

Collection
of the Agreements
concluded by the
European Communities

Volume 11

1981

Part II

EUROPEAN COMMUNITIES

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FOREWORD

(updated on 1 January 1981 ⁽¹⁾)

The purpose of the Council and the Commission of the European Communities in publishing this collection is to meet an oft-expressed wish to provide national and Community authorities and the private sector with a handy work of reference. The collection thus fills a gap in European bibliography and gives the reader an idea of the breadth and diversity of the external activity of the Communities in the areas covered by the Treaties.

By reason of the scale of their economic and commercial capacity the European Communities have become an important partner on the world scene. Their activity is carried on within both a multilateral and a bilateral framework. Developments in these two areas have been many and real and have led the Communities to conclude a large number of agreements sometimes varying considerably in title and content but all bearing witness to the outward-looking attitude of the European institutions.

The collection brings together agreements concluded by the European Communities with non-member countries or with other bodies governed by international law, particularly international organizations. For the purposes of this collection, the word 'agreement' means an agreement governed by international law, whether it is contained in a single instrument or in two or more related instruments, and whatever particular title it may have.

⁽¹⁾ The first foreword appears in Volume 1, page iii.

The collection includes the agreements to which one or other of the three European Communities (EEC, EAEC, ECSC), as such, is a contracting party, as well as certain related agreements. It also includes the agreements relating to products within the province of the European Coal and Steel Community Treaty concluded only by the Member States of that Community.

Agreements concluded under specific provisions of the General Agreement on Tariffs and Trade (GATT) or resulting from multilateral conferences held within the GATT framework, concerning tariff concessions in particular, are not included in the collection but are published elsewhere ⁽¹⁾.

The collection gives the full texts of the agreements and of the Community acts concluding them.

The agreements are divided into bilateral agreements and multilateral agreements in the following order: European Economic Community (EEC), European Atomic Energy Community (EAEC), European Coal and Steel Community (ECSC).

Bilateral agreements concluded with non-member countries are classified by continent and by country in an order based on a numerical code used by the Communities so as to ensure concordance of the seven different language versions of the publication.

⁽¹⁾ 'General Agreement on Tariffs and Trade - Basic instruments and selected documents' (4 basic volumes: 1952, 1955, 1958, 1969 with supplements from 1953) - published in French and English by 'the Contracting Parties to the General Agreement on Tariffs and Trade' - Geneva.

Bilateral agreements concluded with international organizations and multilateral agreements are classified in chronological order.

The collection comprises five basic volumes containing the texts of all the agreements in force on 31 December 1975. They are as follows:

- Volume 1: Bilateral agreements concluded by the EEC with European countries;
- Volume 2: Bilateral agreements concluded by the EEC with European countries (continued);
- Volume 3: Bilateral agreements concluded by the EEC with European countries (continued);
- Volume 4: - Bilateral agreements concluded by the EEC with countries in Asia, Africa and America;
 - Bilateral agreements concluded by the EEC with international organizations;
- Volume 5: - Bilateral agreements concluded by the EAEC;
 - Bilateral agreements concluded by the ECSC;
 - Multilateral agreements concluded by the EEC, the EAEC and the ECSC.

There is a subject index for the whole of the first five volumes.

To make for easier reading of the texts, some additional references are given in footnotes. Basic information concerning each of the agreements is given in a summary table at the end of each section.

There are annual supplements for the years 1976 to 1980, designed along the same lines. Each supplement also contains a list of the agreements extended during the preceding year, together with an index and a list of the non-member countries and international organizations referred to.

A cumulative subject index for the first 10 volumes appears in Volume 10.

This collection is a documentation aid and does not engage the liability of the institutions.

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 ⁽¹⁾ of 22.1.1972, the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland became members of the European Communities.

⁽¹⁾ OJ No L 73, 27.3.1972.
OJ No L 2, 1.1.1973.

By the Treaty of Athens (¹), which was signed on 28.5.1979 and entered into force on 1.1.1981, the Hellenic Republic became a member of the European Communities.

ACP	African, Caribbean and Pacific States
IDA	International Development Association
IEA	International Energy Agency
EAC	East African Community before 1976:
ESTAF	East African Federation
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
IDA	International Development Association
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

(¹) OJ No L 291, 19.11.1979.

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

**Agreements
between the EEC and 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 1981 to 31 October 1982⁽¹⁾

COUNCIL REGULATION (EEC) No 3547/81

of 3 December 1981

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 1981 to 31 October 1982

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 356, 11.12.1981.

Having regard to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia ⁽¹⁾, which entered into force on 1 November 1978, and in particular to Annex B thereof,

Having regard to the recommendation from the Commission,

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 1981 to 31 November 1982,

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 1981 to 31 October 1982, 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⁾ This Agreement appears in Volume 8, page 1953.

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, 3 December 1981.

For the Council

The President

T. KING

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 1981 to 31 October 1982

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia stipulates 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 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 provisions 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 Annex, the Community will take the necessary steps to fix the additional amount at 12.09 ECU per 100 kilograms for the period 1 November 1981 to 31 October 1982.

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 between the European Economic Community and the Republic of Tunisia stipulates 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 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 above-mentioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12.09 ECU per 100 kilograms for the period 1 November 1981 to 31 October 1982.

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 3515/81

of 3 December 1981

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 (1982)

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 355, 10.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 1953.

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, 3 December 1981.

For the Council
The President
T. KING

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 1982 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 Government of
the Republic of Tunisia*

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 in the Community from 1 January to 31 December 1982 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 1982 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 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 1981 to 31 October 1982 ⁽¹⁾

EEC	18.12.1981	—	18.12.1981	from 1.11.1981 until 31.12.1982
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 (1982) ⁽²⁾

EEC	18.12.1981	—	18.12.1981	from 1.1.1982 until 31.12.1982
TUNISIA				

⁽¹⁾ OJ No. L 356, 11.12.1981.

⁽²⁾ OJ No L 355, 10.12.1981.

Agreement

between the EEC and the Arab Republic of Egypt

AGREEMENT

between the European Economic Community and the Arab Republic of Egypt on trade in textile products ⁽¹⁾

COUNCIL REGULATION (EEC) No 2739/81

of 24 June 1981

on the conclusion of the Agreement between the European Economic Community and the Arab Republic of Egypt on trade in textile products

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 on trade in textile products negotiated between the European Economic Community and the Arab Republic of Egypt should be approved,

⁽¹⁾ OJ No L 273, 28.9.1981.

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Arab Republic of Egypt on trade in textile products 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 16 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 Luxembourg, 24 June 1981.

For the Council

The President

G. M. V. van AARDENNE

AGREEMENT

**between the European Economic Community and the Arab Republic of Egypt
on trade in textile products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT,

of the other part,

DESIRING to promote, with a view to permanent cooperation and in conditions providing every security for trade, the orderly and equitable development of trade in textile products between the European Economic Community (hereinafter referred to as 'the Community') and the Arab Republic of Egypt (hereinafter referred to as 'Egypt'),

RESOLVED to take the fullest possible account of the serious economic and social problems at present affecting the textile industry in both importing and exporting countries,

HAVING REGARD to the Interim Agreement between the Community and Egypt and the Cooperation Agreement between the Community and Egypt signed on 18 January 1977,

HAVING REGARD to the Arrangement regarding international trade in textiles (hereinafter referred to as 'the Geneva Arrangement'), and in particular Article 4 thereof, and to the Protocol extending the Arrangement together with the conclusions adopted on 14 December 1977 by the Textiles Committee (L/4616),

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

TRÂN Van-Thinh,
Special Representative of the Commission of the European Communities
for textile negotiations;

THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT:

Ahmed Tawfik KHALIL,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the Arab Republic of Egypt to the European Com-
munities,

WHO HAVE AGREED AS FOLLOWS:

Section I

TRADE ARRANGEMENTS

Article 1

1. The Parties recognize and confirm that, subject to the provisions of this Agreement and without prejudice to their rights and obligations under the General Agreement on tariffs and trade, the conduct of their mutual trade in textile products covered by this Agreement shall be governed by the provisions of the Geneva Arrangement.
2. In respect of the products covered by this Agreement, the Community undertakes not to introduce quantitative restrictions under Article XIX of the General Agreement on tariffs and trade or Article 3 of the Geneva Arrangement.
3. Measures having equivalent effect to quantitative restrictions on the importation into the Community of the products covered by this Agreement shall be prohibited.

Article 2

1. This Agreement shall apply to trade in textile products of cotton, originating in Egypt, which are listed in Annex I.
2. The description and identification of the products covered by this Agreement are based on the nomenclature of the Common Customs Tariff and on the nomenclature of goods for the external trade statistics of the Community and the statistics of trade between Member States (Nimexe).
3. The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community.

The procedures for control of the origin of the products referred to above are laid down in Protocol A.

Article 3

Egypt agrees for each Agreement year to restrain its exports to the Community of the products described in Annex II to the limits set out therein.

