) As at 31.12.1978 this act had not yet entered into force for these Contracting Parties.

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force (1)	Declarations or reservations (2)
		of ratification, acceptance, approval, etc.	of accession		

— *Annex E.8 concerning temporary exportation for outward processing* (3)

Open for acceptance: from 22. 5.1975

Depositary: same as Convention

Date of entry into force: 20. 4.1978

Duration: same as Convention

EEC		1.7.1977			yes
BELGIUM		20.1.1978			yes
DENMARK		6.9.1977			yes
GERMANY (Fed. Rep.)		21.8.1978		21.11.1978	yes
LUXEMBOURG		21.6.1978		21.9.1978	yes
CANADA		10.6.1977			yes
NEW ZEALAND		4.7.1978		4.10.1978	
SWITZERLAND		13.4.1977			yes

(1) This date is given only where it falls after the entry into force of the Convention or of the Annex.

(2) The texts of these declarations or reservations will be found on pages 3265 to 3279.

(3) OJ No L 166, 4.7.1977.

Protocol
extending the Arrangement regarding
international trade in textiles

PROTOCOL

extending the Arrangement regarding international trade in
textiles ⁽¹⁾ ⁽²⁾

COUNCIL DECISION

of 20 December 1977

concerning the conclusion of the Protocol extending the Arrangement
regarding international trade in textiles

(77/806/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Commission has participated, on behalf of the Community,
in the negotiations for the renewal of the Arrangement regarding
international trade in textiles and these negotiations have led to the
drawing up of a Protocol to which have been annexed the conclusions
adopted by the Textiles Committee established by the Agreement on
14 December 1977;

Whereas the Community should accept the extension of the Arrangement
on the conditions set out in the said Protocol and in the conclusions
attached thereto,

(1) OJ No L 348, 30.12.1977.

(2) This Arrangement appears in Volume 5, page 855.

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol extending the Arrangement regarding international trade in textiles, to which the conclusions of the Textiles Committee adopted on 14 December 1977 are attached, is hereby approved on behalf of the Community.

The texts referred to in the first paragraph are annexed to this Decision.

Article 2

The President of the Council shall be authorized to designate the person empowered to give notification of the acceptance referred to in paragraph 3 of the Protocol so that it shall be binding on the Community.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 20 December 1977.

For the Council
The President
H. SIMONET

ANNEX

Protocol extending the Arrangement regarding international trade in textiles

THE PARTIES

to the Arrangement regarding international trade in textiles (hereinafter referred to as 'the Arrangement').

Acting pursuant to paragraph 5 of Article 10 of the Arrangement, and

Reaffirming that the terms of the Arrangement regarding the competence of the Textiles Committee and the Textiles Surveillance Body are maintained, and

Confirming the understandings set forth in the conclusions of the Textiles Committee adopted on 14 December 1977, a copy of which is attached herewith,

HEREBY AGREE AS FOLLOWS:

1. The period of validity of the Arrangement, set out in Article 16, shall be extended for a period of four years until 31 December 1981.

2. This Protocol shall be deposited with the Director-General to the Contracting Parties to the GATT. It shall be open for acceptance, by signature or otherwise, by the parties to the Arrangement, by other governments accepting or acceding to the Arrangement pursuant to the provisions of Article 13 thereof and by the European Economic Community.

3. This Protocol shall enter into force on 1 January 1978 for the countries which have accepted it by that date. It shall enter into force for a country which accepts it on a later date as of the date of such acceptance.

Done at Geneva this 14th day of December one thousand nine hundred and seventy-seven in a single copy in the English, French and Spanish languages, each text being authentic.

ANNEX

Conclusions of the Textiles Committee adopted on 14 December 1977

1. The participants in the Arrangement exchanged views regarding the future of the Multifibre Arrangement (MFA).
2. It is clear from the annual and major reviews of the MFA undertaken by the Textiles Committee that certain importing and several exporting countries have encountered practical difficulties in the implementation of the provisions of the MFA. Discussions in this respect covered a wide range of areas of satisfaction as well as dissatisfaction. These difficulties, some of which are of a long-standing nature, affect seriously the trade and economic development of developing countries.
3. Members of the Textiles Committee recognized that there continued to be a tendency for an unsatisfactory situation to exist in world trade in textile products, and that such a situation, if not satisfactorily dealt with, could work to the detriment of countries participating in international trade in textile products, whether as importers or exporters or both. It could adversely affect prospects for international cooperation in the trade field and could have unfortunate repercussions on trade relations in general, and the trade of developing countries in particular.
4. Some participating countries, importing as well as exporting, felt that there was a need for modifications to be made to the text of the MFA. Others were of the opinion that any difficulties that may have arisen were due to problems of implementation, and that the provisions of the MFA are adequate to deal with such difficulties. It was agreed that any serious problems of textile trade should be resolved through consultations and negotiations.

- 5.1. As regards what was described by one major importing participant in its statement to this Committee as its pressing import problems, the Textiles Committee recognized that such problems should be resolved bilaterally under the provisions of Article 4 or Article 3, paragraphs 3 and 4.
- 5.2. The Committee noted one major importing participant's statement concerning the basis upon which it intended to achieve its stated objectives by bilateral consultations and negotiations and noted the expression of goodwill and flexibility made by certain exporting participants now predominant in the exporting of textile products of all the three fibres covered by the Arrangement.
- 5.3. The Committee agreed that, within the framework of the MFA, any such consultations and negotiations should be conducted in a spirit of equity and flexibility with a view to reaching a mutually acceptable solution under Article 4, paragraph 3 or Article 3, paragraphs 3 and 4, which does include the possibility of jointly agreed reasonable departures from particular elements in particular cases.
- 5.4. It was agreed that any such departures as mentioned in subparagraph 3 above would be temporary and that participants concerned shall return in the shortest possible time to the framework of the Arrangement.
- 5.5. The Committee also urged all participants concerned to move promptly to negotiate mutually acceptable solutions in the spirit of the MFA.
- 5.6. The Committee affirmed that, in seeking such solutions, the interest of the developing countries, new entrants, and small suppliers shall be recognized, and the provisions of Article 1 (4) would be fully kept in view.

6. The Committee recognized that countries having small markets, an exceptionally high level of imports and a correspondingly low level of domestic production are particularly exposed to the trade problems mentioned in the preceding paragraphs, and that their problems should be resolved in a spirit of equity and flexibility. In the case of those countries, the provisions of Article 1 (2) should be fully implemented.
7. The Committee reaffirmed that the two organs of the Arrangement, the Textiles Committee and the Textiles Surveillance Body, should continue to function effectively in their respective areas of competence.
8. It was reiterated that in the future implementation of the MFA, the special problems of developing countries shall be fully taken into account in a manner consistent with the provisions of the MFA, in particular Articles 1 (3) and 6 thereof.
9. All participants saw mutual cooperation as the foundation of the Arrangement and as the basis for dealing with problems in a way which would promote the objectives and aims of the MFA. Participants emphasized that the primary aims of the MFA are to ensure the expansion of trade in textile products particularly for the developing countries, and progressively to achieve the reduction of trade barriers and the liberalization of world trade in textile products while, at the same time, avoiding disruptive effects on individual markets and on individual lines of production in both importing and exporting countries. In this context, it was felt that in order to ensure the proper functioning of the MFA, all participants would refrain from taking measures on textiles covered by the MFA outside the provisions therein before exhausting all the relief measures provided in the MFA.
10. Taking into account the evolutionary and cyclical nature of trade in textiles and the importance to both importing and exporting

countries of prior resolution of problems in a constructive and equitable manner for the interest of all concerned, and on the basis of the elements mentioned in paragraphs 1 to 9 above, the Textiles Committee considered that the MFA in its present form should be extended for a period of four years subject to confirmation by signature as from 15 December 1977 of a Protocol for this purpose.

INFORMATION CONCERNING

the PROTOCOL extending the Arrangement regarding International Trade in Textiles ⁽¹⁾(²)

Open for acceptance: from 14.12.1977

Depositary: Director-General of GATT, Geneva (Switzerland)

Date of entry into force: 1.1.1978

Duration: until 31.12.1981

Contracting Parties	Date of acceptance subject to ratification or approval	Date of definitive acceptance (in the form of ratification, approval, etc.)	Date of accession	Date of entry into force ⁽³⁾
EEC		29.12.1977 ⁽⁴⁾		
AUSTRIA	5.4.1978	23.6.1978		23.6.1978
BANGLADESH		7.4.1978		7.4.1978
BOLIVIA	28.7.1978			
BRAZIL	30.12.1977			
CANADA		24.10.1978		24.10.1978
COLOMBIA		23.12.1977		
EGYPT	14.2.1978			
EL SALVADOR	25.7.1978			
FINLAND	31.3.1978	16.5.1978		16.5.1978
GHANA		8.5.1978		8.5.1978

GUATEMALA	30.12.1977		
HAITI		5.5.1978	5.5.1978
HUNGARY		8.3.1978	8.3.1978
INDIA	30.12.1977		
INDONESIA		5.5.1978	5.5.1978
ISRAEL		22.2.1978	22.2.1978
JAMAICA		10.2.1978	10.2.1978
JAPAN		27.12.1977	
KOREA, Rep. of		16.2.1978	16.2.1978
MEXICO	30.12.1977		
PAKISTAN		25.1.1978	25.1.1978
PERU		9.3.1978	9.3.1978
PHILIPPINES		21.2.1978	21.2.1978
POLAND		8.2.1978	8.2.1978
PORTUGAL (for MACAO)		16.11.1978	16.11.1978
ROMANIA		6.1.1978	6.1.1978
SINGAPORE		5.1.1978	5.1.1978
SRI LANKA		4.1.1978	4.1.1978

(1) OJ No L 348, 30.12.1977.

(2) This Arrangement appears in Volume 5, page 855.

(3) This date is given only where it falls after the date of entry into force of the Protocol.

(4) OJ No L 16, 20.1.1978.

Contracting Parties	Date of acceptance subject to ratification or approval	Date of definitive acceptance (in the form of ratification, approval, etc.)	Date of accession	Date of entry into force (1)
SWEDEN SWITZERLAND THAILAND TURKEY UNITED KINGDOM (for HONG KONG) UNITED STATES URUGUAY YUGOSLAVIA	28.12.1977	28.4.1978 25.10.1978 21.12.1977 13.4.1978 30.12.1977 29.12.1977 20.4.1978 22.3.1978		28.4.1978 25.10.1978 13.4.1978 20.4.1978 22.4.1978

(1) This date is given only where it falls after the date of entry into force of the Protocol

**Arrangement
regarding international trade in textiles
(3rd updating supplement)**

INFORMATION CONCERNING

the ARRANGEMENT regarding International Trade in Textiles ⁽¹⁾⁽²⁾ — 3rd updating supplement ⁽³⁾

Contracting Parties	Date of provisional acceptance	Date of acceptance subject to ratification or approval	Date of definitive acceptance (in the form of ratification, approval, etc.)	Date of accession	Date of entry into force
INDONESIA			5.3.1978		5.3.1978

(1) This Arrangement appears in Volume 5, page 855.

(2) The original Arrangement, which entered into force on 1.1.1974, expired on 31.12.1977. It was extended for four years from 1.1.1978.

(3) The first updating supplement appears in Volume 6, page 1509, and the second in Volume 7, page 1409.

Convention
for the prevention of marine pollution from
land-based sources

CONVENTION

for the prevention of marine pollution from land-based sources ⁽¹⁾

COUNCIL DECISION

of 3 March 1975

concluding the convention for the prevention of marine pollution from land-based sources

(75/437/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽²⁾;

Whereas the declaration of the Council of the European Communities and of the representatives of the Governments of the Member States meeting in the Council of 22 November 1973 ⁽³⁾ on the programme of action of the European Communities on the environment, emphasizes that it is important for the Community to take measures to combat

(1) OJ No L 194, 25.7.1975.

(2) OJ No C 127, 18.10.1974.

(3) OJ No C 112, 20.12.1973.

marine pollution in general, and provides amongst other things for Community action with a view to combating marine pollution from land-based sources;

Whereas the convention for the prevention of marine pollution from land-based sources of 21 February 1974 also provides for the preparation and implementation of programmes intended either to eliminate or to reduce this type of pollution in the North East Atlantic;

Whereas it appears necessary for the Community to conclude this convention in order to attain, in the course of the operation of the common market, one of the objectives of the Community in the fields of the protection of the environment and the quality of life, and whereas no provision is made in the Treaty for the necessary powers;

Whereas the representative of the Community within the Commission established under the convention should be designated,

HAS DECIDED AS FOLLOWS:

Article 1

The convention for the prevention of marine pollution from land-based sources is hereby concluded on behalf of the Community.

The text of the convention is annexed hereto.

Article 2

The President of the Council shall be authorized to designate the persons empowered to sign the convention and to confer on them the powers they require to bind the Community.

Article 3

The Community shall be represented by the Commission in the Commission established under Article 15 of the convention.

The Commission shall in that body put forward the position of the Community in accordance with such directives as the Council may give it.

Done at Brussels, 3 March 1975.

For the Council
The President
J. KEATING

ANNEX

CONVENTION

for the prevention of marine pollution from land-based sources

THE CONTRACTING PARTIES:

RECOGNIZING that the marine environment and the fauna and flora which it supports are of vital importance to all nations;

MINDFUL that the ecological equilibrium and the legitimate uses of the sea are increasingly threatened by pollution;

CONSIDERING the recommendations of the United Nations conference on the human environment, held in Stockholm in June 1972;

RECOGNIZING that concerted action at national, regional and global levels is essential to prevent and combat marine pollution;

CONVINCED that international action to control the pollution of the sea from land-based sources can and should be taken without delay, as part of progressive and coherent measures to protect the marine environment from pollution, whatever its origin, including current efforts to combat the pollution of international waterways;

CONSIDERING that the common interests of States concerned with the same marine area should induce them to cooperate at regional or sub-regional levels;

RECALLING the convention for the prevention of marine pollution by dumping from ships and aircraft concluded in Oslo on 15 February 1972,

HAVE AGREED as follows:

Article 1

1. The Contracting Parties pledge themselves to take all possible steps to prevent pollution of the sea, by which is meant the introduction by man, directly or indirectly, of substances or energy into the marine environment (including estuaries) resulting in such deleterious effects as hazards to human health, harm to living resources and to marine ecosystems, damage to amenities or interference with other legitimate uses of the sea.

2. The Contracting Parties shall adopt individually and jointly measures to combat marine pollution from land-based sources in accordance with the provisions of the present convention and shall harmonize their policies in this regard.

Article 2

The present convention shall apply to the maritime area within the following limits:

- (a) those parts of the Atlantic and Arctic Oceans and the dependent seas which lie north of 36° north latitude and between 42° west longitude and 51° east longitude, but excluding:
 - (i) the Baltic Sea and Belts lying to the south and east of lines drawn from Hasenore Head to Gniben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to Kullen and
 - (ii) the Mediterranean Sea and its dependent seas as far as the point of intersection of the parallel of 36° north latitude and the meridian of 5°36' west longitude;
- (b) that part of the Atlantic Ocean north of 59° north latitude and between 44° west longitude and 42° west longitude.

Article 3

For the purpose of the present convention:

- (a) 'maritime area' means: the high seas, the territorial seas of Contracting Parties and waters on the landward side of the base lines from which the breadth of the territorial sea is measured and extending in the case of watercourses, unless otherwise decided under Article 16(c) of the present convention, up to the freshwater limit;
- (b) 'Freshwater limit' means: the place in the watercourse where, at low tide and in a period of low freshwater flow, there is an appreciable increase in salinity due to the presence of seawater;
- (c) 'pollution from land-based sources' means: the pollution of the maritime area
 - (i) through watercourses,
 - (ii) from the coast, including introduction through underwater or other pipelines,
 - (iii) from man-made structures placed under the jurisdiction of a Contracting Party within the limits of the area to which the present convention applies.

Article 4

1. The Contracting Parties undertake:

- (a) to eliminate, if necessary by stages, pollution of the maritime area from land-based sources by substances listed in Part I of Annex A to the present convention;
- (b) to limit strictly pollution of the maritime area from land-based sources by substances listed in Part II of Annex A to the present convention.

2. In order to carry out the undertakings in paragraph 1 of this Article, the Contracting Parties, jointly or individually as appropriate, shall implement programmes and measures:

- (a) for the elimination, as a matter of urgency, of pollution of the maritime area from land-based sources by substances listed in Part I of Annex A to the present convention;

- (b) for the reduction or, as appropriate, elimination of pollution of the maritime area from land-based sources by substances listed in Part II of Annex A to the present convention. These substances shall be discharged only after approval has been granted by the appropriate authorities within each Contracting State. Such approval shall be periodically reviewed.

3. The programmes and measures adopted under paragraph 2 of this Article shall include, as appropriate, specific regulations or standards governing the quality of the environment, discharges into the maritime area, such discharges into watercourses as affect the maritime area, and the composition and use of substances and products. These programmes and measures shall take into account the latest technical developments.

The programmes shall contain time limits for their completion.

4. The Contracting Parties may, furthermore, jointly or individually as appropriate, implement programmes or measures to forestall, reduce or eliminate pollution of the maritime area from land-based sources by a substance not then listed in Annex A to the present convention, if scientific evidence has established that a serious hazard may be created in the maritime area by that substance and if urgent action is necessary.

Article 5

1. The Contracting Parties undertake to adopt measures to forestall and, as appropriate, eliminate pollution of the maritime area from land-based sources by radioactive substances referred to in Part III of Annex A to the present convention.

2. Without prejudice to their obligations under other treaties and conventions, in implementing this undertaking the Contracting Parties shall:

- (a) take full account of the recommendations of the appropriate international organizations and agencies;

- (b) take account of the monitoring procedures recommended by these international organizations and agencies;
- (c) coordinate their monitoring and study of radioactive substances in accordance with Articles 10 and 11 of the present convention.

Article 6

1. With a view to preserving and enhancing the quality of the marine environment, the Contracting Parties, without prejudice to the provisions of Article 4, shall endeavour:

- (a) to reduce existing pollution from land-based sources;
- (b) to forestall any new pollution from land-based sources, including that which derives from new substances.

2. In implementing this undertaking, the Contracting Parties shall take account of:

- (a) the nature and quantities of the pollutants under consideration;
- (b) the level of existing pollution;
- (c) the quality and absorptive capacity of the receiving waters of the maritime area;
- (d) the need for an integrated planning policy consistent with the requirement of environmental protection.

Article 7

The Contracting Parties agree to apply the measures they adopt in such a way as to avoid increasing pollution:

- in the seas outside the area to which the present convention applies;
- in the maritime area covered by the present convention, originating otherwise than from land-based sources.

Article 8

No provision of the present convention shall be interpreted as preventing the Contracting Parties from taking more stringent measures to combat marine pollution from land-based sources.

Article 9

1. When pollution from land-based sources originating from the territory of a Contracting Party by substances not listed in Part I of Annex A to the present convention is likely to prejudice the interests of one or more of the other parties to the present convention, the Contracting Parties concerned undertake to enter into consultation, at the request of any one of them, with a view to negotiating a cooperation agreement.

2. At the request of any Contracting Party concerned, the Commission referred to in Article 15 of the present convention shall consider the question and may make recommendations with a view to reaching a satisfactory solution.

3. The special agreements specified in paragraph 1 of this Article may, among other things, define the areas to which they shall apply, the quality objectives to be achieved, and the methods for achieving these objectives including methods for the application of appropriate standards and the scientific and technical information to be collected.

4. The Contracting Parties signatory to these special agreements shall, through the medium of the Commission, inform the other Contracting Parties of their purport and of the progress made in putting them into effect.

Article 10

The Contracting Parties agree to establish complementary or joint programmes of scientific and technical research, including research into

the best methods of eliminating or replacing noxious substances so as to reduce marine pollution from land-based sources, and to transmit to each other the information so obtained. In doing so they shall have regard to the work carried out, in these fields, by the appropriate international organizations and agencies.

Article 11

The Contracting Parties agree to set up progressively and to operate within the area covered by the present convention a permanent monitoring system allowing:

- the earliest possible assessment of the existing level of marine pollution;
- the assessment of the effectiveness of measures for the reduction of marine pollution from land-based sources taken under the terms of the present conventions.

For this purpose the Contracting Parties shall lay down the ways and means of pursuing individually or jointly systematic and *ad hoc* monitoring programmes. These programmes shall take into account the deployment of research vessels and other facilities in the monitoring area.

The programmes shall take into account similar programmes pursued in accordance with conventions already in force and by the appropriate international organizations and agencies.