Exports of textile products set out in Annex II shall be subject to a double-checking system specified in Protocol A.

Article 4

1. Imports into the Community of textile products covered by Annex II of this Agreement shall not be subject to the quantitative limits established in this Annex, provided that they are declared to be for re-export outside the Community in the same state or after processing, under the administrative system of control set up for this purpose within the Community.

However, the release for home use of products imported under the conditions referred to above shall be subject to the production of an export licence issued by the Egyptian authorities, and to proof of origin in accordance with the provisions of Protocol A.

2. Where the authorities in the Community ascertain that imports of textile products have been set off against a quantitative limit established under this Agreement, but that the products have subsequently been re-exported outside the Community, the authorities concerned shall inform the Egyptian authorities within four weeks of the quantities involved and authorize imports of identical quantities of the same products, which shall not be set off against the quantitative limit established in Annex II for the current or the following year.

Article 5

1. In any Agreement year advance use of a portion of the quantitative limit established for the following Agreement year is authorized for each category of products up to 5% of the quantitative limit for the current Agreement year.

Amounts delivered in advance shall be deducted from the corresponding quantitative limits established for the following Agreement year.

2. Carryover to the corresponding quantitative limit for the following Agreement year of amounts not used during any Agreement year is authorized up to 5% of the quantitative limit for the current Agreement year.

3. Transfers in respect of categories in Group I shall not be made from any category except as follows:

- transfers between categories 2 and 3 may be effected up to 5% of the quantitative limits for the category to which the transfer is made,

- transfers between categories 4, 5, 6, 7 and 8 may be made up to 5% of the quantitative limit for the category to which the transfer is made.

Transfers into any category in Groups II, III, IV and V may be made from any category or categories in Groups I, II, III, IV and V up to 5% of the quantitative limit for the category to which the transfer is made.

4. The table of equivalence applicable to the transfers referred to above is given in the appendix to Annex I to this Agreement.

5. The increase in any category of products resulting from the cumulative application of the provisions in paragraphs 1, 2 and 3 above during an Agreement year shall not exceed 15%.

6. Prior notification shall be given by the authorities of Egypt in the event of recourse to the provisions of paragraphs 1, 2 and 3 above.

Article 6

1. Exports of textile products subject to this Agreement and not listed in Annex II may be made subject to quantitative limits by Egypt on the conditions laid down in the following paragraphs, as relevant.

2. Where the Community finds, under the system of administrative control set up, that the level of imports of products in a given category not listed in Annex II originating in Egypt exceeds, in relation to the preceding year's total imports into the Community of products in that category, the following rates:

- for categories of products in Group I: 0.2%,
- for categories of products in Group II: 1.5%,

– for categories of products in Group III, IV or V: 5%,

it may request the opening of consultations in accordance with the procedure described in Article 12 of this Agreement, with a view to reaching agreement on an appropriate restraint level for the products in such category.

3. Pending a mutually satisfactory solution, Egypt undertakes, from the date of notification of the request for consultations, to suspend or limit at the level indicated by the Community in the said notification exports of the category of products in question to the Community or to the region or regions of the Community market specified by the Community.

The Community shall authorize the importation of products of the said category shipped from Egypt before the date on which the request for consultations was submitted.

4. Should the Parties be unable in the course of consultations to reach a satisfactory solution within the period specified in Article 12 of the Agreement, the Community shall have the right to introduce a quantitative limit at an annual level not lower than that reached by imports of the category in question and referred to in the notification of the request for consultations.

The annual level so fixed shall be revised upwards after consultations in accordance with the procedure referred to in Article 12, with a view to fulfilling the conditions set out in paragraph 2, should the trend of total imports into the Community of the product in question make this necessary.

5. The limits introduced under paragraph 2 or 4 may in no case be lower than the level of imports of products in that category originating in Egypt in 1976.

(6) Quantitative limits may also be established by the Community on a regional basis in accordance with the provisions of Protocol B.

(7) The annual growth rate for the quantitative limits introduced under this Article shall be determined in accordance with the provisions of Protocol C.

8. The provisions of this Article shall not apply where the percentages specified in paragraph 2 have been reached as a result of a fall in total imports into the Community, and not as a result of an increase in exports of products originating in Egypt.

9. In the event of the provisions of paragraph 2 or 4 being applied, Egypt undertakes to issue export licences for products covered by contracts concluded before the introduction of the quantitative limit, up to the volume of the quantitative limit fixed for the current year.

10. For the purpose of applying the provisions of paragraph 2, the Community undertakes to provide the Egyptian authorities, before 31 March of each year, with the preceding year's statistics on imports of all textile products covered by this Agreement, broken down by supplying country and Community Member State.

11. The provisions of this Agreement which concern exports of products subject to the quantitative limits established in Annex II shall also apply to products for which quantitative limits are introduced under this Article.

Section II

ADMINISTRATION OF THE AGREEMENT

Article 7

1. Egypt undertakes to supply the Community with precise statistical information on all export licences issued by the Egyptian authorities for textile products subject to the quantitative limits set out in Annex II.

2. The Community shall likewise transmit to the Egyptian authorities precise statistical information on import authorizations or documents issued by the Community authorities, and import statistics for products covered by the system of administrative control referred to in Article 6 (2).

3. The information referred to above shall, for all categories of products, be transmitted before the end of the second month following the quarter to which the statistics relate.

4. Should it be found on analysis of the information exchanged that there are significant discrepancies between the returns for exports and those for imports, consultations may be initiated in accordance with the procedure specified in Article 12 of this Agreement.

Article 8

Any amendment to the Common Customs Tariff or Nimexe, made in accordance with the procedures in force in the Community, concerning categories of products covered by this Agreement or any decision relating to the classification of goods, shall not have the effect of reducing any quantitative limit established in Annex II.

Article 9

Egypt shall endeavour to ensure that exports of textile products subject to quantitative limits are spaced out as evenly as possible over the year, due account being taken, in particular, of seasonal factors.

However, should recourse be had to the provisions of Article 16 (3), the quantitative limits established in Annex II shall be reduced on a *pro rata* basis.

Article 10

1. Portions of the quantitative limits established in Annex II not used in a Member State of the Community may be allocated to another Member State in accordance with the procedures in force in the Community. The Community undertakes to reply within four weeks to any request made by Egypt for such reallocation. It is understood that any reallocation so effected shall not be subject to the limits fixed under the flexibility provisions set out in Article 5 of this Agreement.

2. Should it appear in any given region of the Community that additional supplies are required, the Community may, where measures taken pursuant to paragraph 1 above are inadequate to cover those requirements, authorize the importation of amounts greater than those stipulated in Annex II.

Article 11

1. In implementing this Agreement, the Contracting Parties shall take care to maintain the traditional commercial practices and trade flows between the Community and Egypt, particularly in regard to the allocation of export licences and import authorizations on documents.

2. Should either Party find that the application of this Agreement is disturbing existing commercial relations between importers in the Community and suppliers in Egypt consultations shall be started promptly, in accordance with the procedure specified in Article 12 of this Agreement, with a view to remedying this situation.

Article 12

1. The special consultation procedures referred to in this Agreement shall be governed by the following rules:

- any request for consultations shall be notified in writing to the other Party,
 - the request for consultations shall be followed within a reasonable period (and in any case not later than 15 days following the notification) by a statement setting out the reasons and circumstances which, in the opinion of the requesting Party, justify the submission of such a request,
 - the Parties shall enter into consultations within one month at the latest of notification of the request, with a view to reaching agreement or a mutually acceptable conclusion within one further month at the latest.
2. If necessary, at the request of either of the Parties and in conformity with the provisions of the Geneva Arrangement, consultations shall be held on any problems arising from the application of this Agreement. Any consultations held under this Article shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the difference between them.

Section III

TRANSITIONAL AND FINAL PROVISIONS

Article 13

1. The provisions of this Agreement shall not apply to imports of products subject to quantitative limits in 1977, provided such products are shipped before 1 January 1978.
2. Products originating in Egypt which become subject to quantitative limits from 1 January 1978 only, in pursuance of this Agreement, may be imported into the Community without the production of an export licence until 31 March 1978, provided such products are shipped before 1 January 1978.

Article 14

By way of derogation from Articles 2 and 8 of Protocol A, the Community undertakes to issue import authorizations or documents without the production of an export licence or certificate of origin in the form prescribed in the said Article 8 for products originating in Egypt, subject to quantitative limits under this Agreement, provided such products are shipped in the period 1 January to 31 March 1978 and do not exceed 40% of the quantitative limits applicable to the products. This period may be extended by agreement reached between the Parties in accordance with the procedure laid down in Article 12 of this Agreement.

The Community shall supply the Egyptian authorities without delay with precise statistical information on import authorizations or documents issued under this Article. The said authorities shall set the corresponding amounts off against the quantitative limits established in Annex II for the products in question for 1978.

Article 15

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

Article 16

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties notify each other of the completion of the procedures necessary for this purpose. It shall be applicable until 31 December 1981 and may be extended by mutual agreement until 31 December 1982.

2. This Agreement shall apply with effect from 1 January 1978.

3. Either Party may at any time propose modifications to this Agreement or denounce it provided that at least 90 days' notice is given. In the latter event the Agreement shall come to an end on the expiry of the period of notice.

4. The Annexes and Protocols to this Agreement and the exchange of letters shall form an integral part thereof.

Article 17

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

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 signed this Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leur 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.

واشباتا لما تقدم ، وضع المندوبون المفوضون توقيعهم أسفل
هذه الاتفاقية .

Udfærdiget i Bruxelles, den fireogtyvende november nitten hundrede og firs.

Geschehen zu Brüssel am vierundzwanzigsten November neunzehnhundertachtzig.

Done at Brussels on the twenty-fourth day of November in the year one thousand nine hundred and eighty.

Fait à Bruxelles, le vingt-quatre novembre mil neuf cent quatre-vingt.

Fatto a Bruxelles, addi ventiquattro novembre millenovecentottanta.

Gedaan te Brussel, de vierentwintigste november negentienhonderd tachtig.

حرر في بروكسل ، في الرابع والعشرون من نوفمبر سنة
الف وتسعمائة وثمانون .

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

عن مجلس المجموعات الأوروبية



For regeringen for Den arabiske republik Egypten

Für die Regierung der Arabischen Republik Ägypten

For the Government of the Arab Republic of Egypt

Pour le gouvernement de la république arabe d'Égypte

Per il governo della Repubblica araba d'Egitto

Voor de Regering van de Arabische Republiek Egypte

عن حكومة جمهورية مصر العربية

A handwritten signature in black ink, appearing to read 'A. Khalil', written over a horizontal line.A large, stylized handwritten signature in black ink, possibly reading 'Jouf'.

ANNEX I

Products subject to the Agreement

CCT heading No	Nimex code (1978)	Category in Appendix	Group	Description
55.07	55.07-10; 90	53	III	Cotton gauze
55.08	55.08-10; 30; 50; 80	ex 9	II	Terry towelling and similar terry fabrics, of cotton
55.09	55.09 all codes	2	I	Other woven fabrics of cotton
ex 58.02	58.02-30; 90	ex 59	III	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	58.04-61; 63; 67; 69	ex 32	III	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	58.05-08; 51; 59; 90	ex 61	III	Narrow woven fabrics, and narrow fabrics (bolducs) 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	58.08-11; 21	ex 62	III	Tulle and other net fabrics (but not including woven, knitted or crocheted fabric), plain: - Of cotton

CCT heading No	Nimex code (1978)	Category in Appendix	Group	Description
ex 58.09	58.09-11; 21; 31; 91	ex 62	III	Tulle, and other net fabrics (but not including woven, knitted or crocheted fabric), figured; hand or mechanically made lace, in the piece, in strips or in motifs: - Of cotton
ex 58.10	58.10-21; 29; 41; 51	ex 62	III	Embroidery, in the piece, in strips or in motifs: - Of cotton
ex 59.01	59.01-15; 16; 29	ex 94	V	Wadding and articles of wadding; textile flock and dust and mill neps: - Of cotton
ex 59.13	59.13-15; 35	ex 105	V	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile material combined with rubber threads: - Of cotton
ex 60.01	60.01-92; 94; 96; 97	ex 65	III	Knitted or crocheted fabrics, not elastic or rubberized: ex C. Of other textile materials: - Of cotton
ex 60.02	60.02-40 60.02-70	ex 10 ex 11	II II	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized: - Of cotton
ex 60.04	60.04-01; 05; 13; 18; 28 60.04-17; 27 60.04-15 60.04-21; 25 60.04-11	ex 4 ex 13 ex 24 ex 25 ex 68	I II II II IV	Under garments, knitted or crocheted, not elastic or rubberized: A. Of cotton

CCT heading No	Nimexe code (1978)	Category in Appendix	Group	Description
ex 60.05	60.05-30; 38 60.05-25 60.05-04; 84 60.05-44 60.05-54 60.05-64 60.05-08 60.05-89; 98 60.05-13 60.05-17 60.05-74 60.05-68	ex 5 ex 7 ex 83 ex 26 ex 27 ex 28 ex 71 ex 67 ex 72 ex 73 ex 74 ex 75	I I IV II II II IV III IV IV IV IV	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: - Of cotton
ex 60.06	60.06-96; 92 60.06-18 60.06-91	ex 67 ex 63 ex 72	III III IV	Knitted or crocheted fabric and articles thereof, elastic or rubberized (including elastic kneecaps and elastic stockings): - Of cotton
ex 61.01	61.01-66; 76 61.01-01 61.01-46; 47 61.01-37 61.01-31 61.01-09; 25; 96 61.01-23 61.01-13; 17 61.01-57	ex 6 ex 14A ex 14B ex 17 ex 21 ex 78 ex 79 ex 76 ex 16	I II II II II IV IV IV II	Men's and boy's outer garments: - Of cotton
ex 61.02	61.02-72 61.02-05 61.02-82 61.02-33; 39; 40 61.02-26 61.02-54 61.02-07; 23; 92 61.02-62 61.02-44 61.02-18 61.02-01 61.02-12	ex 6 ex 15A ex 7 ex 15B ex 21 ex 26 ex 81 ex 27 ex 29 ex 79 ex 80 ex 76	I II I II II II IV II II IV IV IV	Women's, girls' and infants' outer garments: - Of cotton
ex 61.03	61.03-15 61.03-55; 85	ex 8 ex 18	I II	Men's and boys' under garments, including collars, shirt fronts and cuffs: - Of cotton

CCT heading No	Nimex code (1978)	Category in Appendix	Group	Description
ex 61.04	61.04-13 61.04-93 61.04-01	ex 30A ex 30B ex 80	II II IV	Women's, girls' and infants' undergarments: - Of cotton
ex 61.05	61.05-20 61.05-30	89 ex 19	IV II	Handkerchiefs: A. Of cotton fabric, of a value of more than 15 EUA/kg net weight ex B. Other: - Of cotton
ex 61.06	61.06-60	ex 84	IV	Shawls, scarves, mufflers, mantillas, veils and the like: - Of cotton
ex 61.07	61.07-90	ex 85	IV	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	61.09-50 61.09-20; 30; 40; 80	ex 31 ex 86	II IV	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	61.10-00	ex 87	IV	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods: - Of cotton

CCT heading No	Nimex code (1978)	Category in Appendix	Group	Description
ex 61.11	61.11-00	ex 88	IV	Made-up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets): - Of cotton
ex 62.01	62.01-20	ex 66	III	Travelling rugs and blankets: B. Other: I. Of cotton
ex 62.02	62.02-71 62.02-09 62.02-11 62.02-41; 43; 47; 73 62.02-81	ex 9 ex 32B ex 20 ex 39 ex 40	II III II III III	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: - Of cotton
ex 62.03	62.03-95	ex 93	V	Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: ex II. Other: - Of cotton
ex 62.04	62.04-23 62.04-21 62.04-25 62.04-29	ex 91 ex 109 ex 110 ex 111	V V V V	Tarpaulins, sails, awnings, sunblinds, tents and camping goods: A. Of cotton
ex 62.05	62.05-20	ex 113	V	Other made up textile articles (including dress patterns): ex. B. Floor cloths, dish cloths, dusters and the like: - Of cotton

Appendix to Annex I

Only those textile products listed which are set out in Annex I are subject to this Agreement

GROUP I

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
2	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	55.09-01; 02; 03; 04; 05; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 76; 77; 78; 81; 82; 83; 84; 86; 87; 92; 93; 97		
	a) Of which other than unbleached or bleached	55.09-03; 04; 05; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 70; 71; 81; 82; 83; 84; 86; 87; 92; 93; 97		
3	Woven fabrics of synthetic textile fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics	56.07-01; 04; 05; 07; 08; 11; 13; 14; 16; 17; 18; 21; 23; 24; 26; 27; 28; 32; 33; 34; 36		
	a) Of which other than unbleached or bleached	56.07-01; 05; 07; 08; 13; 14; 16; 18; 21; 23; 26; 27; 28; 33; 34; 36		

Category	Description	Nimexe code (1978)	Table of equiv- alence	
			pieces/kg	g/piece
4	Shirts, T-shirts, lightweight roll or turtle neck pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres: a) T-shirts, etc. b) Shirts other than T-shirts	60.04-01; 05; 13; 18; 28; 29; 30; 41; 50; 58	6-48	154
5	Jerseys, pullovers, slip-overs, twinsets, cardigans, bedjackets and jumpers, knitted or crocheted, not elastic or rubberized	60.05-01; 27; 28; 29; 30; 33; 36; 37; 38	4-53	221
6	Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 72	1-76	568
7	Blouses and shirt-blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants	60.05-22; 23; 24; 25 61.02-78; 82; 84	5-55	180
8	Men's and boys' shirts, woven	61.03-11; 15; 19	4-60	217