Article 12

1. Each Contracting Party undertakes to ensure compliance with the provisions of this convention and to take in its territory appropriate measures to prevent and punish conduct in contravention of the provisions of the present convention.

2. The Contracting Parties shall inform the Commission of the legislative and administrative measures they have taken to implement the provisions of the preceding paragraph.

Article 13

The Contracting Parties undertake to assist one another as appropriate to prevent incidents which may result in pollution from land-based sources, to minimize and eliminate the consequences of such incidents, and to exchange information to that end.

Article 14

1. The provisions of the present convention may not be invoked against a Contracting Party to the extent that the latter is prevented, as a result of pollution having its origin in the territory of a non-contracting State, from ensuring their full application.

2. However, the said Contracting Party shall endeavour to cooperate with the non-contracting State so as to make possible the full application of the present convention.

Article 15

A Commission composed of representatives of each of the Contracting Parties is hereby established. The Commission shall meet at regular intervals and at any time when due to special circumstances it is so decided in accordance with its rules of procedure.

Article 16

It shall be the duty of the Commission:

- (a) to exercise overall supervision over the implementation of the present convention;
- (b) to review generally the condition of the seas within the area to which the present convention applies, the effectiveness of the control measures being adopted and the need for any additional or different measures;
- (c) to fix, if necessary, on the proposal of the Contracting Party or Parties bordering on the same watercourse and following a standard procedure, the limit to which the maritime area shall extend in that watercourse;
- (d) to draw up, in accordance with Article 4 of the present convention, programmes and measures for the elimination or reduction of pollution from land-based sources;
- (e) to make recommendations in accordance with the provisions of Article 9;
- (f) to receive and review information and distribute it to the Contracting Parties in accordance with the provisions of Articles 11, 12 and 17 of the present convention;
- (g) to make, in accordance with Article 18, recommendations regarding any amendment to the lists of substances included in Annex A to the present convention;
- (h) to discharge such other functions, as may be appropriate, under the terms of the present convention.

Article 17

The Contracting Parties, in accordance with a standard procedure, shall transmit to the Commission:

- (a) the results of monitoring pursuant to Article 11;
- (b) the most detailed information available on the substances listed in the Annexes to the present convention and liable to find their way into the maritime area.

The Contracting Parties shall endeavour to improve progressively techniques for gathering such information which can contribute to the revision of the pollution reduction programmes drawn up in accordance with Article 4 of the present convention.

Article 18

1. The Commission shall draw up its own Rules of Procedure which shall be adopted by unanimous vote.
2. The Commission shall draw up its own Financial Regulations which shall be adopted by unanimous vote.
3. The Commission shall adopt, by unanimous vote, programmes and measures for the reduction or elimination of pollution from land-based sources as provided for in Article 4, programmes for scientific research and monitoring as provided for in Articles 10 and 11, and decisions under Article 16(c).

The programmes and measures shall commence for and be applied by all Contracting Parties 200 days after their adoption, unless the Commission specifies another date.

Should unanimity not be attainable, the Commission may nonetheless adopt a programme or measures by a three-quarters majority vote of its members. The programmes or measures shall commence for those Contracting Parties which voted for them 200 days after their adoption, unless the Commission specifies another date, and for any other Contracting Party after it has explicitly accepted the programme or measures, which it may do at any time.

4. The Commission may adopt recommendations for amendments to Annex A to the present convention by a three-quarters majority vote of its members and shall submit them for the approval of the Governments of the Contracting Parties. Any Government of a Contracting Party that is unable to approve an amendment shall notify the depositary

Government in writing within a period of 200 days after the adoption of the recommendation of amendment in the Commission. Should no such notification be received, the amendment shall enter into force for all Contracting Parties 230 days after the vote in the Commission. The depositary Government shall notify the Contracting Parties as soon as possible of the receipt of any notification.

Article 19

Within the areas of its competence, the European Economic Community is entitled to a number of votes equal to the number of its Member States which are Contracting Parties to the present convention.

The European Economic Community shall not exercise its right to vote in cases where its Member States exercise theirs and conversely.

Article 20

The depositary Government shall convene the first meeting of the Commission as soon as possible after the coming into force of the present convention.

Article 21

Any dispute between Contracting Parties relating to the interpretation or application of the present convention, which cannot be settled otherwise by the parties concerned, for instance by means of inquiry or conciliation within the Commission, shall, at the request of any of those parties, be submitted to arbitration under the conditions laid down in Annex B to the present convention.

Article 22

The present convention shall be open for signature at Paris, from 4 June 1974 to 30 June 1975, by the States invited to the diplomatic conference

on the convention for the prevention of marine pollution from land-based sources, held at Paris, and by the European Economic Community.

Article 23

The present convention shall be subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Government of the French Republic.

Article 24

1. After 30 June 1975, the present convention shall be open for accession by States referred to in Article 22 and by the European Economic Community.

2. The present convention shall also be open for accession from the same date by any other Contracting Party to the convention for the prevention of marine pollution by dumping from ships and aircraft, opened for signature at Oslo on 15th February 1972.

3. From the date of its entry into force, the present convention shall be open for accession by any State not referred to in Article 22, located upstream on watercourses crossing the territory of one or more Contracting Parties to the present convention and reaching the maritime area defined in Article 2.

4. The Contracting Parties may unanimously invite other States to accede to the present convention. In that case the maritime area in Article 2 may, if necessary, be amended in accordance with Article 27 of the present convention.

5. The instruments of accession shall be deposited with the Government of the French Republic.

Article 25

1. The present convention shall come into force on the thirtieth day following the date of deposit of the seventh instrument of ratification, acceptance, approval or accession.
2. For each Party ratifying, accepting or approving the present convention or acceding to it after the deposit of the seventh instrument of ratification, acceptance, approval or accession, the present convention shall enter into force on the thirtieth day after the date of deposit by that party of its instrument of ratification, acceptance, approval or accession.

Article 26

At any time after the expiry of two years from the date of coming into force of the present convention in relation to any Contracting Party such party may withdraw from the convention by notice in writing to the depositary Government. Such notice shall take effect one year after the date on which it is received.

Article 27

1. The depositary Government shall, at the request of the Commission on a decision taken by a two-thirds majority of its members, call a conference for the purpose of revising or amending the present convention.
2. Upon accession by a State as provided for in paragraphs 2, 3 and 4 of Article 24, the maritime area in Article 2 may be amended upon a proposal by the Commission adopted by a unanimous vote. These amendments shall enter into force after unanimous approval by the Contracting Parties.

Article 28

The depositary Government shall inform the Contracting Parties and those referred to in Article 22:

- (a) of signatures to the present convention, of the deposits of instruments of ratification, acceptance, approval or accession and of notices of withdrawal in accordance with Articles 22, 23, 24 and 26;
- (b) of the date on which the present convention comes into force in accordance with Article 25;
- (c) of the receipt of notifications of approval or objection, and of the entry into force of amendments to the present convention and its Annexes, in accordance with Articles 18 and 27.

Article 29

The original of the present convention of which the French and English texts shall be equally authentic, shall be deposited with the Government of the French Republic which shall send certified copies thereof to the Contracting Parties and the States referred to in Article 22 and shall deposit a certified copy with the Secretary General of the United Nations for registration and publication in accordance with Article 102 of the United Nations Charter.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments, have signed this convention.

Done at Paris, 4 June 1974.

ANNEX A

The allocation of substances to Parts I, II and III below takes account of the following criteria:

- (a) persistence;
- (b) toxicity or other noxious properties;
- (c) tendency to bio-accumulation.

These criteria are not necessarily of equal importance for a particular substance or group of substances, and other factors, such as the location and quantities of the discharge may need to be considered.

PART I

The following substances are included in this part:

- (i) because they are not readily degradable or rendered harmless by natural processes; and
- (ii) because they may either:
 - (a) give rise to dangerous accumulation of harmful material in the food chain, or
 - (b) endanger the welfare of living organisms causing undesirable changes in the marine eco-systems, or
 - (c) interfere seriously with the harvesting of sea foods or with other legitimate uses of the sea; and
- (iii) because it is considered that pollution by these substances necessitates urgent action:
 1. organohalogen compounds and substances which may form such compounds in the marine environment, excluding those which are biologically harmless, or which are rapidly converted in the sea into substances which are biologically harmless;
 2. mercury and mercury compounds;
 3. cadmium and cadmium compounds;
 4. persistent synthetic materials which may float, remain in suspension or sink, and which may seriously interfere with any legitimate use of the sea;
 5. persistent oils and hydrocarbons of petroleum origin.

PART II

The following substances are included in this part because, although exhibiting similar characteristics to the substances in Part I and requiring strict control, they seem less noxious or are more readily rendered harmless by natural processes:

1. organic compounds of phosphorus, silicon, and tin and substances which may form such compounds in the marine environment, excluding those which are biologically harmless, or which are rapidly converted in the sea into substances which are biologically harmless.
2. elemental phosphorus.
3. non-persistent oils and hydrocarbons of petroleum origin.
4. the following elements and their compounds:
 - arsenic,
 - chromium,
 - copper,
 - lead,
 - nickel,
 - zinc.
5. substances which have been agreed by the Commission as having a deleterious effect on the taste and/or smell of products derived from the marine environment for human consumption.

PART III

The following substances are included in this part because, although they display characteristics similar to those of substances listed in Part I and should be subject to stringent controls with the aim of preventing and, as appropriate, eliminating the pollution which they cause, they are already the subject of research, recommendations and, in some cases, measures under the auspices of several international organizations and institutions; those substances are subject to the provisions of Article 5:

- radioactive substances, including wastes.

ANNEX B

Article 1

Unless the parties to the dispute decide otherwise, the arbitration procedure shall be in accordance with the provisions of this Annex.

Article 2

1. At the request addressed by one Contracting Party to another Contracting Party in accordance with Article 21 of the convention, an arbitral tribunal shall be constituted: The request for arbitration shall state the subject matter of the application including in particular the Articles of the convention, the interpretation or application of which is in dispute.

2. The claimant shall inform the Commission that he has requested the setting up of an arbitral tribunal, stating the name of the other party to the dispute and the Articles of the convention the interpretation or application of which is in his opinion in dispute. The Commission shall forward the information thus received to all Contracting Parties to the convention.

Article 3

The arbitral tribunal shall consist of three members: each of the parties to the dispute shall appoint an arbitrator; the two arbitrators so appointed shall designate by common agreement the third arbitrator who shall be the chairman of the tribunal. The latter shall not be a national of one of the parties to the dispute, nor have his usual place of residence in the territory of one of these parties, nor be employed by any of them, nor have dealt with the case in any other capacity.

Article 4

1. If the chairman of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the Secretary-General of the United Nations shall, at the request of either party, designate him within a further two months' period.

2. If one of the parties to the dispute does not appoint an arbitrator within two months of receipt of the request, the other party may inform the Secretary-General of the United Nations who shall designate the chairman of the arbitral tribunal within a further two months' period. Upon designation, the chairman of the arbitral tribunal shall request the party which has not appointed an arbitrator to do so within two months. After such period, he shall inform the Secretary-General of the United Nations who shall make this appointment within a further two months' period.

Article 5

1. The arbitral tribunal shall decide according to the rules of international law and, in particular, those of this convention.

2. Any arbitral tribunal constituted under the provisions of this Annex shall draw up its own rules of procedure.

Article 6

1. The decisions of the arbitral tribunal, both on procedure and on substance, shall be taken by majority voting of its members.

2. The tribunal may take all appropriate measures in order to establish the facts. It may, at the request of one of the parties, recommend essential interim measures of protection.

3. If two or more arbitral tribunals constituted under the provisions of this Annex are seized of requests with identical or similar subjects, they may inform themselves of the procedures for establishing the facts and take them into account as far as possible.

4. The parties to the dispute shall provide all facilities necessary for the effective conduct of the proceedings.

5. The absence or default of a party to the dispute shall not constitute an impediment to the proceedings.

Article 7

1. The award of the arbitral tribunal shall be accompanied by a statement of reasons. It shall be final and binding upon the parties to the dispute.

2. Any dispute which may arise between the parties concerning the interpretation or execution of the award may be submitted by either party to the arbitral tribunal which made the award or, if the latter cannot be seized thereof, to another arbitral tribunal constituted for this purpose in the same manner as the first.

Article 8

The European Economic Community, like any Contracting Party to the present convention, has the right to appear as applicant or respondent before the arbitral tribunal.

DECLARATIONS OR RESERVATIONS (1)

26 May 1978

UNITED KINGDOM

This Convention will not come into force in Gibraltar, the Bailiwick of Jersey and the Isle of Man until the thirtieth day following the date on which the Government of the United Kingdom has advised the Government of the French Republic that the measures necessary for the implementation of the clauses of that Convention in Gibraltar, the Bailiwick of Jersey and the Isle of Man have been taken.

In accordance with Article 25 which stipulates that 'the present Convention shall come into force on the thirtieth day following the date of deposit of the seventh instrument of ratification, acceptance, approval or accession', the Convention came into force on 6 May 1978.

Brussels, 24 November 1977

NETHERLANDS

I have the honour to inform you that on 10 November 1977 the Kingdom of the Netherlands deposited its instrument of ratification of the Convention for the Prevention of Marine Pollution from Land-Based Sources, open for signature in Paris from 4 June 1974 to 30 June 1975.

This deposit was accompanied by the following declaration made on behalf of the Government of the Kingdom of the Netherlands: 'This instrument will apply to the European territory of the Kingdom of the Netherlands'.

This notification is made by France in its capacity as depositary for the said Convention.

(1) Translated by the translation departments of the Communities from the French text forwarded by the depositary.

INFORMATION CONCERNING

the CONVENTION for the prevention of marine pollution from land-based sources ⁽¹⁾

Open for signature: from 4.6.1974 to 30.6.1975

Depository: Government of the French Republic, Paris (France)

Date of entry into force: 6.5.1978 ⁽²⁾

Duration: indefinite

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽³⁾	Declarations or reservations ⁽⁴⁾
		of ratification, acceptance, approval, etc.	of accession		
EEC	23.6.1975	23.6.1975			
BELGIUM					
DENMARK		1.3.1976			
FRANCE		25.1.1977			
GERMANY (Fed. Rep.)					
IRELAND					
LUXEMBOURG	4.6.1974				
NETHERLANDS		10.11.1977			yes
UNITED KINGDOM		6.4.1978			yes

ICELAND				
NORWAY		6.4.1977		
PORTUGAL		10.5.1978	9.6.1978	
SPAIN				
SWEDEN		30.7.1976		

(1) OJ No L 194, 25.7.1975.

(2) See Article 25 (1) of the Convention.

(3) This date is given only where it falls after the date of entry into force of the Convention.

(4) The texts of these declarations or reservations will be found on page 3323.

Convention
for the protection of the Mediterranean Sea
against pollution

CONVENTION

for the protection of the Mediterranean Sea against
pollution ⁽¹⁾

COUNCIL DECISION

of 25 July 1977

concluding the Convention for the protection of the Mediterranean Sea
against pollution and the Protocol for the prevention of the pollution of
the Mediterranean Sea by dumping from ships and aircraft

(77/585/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament ⁽²⁾,

Whereas Article 24 of the Convention for the protection of the Mediter-
ranean Sea against pollution provides that the Convention and the
Protocols relating thereto shall be open for signature by the European
Economic Community;

(1) OJ No L 240, 19.9.1977.

(2) OJ No C 259, 4.11.1976.

Having regard to the declaration of the Council of the European Communities and of the representatives of the Governments of the Member States meeting in the Council of 22 November 1973 on the programme of action of the European Communities on the environment (1);

Whereas that programme lays stress *inter alia* on the fact that marine pollution affects the whole Community, both because of the essential role played by the sea in the preservation and development of species and on account of the importance of sea transport for the harmonious economic development of the Community;

Whereas, furthermore, the action programme referred to above and Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (2) provide that certain measures are to be implemented by the Community in order to reduce the various types of marine pollution;

Whereas the Convention on the protection of the Mediterranean Sea against pollution provides in particular that suitable measures should be adopted to prevent and reduce pollution caused by dumping from ships and aircraft, pollution resulting from the exploration and exploitation of the continental shelf, the seabed and its subsoil and pollution from land-based sources;

Whereas Article 23 of the Convention provides that no party may become a Contracting Party thereto unless it becomes at the same time a Contracting Party to at least one of the Protocols and that no party may become a Contracting Party to a Protocol unless it is, or becomes at the same time, a Contracting Party to the Convention;

(1) OJ No C 112, 20.12.1973.

(2) OJ No L 129, 18.5.1976.

Whereas it appears necessary for the Community to conclude this Convention and the Protocol on the prevention of the pollution of the Mediterranean Sea by dumping from ships and aircraft in order to attain, in the course of the operation of the common market, one of the objectives of the Community in the field of the protection of the environment and of the quality of life; whereas, moreover, no provision is made in the Treaty for the powers necessary to this end;

Whereas the Convention and the said Protocol were signed on behalf of the Community on 13 September 1976,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention for the protection of the Mediterranean Sea against pollution and the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft are hereby concluded on behalf of the European Economic Community.

The texts of the Convention and the Protocol are annexed to this Decision.

Article 2

The President of the Council of the European Communities shall on behalf of the European Economic Community deposit the act concluding the Convention provided for in Article 25 thereof.

Done at Brussels, 25 July 1977.

For the Council
The President
H. SIMONET

CONVENTION

for the protection of the Mediterranean Sea against pollution

THE CONTRACTING PARTIES,

CONSCIOUS of the economic, social, health and cultural value of the marine environment of the Mediterranean Sea area,

FULLY AWARE of their responsibility to preserve this common heritage for the benefit and enjoyment of present and future generations,

RECOGNIZING the threat posed by pollution to the marine environment, its ecological equilibrium, resources and legitimate uses,

MINDFUL of the special hydrographic and ecological characteristics of the Mediterranean Sea area and its particular vulnerability to pollution,

NOTING that existing international conventions on the subject do not cover, in spite of the progress achieved, all aspects and sources of marine pollution and do not entirely meet the special requirements of the Mediterranean Sea area,

REALIZING fully the need for close cooperation among the States and international organizations concerned in a coordinated and comprehensive regional approach for the protection and enhancement of the marine environment in the Mediterranean Sea area,

HAVE AGREED AS FOLLOWS:

Article 1

Geographical coverage

1. For the purposes of this Convention, the Mediterranean Sea area shall mean the maritime waters of the Mediterranean Sea proper, including its gulfs and seas, bounded to the west by the meridian passing through Cape Spartel lighthouse, at the entrance of the Straits of Gibraltar, and to the east by the southern limits of the Straits of the Dardanelles between the Mehmetcik and Kumkale lighthouses.
2. Except as may be otherwise provided in any Protocol to this Convention, the Mediterranean Sea area shall not include internal waters of the Contracting Parties.

Article 2

Definitions

For the purposes of this Convention:

- (a) 'Pollution' means the introduction by man, directly or indirectly, of substances or energy into the marine environment resulting in such deleterious effects as harm to living resources, hazards to human health, hindrance to marine activities including fishing, impairment of quality for use of sea water and reduction of amenities.
- (b) 'Organization' means the body designated as responsible for carrying out secretariat functions pursuant to Article 13 of this Convention.

Article 3

General provisions

1. The Contracting Parties may enter into bilateral or multilateral agreements, including regional or sub-regional agreements, for the

protection of the marine environment of the Mediterranean Sea against pollution, provided that such agreements are consistent with this Convention and conform to international law. Copies of such agreements between Contracting Parties to this Convention, shall be communicated to the Organization.

2. Nothing in this Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750 C (XXV) of the General Assembly of the United Nations, nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

Article 4

General undertakings

1. The Contracting Parties shall individually or jointly take all appropriate measures in accordance with the provisions of this Convention and those Protocols in force to which they are party, to prevent, abate and combat pollution of the Mediterranean Sea area and to protect and enhance the marine environment in that area.

2. The Contracting Parties shall cooperate in the formulation and adoption of Protocols, in addition to the protocols opened for signature at the same time as this Convention, prescribing agreed measures, procedures and standards for the implementation of this Convention.

3. The Contracting Parties further pledge themselves to promote, within the international bodies considered to be competent by the Contracting Parties, measures concerning the protection of the marine environment in the Mediterranean Sea area from all types and sources of pollution.

Article 5

Pollution caused by dumping from ships and aircraft

The Contracting Parties shall take all appropriate measures to prevent and abate pollution of the Mediterranean Sea area caused by dumping from ships and aircraft.