GROUP II

Category	Description	Nimexe code (1978)	Table of equiv- alence	
			pieces/kg	g/piece
9	Woven cotton terry fabrics; toilet and kitchen linen of woven cotton terry fabrics	55.08-10; 30; 50; 80 62.02-71		

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
10	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, impregnated or coated with artificial plastic materials	60.02-40	10-14 pairs	99
11	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, other than those of category 10	60.02-50; 60; 70; 80	24-6 pairs	41
12	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized, other than women's stockings of synthetic textile fibres	60.03-11; 19; 25; 27; 30; 90	24-3 pairs	41
13	Men's and boys' underpants and briefs, women's, girls' and infants' (other than babies') knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres	60.04-17; 27; 48; 56	17	59
14 A	Men's and boys' coats of impregnated, coated, covered or laminated woven fabric	61.01-01	1-0	1000
14 B	Men's and boys' woven overcoats, raincoats and other coats, cloaks and capes, other than those of category 14 A	61.01-41; 42; 44; 46; 47	0-72	1389
15 A	Women's, girls' and infants' coats of impregnated, coated, covered or laminated woven fabric	61.02-05	1-1	909
15 B	Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than garments of category 15 A	61.02-31; 32; 33; 35; 36; 37; 39; 40	0-84	1190

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
16	Men's and boys' woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together)	61.01-51; 54; 57	0-80	1250
17	Men's and boys' woven jackets and blazers	61.01-34; 36; 37	1-43	700
18	Men's and boys' woven under garments other than shirts	61.03-51; 55; 59; 81; 85; 89		
19	Handkerchiefs of woven cotton fabric, of a value of not more than 15 EUA/kg net weight	61.05-30; 99	55-5	18
20	Bed linen, woven	62.02-11; 19		
21	Parkas; anoraks, windcheaters and the like, woven	61.01-29; 31; 32 61.02-25; 26; 28	2-3	435
22	Yarn of discontinuous or waste synthetic fibres, not put up for retail sale a) Of which acrylic	56.05-03; 05; 07; 09; 11; 13; 15; 19; 21; 23; 25; 28; 32; 34; 36; 38; 39; 42; 44; 45; 46; 47 56.05-21; 23; 25; 28; 32; 34; 36		
23	Yarn of discontinuous or waste regenerated fibres, not put up for retail sale	56.05-51; 55; 61; 65; 71; 75; 81; 85; 91; 95; 99		
24	Men's and boys' pyjamas, knitted or crocheted, of cotton or of synthetic textile fibres	60.04-15; 47	2-8	357
25	Women's, girls' and infants' (other than babies') knitted or crocheted pyjamas and nightdresses, of cotton or synthetic fibres	60.04-21; 25; 51; 53	4-3	233

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
26	Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses	60.05-41; 42; 43; 44 61.02-48; 52; 53; 54	3-1	323
27	Women's, girls' and infants' (other than babies') woven and knitted or crocheted skirts, including divided skirts	60.05-51; 52; 54; 58 61.02-57; 58; 62	2-6	385
28	Knitted or crocheted trousers (except shorts) other than babies'	60.05-61; 62; 64	1-61	620
29	Women's, girls' and infants' (other than babies') woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together)	61.02-42; 43; 44	1-37	730
30 A	Women's, girls' and infants' woven pyjamas and nightdresses	61-04-11; 13; 18	4-0	250
30 B	Women's, girls' and infants' (other than babies') woven under garments, other than pyjamas and nightdresses	61.04-91; 93; 98		
31	Brassières, woven, knitted or crocheted	61.09-50	18-2	55

GROUP III

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
32	Woven pile fabrics and chenille fabrics (other than terry fabrics of cotton and narrow woven fabrics)	58.04-07; 11; 15; 18; 41; 43; 45; 61; 63; 67; 69; 71; 75; 77; 78		

Category	Description	Nimex code (1978)	Table of equiv- alence	
			pieces/kg	g/piece
33	Woven fabrics of strip or the like of polyethylene or polypropylene, less than 3 m wide; woven sacks of such strip or the like	51.04-06 62.03-96		
34	Woven fabrics of strip or the like of polyethylene or polypropylene, 3 m or more wide	51.04-08		
35	Woven fabrics of synthetic textile fibres (continuous), other than those for tyres and those containing elastomeric yarn a) Of which other than unbleached or bleached	51.04-11; 13; 15; 17; 18; 21; 23; 25; 26; 27; 28; 32; 34; 36; 42; 44; 46; 48 51.04-15; 17; 18; 23; 25; 26; 27; 28; 32; 34; 42; 44; 46; 48		
36	Woven fabrics of regenerated textile fibres (continuous), other than those for tyres and those containing elastomeric yarn a) Of which other than unbleached or bleached	51.04-56; 58; 62; 64; 66; 72; 74; 76; 82; 84; 86; 88; 89; 93; 94; 95; 96; 97; 98 51.04-58; 62; 64; 72; 74; 76; 82; 84; 86; 88; 89; 94; 95; 96; 97; 98		
37	Woven fabrics of regenerated textile fibres (discontinuous or waste), other than narrow woven fabrics, pile fabrics including terry fabrics, and chenille fabrics a) Of which other than unbleached or bleached	56.07-37; 42; 44; 48; 52; 53; 54; 57; 58; 62; 63; 64; 66; 72; 73; 74; 77; 78; 82; 83; 84; 87 56.07-37; 44; 48; 52; 54; 57; 58; 63; 64; 66; 73; 74; 77; 78; 83; 84; 87		
38 A	Knitted or crocheted synthetic curtain fabrics including net curtain fabric	60.01-40		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
38 B	Net curtains	62.02-09		
39	Woven table linen, toilet and kitchen linen other than of cotton terry fabric	62.02-41; 43; 47; 65; 73; 77		
40	Woven curtains (other than net curtains) and furnishing articles	62.02-81; 89		
41	Yarn of synthetic textile fibres (continuous), not put up for retail sale, other than non-textured single yarn untwisted or with a twist of not more than 50 turns per metre	51.01-05; 07; 08; 09; 11; 13; 16; 18; 21; 23; 26; 28; 32; 34; 38; 42; 44; 48		
42	Yarn of regenerated textile fibres (continuous), not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns per metre and single non-textured yarn of any acetate	51.01-50; 61; 64; 66; 71; 76; 80		
43	Yarn of man-made fibres (continuous), put up for retail sale	51.03-10; 20		
44	Woven fabrics of synthetic textile fibres (continuous), containing elastomeric yarn	51.04-05		
45	Woven fabrics of regenerated textile fibres (continuous), containing elastomeric yarn	51.04-54		
46	Carded or combed sheep's or lambs' wool or other fine animal hair	53.05-10; 22; 29; 32; 39		
47	Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale	53.06-21; 25; 31; 35; 51; 55; 71; 75 53.08-11; 15		
48	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale	53.07-01; 09; 21; 29; 40; 51; 59; 81; 89 53.08-21; 25		

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
49	Yarn of sheep's or lambs' wool or of fine animal hair, put up for retail sale	53.10-11; 15		
50	Woven fabrics of sheep's or lambs' wool or of fine animal hair	53.11-01; 03; 07; 11; 13; 17; 20; 30; 40; 52; 54; 58; 72; 74; 75; 82; 84; 88; 91; 93; 97		
51	Carded or combed cotton	55.04-00		
52	Cotton yarn put up for retail sale	55.06-10; 90		
53	Cotton gauze	55.07-10; 90		
54	Regenerated textile fibres (discontinuous or waste), carded or combed	56.04-21; 23; 25; 29		
55	Synthetic textile fibres (discontinuous or waste), carded or combed	56.04-11; 13; 15; 16; 17; 18		
56	Yarn of synthetic fibres (discontinuous or waste), put up for retail sale	56.06-11; 15		
57	Yarn of regenerated textile fibres (discontinuous or waste), put up for retail sale	56.06-20		
58	Carpets, carpeting and rugs, knotted (made up or not)	58.01-01; 11; 13; 17; 30; 80		
59	Woven, knitted or crocheted carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not); floor coverings of felt	58.02-12; 14; 17; 18; 19; 30; 43; 49; 90 59.02-01; 09		
60	Tapestries, hand made	58.03-00		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
61	Narrow woven fabrics not exceeding 30 cm in width with selvages (woven, gummed or made otherwise) on both edges, other than woven labels and the like; bolduc	58.05-01; 08; 30; 40; 51; 59; 61; 69; 73; 77; 79; 90		
62	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain 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 Embroidery, in the piece, in strips or in motifs	58.06-10; 90 58.07-31; 39; 50; 80 58.08-11; 15; 19; 21; 29 58.09-11; 19; 21; 31; 35; 39; 91; 95; 99 58.10-21; 29; 41; 45; 49; 51; 55; 59		
63	Knitted or crocheted fabric, not elastic or rubberized, of synthetic textile fibres, containing elastofibres; knitted or crocheted fabric, elastic or rubberized	60.01-30 60.06-11; 18		
64	Rachel lace and long-pile fabric (imitation fur), knitted or crocheted, not elastic or rubberized, of synthetic textile fibres	60.01-51; 55		
65	Knitted or crocheted fabrics, not elastic or rubberized, other than those of categories 38 A, 63 and 64	60.01-01; 10; 62; 64; 65; 68; 72; 74; 75; 78; 81; 89; 92; 94; 96; 97		
66	Travelling rugs and blankets	62.01-10; 20; 81; 85; 93; 95		
67	Clothing accessories and other articles (except garments), knitted or crocheted, not elastic or rubberized; articles (other than bathing costumes) of knitted or crocheted fabric, elastic or rubberized	60.05-86; 87; 89; 91; 95; 98 60.06-92; 96; 98		