Article 6

Pollution from ships

The Contracting Parties shall take all measures in conformity with international law to prevent, abate and combat pollution of the Mediterranean Sea area caused by discharges from ships and to ensure the effective implementation in that area of the rules which are generally recognized at the international level relating to the control of this type of pollution.

Article 7

Pollution resulting from exploration and exploitation of the continental shelf and the seabed and its subsoil

The Contracting Parties shall take all appropriate measures to prevent, abate and combat pollution of the Mediterranean Sea area resulting from exploration and exploitation of the continental shelf and the seabed and its subsoil.

Article 8

Pollution from land-based sources

The Contracting Parties shall take all appropriate measures to prevent, abate and combat pollution of the Mediterranean Sea area caused by discharges from rivers, coastal establishments or outfalls, or emanating from any other land-based sources within their territories.

Article 9

Cooperation in dealing with pollution emergencies

1. The Contracting Parties shall cooperate in taking the necessary measures for dealing with pollution emergencies in the Mediterranean Sea area, whatever the causes of such emergencies, and reducing or eliminating damage resulting therefrom.
2. Any Contracting Party which becomes aware of any pollution emergency in the Mediterranean Sea area shall without delay notify the Organization and, either through the Organization or directly, any Contracting Party likely to be affected by such emergency.

Article 10

Monitoring

1. The Contracting Parties shall endeavour to establish, in close cooperation with the international bodies which they consider competent, complementary or joint programmes, including, as appropriate, programmes at the bilateral or multilateral levels, for pollution monitoring in the Mediterranean Sea area and shall endeavour to establish a pollution monitoring system for that area.
2. For this purpose, the Contracting Parties shall designate the competent authorities responsible for pollution monitoring within areas under their national jurisdiction and shall participate as far as practicable in international arrangements for pollution monitoring in areas beyond national jurisdiction.
3. The Contracting Parties undertake to cooperate in the formulation, adoption and implementation of such Annexes to this Convention as

may be required to prescribe common procedures and standards for pollution monitoring.

Article 11

Scientific and technological cooperation

1. The Contracting Parties undertake as far as possible to cooperate directly, or when appropriate through competent regional or other international organizations, in the fields of science and technology and to exchange data as well as other scientific information for the purpose of this Convention.
2. The Contracting Parties undertake as far as possible to develop and coordinate their national research programmes relating to all types of marine pollution in the Mediterranean Sea area and to cooperate in the establishment and implementation of regional and other international research programmes for the purposes of this Convention.
3. The Contracting Parties undertake to cooperate in the provision of technical and other possible assistance in fields relating to marine pollution, with priority to be given to the special needs of developing countries in the Mediterranean region.

Article 12

Liability and compensation

The Contracting Parties undertake to cooperate as soon as possible in the formulation and adoption of appropriate procedures for the determination of liability and compensation for damage resulting from the pollution of the marine environment deriving from violations of the provisions of this Convention and applicable Protocols.

Article 13

Institutional arrangements

The Contracting Parties designate the United Nations Environment Programme as responsible for carrying out the following secretariat functions:

- (i) to convene and prepare the meetings of Contracting Parties and conferences provided for in Articles 14, 15 and 16;
- (ii) to transmit to the Contracting Parties notifications, reports and other information received in accordance with Articles 3, 9 and 20;
- (iii) to consider inquiries by, and information from, the Contracting Parties, and to consult with them on questions relating to this Convention and the Protocols and Annexes thereto;
- (iv) to perform the functions assigned to it by the Protocols to this Convention;
- (v) to perform such other functions as may be assigned to it by the Contracting Parties;
- (vi) to ensure the necessary coordination with other international bodies which the Contracting Parties consider competent, and in particular, to enter into such administrative arrangements as may be required for the effective discharge of the secretariat functions.

Article 14

Meetings of the Contracting Parties

1. The Contracting Parties shall hold ordinary meetings once every two years and extraordinary meetings at any other time deemed necessary, upon the request of the Organization or at the request of any Contracting Party, provided that such requests are supported by at least two Contracting Parties.

2. It shall be the function of the meetings of the Contracting Parties to keep under review the implementation of this Convention and the Protocols and, in particular:

- (i) to review generally the inventories carried out by Contracting Parties and competent international organizations on the state of marine pollution and its effects in the Mediterranean Sea area;
- (ii) to consider reports submitted by the Contracting Parties under Article 20;
- (iii) to adopt, review and amend as required the Annexes to this Convention and to the Protocols, in accordance with the procedure established in Article 17;
- (iv) to make recommendations regarding the adoption of any Additional Protocols or any amendments to this Convention or the Protocols in accordance with the provisions of Articles 15 and 16;
- (v) to establish working groups as required to consider any matters related to this Convention and the Protocols and Annexes;
- (vi) to consider and undertake any additional action that may be required for the achievement of the purposes of this Convention and the Protocols.

Article 15

Adoption of Additional Protocols

1. The Contracting Parties, at a diplomatic conference, may adopt Additional Protocols to this Convention pursuant to paragraph 2 of Article 4.
2. A diplomatic conference for the purpose of adopting Additional Protocols shall be convened by the Organization at the request of two thirds of the Contracting Parties.
3. Pending the entry into force of this Convention the Organization may, after consulting with the signatories to this Convention, convene a diplomatic conference for the purpose of adopting Additional Protocols.

Article 16

Amendment of the Convention or Protocols

1. Any Contracting Party to this Convention may propose amendments to the Convention. Amendments shall be adopted by a diplomatic conference which shall be convened by the Organization at the request of two thirds of the Contracting Parties.
2. Any Contracting Party to this Convention may propose amendments to any Protocol. Such amendments shall be adopted by a diplomatic conference which shall be convened by the Organization at the request of two thirds of the Contracting Parties to the Protocol concerned.
3. Amendments to this Convention shall be adopted by a three-fourths majority vote of the Contracting Parties to the Convention which are represented at the diplomatic conference and shall be submitted by the Depositary for acceptance by all Contracting Parties to the Convention. Amendments to any Protocol shall be adopted by a three-fourths majority vote of the Contracting Parties to such Protocol which are represented at the diplomatic conference and shall be submitted by the Depositary for acceptance by all Contracting Parties to such Protocol.
4. Acceptance of amendments shall be notified to the Depositary in writing. Amendments adopted in accordance with paragraph 3 of this Article shall enter into force between Contracting Parties having accepted such amendments on the 30th day following the receipt by the Depositary of notification of their acceptance by at least three-fourths of the Contracting Parties to this Convention or to the Protocol concerned, as the case may be.
5. After the entry into force of an amendment to this Convention or to a Protocol, any new Contracting Party to this Convention or such Protocol shall become a Contracting Party to the instrument as amended.

Article 17

Annexes and amendments to Annexes

1. Annexes to this Convention or to any Protocol shall form an integral part of the Convention or such Protocol, as the case may be.
2. Except as may be otherwise provided in any Protocol, the following procedure shall apply to the adoption and entry into force of any amendments to Annexes to this Convention or to any Protocol, with the exception of amendments to the Annex on Arbitration:
 - (i) any Contracting Party may propose amendments to the Annexes to this Convention or to any Protocols and the meetings referred to in Article 14;
 - (ii) such amendments shall be adopted by a three-fourths majority vote of the Contracting Parties to the instrument in question;
 - (iii) the Depositary shall without delay communicate the amendments so adopted to all Contracting Parties;
 - (iv) any Contracting Party that is unable to approve an amendment to the Annexes to this Convention or to any Protocol shall so notify in writing the Depositary within a period determined by the Contracting Parties concerned when adopting the amendment;
 - (v) the Depositary shall without delay notify all Contracting Parties of any notification received pursuant to the preceding subparagraph;
 - (vi) on expiry of the period referred to in subparagraph (iv) above, the amendment to the Annex shall become effective for all Contracting Parties to this Convention or to the Protocol concerned which have not submitted a notification in accordance with the provisions of that subparagraph.
3. The adoption and entry into force of a new Annex to this Convention or to any Protocol shall be subject to the same procedure as for the adoption and entry into force of an amendment to an Annex in accordance with the provisions of paragraph 2 of this Article, provided that, if any amendment to the Convention or the Protocol concerned is

involved, the new Annex shall not enter into force until such time as the amendment to the Convention or the Protocol concerned enters into force.

4. Amendments to the Annex on Arbitration shall be considered to be amendments to this Convention and shall be proposed and adopted in accordance with the procedures set out in Article 16 above.

Article 18

Rules of procedure and financial rules

1. The Contracting Parties shall adopt rules of procedure for their meetings and conferences envisaged in Articles 14, 15 and 16 above.

2. The Contracting Parties shall adopt financial rules, prepared in consultation with the Organization, to determine, in particular, their financial participation.

Article 19

Special exercise of voting right

Within the areas of their competence, the European Economic Community and any regional economic grouping referred to in Article 24 of this Convention shall exercise their right to vote with a number of votes equal to the number of their Member States which are Contracting Parties to this Convention and to one or more Protocols; the European Economic Community and any grouping as referred to above shall not exercise their right to vote in cases where the Member States concerned exercise theirs, and conversely.

Article 20

Reports

The Contracting Parties shall transmit to the Organization reports on the measures adopted in the implementation of this Convention and of

Protocols to which they are Parties, in such form and at such intervals as the meetings of Contracting Parties may determine.

Article 21

Compliance control

The Contracting Parties undertake to cooperate in the development of procedures enabling them to control the application of this Convention and the Protocols.

Article 22

Settlement of disputes

1. In case of a dispute between Contracting Parties as to the interpretation or application of this Convention or the Protocols, they shall seek a settlement of the dispute through negotiation or any other peaceful means of their own choice.

2. If the Parties concerned cannot settle their dispute through the means mentioned in the preceding paragraph, the dispute shall upon common agreement be submitted to arbitration under the conditions laid down in Annex A to this Convention.

3. Nevertheless, the Contracting Parties may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other Party accepting the same obligation, the application of the arbitration procedure in conformity with the provisions of Annex A. Such declaration shall be notified in writing to the Depositary, who shall communicate it to the other Parties.

Article 23

Relationship between the Convention and Protocols

1. No one may become a Contracting Party to this Convention unless it becomes at the same time a Contracting Party to at least one of the

Protocols. No one may become a Contracting Party to a Protocol unless it is, or becomes at the same time, a Contracting Party to this Convention.

2. Any Protocol to this Convention shall be binding only on the Contracting Parties to the Protocol in question.

3. Decisions concerning any Protocol pursuant to Articles 14, 16 and 17 of this Convention shall be taken only by the Parties to the Protocol concerned.

Article 24

Signature

This Convention, the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft and the Protocol concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency shall be open for signature in Barcelona on 16 February 1976 and in Madrid from 17 February 1976 to 16 February 1977 by any State invited as a participant in the Conference of Plenipotentiaries of the Coastal States of the Mediterranean Region on the Protection of the Mediterranean Sea, held in Barcelona from 2 to 16 February 1976, and by any State entitled to sign any Protocol in accordance with the provisions of such Protocol. They shall also be open until the same date for signature by the European Economic Community and by any similar regional economic grouping at least one member of which is a coastal State of the Mediterranean Sea area and which exercise competences in fields covered by this Convention, as well as by any Protocol affecting them.

Article 25

Ratification, acceptance or approval

This Convention and any Protocol thereto shall be subject to ratification, acceptance, or approval. Instruments of ratification, acceptance or

approval shall be deposited with the Government of Spain, which will assume the functions of Depository.

Article 26

Accession

1. As from 17 February 1977, the present Convention, the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft, and the Protocol concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency shall be open for accession by the States, by the European Economic Community and by any grouping as referred to in Article 24.
2. After the entry into force of the Convention and of any Protocol, any State not referred to in Article 24 may accede to this Convention and to any Protocol, subject to prior approval by three-fourths of the Contracting Parties to the Protocol concerned.
3. Instruments of accession shall be deposited with the Depository.

Article 27

Entry into force

1. This Convention shall enter into force on the same date as the Protocol first entering into force.
2. The Convention shall also enter into force with regard to the States, the European Economic Community and any regional economic grouping referred to in Article 24 if they have complied with the formal requirements for becoming Contracting Parties to any other Protocol not yet entered into force.

3. Any Protocol to this Convention, except as otherwise provided in such Protocol, shall enter into force on the 30th day following the date of deposit of at least six instruments of ratification, acceptance or approval of, or accession to, such Protocol by the Parties referred to in Article 24.

4. Thereafter, this Convention and any Protocol shall enter into force with respect to any State, the European Economic Community and any regional economic grouping referred to in Article 24 on the 30th day following the date of deposit of the instruments of ratification, acceptance, approval or accession.

Article 28

Withdrawal

1. At any time after three years from the date of entry into force of this Convention, any Contracting Party may withdraw from this Convention by giving written notification of withdrawal.

2. Except as may be otherwise provided in any Protocol to this Convention, any Contracting Party may, at any time after three years from the date of entry into force of such Protocol, withdraw from such Protocol by giving written notification of withdrawal.

3. Withdrawal shall take effect 90 days after the date on which notification of withdrawal is received by the Depository.

4. Any Contracting Party which withdraws from this Convention shall be considered as also having withdrawn from any Protocol to which it was a Party.

5. Any Contracting Party which, upon its withdrawal from a Protocol, is no longer a Party to any Protocol to this Convention, shall be considered as also having withdrawn from this Convention.

Article 29

Responsibilities of the Depositary

1. The Depositary shall inform the Contracting Parties, any other Party referred to in Article 24, and the Organization:

- (i) of the signature of this Convention and of any Protocol thereto, and of the deposit of instruments of ratification, acceptance, approval or accession in accordance with Articles 24, 25 and 26;
- (ii) of the date on which the Convention and any Protocol will come into force in accordance with the provisions of Article 27;
- (iii) of notifications of withdrawal made in accordance with Article 28;
- (iv) of the amendments adopted with respect to the Convention and to any Protocol, their acceptance by the Contracting Parties and the date of entry into force of those amendments in accordance with the provisions of Article 16;
- (v) of the adoption of new Annexes and of the amendment of any Annex in accordance with Article 17;
- (vi) of declarations recognizing as compulsory the application of the arbitration procedure mentioned in paragraph 3 of Article 22.

2. The original of this Convention and of any Protocol thereto shall be deposited with the Depositary, the Government of Spain, which shall send certified copies thereof to the Contracting Parties, to the Organization, and to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the United Nations Charter.

In witness whereof the undersigned, being duly authorized by their respective Governments, have signed this Convention.

Done at Barcelona on 16 February 1976 in a single copy in the Arabic, English, French and Spanish languages, the four texts being equally authoritative.

ANNEX A

Arbitration

Article 1

Unless the Parties to the dispute otherwise agree, the arbitration procedure shall be conducted in accordance with the provisions of this Annex.

Article 2

1. At the request addressed by one Contracting Party to another Contracting Party in accordance with the provisions of paragraph 2 or paragraph 3 of Article 22 of the Convention, an arbitral tribunal shall be constituted. The request for arbitration shall state the subject matter of the application including, in particular, the articles of the Convention or the Protocols, the interpretation or application of which is in dispute.
2. The claimant party shall inform the Organization that it has requested the setting up of an arbitral tribunal, stating the name of the other Party to the dispute and articles of the Convention or the Protocols the interpretation or application of which is in its opinion in dispute. The Organization shall forward the information thus received to all Contracting Parties to the Convention.

Article 3

The arbitral tribunal shall consist of three members: each of the Parties to the dispute shall appoint an arbitrator; the two arbitrators so appointed shall designate by common agreement the third arbitrator who shall be the chairman of the tribunal. The latter shall not be a national of one of the Parties to the dispute, nor have his usual place of residence in the territory of one of these Parties, nor be employed by any of them, nor have dealt with the case in any other capacity.

Article 4

1. If the chairman of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the Secretary-General of the United Nations shall, at the request of the most diligent Party, designate him within a further two months' period.
2. If one of the Parties to the dispute does not appoint an arbitrator within two months of receipt of the request, the other Party may inform the Secretary-General of the United Nations who shall designate the chairman of the arbitral tribunal within a further two months' period. Upon designation, the chairman of the arbitral tribunal shall request the Party which has not appointed an arbitrator to do so within two months. After such period, he shall inform the Secretary-General of the United Nations, who shall make this appointment within a further two months' period.

Article 5

1. The arbitral tribunal shall decide according to the rules of international law and, in particular, those of this Convention and the Protocols concerned.
2. Any arbitral tribunal constituted under the provisions of this Annex shall draw up its own rules of procedure.

Article 6

1. The decisions of the arbitral tribunal, both on procedure and on substance, shall be taken by majority vote of its members.
2. The tribunal may take all appropriate measures in order to establish the facts. It may, at the request of one of the Parties, recommend essential interim measures of protection.

3. If two or more arbitral tribunals constituted under the provisions of this Annex are seized of requests with identical or similar subjects, they may inform themselves of the procedures for establishing the facts and take them into account as far as possible.
4. The Parties to the dispute shall provide all facilities necessary for the effective conduct of the proceedings.
5. The absence or default of a Party to the dispute shall not constitute an impediment to the proceedings.

Article 7

1. The award of the arbitral tribunal shall be accompanied by a statement of reasons. It shall be final and binding upon the Parties to the dispute.
2. Any dispute which may arise between the Parties concerning the interpretation or execution of the award may be submitted by the most diligent Party to the arbitral tribunal which made the award or, if the latter cannot be seized thereof, to another arbitral tribunal constituted for this purpose in the same manner as the first.

Article 8

The European Economic Community and any regional economic grouping referred to in Article 24 of the Convention, like any Contracting Party to the Convention, are empowered to appear as complainants or as respondents before the arbitral tribunal.

PROTOCOL

for the prevention of pollution of the Mediterranean Sea by
dumping from ships and aircraft ⁽¹⁾

THE CONTRACTING PARTIES TO THE PRESENT PROTOCOL,

BEING PARTIES to the Convention for the protection of the Mediterranean Sea against pollution,

RECOGNIZING the danger posed to the marine environment by pollution caused by the dumping of wastes or other matter from ships and aircraft,

CONSIDERING that the coastal States of the Mediterranean Sea have a common interest in protecting the marine environment from this danger,

BEARING IN MIND the Convention on the prevention of marine pollution by dumping of wastes and other matter, adopted in London in 1972,

HAVE AGREED AS FOLLOWS:

Article 1

The Contracting Parties to this Protocol (hereinafter referred to as 'the Parties') shall take all appropriate measures to prevent and abate pollution of the Mediterranean Sea area caused by dumping from ships and aircraft.

(1) OJ No L 240, 19.9.1977.

Article 2

The area to which this Protocol applies shall be the Mediterranean Sea area as defined in Article 1 of the Convention for the protection of the Mediterranean Sea against pollution (hereinafter referred to as 'the Convention').

Article 3

For the purposes of this Protocol:

1. 'ships and aircraft' means waterborne or airborne craft of any type whatsoever. This expression includes air-cushioned craft and floating craft, whether self-propelled or not, and platforms and other man-made structures at sea and their equipment.
2. 'Wastes or other matter' means material and substances of any kind, form or description.
3. 'Dumping' means:
 - (a) any deliberate disposal at sea of wastes or other matter from ships or aircraft;
 - (b) any deliberate disposal at sea of ships or aircraft.
4. 'Dumping' does not include:
 - (a) the disposal at sea of wastes or other matter incidental to, or derived from, the normal operations of vessels, or aircraft and their equipment, other than wastes or other matter transported by or to vessels or aircraft, operating for the purpose of disposal of such matter, or derived from the treatment of such wastes or other matter on such vessels or aircraft;
 - (b) placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Protocol.
5. 'Organization' means the body referred to in Article 13 of the Convention.

Article 4

The dumping into the Mediterranean Sea area of wastes or other matter listed in Annex I to this Protocol is prohibited.

Article 5

The dumping into the Mediterranean Sea area of all wastes or other matter listed in Annex II to this Protocol requires, in each case, a prior special permit from the competent national authorities.

Article 6

The dumping into the Mediterranean Sea area of all other wastes or other matter requires a prior general permit from the competent national authorities.

Article 7

The permits referred to in Articles 5 and 6 above shall be issued only after careful consideration of all the factors set forth in Annex III to this Protocol. The Organization shall receive records of such permits.

Article 8

The provisions of Articles 4, 5 and 6 shall not apply in case of *force majeure* due to stress of weather or any other cause when human life or the safety of a ship or aircraft is threatened. Such dumpings shall immediately be reported to the Organization and either through the Organization or directly, to any Party or Parties likely to be affected, together with full details of the circumstances and of the nature and quantities of the wastes or other matter dumped.