GROUP IV

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
68	Babies' under garments of knitted or crocheted fabrics, not elastic or rubberized	60.04-11; 36		
69	Women's, girls' and infants' knitted or crocheted petticoats and slips, of synthetic textile fibres, other than babies' garments	60.04-54	7-8	128
70	Panty-hose (tights)	60.04-31; 33; 34	30-4	33
71	Babies' knitted outer garments	60.05-06; 07; 08; 09		
72	Knitted swimwear	60.05-11; 13; 15 60.06-91	10	100
73	Track suits of knitted or crocheted fabric, not elastic or rubberized	60.05-16; 17; 19	1-67	600
74	Women's, girls' and infants' (other than babies') suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of knitted or crocheted fabric, not elastic or rubberized	60.05-71; 72; 73; 74	1-54	650
75	Men's and boys' suits (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of knitted or crocheted fabric, not elastic or rubberized	60.05-66; 68	0-80	1 250

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
76	Men's and boys' woven industrial and occupational clothing; women's, girls' and infants' woven aprons, smock-overalls and other industrial and occupational clothing (whether or not also suitable for domestic use)	61.01-13; 15; 17; 19 61.02-12; 14		
77	Women's stockings of synthetic textile fibres	60.03-21; 23	40 pairs	25
78	Men's and boys' woven bath robes, dressing gowns, smoking jackets and similar indoor wear and other outer garments, except garments of categories 6, 14 A, 14 B, 16, 17, 21, 76 and 79	61.01-09; 24; 25; 26; 92; 94; 96		
79	Woven swimwear	61.01-22; 23 61.02-16; 18	8-3	120
80	Babies' woven garments	61.02-01; 03 61.04-01; 09		
81	Women's, girls' and infants' woven bath robes, dressing gowns, bed jackets and similar indoor wear and other outer garments, except garments of categories 6, 7, 15 A, 15 B, 21, 26, 27, 29, 76, 79 and 80	61.02-07; 22; 23; 24; 86; 88; 92		
82	Under garments, other than babies', knitted or crocheted, not elastic or rubberized, of wool, of fine animal hair or of regenerated textile fibres	60.04-38; 60		
83	Outer garments, knitted or crocheted, not elastic or rubberized, other than garments of categories 5, 7, 26, 27, 28, 71, 72, 73, 74 and 75	60.05-04; 81; 82; 83; 84		
84	Shawls, scarves, mufflers, mantillas, veils and the like, other than knitted or crocheted	61.06-30; 40; 50; 60		
85	Ties, bow ties and cravats, other than knitted or crocheted	61.07-30; 40; 90	17-9	56

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
86	Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), other than brassières, whether or not elastic	61.09-20; 30; 40; 80	8.8	144
87	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods	61.10-00		
88	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets), other than knitted or crocheted	61.11-00		
89	Handkerchiefs of woven cotton fabric, of a value of more than 15 EUA/kg net weight	61.05-20	59	17

GROUP V

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
90	Twine, cordage, ropes and cables, of synthetic textile fibres, plaited or not	59.04-11; 13; 15; 17; 18		
91	Tents	62.04-23; 73		
92	Woven fabrics of man-made textile fibres and rubberized textile woven fabrics, for tyres	51.04-03; 52 59.11-15		

Category	Description	Nimex code (1978)	Table of equiv- alence	
			pieces/kg	g/piece
93	Sacks and bags, of a kind used for the packing of goods, of woven fabrics, other than made from polyethylene or polypropylene strip	62.03-93; 95; 97; 98		
94	Wadding and articles of wadding; textile flock and dust and mill neps	59.01-07; 12; 14; 15; 16; 18; 21; 29		
95	Felt and articles of felt, whether or not impregnated or coated, other than floor coverings	59.02-35; 41; 47; 51; 57; 59; 91; 95; 97		
96	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated, other than clothing and clothing accessories	59.03-11; 19; 30		
97	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope	59.05-11; 21; 29; 91; 99		
98	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics, articles made from such fabrics and articles of category 97	59.06-00		
99	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	59.07-10; 90		
100	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	59.08-10; 51; 53; 57		

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
101	Twine, cordage, ropes and cables, plaited or not, other than of synthetic textile fibres	59.04-90		
102	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	59.10-10; 31; 39		
103	Rubberized textile fabrics other than rubberized, knitted or crocheted goods, excluding fabrics for tyres	59.11-11; 14; 17; 20		
104	Textile fabrics, impregnated or coated, other than those of categories 99, 100, 102 and 103; painted canvas being theatrical scenery, studio backcloths or the like	59.12-00		
105	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads	59.13-01; 11; 13; 15; 19; 32; 34; 35; 39		
106	Wicks, of woven, plaited or knitted textile materials for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles	59.14-00		
107	Textile hose-piping and similar tubing, with or without lining, armour or accessories of other materials	59.15-10; 90		
108	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material	59.16-00		
109	Woven tarpaulins, sails, awnings and sun-blinds	62.04-21; 61; 69		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
110	Woven pneumatic mattresses	62.04-25; 75		
111	Camping goods, woven, other than pneumatic mattresses and tents	62.04-29; 79		
112	Other made up textile articles, woven, excluding those of categories 113 and 114	62.05-10; 30; 93; 98		
113	Floor cloths, dish cloths, dusters and the like, other than knitted or crocheted	62.05-20		
114	Textile fabrics and textile articles of a kind commonly used in machinery or plant	59.17-10; 29; 41; 49; 51; 59; 71; 79; 91; 93; 95; 99		

ANNEX II

For practical reasons the descriptions used in Annex I are given in this Annex in abbreviated form

Category	Description	Units	Year	EEC quantitative limits
2	Cotton fabrics	Tonnes	1978 1979 1980 1981 1982	6 000 6 030 6 060 6 090 6 121 ⁽¹⁾
	Of which other than unbleached or bleached		1978 1979 1980 1981 1982	1 200 1 206 1 212 1 218 1 224 ⁽¹⁾

⁽¹⁾ Applicable in case of extension of the Agreement.

NB: It is understood that the whole quantitative limit for cotton fabrics may be taken up by unbleached or bleached cotton fabrics.

PROTOCOL A

Double-checking system

Title I

QUANTITATIVE LIMITS

Section I

EXPORTATION

Article 1

The competent authorities of Egypt shall issue an export licence in respect of all consignments from Egypt of textile products referred to in Annex II, up to the relevant quantitative limits as may be modified by Articles 5 and 10 of the Agreement.

Article 2

The export licence shall conform to the model annexed to this Protocol. It must certify *inter alia* that the quantity of the product in question has been set off against the quantitative limit prescribed for the category of the product in question.

Article 3

The competent Community authorities must be notified forthwith of the withdrawal or alteration of any export licence already issued.

Article 4

Exports shall be set off against the quantitative limits established for the year in which shipment of the goods has been effected, even if the export licence is issued after such shipment.

Section II

IMPORTATION

Article 5

Importation into the Community of textile products subject to quantitative limits shall be subject to the presentation of an import authorization or document.

Article 6

The competent Community authorities shall issue such import authorization or document automatically within five working days of the presentation by the importer of a certified copy of the corresponding export licence.

The import authorization or document shall be valid for six months.

Article 7

1. If the competent Community authorities find that the total quantities covered by export licences issued by Egypt for a particular category in any Agreement year exceed the quantitative limit established in Annex II for that category, as it may be modified by Articles 5 and 10 of the Agreement, the said authorities may suspend the further issue of import authorizations or documents. In this event, the competent Community authorities shall immediately inform the authorities of Egypt and the special consultation procedure set out in Article 12 of the Agreement shall be initiated forthwith.

2. Exports of Egyptian origin not covered by Egyptian export licences issued in accordance with the provisions of this Protocol may be refused the issue of import authorizations or documents by the competent Community authorities.

However, if the imports of such products are allowed into the Community by the competent Community authorities, the quantities involved shall not be set off against the appropriate limits set out in Annex II without the express agreement of Egypt.

Title II

ORIGIN

Article 8

1. Products originating in Egypt for export to the Community in accordance with the arrangements established by this Agreement shall be accompanied by a certificate of Egyptian origin conforming to the model annexed to this Protocol.