Article 9

If a Party in a critical situation of an exceptional nature considers that wastes or other matter listed in Annex I to this Protocol cannot be disposed of on land without unacceptable danger or damage, above all for the safety of human life, the Party concerned shall forthwith consult the Organization. The Organization, after consulting the Parties to this Protocol, shall recommend methods of storage or the most satisfactory means of destruction or disposal under the prevailing circumstances. The Party shall inform the Organization of the steps adopted in pursuance of these recommendations. The Parties pledge themselves to assist one another in such situations.

Article 10

1. Each Party shall designate one or more competent authorities to:
 - (a) issue the special permits provided for in Article 5;
 - (b) issue the general permits provided for in Article 6;
 - (c) keep records of the nature and quantities of the wastes or other matter permitted to be dumped and of the location, date and method of dumping.
2. The competent authorities of each Party shall issue the permits provided for in Articles 5 and 6 in respect of the wastes or other matter intended for dumping:
 - (a) loaded in its territory;
 - (b) loaded by a ship or aircraft registered in its territory or flying its flag, when the loading occurs in the territory of a State not Party to this Protocol.

Article 11

1. Each Party shall apply the measures required to implement this Protocol to all:
 - (a) ships and aircraft registered in its territory or flying its flag;

- (b) ships and aircraft loading in its territory wastes or other matter which are to be dumped;
- (c) ships and aircraft believed to be engaged in dumping in areas under its jurisdiction in this matter.

2. This Protocol shall not apply to any ships or aircraft owned or operated by a State Party to this Protocol and used for the time being only on Government noncommercial service. However, each Party shall ensure by the adoption of appropriate measures not impairing the operations or operational capabilities of such ships or aircraft owned or operated by it, that such ships and aircraft act in a manner consistent, so far as is reasonable and practicable, with this Protocol.

Article 12

Each Party undertakes to issue instructions to its maritime inspection ships and aircraft and to other appropriate services to report to its authorities any incidents or conditions in the Mediterranean Sea area which give rise to suspicions that dumping in contravention of the provisions of this Protocol has occurred or is about to occur. That Party shall, if it considers it appropriate, report accordingly to any other Party concerned.

Article 13

Nothing in this Protocol shall affect the right of each Party to adopt other measures, in accordance with international law, to prevent pollution due to dumping.

Article 14

1. Ordinary meetings of the Parties to this Protocol shall be held in conjunction with ordinary meetings of the Contracting Parties to the

Convention held pursuant to Article 14 of the Convention. The Parties to this Protocol may also hold extraordinary meetings in conformity with Article 14 of the Convention.

2. It shall be the function of the meetings of the Parties to this Protocol:
 - (a) to keep under review the implementation of this Protocol, and to consider the efficacy of the measures adopted and the need for any other measures, in particular in the form of Annexes;
 - (b) to study and consider the records of the permits issued in accordance with Articles 5, 6 and 7 and of the dumping which has taken place;
 - (c) to review and amend as required any Annex to this Protocol;
 - (d) to discharge such other functions as may be appropriate for the implementation of this Protocol.

3. The adoption of amendments to the Annexes to this Protocol pursuant to Article 17 of the Convention shall require a three-fourths majority vote of the Parties.

Article 15

1. The provisions of the Convention relating to any Protocol shall apply with respect to the present Protocol.

2. The rules of procedure and the financial rules adopted pursuant to Article 18 of the Convention shall apply with respect to this Protocol, unless the Parties to this Protocol agree otherwise.

In witness whereof the undersigned, being duly authorized by their respective Governments, have signed this Protocol.

Done at Barcelona on 16 February 1976 in a single copy in the Arabic, English, French and Spanish languages, the four texts being equally authoritative.

ANNEX I

- A. The following substances and materials are listed for the purpose of Article 4 of the Protocol.
1. Organohalogen compounds and compounds which may form such substances in the marine environment, excluding those which are non-toxic or which are rapidly converted in the sea into substances which are biologically harmless, provided that they do not make edible marine organisms unpalatable.
 2. Organosilicon compounds and compounds which may form such substances in the marine environment, excluding those which are non-toxic or which are rapidly converted in the sea into substances which are biologically harmless, provided that they do not make edible marine organisms unpalatable.
 3. Mercury and mercury compounds.
 4. Cadmium and cadmium compounds.
 5. Persistent plastic and other persistent synthetic materials which may materially interfere with fishing or navigation, reduce amenities, or interfere with other legitimate uses of the sea.
 6. Crude oil and hydrocarbons which may be derived from petroleum, and any mixtures containing any of these, taken on board for the purpose of dumping.
 7. High-, medium- and low-level radioactive wastes or other high-, medium- and low-level radioactive matter to be defined by the International Atomic Energy Agency.
 8. Acid and alkaline compounds of such composition and in such quantity that they may seriously impair the quality of sea water. The composition and quantity to be taken into consideration shall be determined by the Parties in accordance with the procedure laid down in Article 14 (3) of this Protocol.
 9. Materials in whatever form (e.g. solids, liquids, semi-liquids, gases, or in a living state) produced for biological and chemical

warfare, other than those rapidly rendered harmless by physical, chemical or biological processes in the sea, provided that they do not:

- (i) make edible marine organisms unpalatable; or
 - (ii) endanger human or animal health.
- B.** This Annex does not apply to wastes or other materials, such as sewage sludge and dredge spoils, containing the substances referred to in paragraphs 1 to 6 above as trace contaminants. The dumping of such wastes shall be subject to the provisions of Annexes II and III as appropriate.

ANNEX II

The following wastes and other matter, the dumping of which requires special care, are listed for the purposes of Article 5.

1. (i) arsenic, lead, copper, zinc, beryllium, chromium, nickel, vanadium, selenium, antimony and their compounds;
(ii) cyanides and fluorides;
(iii) pesticides and their by-products not covered in Annex I;
(iv) synthetic organic chemicals, other than those referred to in Annex I, likely to produce harmful effects on marine organisms or to make edible marine organisms unpalatable;
2. (i) acid and alkaline compounds the composition and quantity of which have not yet been determined in accordance with the procedure referred to in Annex I A (8);
(ii) acid and alkaline compounds not covered by Annex I, excluding compounds to be dumped in quantities below thresholds which shall be determined by the Parties in accordance with the procedure laid down in Article 14 (3) of this Protocol.
3. Containers, scrap metal and other bulky wastes liable to sink to the sea bottom which may present a serious obstacle to fishing or navigation.
4. Substances which, though of a non-toxic nature may become harmful owing to the quantities in which they are dumped, or which are liable to reduce amenities seriously or to endanger human life or marine organisms or to interfere with navigation.
5. Radioactive waste or other radioactive matter which will not be included in Annex I. In the issue of permits for the dumping of this matter, the Parties should take full account of the recommendations of the competent international body in this field, at present the International Atomic Energy Agency.

ANNEX III

The factors to be considered in establishing criteria governing the issue of permits for the dumping of matter at sea taking into account Article 7 include:

A. Characteristics and composition of the matter

1. Total amount and average compositions of matter dumped (e.g. per year).
2. Form (e.g. solid, sludge, liquid or gaseous).
3. Properties: physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients) and biological (e.g. presence of viruses, bacteria, yeasts, parasites).
4. Toxicity.
5. Persistence: physical, chemical and biological.
6. Accumulation and biotransformation in biological materials or sediments.
7. Susceptibility to physical, chemical and biochemical changes and interaction in the aquatic environment with other dissolved organic and inorganic materials.
8. Probability of production of taints or other changes reducing marketability of resources (fish, shellfish, etc.).

B. Characteristics of dumping site and method of deposit

1. Location (e.g. coordinates of the dumping area, depth and distance from the coast), location in relation to other areas (e.g. amenity areas, spawning, nursery and fishing areas and exploitable resources).
2. Rate of disposal per specific period (e.g. quantity per day, per week, per month).
3. Methods of packaging and containment, if any.

4. Initial dilution achieved by proposed method of release, particularly the speed of the ship.
5. Dispersal characteristics (e.g. effects of currents, tides and wind on horizontal transport and vertical mixing).
6. Water characteristics (e.g. temperature, pH, salinity, stratification, oxygen indices of pollution — dissolved oxygen (DO), chemical oxygen demand (COD), biochemical oxygen demand (BOD), nitrogen present in organic and mineral form, including ammonia, suspended matter, other nutrients and productivity).
7. Bottom characteristics (e.g. topography, geochemical and geological characteristics and biological productivity).
8. Existence and effects of other dumpings which have been made in the dumping area (e.g. heavy metal background reading and organic carbon content.)
9. When issuing a permit for dumping, the Contracting Parties shall endeavour to determine whether an adequate scientific basis exists for assessing the consequences of such dumping in the area concerned, in accordance with the foregoing provisions and taking into account seasonal variations.

C. *General considerations and conditions*

1. Possible effects on amenities (e.g. presence of floating or stranded material, turbidity, objectionable odour, discolouration and foaming).
2. Possible effects on marine life, fish and shellfish culture, fish stocks and fisheries, seaweed harvesting and culture.
3. Possible effects on other uses of the sea (e.g. impairment of water quality for industrial use, underwater corrosion of structures, interference with ship operations from floating materials,

interference with fishing or navigation through deposit of waste or solid objects on the sea floor and protection of areas of special importance for scientific or conservation purposes).

4. The practical availability of alternative land-based methods of treatment, disposal or elimination or of treatment to render the matter less harmful for sea dumping.

DECLARATIONS OR RESERVATIONS (1)

FRANCE (2)

Should the provisions of this Convention and the Protocols attached thereto be interpreted as standing in the way of activities which it deems necessary for its national defence, the Government will not apply the said provisions to those activities. By adopting appropriate measures it will see to it that all possible account is taken of the objectives of the Convention and the Protocols attached thereto in the exercise of its activities.

SYRIA (3)

The accession of the Government of the Syrian Arab Republic to the 1976 Barcelona Convention for the protection of the Mediterranean Sea against pollution does not, under any circumstances, signify any recognition of Israel by the Government of the Syrian Arab Republic and does not commit it in any way to collaborate or exchange information with Israel, either bilaterally or multilaterally.

- (1) Translated by the translation departments of the Communities from the French text forwarded by the depositary.
- (2) Extract from the letter which the depositary sent to the Contracting Parties on 28.4.1978.
- (3) Extract from the letter which the depositary sent to the Contracting Parties on 21.2.1979.

INFORMATION CONCERNING

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force (1)	Declarations or reservations (2)
		of ratification, acceptance, approval, etc.	of accession		

— the CONVENTION for the protection of the Mediterranean Sea against pollution (3)

Open for signature: in Barcelona on 16.2.1976 and in Madrid from 17.2.1976 until 16.2.1977

Depositary: Government of Spain, Madrid (Spain)

Date of entry into force: 12.2.1978 (4)

Duration: indefinite

EEC	13.9.1976	16.3.1978		15.4.1978	
FRANCE	16.2.1976	11.3.1978		10.4.1978	yes
ITALY	16.2.1976				
CYPRUS	16.2.1976				
EGYPT	16.2.1976	23.8.1978		22.9.1978	
GREECE	16.2.1976				
ISRAEL	16.2.1976	3.3.1978		2.4.1978	
LEBANON	16.2.1976(5)		8.11.1977		
LIBYA	31.1.1977(5)				

MALTA	16.2.1976	30.12.1977			
MOROCCO	16.2.1976				
MONACO	16.2.1976	20.9.1977			
SPAIN	16.2.1976 ⁽³⁾	17.12.1976			
SYRIA			26.12.1978	(7)	yes
TUNISIA	25.5.1976	30.7.1977			
TURKEY	16.2.1976 ⁽⁴⁾				
YUGOSLAVIA	15.9.1976	13.1.1978			

— the **PROTOCOL** for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft ⁽³⁾

Open for signature:

Depositary:

Date of entry into force:

Duration:

} same as Convention

EEC	13.9.1976	16.3.1978		15.4.1978	
FRANCE	16.2.1976	11.3.1978		10.4.1978	yes
ITALY	16.2.1976				

(1) This date is given only where it falls after the date of entry into force of the Convention.

(2) The texts of these declarations or reservations will be found on page 3363.

(3) OJ No L 240, 19.9.1977.

(4) See Article 27(1) and (3) of the Convention.

(5) Signature subject to confirmation.

(6) Signature subject to declaration.

(7) As at 31.12.1978 this act had not yet entered into force for Syria.

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force (1)	Declarations or reservations (2)
		of ratification, acceptance, approval, etc.	of accession		
CYPRUS	16.2.1976				
EGYPT	16.2.1976	23.8.1978		22.9.1978	
GREECE	11.2.1977				
ISRAEL	16.2.1976				
LEBANON	16.2.1976 ⁽³⁾		8.11.1977		
LIBYA	31.1.1977 ⁽³⁾				
MALTA	16.2.1976	30.12.1977			
MOROCCO	16.2.1976				
MONACO	16.2.1976	20.9.1977			
SPAIN	16.2.1976 ⁽³⁾	17.12.1976			
SYRIA			26.12.1978	(3)	
TUNISIA	25.5.1976	30.7.1977			
TURKEY	16.2.1976 ⁽⁴⁾				
YUGOSLAVIA	15.9.1976	13.1.1978			

(1) This date is given only where it falls after the date of entry into force of the Convention.

(2) The texts of these declarations or reservations will be found on page 3363.

(3) Signature subject to confirmation.

(4) Signature subject to declaration.

(5) As at 31.12.1978 this act had not yet entered into force for Syria.

Agreement
between the EEC, the Swiss Confederation and
the Republic of Austria

AGREEMENT

between the European Economic Community, the Swiss Confederation and the Republic of Austria on the extension of the application of the rules on Community transit ⁽¹⁾

COUNCIL REGULATION (EEC) No 1177/77

of 17 May 1977

on the conclusion of the Agreement between the European Economic Community, the Swiss Confederation and the Republic of Austria on the extension of the application of the rules on Community transit

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas the Agreement between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit⁽²⁾, signed on 23 November 1972, and the Agreement between the European Economic Community and the Republic of Austria on the same subject⁽³⁾, signed on 30 November 1972, are

(1) OJ No L 142, 9.6.1977.

(2) OJ No L 294, 19.12.1972.

designed to simplify the customs formalities to be completed at the frontiers in respect of goods traffic through both the territory of the Community and that of Switzerland or of Austria;

Whereas this objective is not achieved where goods are carried through both Community territory and that of Switzerland and of Austria, since each of the abovementioned Agreements is strictly bilateral;

Whereas it would be in the interest of all the Contracting Parties to these two Agreements to extend the application of the latter to the goods traffic in question,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community, the Swiss Confederation and the Republic of Austria on the extension of the application of the rules on Community transit is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 5 of the Agreement.

Article 3

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

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

Done at Brussels, 17 May 1977.

For the Council

The President

J. SILKIN

AGREEMENT

between the European Economic Community, the Swiss Confederation and the Republic of Austria on the extension of the application of the rules on Community transit

THE EUROPEAN ECONOMIC COMMUNITY,

THE SWISS CONFEDERATION and

THE REPUBLIC OF AUSTRIA

DESIRING to simplify the customs formalities to be completed at the time of crossing frontiers in respect of goods traffic through both Swiss territory and Austrian territory,

CONSIDERING that the scope of the provisions of the Transit Agreement concluded between the European Economic Community, of the one part, and the Swiss Confederation and the Republic of Austria, of the other part, should therefore be extended to cover such traffic,

HAVE AGREED AS FOLLOWS:

Article 1

For the purpose of this Agreement:

- (a) the 'EEC-Switzerland Transit Agreement' means the Agreement signed on 23 November 1972, including current or future amendments thereto, between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit;
- (b) the 'EEC-Austria Transit Agreement' means the Agreement signed on 30 November 1972, including current or future amendments

thereto, between the European Economic Community and the Republic of Austria on the application of the rules on Community transit;

(c) the 'Community' means the European Economic Community;

(d) a 'Member State' means a Member State of the Community.

Article 2

The application of the provisions of the EEC-Switzerland and of the EEC-Austria Transit Agreements shall be extended to the movement of goods between two points situated in the Community via both Swiss territory and Austrian territory.

These provisions may also apply to any other carriage of goods within both Swiss territory and Austrian territory.

Article 3

1. Within the limits of Article 2 of the present Agreement and without prejudice to Article 13 (1) of the EEC-Switzerland and EEC-Austria Transit Agreements:

- the Swiss Confederation shall, in relation to the Republic of Austria, have the same rights and obligations as a Member State,
- the Republic of Austria shall, in relation to the Swiss Confederation, have the same rights and obligations as a Member State.

2. For the purposes of implementing the present Agreement, guarantees drawn up in accordance with the specimens annexed to the EEC-Switzerland and EEC-Austria Transit Agreements must be completed accordingly.

3. The following provisions which do not appear in the EEC-Austria Transit Agreement shall also apply in dealings between the Swiss Confederation and the Republic of Austria:

- (a) Where, in application of Article 4 (1) and (2) of the EEC-Switzerland and EEC-Austria Transit Agreements, criminal proceedings prove necessary, these shall be carried out in each State in accordance with the provisions of national law on prosecutions for customs offences.
- (b) The customs authorities of the Swiss Confederation and of the Republic of Austria shall, in the circumstances covered by Article 4 of the EEC-Switzerland and EEC-Austria Transit Agreements, furnish any information at their disposal, where necessary following investigation carried out at the request of the customs authority of the Republic of Austria or of the Swiss Confederation, relating to the goods themselves or to persons convicted or suspected of having infringed provisions of the Community transit rules.

However, in view of the provisions of national law which guarantee the protection of industrial, commercial or professional secrecy, the administrative assistance referred to in the said Article 4 may, in respect of persons neither convicted nor suspected of having infringed the provisions of the Community transit rules, be limited to such information as does not prejudice this protection.

- (c) Internal Community transit documents shall not be issued in respect of goods reconsigned from Switzerland after storage in a private warehouse within the meaning of the Swiss Federal customs law.

Article 4

This Agreement shall apply to the Principality of Liechtenstein for as long as that Principality remains bound to the Swiss Confederation by a customs union treaty.

Article 5

This Agreement shall enter into force on the first day of the second month following that in which the Contracting Parties notify each other of the completion of the procedures necessary to that end.

Article 6

This Agreement may be denounced by any of the Contracting Parties, subject to six months' notice.

Article 7

This Agreement is drawn up in three copies in the Danish, Dutch, English, French, German and Italian languages, all six texts being equally authentic.

INFORMATION CONCERNING

the AGREEMENT between the European Economic Community, the Swiss Confederation and the Republic of Austria on the extension of the application of the rules on Community transit⁽¹⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
EEC AUSTRIA SWITZER- LAND	} 12.7.1977	n. 31.1.1978 ⁽²⁾ n. 25.1.1978 ⁽²⁾ n. 25.1.1978 ⁽²⁾	1.3.1978 ⁽³⁾	indefinite

(1) OJ No L 142, 9.6.1977

(2) OJ No L 44, 15.2.1978.

(3) See Article 5 of the Agreement.

CHAPTER II

**Multilateral agreements
concluded by the
European Atomic
Energy Community**

Agreement
between the United Kingdom of Great Britain
and Northern Ireland, the EAEC and IAEA

AGREEMENT

between the United Kingdom of Great Britain and Northern Ireland, the European Atomic Energy Community and the International Atomic Energy Agency for the application of safeguards in the United Kingdom of Great Britain and Northern Ireland in connection with the Treaty on the non-proliferation of nuclear weapons ⁽¹⁾

WHEREAS the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as 'the United Kingdom') is party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter referred to as 'the Treaty') which was opened for signature at London, Moscow and Washington on 1 July 1968 and which entered into force on 5 March 1970;

WHEREAS States party to the Treaty have undertaken to cooperate in facilitating the application of the safeguards of the International Atomic Energy Agency (hereinafter referred to as 'the Agency') to peaceful nuclear activities;

WHEREAS non-nuclear-weapon States party to the Treaty have undertaken to accept safeguards, as set forth in agreements to be negotiated and concluded with the Agency, on all source or special fissionable material in all peaceful nuclear activities within their territories, under their jurisdiction or carried out under their control anywhere, for the

(1) Not published in the OJ.

exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices;

WHEREAS the United Kingdom, as a nuclear-weapon State within the meaning of the Treaty, has throughout desired to encourage widespread adherence to the Treaty by demonstrating to non-nuclear-weapon States that they would not be placed at a commercial disadvantage by reason of the application of safeguards pursuant to the Treaty;

WHEREAS the United Kingdom, to this end, has stated that at such time as international safeguards are put into effect in non-nuclear-weapon States in implementation of the provisions of the Treaty, it would be prepared to offer an opportunity for the application of similar safeguards in the United Kingdom subject to exclusions for national security reasons only;

WHEREAS the United Kingdom is a party to the Treaty establishing the European Atomic Energy Community (hereinafter referred to as 'the Community'), by virtue of which Treaty institutions of that Community exercise in their own right, in those areas for which they are competent, regulatory, executive and judicial powers which may take effect directly within the legal systems of the Member States;

WHEREAS, within this institutional framework, the Community has in particular the task of ensuring, through appropriate safeguards, that civil nuclear materials are not diverted to uses other than those for which they were intended;

WHEREAS these safeguards include declaration to the Community of the basic technical characteristics of civil nuclear facilities, maintenance and submission of operating records to permit nuclear materials accounting for the Community as a whole, inspections by officials of the Community, and a system of sanctions:

WHEREAS the Community has the task of establishing with other countries and international organizations such relations as will foster progress in the peaceful uses of nuclear energy and is expressly authorized to assume particular safeguarding obligations in an agreement concluded with a third State or an international organization;

WHEREAS the Agency's international safeguards system referred to in the Treaty comprises, in particular, provisions for the submission of design information to the Agency, the keeping of records, the submission to the Agency of reports on all nuclear material subject to safeguards, inspections carried out by the Agency's inspectors, requirements for the establishment and maintenance of a system of accounting for and control of nuclear material by a State, and measures in relation to verification of non-diversion;

WHEREAS the Agency is authorized under Article III.A.5 of the Statute of the Agency (hereinafter referred to as 'the Statute'), to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement, or at the request of a State, to any of that State's activities in the field of atomic energy;

NOTING that the United Kingdom has declared its intention to negotiate with the Agency a pattern according to its circumstances for the application of safeguards in the United Kingdom;

WHEREAS the Community has welcomed this declaration of intention and, having regard to the need to avoid unnecessary duplication of safeguards activity, has recognized that it is important to cooperate with the Agency in such application, and has associated itself with the United Kingdom in these negotiations;

NOTING the nature of the Agreement of 5 April 1973 and of the Protocol thereto between Belgium, Denmark, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, the Community and the Agency in connection with the Treaty;

NOW, THEREFORE, the United Kingdom, the Community and the Agency have agreed as follows:

PART I

BASIC UNDERTAKING

Article 1

- (a) The United Kingdom shall accept the application of safeguards, in accordance with the terms of this Agreement, on source or special fissionable material in facilities or parts thereof within the United Kingdom, subject to exclusions for national security reasons only, with a view to enabling the Agency to verify that such material is not, except as provided for in this Agreement, withdrawn from civil activities.

- (b) The United Kingdom shall provide the Community and the Agency with a list (hereinafter referred to as 'the Facilities List') of the facilities or parts thereof which contain the nuclear material referred to in paragraph (a) of this Article. The United Kingdom shall keep the Facilities List up to date and may at any time make deletions from it for national security reasons. The United Kingdom shall give the Community and the Agency advance notice of any additions or deletions.

- (c) Whenever the United Kingdom withdraws nuclear material referred to in paragraph (a) of this Article from the scope of this Agreement for national security reasons, it shall notify the Community and the Agency in accordance with the provisions of this Agreement.

- (d) The Community shall, in accordance with the provisions of this Agreement, provide the Agency with information in respect of international transfers of nuclear material from or to any facility or part thereof on the Facilities List.

APPLICATION OF SAFEGUARDS

Article 2

The Agency shall have the right and the obligation to ensure that safeguards are applied, in accordance with the terms of this Agreement, on source or special fissionable material in those facilities or parts of facilities within the United Kingdom which are both on the Facilities List and designated pursuant to Article 78 (a), with a view to enabling the Agency to verify that such material is not, except as provided for in this Agreement, withdrawn from civil activities. In respect of such facilities or parts thereof which are on the Facilities List but not so designated the Agency shall have the rights provided for in this Agreement.

Article 3

- (a) The Community shall, in applying its safeguards on the source or special fissionable material described in Article 1 (a), cooperate with the Agency in accordance with the terms of this Agreement, with a view to ascertaining that such material is not, except as provided for in this Agreement, withdrawn from civil activities.
- (b) The Agency shall apply its safeguards, in accordance with the terms of this Agreement, in such a manner as to enable it to verify, in ascertaining that there has been no withdrawal of nuclear material from civil activities, except as provided for in this Agreement, findings of the Community's system of safeguards. The Agency's verification shall include, *inter alia*, independent measurements and observations conducted by the Agency in accordance with the procedures specified in this Agreement. The Agency, in its verification, shall take due account of the effectiveness of the Community's system of safeguards in accordance with the terms of this Agreement.

COOPERATION BETWEEN THE UNITED KINGDOM, THE COMMUNITY AND THE AGENCY

Article 4

The United Kingdom, the Community and the Agency shall cooperate, in so far as each party is concerned, to facilitate the implementation of the safeguards provided for in this Agreement and shall avoid unnecessary duplication of safeguards activities.

Article 5

The safeguards provided for in this Agreement shall be implemented in a manner designed:

- (a) to avoid hampering economic and technological development in the United Kingdom or international cooperation in the field of peaceful nuclear activities, including international exchange of nuclear material;
- (b) to avoid undue interference in peaceful nuclear activities in the United Kingdom and in particular in the operation of facilities; and
- (c) to be consistent with prudent management practices required for the economic and safe conduct of nuclear activities.

Article 6

- (a) The Agency shall take every precaution to protect commercial and industrial secrets and other confidential information coming to its knowledge in the implementation of this Agreement.
- (b) (i) The Agency shall not publish or communicate to any State, organization or person any information obtained by it in con-

nection with the implementation of this Agreement, except that specific information relating to the implementation thereof may be given to the Board of Governors of the Agency (hereinafter referred to as 'the Board') and to such Agency staff members as require such knowledge by reason of their official duties in connection with safeguards, but only to the extent necessary for the Agency to fulfil its responsibilities in implementing this Agreement.

- (ii) Summarized information on nuclear material subject to safeguards under this Agreement may be published upon decision of the Board if the United Kingdom or the Community, in so far as either party is individually concerned, agrees thereto.

Article 7

- (a) In implementing safeguards under this Agreement, full account shall be taken of technological development in the field of safeguards, and every effort shall be made to ensure optimum cost-effectiveness and the application of the principle of safeguarding effectively the flow of nuclear material subject to safeguards under this Agreement by use of instruments and other techniques at certain strategic points to the extent that present or future technology permits.
- (b) In order to ensure optimum cost-effectiveness, use shall be made, for example, of such means as:
 - (i) containment as a means of defining material balance areas for accounting purposes;
 - (ii) statistical techniques and random sampling in evaluating the flow of nuclear material; and
 - (iii) concentration of verification procedures on those stages in the nuclear fuel cycle involving the production, processing, use or

storage of nuclear material from which nuclear weapons or other nuclear explosive devices could readily be made, and minimisation of verification procedures in respect of other nuclear material, on condition that this does not hamper the implementation of this Agreement.

PROVISION OF INFORMATION TO THE AGENCY

Article 8

- (a) In order to ensure the effective implementation of safeguards under this Agreement, the Community shall, in accordance with the provisions set out in this Agreement, provide the Agency with information concerning nuclear material subject to such safeguards and features of facilities or parts thereof relevant to safeguarding such material.
- (b) (i) The Agency shall require only the minimum amount of information and data consistent with carrying out its responsibilities under this Agreement.

(ii) Information pertaining to facilities or parts thereof shall be the minimum necessary for safeguarding nuclear material subject to safeguards under this Agreement.
- (c) If the Agency wishes to examine design information which the United Kingdom regards as being of particular sensitivity, the Agency shall, if the United Kingdom so requests, conduct the examination on premises of the Community or of the United Kingdom. Such information need not be physically transmitted to the Agency provided that it remains readily available for examination by the Agency on such premises.

AGENCY INSPECTORS

Article 9

- (a) (i) The Agency shall secure the consent of the United Kingdom and the Community to the designation of Agency inspectors to the United Kingdom.
 - (ii) If the United Kingdom or the Community, either upon proposal of a designation or at any other time after a designation has been made, objects to the designation, the Agency shall propose to the United Kingdom and the Community an alternative designation or designations.
 - (iii) If, as a result of the repeated refusal of the United Kingdom or the Community to accept the designation of Agency inspectors, inspections to be conducted under this Agreement would be impeded, such refusal shall be considered by the Board, upon referral by the Director General of the Agency (hereinafter referred to as 'the Director-General'), with a view to its taking appropriate action.
- (b) The United Kingdom and the Community shall take the necessary steps to ensure that Agency inspectors can effectively discharge their functions under this Agreement.
- (c) The visits and activities of Agency inspectors shall be so arranged as:
- (i) to reduce to a minimum the possible inconvenience and disturbance to the United Kingdom and the Community and to the peaceful nuclear activities subject to inspection; and
 - (ii) to ensure protection of industrial secrets or any other confidential information coming to the knowledge of Agency inspectors.

PRIVILEGES AND IMMUNITIES

Article 10

The United Kingdom shall apply to the Agency, including its property, funds and assets, and to its inspectors and other officials performing functions under this Agreement, the relevant provisions of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency.

CONSUMPTION OR DILUTION OF NUCLEAR MATERIAL

Article 11

Safeguards under this Agreement shall terminate on nuclear material upon determination by the Community and the Agency that the material has been consumed, or has been diluted in such a way that it is no longer usable for any nuclear activity relevant from the point of view of safeguards, or that its recovery has become impracticable.

TRANSFER OF NUCLEAR MATERIAL OUT OF THE UNITED KINGDOM

Article 12

The Community shall provide the Agency with information with respect to transfers of nuclear material subject to safeguards under this Agreement out of the United Kingdom, in accordance with Article 91. The Agency shall keep records of each such transfer and, where applicable, of the re-application of safeguards to the transferred nuclear material.

PROVISIONS RELATING TO NUCLEAR MATERIAL TO BE USED IN NON-NUCLEAR ACTIVITIES

Article 13

If the United Kingdom wishes to use nuclear material subject to safeguards under this Agreement in non-nuclear activities, such as the production of alloys or ceramics, the Community shall agree with the Agency, before the material is so used, on the circumstances under which safeguards under this Agreement on such material may be terminated.

EXCLUSIONS ON GROUNDS OF NATIONAL SECURITY

Article 14

If the United Kingdom intends to make any withdrawals of nuclear material from the scope of this Agreement for national security reasons in accordance with Article 1 (c), it shall give the Community and the Agency advance notice of such withdrawal. If any nuclear material becomes available for inclusion within the scope of this Agreement because its exclusion for national security reasons is no longer required, the United Kingdom shall inform the Community and the Agency thereof in accordance with Article 62 (c).

FINANCE

Article 15

Each party shall bear its own expenses incurred in implementing its responsibilities under this Agreement. However, if the United Kingdom,

the Community, or persons under the jurisdiction of either of them, incur extraordinary expenses as a result of a specific request by the Agency, the Agency shall reimburse such expenses provided that it has agreed in advance to do so. In any case, the Agency shall bear the cost of any additional measuring or sampling which Agency inspectors may request.

THIRD-PARTY LIABILITY FOR NUCLEAR DAMAGE

Article 16

The United Kingdom and the Community shall ensure that any protection against third party liability in respect of nuclear damage, including any insurance or other financial security which may be available under their laws or regulations, shall apply to the Agency and its officials for the purpose of the implementation of this Agreement, in the same way as that protection applies to nationals of the United Kingdom.

INTERNATIONAL RESPONSIBILITY

Article 17

Any claim by the United Kingdom or the Community against the Agency or by the Agency against the United Kingdom or the Community in respect of any damage resulting from the implementation of safeguards under this Agreement, other than damage arising out of a nuclear incident, shall be settled in accordance with international law.

MEASURES IN RELATION TO VERIFICATION

Article 18

If the Board, upon report of the Director-General, decides that an action by the United Kingdom or the Community is essential and urgent in order

to ensure verification that nuclear material which is being safeguarded in facilities or parts thereof designated in accordance with Article 78 (a) is not withdrawn, except as provided for in this Agreement, from civil activities, the Board may call upon the United Kingdom or the Community, in so far as either party is individually concerned, to take the required action without delay, irrespective of whether procedures have been invoked pursuant to Article 22 for the settlement of a dispute.

Article 19

If the Board, upon examination of relevant information reported to it by the Director-General, finds that the Agency is not able to verify that nuclear material which is being safeguarded in facilities or parts thereof designated in accordance with Article 78 (a) is not withdrawn, except as provided for in this Agreement, from civil activities, the Board may call upon the United Kingdom or the Community, in so far as either party is individually concerned, to remedy the situation forthwith. If the United Kingdom or the Community fail to take remedial action within a reasonable time, the Board may make the reports provided for in Article XII (C) of the Statute and may also take, where applicable, the other measures provided for in that paragraph.

INTERPRETATION AND APPLICATION OF THE AGREEMENT AND SETTLEMENT OF DISPUTES

Article 20

At the request of the United Kingdom, the Community or the Agency, there shall be consultation about any question arising out of the interpretation or application of this Agreement.

Article 21

The United Kingdom and the Community shall have the right to request that any question arising out of the interpretation or application of this Agreement be considered by the Board. The Board shall invite the United Kingdom and the Community to participate in the discussion of any such question by the Board.

Article 22

Any dispute arising out of the interpretation or application of this Agreement (except a dispute with regard to a finding of the Board under Article 19 or an action taken by the Board pursuant to such a finding) which is not settled by negotiation or another procedure agreed to by the United Kingdom, the Community and the Agency shall, at the request of any one of them, be submitted to an arbitral tribunal composed of five arbitrators. The United Kingdom and the Community shall each designate one arbitrator, the Agency shall designate two arbitrators, and the four arbitrators so designated shall elect a fifth, who shall be the Chairman. If within thirty days of the request for arbitration, the United Kingdom, the Community or the Agency shall have failed to make such a designation, the United Kingdom, the Community or the Agency may request the President of the International Court of Justice to make the designation. The same procedure shall apply if, within thirty days of the designation or appointment of the fourth arbitrator, the fifth arbitrator has not been elected. A majority of the members of the arbitral tribunal shall constitute a quorum, and all decisions shall require the concurrence of at least three arbitrators. The arbitral procedure shall be fixed by the tribunal. The decision of the tribunal shall be binding on the United Kingdom, the Community and the Agency.

Article 23

- (a) The United Kingdom and the Agency shall institute steps to suspend the application of Agency safeguards in the United Kingdom under

other safeguards agreements with the Agency while this Agreement is in force. However, the United Kingdom and the Agency shall ensure that nuclear material being safeguarded under this Agreement shall be at all times at least equivalent in amount and composition to that which would be subject to safeguards in the United Kingdom under the agreements in question. The detailed arrangements for the implementation of this provision shall be specified in the Subsidiary Arrangements provided for in Article 39.

- (b) If the United Kingdom notifies the Community and the Agency of further agreements relating to the application of safeguards in connection with the supply of nuclear material to the United Kingdom, the United Kingdom, the Community and the Agency shall consult together in order to arrange for the extension, in such circumstances, of the arrangements described in paragraph (a).

AMENDMENT OF THE AGREEMENT

Article 24

- (a) The United Kingdom, the Community and the Agency shall, at the request of any one of them, consult about any proposal for amendment of this Agreement.
- (b) All amendments shall require the agreement of the United Kingdom, the Community and the Agency.
- (c) The Director-General shall promptly inform all Member States of the Agency of any amendment to this Agreement.

ENTRY INTO FORCE AND DURATION

Article 25

- (a) This Agreement shall enter into force one month after the Agency has received notification from both the United Kingdom and the

Community that their respective internal requirements for entry into force have been met, and the Director-General shall promptly notify the United Kingdom and the Community of the date on which it is to enter into force. The Director-General shall also promptly inform all Member States of the Agency of the entry into force of this Agreement.

- (b) This Agreement shall remain in force so long as the United Kingdom is party to the Treaty. However, any party to this Agreement may, upon giving six months' notice to the other parties, terminate this Agreement if after consultation with them that party considers that the purpose for which this Agreement was intended can no longer be served. Termination of this Agreement in accordance with this paragraph shall be effective for, and as between, all parties to this Agreement.

PROTOCOL

Article 26

The Protocol attached to this Agreement shall be an integral part thereof. The term 'Agreement' as used in this instrument means the Agreement and the Protocol together.

PART II

INTRODUCTION

Article 27

The purpose of this part of the Agreement is to specify, as required, the procedure to be applied in the implementation of the safeguards provisions of Part I.

OBJECTIVE OF SAFEGUARDS

Article 28

The objective of the safeguards procedures set forth in this part of the Agreement is the timely detection of withdrawal from civil activities, except as provided for in this Agreement, of significant quantities of nuclear material which is being safeguarded in facilities or parts thereof designated pursuant to Article 78 (a).

Article 29

For the purpose of achieving the objective set forth in Article 28, material accountancy shall be used as a safeguards measure of fundamental importance, with surveillance and containment as important complementary measures.

Article 30

The technical conclusion of the Agency's verification activities shall be a statement, in respect of each material balance area containing material which is being safeguarded in facilities or parts thereof designated pursuant to Article 78 (a), of the amount of material unaccounted for over a specific period, and giving the limits of accuracy of the amounts stated.

THE COMMUNITY'S SYSTEM OF SAFEGUARDS

Article 31

In accordance with Article 3, the Agency, in carrying out its verification activities, shall make full use of the Community's system of safeguards.

Article 32

The Community's system of accounting for and control of nuclear material under this Agreement shall be based on a structure of material balance areas. The Community, in applying its safeguards, will make use of and, to the extent necessary, make provision for, as appropriate and specified in the Subsidiary Arrangements, such measures as:

- (a) a measurement system for the determination of the quantities of nuclear material received, produced, shipped, lost or otherwise removed from inventory, and the quantities on inventory;
- (b) the evaluation of precision and accuracy of measurements and the estimation of measurement uncertainty;
- (c) procedures for identifying, reviewing and evaluating differences in shipper/receiver measurements;
- (d) procedures for taking a physical inventory;
- (e) procedures for the evaluation of accumulations of unmeasured inventory and unmeasured losses;
- (f) a system of records and reports showing, for each material balance area, the inventory of nuclear material and the changes in that inventory including receipts into and transfers out of the material balance area;
- (g) provisions to ensure that the accounting procedures and arrangements are being operated correctly; and
- (h) procedures for the provision of reports to the Agency in accordance with Articles 59 to 65 and 67 to 69.

STARTING POINT OF SAFEGUARDS

Article 33

Safeguards under this Agreement shall not apply to material in mining or ore processing activities.

Article 34

Safeguards under this Agreement shall not apply to uranium or thorium until they have reached the stage of the nuclear fuel cycle where they are of a composition and purity suitable for fuel fabrication or isotopic enrichment.

TERMINATION OF SAFEGUARDS

Article 35

- (a) Safeguards under this Agreement shall terminate on nuclear material under the conditions set forth in Article 11. When the conditions of that Article are not met but the United Kingdom considers that the recovery of nuclear material subject to safeguards under this Agreement from residue is not for the time being practicable or desirable, the Community and the Agency shall consult on the appropriate safeguards measures to be applied.
- (b) Safeguards under this Agreement shall terminate on nuclear material in the circumstances referred to in Article 13, provided that the United Kingdom, the Community and the Agency agree that the recovery of such material is impracticable.

EXEMPTIONS FROM SAFEGUARDS

Article 36

At the request of the Community, who shall make such a request if so required by the United Kingdom, the Agency shall exempt nuclear material from safeguards under this Agreement as follows:

- (a) special fissionable material, when it is used in gram quantities or less as a sensing component in instruments;

- (b) nuclear material, when it is used in non-nuclear activities in accordance with Article 13, if such nuclear material is recoverable; and
- (c) plutonium with an isotopic concentration of plutonium-238 exceeding 80%.