2. The certificate of origin shall be issued by the competent governmental authorities of Egypt if the products in question can be considered products originating in that country within the meaning of the relevant rules in force in the Community.

Article 9

The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the product shall not *ipso facto* cast doubt upon the statements in the certificate.

Article 10

1. Subsequent verification of certificates of origin shall be carried out at random, or whenever the competent Community authorities have reasonable doubt as to the authenticity of the certificate or as to the accuracy of the information regarding the true origin of the products in question.

In such cases the competent authorities in the Community shall return the certificate of origin or a copy thereof to the competent governmental authority in Egypt giving, where appropriate, the reasons of form or substance for an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate or its copy. The authorities shall also forward any information that has been obtained suggesting that the particulars given on the said certificate are inaccurate.

2. The results of the subsequent verifications carried out in accordance with paragraph 1 above shall be communicated to the competent authorities of the Community within three months at the latest.

3. For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept for at least two years by the competent governmental authority in Egypt.

4. Recourse to the random verification procedure specified in this Article must not constitute an obstacle to the release for home use in the Community of the products in question.

Article 11

The provisions of this Title shall not apply to goods covered by a movement certificate form EUR.1, completed in accordance with the provisions of the Interim Agreement between the Community and Egypt or the Cooperation Agreement between the Community and Egypt signed on 18 January 1977.

Title III

FORM AND PRODUCTION OF EXPORT LICENCES AND CERTIFICATES OF ORIGIN, AND COMMON PROVISIONS

Article 12

The export licence and the certificate of origin may comprise additional copies duly indicated as such. They shall be made out in English or French. If they are completed by hand, entries must be in ink and in printscript.

These documents shall measure 210 × 297 mm. The paper used must be white writing paper, sized, not containing mechanical pulp and weighing not less than 25 g/m². Each part shall have a printed guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

Each document shall bear a serial number, whether or not printed, by which it can be identified.

Article 13

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases they shall bear either the endorsement 'délivré a posteriori' or the endorsement 'issued retrospectively'.

Article 14

In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate licence or certificate so issued shall bear the endorsement 'duplicata'.

The duplicate must bear the date of the original licence or certificate.

Article 15

The competent governmental authorities in Egypt shall satisfy themselves that the goods exported correspond to the statements given in the export licence and certificate of origin.

Article 16

Egypt shall send the Commission of the European Communities the names and addresses of the governmental authorities competent to issue export licences and certificates of origin, together with specimens of the stamps used by these authorities.

ANNEX TO PROTOCOL A

1 Exporter (name full address country) Exportateur (nom adresse complete pays)	ORIGINAL	2 No
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie
5 Consignee (name full address country) Destinataire (nom, adresse complete pays)	EXPORT LICENCE (Textile products) <hr/> LICENCE D'EXPORTATION (Produits textiles)	
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Données supplémentaires	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur fob (2)

ainsi que la quantité dans l'unité prévue pour la catégorie et cette unité n'est pas le poids net.

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight – Indiquer le poids net en kilogrammes
 (2) In the currency of the sale contract – Dans la monnaie du contrat de vente

13 CERTIFICATION BY THE COMPETENT AUTHORITY – VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Economic Community

Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté économique européenne.

14 Competent authority (name, full address, country)

Autorité compétente (nom, adresse complète, pays)

At – À

on – le

(Signature)

(Stamp – Cachet)

ainsi que la quantité dans l'unité prévue pour la catégorie de colis, sans le poids net.

1 Exporter (name full address country) Exportateur (nom, adresse complète, pays)	ORIGINAL		2 No
5 Consignee (name full address country) Destinataire (nom, adresse complète, pays)	3 Quota year Année contingente		4 Category number Numéro de catégorie
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport		CERTIFICATE OF ORIGIN (Textile products) <hr/> CERTIFICAT D'ORIGINE (Produits textiles)	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES		6 Country of origin Pays d'origine	7 Country of destination Pays de destination
9 Supplementary details Données supplémentaires		11 Quantity (¹) Quantité (¹)	12 FOB Value (²) Valeur fob (²)

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight - Indiquer le poids net en kilogrammes
 (2) In the currency of the sale contract - Dans la monnaie du contrat de vente.

13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Economic Community

Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté économique européenne

14 Competent authority (name full address country)
 Autorité compétente (nom adresse complète pays)

At - À

on - le

(Signature)

(Stamp Cachet)

(Front)

PROTOCOL B

In accordance with the procedures set out in the provisions of paragraphs 2 and 4 of Article 6 of the Agreement, a quantitative limit may be fixed on a regional basis where imports of a given product into any region of the Community in relation to the amounts stated in paragraph 2 of the said Article 6, exceed the following regional percentage:

Germany	28.5%
Benelux	10.5%
France	18.5%
Italy	15 %
Denmark	3 %
Ireland	1 %
United Kingdom	23.5%

PROTOCOL C

The annual growth rate for the quantitative limits introduced under Article 6 of the Agreement shall be determined as follows:

- (a) for products in Group I, the rate shall be fixed at 4% per year for a product in category 3, 4, 5, 6, 7 or 8;
- (b) for products in categories falling within Group II, III, IV or V, the growth rate shall be fixed by agreement between the Parties in accordance with the consultation procedure established in Article 12 of the Agreement. Such growth rate may in no case be lower than the highest rate applied to corresponding products under Bilateral Agreements concluded under the Geneva Arrangement between the Community and other third countries having a level of trade equal to or comparable with that of Egypt.

Declaration concerning Article 2 (3) of the Agreement

The Community declares that, in accordance with the Community rules on origin referred to in Article 2 (3) of the Agreement, any amendments to the said rules will remain based upon criteria not requiring, in order to confer originating status, more extensive operations than those which constitute a single complete process.

Done at Brussels,

For the European Economic Community

EXCHANGE OF LETTERS

Sir,

Please refer to the Agreement between the European Economic Community and the Arab Republic of Egypt on trade in textile products initialled between the two Parties on 10 January 1978.

In accordance with Article 16 (1) of the said Agreement, the Community wishes to notify the Government of Egypt that it is prepared to extend the Agreement for a further year until 31 December 1982, provided that the Geneva Arrangement will be renewed after 1981 under the present conditions, and if the Government of Egypt is disposed to do likewise.

I should be grateful if the Government of Egypt would confirm its agreement to the foregoing.

I would like also to propose that the present letter and the Government of Egypt's reply shall constitute an Agreement between the Government of Egypt and the Community.

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

*For the Council of
the European Communities*

Sir

I hereby confirm the receipt of the following letter:

'Please refer to the Agreement between the European Economic Community and the Arab Republic of Egypt on trade in textile products initialled between the two Parties on 10 January 1978.

In accordance with Article 16 (1) of the said Agreement, the Community wishes to notify the Government of Egypt that it is prepared to extend the Agreement for a further year until 31 December 1982, provided that the Geneva Arrangement will be renewed after 1981 under the present conditions, and if the Government of Egypt is disposed to do likewise.

I should be grateful if the Government of Egypt would confirm its agreement to the foregoing.

I would like also to propose that the present letter and the Government of Egypt's reply shall constitute an Agreement between the Government of Egypt and the Community.'

I confirm my agreement to the foregoing letter.

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

*For the Government of
the Arab Republic of Egypt*

ARRANGEMENTS

applicable to trade between Greece and Egypt ⁽¹⁾

COUNCIL REGULATION (EEC) No 3557/80

of 16 December 1980

laying down the arrangements applicable to trade between Greece and 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 proposal from the Commission,

Whereas the Protocol to the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt ⁽²⁾, hereinafter referred to respectively as 'the Protocol' and 'the Agreement', to take account of the accession of the Hellenic Republic was signed on 12 December 1980;

Whereas, from 1 January 1981 and pending the entry into force of the Protocol, the Community should, in the light of the provisions of the said Protocol, lay down autonomously the arrangements applicable to trade between Greece and Egypt,

⁽¹⁾ OJ No L 382, 31.12.1980.

⁽²⁾ This Agreement appears in Volume 8, page 2165.

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1981 until the entry into force of the Protocol, the arrangements applicable to trade between Greece and Egypt shall be those resulting from the Annex 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 expire upon the date of the entry into force of the Protocol.

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

Done at Brussels, 16 December 1980.

For the Council
The President
Colette FLESCH

ANNEX

Specific conditions of application of the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt consequent upon the accession of the Hellenic Republic

Article 1

For the products listed in Annex 1, the Hellenic Republic shall progressively abolish customs duties on imports of products originating in Egypt in accordance with the following timetable:

- on 1 January 1981, each duty shall be reduced to 90% of the basic duty,
- on 1 January 1982, each duty shall be reduced to 80% of the basic duty,
- the four other reductions of 20% each shall be made on :
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

Article 2

1. For the products listed in Annex 1, the basic duty to which the successive reductions provided for in Article 1 are to be applied shall, for each product, be the duty actually applied by the Hellenic Republic in respect of Egypt on 1 July 1980.