Article 37

At the request of the Community, who shall make such a request if so required by the United Kingdom, the Agency shall exempt from safeguards under this Agreement nuclear material that would otherwise be subject to such safeguards, provided that the total quantity of nuclear material which has been exempted in the United Kingdom in accordance with this Article may not at any time exceed:

- (a) one kilogram in total of special fissionable material, which may consist of one or more of the following:
 - (i) plutonium;
 - (ii) uranium with an enrichment of 0.2 (20%) and above, taken account of by multiplying its weight by its enrichment; and
 - (iii) uranium with an enrichment below 0.2 (20%) and above that of natural uranium, taken account of by multiplying its weight by five times the square of its enrichment;
- (b) ten metric tons in total of natural uranium and depleted uranium with an enrichment above 0.005 (0.5%);
- (c) twenty metric tons of depleted uranium with an enrichment of 0.005 (0.5%) or below; and
- (d) twenty metric tons of thorium;

or such greater amounts as may be specified by the Board for uniform application.

Article 38

If nuclear material exempted in accordance with Articles 36 or 37 is to be processed or stored together with nuclear material subject to safeguards under this Agreement, provision shall be made for the re-application of such safeguards thereto.

SUBSIDIARY ARRANGEMENTS

Article 39

- (a) In furtherance of this Agreement, the Community, represented by a delegation comprising representatives of the Commission of the European Communities and the United Kingdom, shall make with the Agency Subsidiary Arrangements which shall specify in detail, to the extent necessary to permit the Agency to fulfil its responsibilities under this Agreement in an effective and efficient manner, how the procedures laid down in this Agreement are to be applied. The entry into force of the Subsidiary Arrangements shall be subject to the agreement of the United Kingdom.
- (b) The Subsidiary Arrangements may be extended or changed in the same manner without amendment to this Agreement.

Article 40

Subject to the provisions of Article 39 (a) the Subsidiary Arrangements shall enter into force within 90 days of the entry into force of this Agreement. The Community shall provide the Agency promptly with the information required for completing the Subsidiary Arrangements.

Upon entry into force of this Agreement, the Agency shall have the right to apply the procedures laid down therein in respect of the nuclear material listed in the inventory provided for in Article 41, even if the Subsidiary Arrangements have not yet entered into force.

INVENTORY

Article 41

On the basis of the initial report referred to in Article 62 (a), the Agency shall establish a unified inventory of all nuclear material in the United

Kingdom subject to safeguards under this Agreement, irrespective of its origin, and shall maintain this inventory on the basis of subsequent reports and the results of its verification activities. Copies of the inventory shall be made available to the United Kingdom and to the Community at intervals to be agreed.

DESIGN INFORMATION

General provisions

Article 42

In accordance with Article 8, design information (as defined in Article 43) in respect of facilities or parts thereof identified in the Facilities List shall be provided to the Agency by the Community during the discussion of the Subsidiary Arrangements. The time limits for provision of design information in respect of facilities or parts thereof added to that List shall be specified in the Subsidiary Arrangements and, in the case of a new facility or part thereof, such information shall be provided as early as possible before nuclear material is introduced into that facility or part.

Article 43

The design information to be provided to the Agency shall include, in respect of each facility or part thereof containing or to contain nuclear material subject to safeguards under this Agreement, when applicable:

- (a) the identification of the facility or part, stating its general character, purpose, nominal capacity and geographic location, and the name and address to be used for routine business purposes;
- (b) a description of the general arrangement of the facility or part with reference, to the extent feasible, to the form, location and flow of

nuclear material and to the general layout of the important items of equipment which use, produce or process nuclear material;

- (c) a description of features of the facility or part relating to material accountancy, containment and surveillance; and
- (d) a description of the existing and proposed procedures at the facility or part for nuclear material accountancy and control, with special reference to material balance areas established by the operator, measurements of flow and procedures for physical inventory taking.

Article 44

Other information relevant to the application of safeguards under this Agreement shall also be provided to the Agency in respect of each facility or part in respect of which design information is provided in accordance with Articles 42 and 43, if so specified in the Subsidiary Arrangements. The United Kingdom shall provide the Community and the Agency with supplementary information on the health and safety procedures which the Agency shall observe and with which Agency inspectors shall comply at the facility or part.

Article 45

The Agency shall be provided by the Community with design information in respect of a modification relevant for purposes of safeguards under this Agreement, and shall be informed by the Community of any change in the information provided to it under Article 44, sufficiently in advance for the safeguards procedures to be applied under this Agreement to be adjusted when necessary.

PURPOSE OF EXAMINATION OF DESIGN INFORMATION

Article 46

The design information provided to the Agency shall be used for the following purposes:

- (a) to identify the features of facilities or parts thereof and nuclear material relevant to the application of safeguards to nuclear material in sufficient detail to facilitate verification;
- (b) to determine material balance areas to be used for accounting purposes under this Agreement and to select those strategic points which are key measurement points and which will be used to determine the flow and inventory of nuclear material; in determining such material balance areas the following criteria shall, *inter alia*, be used:
 - (i) the size of the material balance area shall be related to the accuracy with which the material balance can be established;
 - (ii) in determining the material balance area advantage shall be taken of any opportunity to use containment and surveillance to help ensure the completeness of flow measurements and thereby to simplify the application of safeguards and to concentrate measurement efforts at key measurement points;
 - (iii) a number of material balance areas in use at a facility, in parts of a facility or at distinct sites may be combined in one material balance area to be used for Agency accounting purposes when the Agency determines that this is consistent with its verification requirements; and
 - (iv) a special material balance area may be established at the request of the United Kingdom or the Community around a process step involving commercially sensitive information;

- (c) to establish the nominal timing and procedures for taking of physical inventory of nuclear material for accounting purposes under this Agreement;
- (d) to establish the records and reports requirements and records evaluation procedures;
- (e) to establish requirements and procedures for verification of the quantity and location of nuclear material; and
- (f) to select appropriate combinations of containment and surveillance methods and techniques and the strategic points at which they are to be applied.

Article 47

The results of the examination of the design information shall be included in the Subsidiary Arrangements.

RE-EXAMINATION OF DESIGN INFORMATION

Article 48

Design information shall be re-examined by the Community, represented as prescribed in Article 39 (a), and the Agency at the request of any of the parties to this Agreement in the light of any changes in operating conditions, of developments in safeguards technology or of experience in the application of verification procedures.

Article 49

The results of the re-examination shall be considered by all parties to this Agreement with a view to modifying the action the Agency has taken in accordance with Article 46.

VERIFICATION OF DESIGN INFORMATION

Article 50

The Agency, in cooperation with the United Kingdom and the Community, may send inspectors to facilities or parts thereof to verify the design information provided to the Agency in accordance with Articles 42 and 45 for the purposes stated in Article 46.

RECORDS SYSTEM

General provisions

Article 51

Records shall be kept, in accordance with Articles 52 to 58, in respect of each material balance area. The records to be kept and the person responsible for them shall be specified in the Subsidiary Arrangements.

Article 52

The United Kingdom shall make arrangements to facilitate the examination of the records by Agency inspectors.

Article 53

The records shall be retained for at least five years.

Article 54

The records shall consist, as appropriate, of:

- (a) accounting records of all nuclear material subject to safeguards under this Agreement; and
- (b) operating records for facilities or parts thereof containing such nuclear material.

Article 55

The system of measurements on which the records used for the preparation of reports are based shall either conform to the latest international standards or be equivalent in quality to such standards.

Accounting records

Article 56

Accounting records shall set forth the following in respect of each material balance area:

- (a) all inventory changes, so as to permit a determination of the book inventory at any time;
- (b) all measurement results that are used for determination of the physical inventory; and
- (c) all adjustments and corrections that have been made in respect of inventory changes, book inventories and physical inventories.

Article 57

For all inventory changes and physical inventories the records shall show, in respect of each batch of nuclear material, material identifi-

cation, batch data and source data. The records shall account for uranium, thorium and plutonium separately in each batch of nuclear material. For each inventory change, the date of the inventory change and, when appropriate, the originating material balance area and the receiving material balance area or the recipient shall be indicated.

Operating records

Article 58

Operating records shall set forth, as appropriate, in respect of each material balance area:

- (a) those operating data which are used to establish changes in the quantities and composition of nuclear material;
- (b) the data obtained from the calibration of tanks and instruments and from sampling and analyses, the procedures to control the quality of measurements and the derived estimates of random and systematic error;
- (c) a description of the sequence of the actions taken in preparing for, and in taking, a physical inventory, in order to ensure that it is correct and complete; and
- (d) a description of the actions taken in order to ascertain the cause and magnitude of any accidental or unmeasured loss that might occur.

REPORTS SYSTEM

General provisions

Article 59

The Community shall provide the Agency with reports in accordance with Articles 60 to 65 and 67 to 69 in respect of nuclear material subject to safeguards under this Agreement.

Article 60

Reports shall be made in English.

Article 61

Reports shall be based on the records kept in accordance with Articles 51 to 58 and shall consist, as appropriate, of accounting reports and special reports.

Accounting reports

Article 62

- (a) The Agency shall be provided by the Community with an initial report on all nuclear material in facilities or parts thereof on the Facilities List which is subject to safeguards under this Agreement. The initial report shall be despatched to the Agency by the Community within thirty days of the last day of the calendar month in which this Agreement enters into force, and shall reflect the situation as at the last day of that month.
- (b) When facilities or parts thereof are added or restored to the Facilities List, the Agency shall be provided by the Community with an initial report on the nuclear material therein subject to safeguards under this Agreement. Such report shall be despatched to the Agency by the Community within thirty days of the last day of the calendar month in which the facility or part thereof is added or restored to that List and shall reflect the situation as at the day on which it is added or restored.
- (c) When any nuclear material becomes subject to safeguard under this Agreement as foreseen in Article 14, an inventory change report on such material shall be despatched to the Agency by the Community in accordance with Article 63 (a).

Article 63

The Community shall provide the Agency with the following accounting reports for each material balance area:

- (a) inventory change reports showing all changes in the inventory of nuclear material. The reports shall be despatched as soon as possible and in any event within the time limits specified in the Subsidiary Arrangements; and
- (b) material balance reports showing the material balance based on a physical inventory of nuclear material actually present in the material balance area. The reports shall be despatched as soon as possible and in any event within the time limits specified in the Subsidiary Arrangements.

The reports shall be based on the data available as of the date of reporting and may be corrected at a later date, as required.

Article 64

Inventory change reports shall specify identification and batch data for each batch of nuclear material, the date of inventory change and, as appropriate, the originating material balance area and the receiving material balance area or the recipient. These reports shall be accompanied by concise notes:

- (a) explaining the inventory changes, on the basis of the operating data contained in the operating records provided for under Article 58 (a); and
- (b) describing, as specified in the Subsidiary Arrangements, the anticipated operational programme, particularly the taking of a physical inventory.

Article 65

The Community shall report each inventory change, adjustment and correction, either periodically in a consolidated list or individually.

Inventory changes shall be reported in terms of batches. As specified in the Subsidiary Arrangements, small changes in inventory of nuclear material, such as transfers of analytical samples, may be combined in one batch and reported as one inventory change.

Article 66

The Agency shall provide the Community and the United Kingdom with half yearly statements of book inventory of nuclear material subject to safeguards under this Agreement, for each material balance area, as based on the inventory change reports for the period covered by each such statement.

Article 67

Material balance reports shall include the following entries unless otherwise agreed in the Subsidiary Arrangements:

- (a) beginning physical inventory;
- (b) inventory changes (first increases, then decreases);
- (c) ending book inventory;
- (d) shipper/receiver differences;
- (e) adjusted ending book inventory;
- (f) ending physical inventory; and
- (g) material unaccounted for.

A statement of the physical inventory, listing all batches separately and specifying material identification and batch data for each batch, shall be attached to each material balance report.

Special reports

Article 68

The Community shall make special reports without delay:

- (a) if any unusual incident or circumstances lead the Community to believe that there is or may have been loss of nuclear material that exceeds the limits specified for this purpose in the Subsidiary Arrangements; or
- (b) if the containment of nuclear material subject to safeguards under this Agreement has unexpectedly changed from that specified in the Subsidiary Arrangements to the extent that its unauthorized removal has become possible.

Article 69

If the Agency so requests, the Community shall provide it with amplifications or clarifications of any report, in so far as relevant for the purpose of safeguards under this Agreement.

INSPECTIONS

General provisions

Article 70

The Agency shall have the right to make inspections as provided for in this Agreement.

Purpose of inspections

Article 71

The Agency may make *ad hoc* inspections in order to:

- (a) verify the information contained in the initial reports on the nuclear material subject to safeguards under this Agreement provided in accordance with Articles 62 (a) and (b);
- (b) identify and verify changes in the situation with respect to nuclear material subject to safeguards under this Agreement which have occurred between the date of the initial report and the date of entry into force of the Subsidiary Arrangements in respect of a given facility or part thereof; and
- (c) identify and if possible verify the quantity and composition of nuclear material subject to safeguards under this Agreement in respect of which the information referred to in Article 91 has been provided to the Agency, before the transfer of such material from the last facility or part thereof on the Facilities List in which it is held before it is transferred out of the United Kingdom, or upon its first being received into such a facility or part thereof.

Article 72

With respect to facilities or parts thereof designated in accordance with Article 78 (a) the Agency may make routine inspections in order to:

- (a) verify the reports are consistent with records;
- (b) verify the location, identity, quantity and composition of all nuclear material subject to safeguards under this Agreement; and
- (c) verify information on the possible causes of material unaccounted for, shipper/receiver differences and uncertainties in the book inventory.

Article 73

Subject to the procedures laid down in Article 77, the Agency may make special inspections:

- (a) in order to verify the information contained in special reports; or
- (b) if the Agency considers that information made available by the Community and the United Kingdom, including explanations from the Community and the United Kingdom, and information obtained from routine inspections, is not adequate for the Agency to fulfil its responsibilities under this Agreement.

An inspection shall be deemed to be special when it is either additional to the routine inspection effort provided for in this Agreement, or involves access in addition to that specified in Article 76 for *ad hoc* and routine inspections, or both.

Article 74

For the purposes specified in Articles 71 to 73 the Agency may:

- (a) examine the records kept in accordance with Articles 51 to 58;
- (b) make independent measurements of all nuclear material subject to safeguards under this Agreement;
- (c) verify the functioning and calibration of instruments and other measuring and control equipment;
- (d) apply and make use of surveillance and containment measures; and
- (e) use other objective methods which have been demonstrated to be technically feasible.

Article 75

Within the scope of Article 74 the Agency shall be enabled:

- (a) to observe that samples at key measurement points for material balance accountancy are taken in accordance with procedures which

- produce representative samples, to observe the treatment and analysis of the samples and to obtain duplicates of such samples;
- (b) to observe that the measurements of nuclear material at key measurement points for material balance accountancy are representative and to observe the calibration of the instruments and equipment involved;
 - (c) to make any necessary arrangements with the Community and, to the extent necessary, with the United Kingdom to provide for:
 - (i) additional measurements to be made and additional samples taken for the Agency's use;
 - (ii) the Agency's standard analytical samples to be analysed;
 - (iii) appropriate absolute standards to be used in calibrating instruments and other equipment; and
 - (iv) other calibrations to be carried out;
 - (d) to arrange to use its own equipment for independent measurement and surveillance, and if so agreed and specified in the Subsidiary Arrangements to arrange to install such equipment;
 - (e) to apply its seals and other identifying and tamper-indicating devices to containments, if so specified in the Subsidiary Arrangements; and
 - (f) to make arrangements with the United Kingdom or the Community for the shipping of samples taken for the Agency's use.

ACCESS FOR INSPECTIONS

Article 76

- (a) For the purposes specified in Article 71 (a) and (b) and until such time as the strategic points have been specified in the Subsidiary Arrangements, Agency inspectors shall have access to any facility

or part thereof on the Facilities List where the initial report or any inspections carried out in connection with it indicate that nuclear material subject to safeguards under this Agreement is present.

- (b) For the purposes specified in Article 71 (c), Agency inspectors shall have access to any facility or part thereof on the Facilities List in which any nuclear material referred to in Article 71 (c) is present.
- (c) For the purposes specified in Article 72 Agency inspectors shall have access only to the strategic points specified in the Subsidiary Arrangements and to the records maintained in accordance with Articles 51 to 58.
- (d) In the event of the United Kingdom or the Community concluding that any unusual circumstances require extended limitations on access by the Agency, the United Kingdom, the Community and the Agency shall promptly make arrangements with a view to enabling the Agency to discharge its safeguards responsibilities in the light of these limitations. The Director-General shall report each such arrangement to the Board.

Article 77

In the circumstances which may lead to special inspections for the purposes specified in Article 73 the United Kingdom, the Community and the Agency shall consult forthwith. As a result of such consultations the Agency may:

- (a) make inspections in addition to the routine inspection effort provided for in this Agreement; and
- (b) obtain, on terms agreed with the United Kingdom and the Community, information or access additional to that specified in Article 76. Any disagreement shall be resolved in accordance with Articles 21 and 22. In case action by the United Kingdom or the Community, in so far as either party is individually concerned, is essential and urgent, Article 18 shall apply.

FREQUENCY AND INTENSITY OF ROUTINE INSPECTIONS

Article 78

- (a) In view of the nature of the offer made by the United Kingdom, the Agency shall from time to time select from the Facilities List and designate to the Community and the United Kingdom those facilities or parts thereof to which it wishes to apply routine inspections in accordance with paragraph (b) of this Article and with Articles 79 to 82. In respect of facilities or parts thereof not at any given time so designated, the United Kingdom and the Community will continue to provide the Agency with all information necessary for the implementation of safeguards.
- (b) The number, intensity and duration of routine inspections, applying optimum timing, shall be kept to the minimum consistent with the effective implementation of the safeguards procedures set forth in this Agreement, and the optimum and most economical use of available inspection resources under this Agreement shall be made.

Article 79

The Agency may carry out one routine inspection per year in respect of each facility or part thereof designated in accordance with Article 78 (a) which has a content or annual throughput, whichever is greater, of nuclear material not exceeding five effective kilograms.

Article 80

The number, intensity, duration, timing and mode of routine inspections in respect of facilities or parts thereof designated in accordance with Article 78 (a) and with a content or annual throughput of nuclear material exceeding five effective kilograms shall be determined on the

basis that the inspection regime shall be no more intensive than is necessary and sufficient to maintain continuity of knowledge of the flow and inventory of nuclear material, and the maximum routine inspection effort in respect of such facilities or parts thereof shall be determined as follows:

- (a) for reactors and sealed storage installations the maximum total of routine inspection per year shall be determined by allowing one sixth of a man-year of inspection for each such facility;
- (b) for facilities or parts of facilities where such parts have been separately designated, other than reactors or sealed storage installations, involving plutonium or uranium enriched to more than 5%, the maximum total of routine inspection per year shall be determined by allowing for each such facility or part $30 \times \sqrt{E}$ man-days of inspection per year, where E is the inventory or annual throughput of nuclear material, whichever is greater, expressed in effective kilograms. The maximum established for any such facility or part shall not, however, be less than 1.5 man-years of inspection; and
- (c) for facilities or parts of facilities separately designated which are not covered by paragraphs (a) or (b), the maximum total of routine inspection per year shall be determined by allowing for each such facility or part one third of a man-year of inspection plus $0.4 \times E$ man-days of inspection per year, where E is the inventory or annual throughput of nuclear material, whichever is greater, expressed in effective kilograms.

The Parties to this Agreement may agree to amend the figures for the maximum inspection effort specified in this Article, upon determination by the Board that such amendment is reasonable.

Article 81

Subject to Articles 78 to 80 the criteria used to determine the actual number, intensity, duration, timing and mode of routine inspections in respect or any facility or part thereof designated in accordance with Article 78 (a) shall include:

- (a) *the form of the nuclear material*, in particular, whether the nuclear material is in bulk form or contained in a number of separate items; its chemical composition and, in the case of uranium, whether it is of low or high enrichment; and its accessibility;
- (b) *the effectiveness of the Community's safeguards*, including the extent to which the operators of facilities are functionally independent of the Community's safeguards; the extent to which the measures specified in Article 32 have been implemented by the Community; the promptness of reports provided to the Agency; their consistency with the Agency's independent verification; and the amount and accuracy of the material unaccounted for, as verified by the Agency;
- (c) *characteristics of that part of the United Kingdom's nuclear fuel cycle which is on the Facilities List*, in particular, the number and types of facilities, the characteristics of such facilities relevant to safeguards under this Agreement, notably the degree of containment; the extent to which the design of such facilities facilitates verification of the flow and inventory of nuclear material; and the extent to which information from different material balance areas can be correlated;
- (d) *international interdependence*, in particular, the extent to which nuclear material is received from or sent to other States for use or processing; any verification activities by the Agency in connection therewith; and the extent to which nuclear activities in the United Kingdom are interrelated with those in other States; and
- (e) *technical developments in the field of safeguards*, including the use of statistical techniques and random sampling in evaluating the flow of nuclear material.

Article 82

The United Kingdom, the Community and the Agency shall consult if the United Kingdom or the Community considers that inspection effort is being deployed with undue concentration on particular facilities or parts thereof.

Notice of inspections

Article 83

The Agency shall give advance notice to the Community and to the United Kingdom before the arrival of Agency inspectors at facilities or parts of facilities as follows:

- (a) for *ad hoc* inspections in accordance with Article 71 (c) at least 24 hours; for those in accordance with Article 71 (a) and (b) and for verifications in accordance with Article 50, at least one week;
- (b) for special inspections in accordance with Article 73, notice shall be given as promptly as possible after the United Kingdom, the Community and the Agency have consulted in accordance with Article 77, it being understood that the date of inspection will normally have been considered during those consultations; and
- (c) for routine inspections in accordance with Article 72, at least 24 hours in respect of the facilities or parts of facilities referred to in Article 80 (b) and sealed storage installations containing plutonium or uranium enriched to more than 5%, and one week in all other cases.

Such notice of inspections shall include the names of the Agency inspectors and shall indicate the facilities or parts thereof to be visited and the period during which they will be visited. If the Agency inspectors are to arrive from outside the United Kingdom, the Agency shall also give advance notice of the place and time of their arrival in the United Kingdom.

Article 84

Notwithstanding the provisions of Article 83, the Agency may, as a supplementary measure, carry out without advance notification a portion of the routine inspections pursuant to Article 80 in accordance with the principle of random sampling. In performing any unannounced

inspections, the Agency shall fully take into account any operational programme provided to it in accordance with Article 64 (b). Moreover, whenever practicable, and on the basis of the operational programme, it shall advise the United Kingdom and the Community periodically of its general programme of announced and unannounced inspections, specifying the general periods when inspections are foreseen. In carrying out any unannounced inspections the Agency shall make every effort to minimise any practical difficulties for the Community, for the United Kingdom and for facility operators bearing in mind the relevant provisions of Articles 44 and 89. Similarly the United Kingdom and the Community shall make every effort to facilitate the task of Agency inspectors.

Designation of Agency inspectors

Article 85

The following procedures shall apply to the designation of Agency inspectors in accordance with Article 9:

- (a) the Director-General shall inform the United Kingdom and the Community in writing of the name, qualifications, nationality, grade and such other particulars as may be relevant, of each Agency official he proposes for designation as an Agency inspector for the United Kingdom;
- (b) the United Kingdom and the Community shall inform the Director-General within thirty days of the receipt of such a proposal whether the proposal is accepted;
- (c) the Director-General may designate each official who has been accepted by the United Kingdom and the Community as one of the Agency inspectors for the United Kingdom, and shall inform the United Kingdom and the Community of such designations; and
- (d) the Director-General, acting in response to a request by the United Kingdom or the Community or on his own initiative, shall

immediately inform the United Kingdom and the Community of the withdrawal of the designation of any official as an Agency inspector for the United Kingdom.

However, in respect of Agency inspectors needed for verifications in accordance with Article 50 and to carry out *ad hoc* inspections in accordance with Article 71 (a) and (b) designation procedures shall be completed if possible within thirty days after the entry into force of this Agreement. If such designation appears impossible within this time limit, Agency inspectors for such purposes shall be designated on a temporary basis.

Article 86

The United Kingdom shall grant or renew as quickly as possible appropriate visas, where required, for each Agency inspector designated in accordance with Article 85.

Conduct and visits of Agency inspectors

Article 87

Agency inspectors, in exercising their functions under Articles 50 and 71 to 75, shall carry out their activities in a manner designed to avoid hampering or delaying the construction, commissioning or operation of facilities or parts thereof or affecting their safety. In particular, Agency inspectors shall not operate any facility or part thereof themselves or direct the staff of a facility to carry out any operation. If Agency inspectors consider that in accordance with Articles 74 and 75 particular operations in a facility or part thereof should be carried out by the operator, they shall make a request therefor.

Article 88

When Agency inspectors require services available in the United Kingdom, including the use of equipment, in connection with the performance of inspections, the United Kingdom and the Community shall, subject to the provisions of Article 15 facilitate the procurement of such services and the use of such equipment by Agency inspectors.

Article 89

The Community and the United Kingdom shall have the right to have Agency inspectors accompanied during their inspections by Community inspectors and by representatives of the United Kingdom provided that Agency inspectors shall not thereby be delayed or otherwise impeded in the exercise of their functions.

STATEMENT ON THE AGENCY'S VERIFICATION ACTIVITIES

Article 90

The Agency shall inform the United Kingdom and the Community of:

- (a) the results of its inspections, at intervals to be specified in the Subsidiary Arrangements, and
- (b) the conclusions it has drawn from its verification activities.

**TRANSFERS OF NUCLEAR MATERIAL INTO OR OUT OF
THE UNITED KINGDOM**

Article 91

- (a) The Community shall provide the Agency with the information specified in the letter dated 10 July 1974 from the United Kingdom

Resident Representative to the Agency to the Director-General of the Agency (reproduced as Agency Document INFCIRC/207 dated 27 July 1974) with respect to international transfers of nuclear material of the kind specified in that letter from or to a facility or part thereof on the Facilities List. Any modification of the scope of the information specified in that letter shall require the agreement of the Agency, the Community and the United Kingdom.

- (b) The information referred to in paragraph (a) of this Article shall be provided:
- (i) in the case of exports, normally not less than 10 days before the material in question is due to leave the last facility or part thereof on the Facilities List in which it will be held before it is transferred out of the United Kingdom;
 - (ii) in the case of imports, as soon as possible after the material in question is first received into such a facility or part thereof.
- (c) Where information has been provided to the Agency in accordance with paragraph (a) of this Article with respect to an international transfer of nuclear material from or to a facility or part thereof on the Facilities List, the Community shall make a Special Report as envisaged in Article 68 if any unusual circumstances lead the Community to believe that there is or may have been loss of nuclear material or the occurrence of significant delay during the transfer.

DEFINITIONS

Article 92

For the purposes of this Agreement:

- (1) *Community* means the legal person created by the Treaty establishing the European Atomic Energy Community (EURATOM), Party to this Agreement.

Where by virtue of this Agreement notice has to be given or any communication sent to the Community, it shall be sufficiently given or sent if given or sent to the Commission of the European Communities.

- (2) A. *Adjustment* means an entry made in an accounting record or a report showing a shipper/receiver difference or material unaccounted for.
- B. *Annual throughput* means, for the purposes of Articles 79 and 80, the amount of nuclear material transferred annually out of a facility working at nominal capacity.
- C. *Batch* means a portion of nuclear material handled as a unit for accounting purposes at a key measurement point and for which the composition and quantity are defined by a single set of specifications or measurements. The nuclear material may be in bulk form or contained in a number of separate items.
- D. *Batch data* means the total weight of each element of nuclear material and, in the case of plutonium and uranium, the isotopic composition when appropriate.

The units of account shall be as follows:

- (a) grams of contained plutonium;
- (b) grams of total uranium and grams of contained uranium-235 plus uranium-233 for uranium enriched in these isotopes; and
- (c) kilograms of contained thorium, natural uranium or depleted uranium.

For reporting purposes the weights of individual items in the batch shall be added together before rounding to the nearest unit.

- E. *Book inventory* of a material balance area means the algebraic sum of the most recent physical inventory of that material balance area and of all inventory changes that have occurred since that physical inventory was taken.

- F. *Correction* means an entry made in an accounting record or report to rectify an identified mistake or to reflect an improved measurement of a quantity previously entered in a record or report. Each correction must identify the entry to which it pertains.
- G. *Effective kilogram* means a special unit used in safeguarding nuclear material.

The quantity in effective kilograms is obtained by taking:

- (a) for plutonium, its weight in kilograms;
 - (b) for uranium with an enrichment of 0.01 (1%) and above, its weight in kilograms multiplied by the square of its enrichment;
 - (c) for uranium with an enrichment below 0.01 (1%) and above 0.005 (0.5%), its weight in kilograms multiplied by 0.0001; and
 - (d) for depleted uranium with an enrichment of 0.005 (0.5%) or below, and for thorium, its weight in kilograms multiplied by 0.00005.
- H. *Enrichment* means the ratio of the combined weight of the isotopes uranium-233 and uranium-235 to that of the total uranium in question.
- I. *Facility* means:
- (a) a reactor, a critical facility, a conversion plant, a fabrication plant, a reprocessing plant, an isotope separation plant or a separate storage installation; or
 - (b) any location where nuclear material in amounts greater than one effective kilogram is customarily used.
- J. *Inventory change* means an increase or decrease, in terms of batches, of nuclear material in a material balance area; such a change shall involve one of the following:

(a) Increases:

- (i) Import;**
- (ii) Domestic receipt:** receipts within the United Kingdom from other material balance areas; from an activity not subject to safeguards under this Agreement; at the starting point of safeguards;
- (iii) Nuclear production:** production of special fissionable material in a reactor; and
- (iv) De-exemption:** reapplication of safeguards on nuclear material previously exempted therefrom on account of its use or quantity.

(b) Decreases:

- (i) Export;**
- (ii) Domestic shipment:** shipments within the United Kingdom to other material balance areas or for an activity not subject to safeguards under this Agreement;
- (iii) Nuclear loss:** loss of nuclear material due to its transformation into other element(s) or isotope(s) as a result of nuclear reactions;
- (iv) Measured discard:** nuclear material which has been measured, or estimated on the basis of measurements, and disposed of in such a way that it is not suitable for further nuclear use;
- (v) Retained waste:** nuclear material generated from processing or from an operational accident, which is deemed to be irrecoverable for the time being but which is stored;
- (vi) Exemption:** exemption of nuclear material from safeguards on account of its use or quantity; and
- (vii) Other loss:** for example, accidental loss (that is, irretrievable and inadvertent loss of nuclear material as the result of an operational accident) or theft.

- K. *Key measurement point* means a location where nuclear material appears in such a form that it may be measured to determine material flow or inventory. Key measurement points thus include, but are not limited to, the inputs and outputs (including measured discards) and storages in material balance areas.
- L. *Man-year of inspection* means, for the purposes of Article 80, 300 man-days of inspection, a man-day being a day during which a single inspector has access to a facility at any time for a total of not more than eight hours.
- M. *Material balance area* means an area in a facility such that:
- (a) the quantity of nuclear material in each transfer into or out of each material balance area can be determined; and
 - (b) the physical inventory of nuclear material in each material balance area can be determined when necessary in accordance with specified procedures,
- in order that the material balance for Agency safeguards purposes can be established.
- N. *Material unaccounted for* means the difference between book inventory and physical inventory.
- O. *Nuclear material* means any source or any special fissionable material as defined in Article XX of the Statute. The term 'source material' shall not be interpreted as applying to ore or ore residue. Any determination by the Board under Article XX of the Statute after the entry into force of this Agreement which adds to the materials considered to be source material or special fissionable material shall have effect under this Agreement only upon acceptance by the United Kingdom and the Community.
- P. *Physical inventory* means the sum of all the measured or derived estimates of batch quantities of nuclear material on hand at a

given time within a material balance area, obtained in accordance with specified procedures.

- Q. *Shipper/receiver difference* means the difference between the quantity of nuclear material in a batch as stated by the shipping material balance area and as measured at the receiving material balance area.

- R. *Source data* means those data, recorded during measurement or calibration or used to derive empirical relationships, which identify nuclear material and provide batch data. Source data may include, for example, weight of compounds, conversion factors to determine weight of element, specific gravity, element concentration, isotopic ratios, relationship between volume and manometer readings and relationship between plutonium, produced and power generated.

- S. *Strategic point* means a location selected during examination of design information where, under normal conditions and when combined with the information from all strategic points taken together, the information necessary and sufficient for the implementation of safeguards measures is obtained and verified; a strategic point may include any location where key measurements related to material balance accountancy are made and where containment and surveillance measures are executed.

PROTOCOL

Article I

This Protocol amplifies certain provisions of the Agreement and, in particular, specifies the conditions and means according to which cooperation in the application of the safeguards provided for under the Agreement shall be implemented in such a way as to avoid unnecessary duplication of the Community's safeguards activities.

Article II

The Community shall collect the information on facilities or parts thereof to be provided to the Agency under the Agreement on the basis of an agreed indicative questionnaire annexed to the Subsidiary Arrangements.

Article III

The Community, represented as prescribed in Article 39 (a), and the Agency shall jointly carry out the examination of design information provided for in Article 46 (a) to (f) of the Agreement and shall include the agreed results thereof in attachments to the Subsidiary Arrangements to be known as 'Facility Attachments'. The verification of the design information provided for in Article 50 of the Agreement shall be carried out by the Agency in cooperation with the Community.

Article IV

When providing the Agency with the information referred to in Article II of this Protocol, the Community shall also transmit information on the inspection methods which it proposes to use when the facility or part

thereof is designated in accordance with Article 78 (a) of the Agreement and complete proposals, including estimates of inspection efforts for the routine inspection activities, for the Facility Attachments.

Article V

The Facility Attachments and amendments thereto shall be made in the same manner and their entry into force shall be subject to the like agreement as that laid down for the Subsidiary Arrangements in Article 39 of the Agreement.

Article VI

The Community shall collect the reports from the operators of facilities or parts thereof on the Facilities List, keep centralized accounts on the basis of these reports and carry out the technical and accounting control and analysis of the information received.

Article VII

Upon completion of the tasks referred to in Article VI of this Protocol the Community shall produce and provide the Agency with the inventory change reports within the time limits specified in the Subsidiary Arrangements.

Article VIII

Further, the Community shall transmit to the Agency the material balance reports and physical inventory listings at intervals depending on the frequency of physical inventory taking as specified in the Subsidiary Arrangements.

Article IX

The form and format of the reports referred to in Articles VII and VIII of this Protocol shall be specified in the Subsidiary Arrangements.

Article X

The routine inspection activities of the Community and the Agency for the purposes of the Agreement, including the inspections referred to in Article 84 of the Agreement, shall be coordinated in accordance with the provisions of Articles XI to XXIII of this Protocol.

Article XI

Subject to Articles 79 and 80 of the Agreement, in determining the actual number, intensity, duration, timing and mode of the Agency inspections in respect of each facility or part thereof, account shall be taken of the inspection effort carried out by the Community in the framework of its multinational system of safeguards in accordance with the provisions of this Protocol.

Article XII

Inspection efforts under the Agreement for each facility or part thereof shall be determined by the use of the criteria set out in Article 81 of the Agreement. Such criteria shall be implemented by using the rules and methods to be set forth in the Subsidiary Arrangements which will be used for the calculation of the inspection efforts in respect of specific examples attached to the Subsidiary Arrangements. These rules and methods shall be reviewed from time to time, in accordance with Article 7 of the Agreement, to take into account technological developments in the field of safeguards and experience gained.

Article XIII

Such inspection efforts, expressed as agreed estimates of the actual inspection efforts to be applied, shall be set out in the **Subsidiary Arrangements** together with relevant descriptions of verification approaches and the scope of the inspections to be carried out by the Community and by the Agency. These inspection efforts shall be carried out only at the facilities or parts thereof designated in accordance with **Article 78 (a)** of the Agreement and shall constitute the actual maximum inspection efforts under the Agreement at the facility or part thereof under normal operating conditions and under the conditions set out below:

- (a) the continued validity of the information on Community safeguards derived from the measures provided for in **Article 32** of the Agreement, as specified in the **Subsidiary Arrangements**;
- (b) the continued validity of the information provided to the Agency in accordance with **Article II** of this Protocol;
- (c) the continued provision by the Community of the reports in accordance with **Articles 59 and 61, 63 to 65 and 67 to 69** of the Agreement, as specified in the **Subsidiary Arrangements**;
- (d) the continued application of the coordination arrangements for inspections in accordance with **Articles X to XXIII** of this Protocol, as specified in the **Subsidiary Arrangements**; and
- (e) the application by the Community of its inspection effort with respect to the facility or part thereof as specified in the **Subsidiary Arrangements**, in accordance with this Article.

Article XIV

- (a) Subject to the conditions of **Article XIII** of this Protocol, the Agency inspections shall be carried out simultaneously with the inspection activities of the Community. Agency inspectors may be present during the performance of certain of the Community inspections

carried out at facilities or parts thereof designated by the Agency in accordance with Article 78 (a) of the Agreement.

- (b) Subject to the provisions of paragraph (a), whenever the Agency can thereby achieve the purposes of its routine inspections set out in the Agreement, the Agency inspectors shall implement the provisions of Articles 74 and 75 of the Agreement through the observation of the inspection activities of the Community inspectors, provided, however, that:
- (i) where it is foreseeable that the inspection activities of Agency inspectors will have to be implemented other than by observation of the inspection activities of the Community inspectors, this shall be specified in the Subsidiary Arrangements; and
 - (ii) in the course of an inspection, if unforeseeable circumstances arise, Agency inspectors may carry out inspection activities other than by observation of the inspection activities of the Community inspectors where they find this to be essential and urgent, if the Agency could not otherwise achieve the purposes of its routine inspections.

Article XV

The general scheduling and planning of Community inspections under the Agreement shall be established by the Community in cooperation with the Agency.

Article XVI

Arrangements for the presence of Agency inspectors during the performance of certain of the Community inspections shall be agreed in advance by the Agency and the Community.

Article XVII

In order to enable the Agency to decide, on the basis of its requirements for statistical sampling, whether its inspectors should be present at a

particular Community inspection, the Community shall provide the Agency with an advance statement of the numbers, types and contents of items to be inspected according to the information made available to the Community by the operator of the facility.

Article XVIII

Technical procedures for facilities or parts thereof shall be included in the Facility Attachments, in particular with respect to:

- (a) the determination of techniques for random selection of statistical samples; and
- (b) the checking and identification of standards.

Article XIX

Coordination arrangements for inspection shall be specified in each Facility Attachment.

Article XX

The specified coordination actions on matters specified in the Facility Attachments in accordance with Article XIX of this Protocol shall be taken between Community and Agency officials designated for that purpose.

Article XXI

The Community shall transmit to the Agency its working papers for those inspections at which Agency inspectors were present and inspection reports for all other Community inspections performed under the Agreement.

Article XXII

The samples of nuclear material for the Agency shall be drawn from the same randomly selected batches of items as for the Community and shall be taken together with Community samples, except when the maintenance of or reduction to the lowest practical level of the Agency inspection effort requires independent sampling by the Agency, as agreed in advance and specified in the Subsidiary Arrangements.

Article XXIII

The frequencies of physical inventories to be taken by facility operators and to be verified for safeguards purposes will be in accordance with those laid down as guidelines in the Subsidiary Arrangements. If additional activities under the Agreement in relation to physical inventories are considered to be essential, they will be discussed in the Liaison Committee provided for in Article XXV of this Protocol and agreed before implementation.

Article XXIV

Whenever the Agency can achieve the purposes of its *ad hoc* inspections as set out in the Agreement by observation of the inspection activities of Community inspectors, it shall do so.

Article XXV

- (a) With a view to facilitating the application of the Agreement and of this Protocol, a Liaison Committee shall be established, composed of representatives of the United Kingdom, the Community and the Agency.

- (b) the Committee shall meet at the request of any of the parties:
- (i) to review, in particular, the performance of the coordination arrangements provided for in this Protocol, including agreed estimates of inspection efforts;
 - (ii) to examine the development of safeguards methods and techniques; and
 - (iii) to consider any questions which have been referred to it by the Sub-Committee referred to in paragraph (c).
- (c) the Committee may appoint a Sub-Committee to examine, in particular and to the extent necessary for individual facilities or parts thereof, the operation of the coordination arrangements provided for in this Protocol, including, in the light of technical and operational developments, updating of agreed estimates of inspection efforts with respect to changes in throughput, inventory and facility operational programmes, and the application of inspection procedures in different types of routine inspection activities and, in general terms, statistical sampling requirements. Any questions which cannot be settled shall be referred to the Liaison Committee.
- (d) Without prejudice to urgent actions which may be required under the Agreement, should problems arise in the application of Article XIII of this Protocol, in particular when the Agency considers that the conditions specified therein have not been met, the Committee or Sub-Committee as appropriate shall meet as soon as possible in order to assess the situation and to discuss the measures to be taken. If a problem cannot be settled, the Committee may make appropriate proposals to the Parties, in particular with a view to modifying the estimates of inspection efforts for routine inspection activities.
- (e) The Committee shall elaborate proposals, as necessary, with respect to questions which require the agreement of the Parties.