2. However, in respect of matches falling within heading No 36.06 of the Common Customs Tariff, the basic duty shall be 17.2% *ad valorem*.

Article 3

1. For the products listed in Annex 1, the Hellenic Republic shall progressively abolish charges having equivalent effect to customs duties on imports of products originating in Egypt in accordance with the following timetable:

- on 1 January 1981, each charge shall be reduced to 90% of the basic rate,
- on 1 January 1982, each charge shall be reduced to 80% of the basic rate,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

2. The basic rate to which the successive reductions provided for in paragraph 1 are to be applied shall, for each product, be the rate applied by the Hellenic Republic on 31 December 1980 in respect of the Community of Nine.

3. Any charge having equivalent effect to a customs duty on imports, introduced as from 1 January 1979 in trade between Greece and Egypt, shall be abolished on 1 January 1981.

Article 4

If the Hellenic Republic suspends or reduces duties or charges having equivalent effect on products imported from the Community of Nine more quickly than under the established timetable, the Hellenic Republic shall also suspend or reduce, by the same percentage, those duties or charges having equivalent effect on products originating in Egypt.

Article 5

1. The variable component which the Hellenic Republic may apply to products covered by Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, originating in Egypt, shall be adjusted by the compensatory amount applied in trade between the Community of Nine and Greece.

2. For the products covered by Regulation (EEC) No 3033/80 and also listed in Annex 1, the Hellenic Republic shall abolish, in accordance with the timetable laid down in Article 1, the difference between:

- the fixed component of the duty to be applied by the Hellenic Republic upon accession, and
- the duty (other than the variable component) resulting from the provisions of the Agreement.

Article 6

For the products listed in Annex II to the EEC Treaty, the preferential rates laid down or calculated shall be applied to the duties actually levied by the Hellenic Republic in respect of third countries in accordance with Article 64 of the 1979 Act of Accession.

Under no circumstances shall Greek imports from Egypt benefit from rates of duty more favourable than those applied to products from the Community of Nine.

⁽¹⁾ OJ No 323, 29. 11. 1980.

Article 7

1. The Hellenic Republic may retain quantitative restrictions until 31 December 1985 on products listed in Annex 2 and originating in Egypt.

2. The restrictions referred to in paragraph 1 shall take the form of global quotas.

The global quotas for 1981 are listed in Annex 2.

3. The minimum rate of progressive increase for the quotas referred to in paragraph 2 shall be 25% at the beginning of each year for quotas expressed in European units of account (EUA), and 20% at the beginning of each year for quotas expressed in terms of volume. Such increases shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

Where a quota is expressed in terms of both volume and value, the quota relating to volume shall be raised by at least 20% a year and the quota relating to value by at least 25% a year, the succeeding quotas to be calculated each year on the basis of the preceding quota plus the increase.

However, with regard to motor coaches and buses and other vehicles falling within subheading ex 87.02 A I of the Common Customs Tariff, the volume quota shall be raised by 15% a year and the quota relating to value by 20% a year.

4. Where it is found that imports into Greece of a product listed in Annex 2 have for two consecutive years been less than 90% of the quota, the Hellenic Republic shall liberalize imports of that product originating in Egypt, if the product in question is at that time liberalized towards the Community of Nine.

5. If the Hellenic Republic liberalizes imports of a product listed in Annex 2 and coming from the Community of Nine or increases a quota applicable to the Community of Nine beyond the minimum rate laid down in paragraph 3, the Hellenic Republic shall also liberalize imports of that product originating in Egypt or increase the global quota proportionally.

6. Regarding licences for imports of products listed in Annex 2 and originating in Egypt, the Hellenic Republic shall apply the same administrative rules and practices as applied to such imports originating in the Community of Nine, with the exception of the quota for fertilizers falling within heading Nos 31.02 and 31.03 and subheadings 31.05 A I, II and IV of the Common Customs Tariff, where the Hellenic Republic may apply the rules and practices relevant to exclusive marketing rights.

Article 8

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to imports of products originating in Egypt shall be progressively eliminated over a period of three years from 1 January 1981.

The rate of import deposits and cash payments shall be reduced in accordance with the following timetable:

- 1 January 1981: 25%,
- 1 January 1982: 25%,
- 1 January 1983: 25%,
- 1 January 1984: 25%.

2. For the products listed in Annex II to the EEC Treaty, charges having equivalent effect to customs duties and measures having equivalent effect to quantitative restrictions (import deposits, cash payments, validation of invoices, etc.) shall be abolished by the Hellenic Republic on 1 January 1981 in respect of products originating in Egypt in accordance with Article 65 of the 1979 Act of Accession.

3. If, in respect of the Community of Nine, the Hellenic Republic reduces the rate of import deposits or cash payments more quickly than under the timetable set out in paragraph 1, the Hellenic Republic shall make the same reduction with regard to imports of products originating in Egypt.

Annex I

List of products referred to in Article 1

Brussels Nomenclature heading No (CCCN)	Description
Chapter 13	
ex 13.02	Incense
ex 13.03	Pectates
Chapter 14	
ex 14.05	Valonia, gall nuts
Chapter 15	
ex 15.05	Wool grease stearin
ex 15.06	Other animal oils and fats (including fats from bones and waste), excluding neat's foot oil
15.08	Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blown or polymerized by heat in vacuum or in inert gas, or otherwise modified
15.10	Fatty acids, acid oils from refining, fatty alcohols
15.11	Glycerol and glycerol lyes
ex 15.15	Beeswax and other insect waxes, whether or not coloured
15.16	Vegetable waxes, whether or not coloured
ex 15.17	Degras
Chapter 17	
17.04	Sugar confectionery, not containing cocoa
Chapter 18	Cocoa and cocoa preparations, excluding headings Nos 18.01 and 18.02
Chapter 19	
ex 19.02	Malt extract
19.03	Macaroni, spaghetti and similar products

Brussels Nomenclature heading No (CCCN)	Description
19.05	Prepared foods obtained by swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
ex 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
Chapter 21	Miscellaneous edible preparations, excluding heading Nos 21.05 and 21.07
Chapter 22	
22.01	Waters, including spa waters and aerated waters, ice and snow
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
ex 22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80% vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength, excluding those derived from agricultural products listed in Annex II to the Treaty
ex 22.09	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of less than 80% vol, excluding ethyl alcohol derived from agricultural products listed in Annex II to the Treaty
Chapter 24	
24.02	Manufactured tobacco; tobacco extracts and essences
Chapter 25	
25.20	Gypsum; anhydrite; calcined gypsum, and plasters with a basis of calcium sulphate, whether or not coloured, but not including plasters specially prepared for use in dentistry
25.22	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
ex 25.30	Crude natural boric acid containing not more than 85% of H ₃ BO ₃ calculated on the dry weight
ex 25.32	Earth colours, whether or not calcined or mixed together; santorin, pozzolana, trass and similar earths, used in making hydraulic cements, whether or not powdered
Chapter 27	
27.05 bis	Coal gas, water gas, producer gas and similar gases

Brussels Nomenclature heading No (CCCN)	Description
27.06	Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
27.08	Pitch and pitch coke, obtained from coal tar or from other mineral tars
ex 27.10	Mineral oils and greases for lubricating purposes
ex 27.11	Petroleum gases and other gaseous hydrocarbons, excluding propane of a purity not less than 99% for use other than as a power or heating fuel
27.12	Petroleum jelly
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
27.15	Bitumen and asphalt, natural; bituminous shale, asphaltic rock and tar sands
27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
Chapter 28	
ex 28.01	Chlorine
ex 28.04	Hydrogen, oxygen (including ozone) and nitrogen
ex 28.06	Hydrochloric acid
28.08	Sulphuric acid; oleum
28.09	Nitric acid; sulphonitric acids
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)
28.12	Boric oxide and boric acid
28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water)
28.15	Sulphides or non-metals; phosphorus trisulphide
28.16	Ammonia, anhydrous or in aqueous solution
28.17	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
ex 28.19	Zinc oxide
ex 28.20	Artificial corundum

Brussels Nomenclature heading No (CCCN)	Description
28.22	Manganese oxides
ex 28.23	Iron oxides, including earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3
ex 28.27	Red lead and litharge
28.29	Fluorides; fluorosilicates, fluoroborates and other complex fluorine salts
ex 28.30	Magnesium chloride, calcium chloride
ex 28.31	Hypochlorites; commercial calcium hypochlorite; chlorites
28.35	Sulphides; polysulphides
28.36	Dithionites, including those stabilized with organic substances; sulphonylates
28.37	Sulphites and thiosulphates
ex 28.38	Sodium, barium, iron, zinc, magnesium and aluminium sulphates; alums
ex 28.40	Phosphites, hypophosphites and phosphates, excluding bibasic lead phosphate
ex 28.42	Carbonates, including commercial ammonium carbonate containing ammonium carbamate, excluding lead hydrocarbonate (white lead)
ex 28.44	Mercury fulminate
ex 28.45	Sodium silicate and potassium silicate, including commercial grades
ex 28.46	Refined borax
ex 28.48	Arsenites and arsenates
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
ex 28.56	Silicon, boron and calcium carbides
ex 28.58	Distilled and conductivity water and water of similar purity
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Chapter 29	
ex 29.01	Hydrocarbons for use as power or heating fuels; naphthalene and anthracene
ex 29.04	Amyl alcohols
29.06	Phenols and phenol-alcohols