INFORMATION CONCERNING

the AGREEMENT ⁽¹⁾ between the United Kingdom of Great Britain and Northern Ireland, the European Atomic Energy Community and the International Atomic Energy Agency for the application of safeguards in the United Kingdom of Great Britain and Northern Ireland in connection with the Treaty on the Non-Proliferation of Nuclear Weapons ⁽²⁾

Contracting Parties	Date of signature by the Contracting Parties	Date of exchange, deposit or notification of instruments of ratification, acceptance, approval, etc.	Date of entry into force	Duration
EAEC UNITED KINGDOM IAEA	} 6.9.1976		14.8.1978	See Article 25 of the Agreement ⁽³⁾

⁽¹⁾ Not published in the OJ.

⁽²⁾ This Treaty, open for signature in London, Moscow and Washington, entered into force on 5.3.1970.

⁽³⁾ Article 25(b) stipulates that:

'This Agreement shall remain in force so long as the United Kingdom is party to the Treaty [on the Non-Proliferation of Nuclear Weapons]. However, any party to this Agreement may, upon giving six months' notice to the other parties, terminate this Agreement if after consultation with them that party considers that the purpose for which this Agreement was intended can no longer be served.'

Agreement

**On the implementation of a European concerted
action project in the field of metallurgy on
the topic 'Materials for gas turbines'**

AGREEMENT

on the implementation of a European concerted action project in the field of metallurgy on the topic 'Materials for Gas Turbines' (1)

THE GOVERNMENTS OF THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE SWISS CONFEDERATION,

SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND

THE EUROPEAN COAL AND STEEL COMMUNITY

hereinafter referred to as 'the Signatories',

HAVE ACCEPTED participation in the concerted action project described below, hereinafter referred to as 'the project', and HAVE AGREED as follows:

(1) Not published in the OJ.

Article 1

The Signatories shall coordinate their efforts in the project, which is being undertaken in order to stimulate research and development in the field of metallurgy on the topic 'materials for gas turbines'. An outline description of the work envisaged for this project is contained in the Annex.

The aim of the project is to stimulate the carrying out of coordinated research and development operations on the above topic by means of contracts between the competent public bodies on the one hand and industrial firms and research establishments (public or private research centres, university centres and joint centres), on the other, or by entrusting work to public research establishments which agree to work in association on a multinational basis.

Article 2

The duration envisaged for work on the project shall be a period not exceeding 3 years, unless otherwise determined unanimously by the Signatories.

Article 3

This Agreement is open for signature by other European Governments which participated in the Ministerial Conference held in Brussels on 22 and 23 November 1971 and by the European Communities subject to the unanimous consent of the Signatories. This unanimous consent shall not however be required until after the entry into force of the Agreement, on condition that the annual sum allocated by new Signatories to work on the project is no less than the smallest sum allocated to the project by the other Signatories.

Article 4

A Management Committee, hereinafter referred to as 'the Committee', composed of one representative of each Signatory is hereby established. Each representative may be accompanied by such experts or advisers as he may need.

The Committee shall draw up its rules of procedure. The rules shall lay down the quorum required for the validity of the decisions of the Committee.

The Committee shall draw up reasoned recommendations based on the research proposals submitted to it. These recommendations shall be adopted by a simple majority; minority views and the reasoning behind them may be expressed in these recommendations.

Each representative shall have one vote in the Committee. Decisions concerning procedure shall be adopted by a simple majority. All other decisions shall be taken by unanimous vote; however, abstention by one or more representatives shall not preclude unanimity.

Article 5

The Committee shall:

- (a) invite industrial undertakings and research establishments to submit research proposals, preferably on a multinational basis, on the subject of the project;
- (b) examine the research proposals submitted by industrial undertakings and research establishments;
- (c) recommend the allocation of research tasks among the industrial undertakings and research establishments and address to the bodies concerned recommendations on the proposed contracts which, in its view, should be adopted, as well as on the duration of these contracts;
- (d) promote associations between partners from different countries;

- (e) supervise the progress of the work and recommend, where appropriate, such changes as may be necessary in the direction or the volume of the work being undertaken;
- (f) draw up programme proposals for any extension of the work beyond the expiry of this Agreement;
- (g) publish an annual progress report.

All matters dealt with by the Committee shall be kept confidential.

Article 6

At the request of the Signatories, the Secretariat of the Committee shall be provided by the Commission of the European Communities.

Article 7

The research outlay devoted to the work planned for the project shall be divided as follows among the Signatories:

Signatories	Annual maximum amount in UA
Governments of	
Federal Republic of Germany	500 000
French Republic	400 000
Italian Republic	375 000
Grand Duchy of Luxembourg	100 000
Kingdom of Netherlands	100 000
Republic of Austria	100 000
Swiss Confederation	315 000
Sweden	100 000
United Kingdom of Great Britain and Northern Ireland	380 000
European Coal and Steel Community	120 000

These amounts include both contributions from public funds and contributions from industrial firms and their research establishments.

Any joint expenditure shall be shared equally between the Signatories, with the exception of Secretariat expenses.

Article 8

The financial contribution of each Signatory to be supplied out of public funds shall not, in principle, exceed 60% for each contract in the case of contracts concluded with industrial undertakings or their research centres, and 75% in the case of contracts concluded with other research establishments. These provisions shall not apply to research organizations financed entirely or chiefly by public authorities.

The Signatories shall, if they so desire, have the opportunity to make provision in their contracts for a total or partial refund of their contributions by the State if the research is successful.

Article 9

Applications for the award of contracts may be submitted by industrial firms and research establishments, preferably working in association, which are capable of carrying out all or any part of the planned research or having certain parts thereof carried out on their behalf and on their responsibility.

Article 10

The Signatories shall address their research proposals directly or through their competent public bodies to the Secretariat of the Committee.

Industrial undertakings and research establishments agreeing to associate for the purposes of carrying out a research project on a multinational basis shall freely negotiate between themselves the terms and conditions of their cooperation.

Article 11

The Signatories shall be responsible for the administration and financial management of the contracts which they conclude.

Article 12

The Signatories shall insert in the contracts a clause requiring the industrial undertakings or research establishments to submit periodic progress reports and a final report.

The progress reports shall be circulated in a limited number of copies to the Signatories and to the Committee and shall be confidential to the extent that they contain detailed technical information. The circulation of the final report, the sole purpose of which shall be to report on the results obtained, shall be much wider, embracing at least the industrial undertakings and research establishments concerned in the countries of the participants in this project.

Article 13

1. Without prejudice to the provisions of national laws, the Signatories shall insert in the research contracts clauses enabling the application of the following provisions for as long as the industrial property rights arising out of the studies, research and development (hereinafter referred to as 'research'), excluding know-how, remain valid.
 - (a) The industrial property rights over the research results belonging to the undertakings or research establishments which carried out the research or had it carried out on their behalf shall remain their property, but a Signatory concluding contracts which, in execution, give rise to such property rights, may reserve certain rights which shall be defined in the contracts.

As regards contracts concluded with research establishments (public or private research centres, university institutes and joint centres), it may be agreed that the industrial property rights are to belong to the Signatory concerned or to any other body designated by that Signatory.

The filing of applications for industrial property rights resulting from the research shall be brought to the attention of the Signatories through the agency of the State or body financing the research.

- (b) Without prejudice to the provisions of subparagraph (c), the proprietor of industrial property rights resulting from research or acquired during it shall be at liberty to grant licences or dispose of the industrial property rights, it being his responsibility to inform the Signatories of such an intention through the agency of the State or body financing the research.
- (c) In so far as the stipulations of the Treaties establishing the European Communities, the laws and regulations in force in the territory of the Signatory concerned and obligations previously contracted by the undertakings granted research contracts and notified at the time of the conclusion of these contracts do not constitute any obstacle thereto, each of the Signatories shall have the right to oppose the granting to undertakings established outside the territories of the Signatories of industrial property rights acquired by the undertakings granted research contracts during the implementation of these contracts and enabling the undertakings established outside the territories of the Signatories to manufacture or sell on the territory of the Signatory.
- (d) The proprietor of the industrial property rights shall, in the cases enumerated below, be obliged to grant a licence at the request of any Signatory other than the one who concluded the contract which in execution gave rise to the industrial property rights:
 - (i) where this is necessary in order to meet the individual requirements of the Signatory requesting the licence in the fields of public safety and public health;

- (ii) where the market requirements in the territory of the Signatory requesting the licence are not satisfied, in which case the licence is to be granted to an undertaking designated by that Signatory for the purpose of enabling that undertaking to meet the requirements of the market. However, a licence shall not be granted if the proprietor establishes legitimate grounds for refusing it, in particular that he has not been given adequate notice.

To obtain the grant of these licences, the applicant Signatory shall apply to the Signatory which concluded the contract which in execution gave rise to the industrial property rights.

These licences shall be granted on fair and reasonable terms and shall be accompanied by the right to grant a sub-licence on the same terms. They may, under the same conditions, cover the prior industrial property rights and applications for property rights of the licensor, in so far as is necessary for their utilization.

2. The provisions of paragraph 1 shall apply *mutatis mutandis* to information not covered by industrial property rights (know-how, etc.).

Article 14

The Signatories shall consult with each other, if one of them so requests, on any problem arising out of the application of this Agreement.

Article 15

1. Each of the Signatories shall notify the Secretary-General of the Council of the European Communities as soon as possible of the completion of the procedures required in accordance with its internal provisions for the purpose of implementing this Agreement.
2. For the Signatories which have transmitted the notification provided for in paragraph 1, this Agreement shall enter into force on the first

day of the second month following receipt of the notification guaranteeing cover for at least two-thirds of the sum of the amounts provided for in Article 7.

For those Signatories which transmit this notification after the entry into force of this Agreement, it shall come into force on the date of receipt of the notification.

Signatories which have not yet transmitted this notification at the time of entry into force of this Agreement shall be able to take part in the work of the Committee without voting rights for a period of six months after the entry into force of this Agreement.

3. The Secretary-General of the Council of the European Communities shall notify each of the Signatories of the deposit of the notifications provided for in paragraph 1 and of the date of entry into force of this Agreement.

Article 16

This Agreement, drawn up in a single copy in the German, English, French, Italian and Dutch languages, all texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall transmit a certified true copy to each of the Signatories.

Geschehen zu Brüssel am dreiundzwanzigsten November neunzehnhunderteinundsiebzig

Done at Brussels on the twenty-third day of November in the year one thousand nine hundred and seventy-one

Fait à Bruxelles, le vingt-trois novembre mille neuf cent soixante et onze

Fatto a Bruxelles, addì ventitre' novembre millenovecentosettantuno

Gedaan te Brussel, drieëntwintig november negentienhonderd eenen-zeventig

Für die Regierung der Bundesrepublik Deutschland

Hans-Georg SACHS

Ständiger Vertreter der Bundesrepublik Deutschland bei den Europäischen Gemeinschaften

Hans-Hilger HAUNSCHILD

Bundesministerium für Bildung und Wissenschaft

Pour le Gouvernement de la République française

François-Xavier ORTOLI

Ministre du Développement industriel et scientifique

Per il Governo della Repubblica italiana

Camillo RIPAMONTI

Ministro per il coordinamento della ricerca scientifica e tecnologica

Pour le Gouvernement du Grand-Duché de Luxembourg

Marcel MART

Ministre des Affaires Economiques

Voor de Regering van het Koninkrijk der Nederlanden

E. M. J. A. SASSEN

Ambassadeur, Permanente Vertegenwoordiger bij de Europese Gemeenschappen

Für die österreichische Bundesregierung

Herta FIRNBERG

Bundesminister für Wissenschaft und Forschung

Für den Schweizerischen Bundesrat

Pour le Conseil Fédéral Suisse

Per il Consiglio Federale Svizzero

Hans-Peter TSCHUDI

Bundesrat Vorsteher des Eidgenössischen Departement des Innern
Conseiller fédéral Chef du Département Fédéral de l'Intérieur
Consigliere Federale Capo del Dipartimento Federale dell'Interno

For the Government of Sweden

Sven BACKLUND

Ambassador Extraordinary and Plenipotentiary of Sweden

For the Government of the United Kingdom of Great Britain and
Northern Ireland

Frederick CORFIELD

Minister for Aerospace

Für die Europäische Gemeinschaft für Kohle und Stahl

Pour la Communauté Européenne du Charbon et de l'Acier

Per la Comunità Europea del Carbone e dell'Acciaio

Voor de Europese Gemeenschap voor Kolen en Staal

Altiero SPINELLI

Mitglied der Kommission der Europäischen Gemeinschaften

Membre de la Commission des Communautés Européennes

Membro della Commissione delle Comunità Europee

Lid van de Commissie van de Europese Gemeenschappen

ANNEX

The research work carried out under the project will relate to materials designed for aircraft engines and turbines for use on land or at sea.

It should not include the direct development of new technological processes or entirely new materials; but should consist rather of studies of the properties and behaviour of the most advanced materials. Studies should yield practical results, such as increased knowledge of the possibilities for using the materials, recommendations as to improvements to the materials and processes, and the definition of test methods.

The subjects have been chosen to respond to the desire to commence cooperation on subjects of immediate practical importance, on lines likely to give concrete results within a reasonable period.

RESEARCH SUBJECTS

The programme set out below concerns nickel or cobalt-based alloys containing chrome and titanium alloys.

High-temperature corrosion and protective coatings

Detailed studies are required in order to give a better understanding of the mechanics of high-temperature corrosion phenomena and to enable selection of the most suitable test methods. They will enable a rational examination to be made of the prospects for improving protective coatings and, if possible, for increasing resistance to corrosion in the alloys themselves.

The work to be undertaken is not to relate specifically to air-filtration techniques or to inhibitory additives. Industrialists will nevertheless bear these techniques in mind when considering the aims of the research projects that they propose.

High-temperature metallurgical stability

The metallurgical stability of the most advanced alloys will be studied at high temperature; the effect of the stress applied will also be examined. The aim of these studies will be to obtain more detailed basic data with a view to improving the best existing alloys.

High-temperature fatigue

The work will be centred on the following two problems:

- (i) low-cycle fatigue, which may be the cause of breakages in turbine and compressor discs, and
- (ii) thermic fatigue, which is a frequent cause of cracking and breaking in turbine blades.

The studies will concentrate on the best available alloys and will be planned in such a way as to give a better knowledge of the phenomena involved. They should lead to the definition of appropriate test methods. It will be interesting to see whether there is a connection between high-temperature fatigue phenomena and the basic properties of the materials.

Corrosion of titanium under stress

Study of the chief problems associated with the tendency of titanium alloys to crack owing to corrosion under stress.

Metallurgical homogeneity and physical flaws in castings

Study of the effect on reliability of local heterogeneity of composition or microstructure. Examination of the possibilities for detecting such heterogeneity by non-destructive test methods.

The study of the origin of micro-cavities and micro-cracks in precision castings would greatly assist the future improvement of processes.

Metallurgical structures obtained by forging

Study of the effect of the structures obtained by forging on the mechanical properties of nickel, cobalt and titanium alloys.

Weldability of alloys

The physical quality of welded seams (micro-cracks), their mechanical properties and metallurgical structure will be studied. Special emphasis will be given to the weldability of precision-cast alloys.

Effect of working on reliability

Study of the metallurgical causes for the deterioration of fatigue characteristics, with particular reference to titanium rectifying and electro-chemical working.

Alloys with oriented structure

The mechanical properties of pieces produced by oriented solidification, the influence of the metallurgical structure, and the possibilities of adapting the composition of alloys in order to obtain the optimum properties in the products will be studied.

Pseudo-eutectic alloys with oriented structure

Study of the properties of materials at ambient and high temperatures. Research to find improved compositions.

Improved alloys produced by powder metallurgy

Study of the properties of nickel or cobalt-based alloys containing chrome obtained by powder metallurgy techniques. Study of the influence of the physical properties and the chemical composition of the powders.

Unterschrift gemäss Artikel 3

Signature affixed according to the terms of Article 3

Signature apposée aux termes de l'article 3

Firma ai sensi dell'articolo 3

Ondertekend overeenkomstig artikel 3

Geschehen zu Brüssel am neunzehnten Dezember neunzehnhundert-dreiundsiebzig

Done at Brussels on the nineteenth day of December in the year one thousand nine hundred and seventy-three

Fait à Bruxelles, le dix-neuf décembre mille neuf cent soixante-treize

Fatto a Bruxelles, addì diciannove dicembre millenovecentosettantatré

Gedaan te Brussel, de negentiende december negentienhonderd drieën-zeventig

Pour le Gouvernement du Royaume de Belgique

Voor de Regering van het Koninkrijk België

Monsieur J. VAN DER MEULEN

Ambassadeur extraordinaire et plénipotentiaire,

Représentant Permanent auprès des Communautés européennes

Unterschrift gemäss Artikel 3

Signature affixed according to the terms of Article 3

Signature apposée aux termes de l'article 3

Firma ai sensi dell'articolo 3

Ondertekend overeenkomstig artikel 3

Geschehen zu Brüssel am dreiundzwanzigsten Mai neunzehnhundertachtundsiebzig

Done at Brussels on the twenty-third day of May in the year one thousand nine hundred and seventy-eight

Fait à Bruxelles, le vingt-trois mai mille neuf cent soixante-dix-huit

Fatto a Bruxelles, addì ventitré maggio millenovecentosettantaotto

Gedaan te Brussel, de drieëntwintigste mei negentienhonderd achtenzeventig

Für die Europäische Atomgemeinschaft

For the European Atomic Energy Community

Pour la Communauté européenne de l'énergie atomique

Per la Comunità europea dell' energia atomica

Voor de Europese Gemeenschap voor atoomenergie

Stelio VILLANI

Generaldirektor der Gemeinsamen Forschungsstelle

Director-General of the Joint Research Centre

Directeur Général du Centre Commun de Recherche

Direttore Generale del Centro Comune di Ricerca

Directeur-Generaal van het Gemeenschappelijk Centrum voor Onderzoek

DECLARATIONS OR RESERVATIONS

Brussels, 15 May 1972

FEDERAL REPUBLIC OF GERMANY ⁽¹⁾

On behalf of the Government of the Federal Republic of Germany, I have the honour to declare, with reference to today's notification of completion by the Federal Republic of Germany of the internal procedures necessary for entry into force of the Agreement of 23 November 1971 on the implementation of a European concerted action project in the field of metallurgy on the topic 'materials for gas turbines', that this Agreement will also apply to Land Berlin from the date on which it enters into force for the Federal Republic of Germany.

(1) Translated by the Translation Departments of the Communities from the German text forwarded by the depositary.

INFORMATION CONCERNING

the AGREEMENT on the implementation of a European concerted action project in the field of metallurgy on the topic 'Materials for gas turbines' (COST 50/51/52) (1)

Open for signature: See Article 3 of the Agreement

Depository: Secretary-General of the Council of the European Communities, Brussels (Belgium)

Date of entry into force: 1.7.1972

Duration: 3 years maximum (2)

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of provisional application	Date of deposit of instruments of ratification, acceptance, approval, etc.	Date of entry into force (3)	Declarations or reservations (4)
EAEC	23.5.1978 ⁽⁶⁾			23.5.1978	
ECSC (5)	23.11.1971				
BELGIUM	18.12.1973 ⁽⁶⁾		3.3.1976	4.3.1976	
FRANCE	23.11.1971		29.2.1972		
GERMANY	23.11.1971		15.5.1972		yes
ITALY	23.11.1971		4.9.1974	4.9.1974	
LUXEMBOURG	23.11.1971		8.2.1973	9.2.1973	
NETHERLANDS	23.11.1971		5.4.1973	9.4.1973	
UNITED KINGDOM	23.11.1971		10.5.1972		

AUSTRIA	23.11.1971	7.8.1972	9.8.1972
SWEDEN	23.11.1971	21.2.1972	
SWITZERLAND	23.11.1971	10.5.1972	

- (1) Not published in the OJ.
(2) The project covered by the Agreement was extended for three years from 1.7.1977.
(3) This date is given only where it falls after the date of entry into force of the Agreement.
(4) The texts of these declarations or reservations will be found on page 3457.
(5) The European Coal and Steel Community has never ratified the Agreement.
(6) The European Atomic Energy Community and Belgium signed the Agreement under the terms of Article 3.
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CHAPTER III

**Multilateral agreements
concluded by the European
Coal and Steel Community**

None

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Volume 8

⁽¹⁾ This is an analytical index of the names of the Contracting Parties to the Agreements and the chief subject-matter of the Agreements.

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