Brussels Nomenclature heading No (CCCN)	Description
ex 29.08	Dipentyl ether (diamyl ether), diethyl ether, anethole
ex 29.14	Palmitic, stearic and oleic acids and their water soluble salts; anhydrides
ex 29.16	Tartaric, citric and gallic acids; calcium tartrate
ex 29.21	Nitroglycerine
ex 29.42	Nicotine sulphate
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
Chapter 30	
ex 30.02	Antisera
ex 30.03	<p>Medicaments (including veterinary medicaments), excluding the following products:</p> <ul style="list-style-type: none"> - Anti-asthmatic cigarettes - Quinine, cinchonine, quinidine and their salts, whether or not in the form of proprietary products - Morphine, cocaine and other narcotics, whether or not in the form of proprietary products - Antibiotics and preparations based on antibiotics - Vitamins and preparations based on vitamins - Sulphonamides, hormones and preparations based on hormones
30.04	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 to this Chapter
Chapter 31	
ex 31.03	<p>Mineral or chemical fertilizers, phosphatic, excluding:</p> <ul style="list-style-type: none"> - Basic slag - Disintegrated (calcined) calcium phosphates (thermo phosphates and fused phosphates) and calcined natural aluminium calcium phosphates - Calcium hydrogen phosphate containing not less than 0.2% of fluorine
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
Chapter 32	
ex 32.01	Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin

Brussels Nomenclature heading No (CCCN)	Description
ex 32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo, henna and chlorophyll) or of animal origin, excluding cochineal extract and kermes
ex 32.05	Synthetic organic dyestuffs (including pigment dyestuffs and excluding artificial indigo); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre
32.06	Colour lakes
ex 32.07	<p>Other colouring matter, excluding:</p> <p>(a) inorganic pigments or pigments of mineral origin, whether or not containing other substances facilitating dyeing, based on cadmium salts,</p> <p>(b) chrome colours and Prussian blue; inorganic products of a kind used as luminophores</p>
32.08	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments dispersed in linseed oil, white spirit, spirits of turpentine, or other media of a kind used in the manufacture of paints or enamels; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined by Note 4 to this Chapter
32.11	Prepared driers
32.12	Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
32.13	Writing ink, printing ink and other inks
Chapter 33	
ex 33.01	Essential oils (terpeneless or not); concretes and absolutes, excluding essences of roses, rosemary, eucalyptus, sandalwood and cedar; resinoids; concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration
ex 33.06	Eau de Cologne and other toilet waters; cosmetics and products for the care of the skin, hair and nails; toothpowders and toothpastes, products for oral hygiene; room deodorizers, prepared, whether or not perfumed

Brussels Nomenclature heading No (CCCN)	Description
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and dental waxes
Chapter 35	Albuminoidal substances, excluding casein, caseinates, other casein derivatives, ovalbumin and lactalbumin; glues, enzymes
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations
Chapter 37	
37.03	Sensitized paper; paperboard and cloth, unexposed or exposed but not developed
Chapter 38	
38.03	Activated carbon; activated natural mineral products; animal black, including spent animal black
38.09	Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
ex 38.11	Disinfectants, insecticides, rat poisons, pesticides and similar products, put up in the form of articles such as sulphur-treated bands, wicks and candles, fly-papers, sticks coated with hexachlorodicyclohexane (BHC) and the like; preparations consisting of an active product (such as DDT) mixed with other materials and put up in aerosol containers ready for use
38.18	Composite solvents and thinners for varnishes and similar products
ex 38.19	Preparations known as 'liquids for hydraulic transmission' (in particular for hydraulic brakes) containing less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals
Chapter 39	
ex 39.02	Polyvinyl chloride
ex 39.01 ex 39.02 ex 39.03 ex 39.04 ex 39.05 ex 39.06	Polystyrene in all its forms; other plastic materials, cellulose ethers and esters, artificial resins, excluding: (a) those in the form of granules, flakes, powders, waste and scrap to be used as raw materials for the manufacture of the products mentioned in this Chapter (b) ion exchangers

Brussels Nomenclature heading No (CCCN)	Description
ex 39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06, excluding fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12
Chapter 40	Rubber, synthetic rubber, factice, and articles thereof, excluding heading Nos 40.01, 40.02, 40.03 and 40.04, latex (ex 40.06), solutions and dispersions (ex 40.06), protective clothing for surgeons and radiologists and divers' suits (ex 40.13), and bulk forms or blocks, scrap, waste and powder of hardened rubber (ebonite and vulcanite) (ex 40.15)
Chapter 41	Raw hides and skins (other than furskins) and leather, excluding parchment-dressed leather and articles falling within heading Nos 41.01 and 41.09
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)
Chapter 43	Furskins and artificial fur; manufactures thereof
Chapter 44	Wood and articles of wood; wood charcoal, excluding heading No 44.07, articles of fibre building board (ex 44.21, ex 44.23, ex 44.27, ex 44.28), spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 44.26) and wood paving blocks (ex 44.28)
Chapter 45	
45.03	Articles of natural cork
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork
Chapter 46	Manufacture of straw, of esparto and of other plaiting materials; basketware and wickerwork, excluding plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips (ex 46.02)
Chapter 48	
ex 48.01	<p>Paper and paperboard (including cellulose wadding), in rolls or sheets, excluding the following products:</p> <ul style="list-style-type: none"> - Ordinary newsprint made from chemical and mechanical pulp, weighing not more than 60 g/m² - Magazine paper - Cigarette paper - Tissue paper Filter paper

Brussels Nomenclature heading No (CCCN)	Description
ex 48.01 (cont'd)	<ul style="list-style-type: none"> - Cellulose wadding - Hand-made paper and paperboard
48.03	Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
48.04	Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
ex 48.05	Paper and paperboard, corrugated (with or without flat surface sheets) embossed, in rolls or sheets
ex 48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49) in rolls or sheets, excluding squared paper, gold paper or silver paper and imitations thereof, transfer paper, indicator paper and unsensitized photographic paper
ex 48.13	Carbon paper
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
ex 48.15	Other paper or paperboard, cut to size or shape, excluding cigarette paper, tapes for teletype machines, perforated tapes for monotype machines and calculating machines, filter papers and filter boards (including those for cigarette filter tips) and gummed strip
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard
48.19	Paper or paperboard labels, whether or not printed or gummed
ex 48.21	Lamp shades; tablecloths and serviettes, handkerchiefs and towels; dishes, plates, cups, table-mats, bottle-mats, glass-mats
Chapter 49	
ex 49.01	Printed books, booklets, brochures and leaflets in the Greek language

Brussels Nomenclature heading No (CCCN)	Description
ex 49.03	Children's picture books and painting books, printed wholly or partly in the Greek language
ex 49.07	Stamps not intended for public service
49.09	Picture postcards, Christmas and other picture greetings cards, printed by any process, with or without trimmings
ex 49.10	Calendars of any kind, of paper or paperboard, including calendar blocks, but excluding calendars intended for publicity purposes, in other languages than Greek
ex 49.11	<p>Other printed matter, including printed pictures and photographs, but excluding the following articles:</p> <ul style="list-style-type: none"> - Theatrical and photographic studio scenery - Printed matter for publicity purposes (including travel publicity), printed in other languages than Greek
Chapter 50	Silk and waste silk
Chapter 51	Man-made fibres (continuous)
Chapter 52	Metallized textiles
Chapter 53	Wool and other animal hair, excluding raw, bleached and undyed products of heading Nos 53.01, 53.02, 53.03 and 53.04
Chapter 54	Flax and ramie, excluding heading No 54.01
Chapter 55	Cotton
Chapter 56	Man-made fibres (discontinuous)
Chapter 57	Other vegetable textile materials, excluding No 57.01; paper yarn and woven fabrics of paper yarn
Chapter 58	Carpets, mats, matting and tapestries; pile and chenille fabrics; narrow fabrics; trimmings; tulle and other net fabrics; lace; embroidery
Chapter 59	Wadding and felt; twine, cordage, ropes and cables; special fabrics; impregnated and coated fabrics; textile articles of a kind suitable for industrial use
Chapter 60	Knitted and crocheted goods
Chapter 61	Articles of apparel and clothing accessories of textile fabric, other than knitted or crocheted goods
Chapter 62	Other made up textile articles, excluding fans and hand screens (ex 62.05)

Brussels Nomenclature heading No (CCCN)	Description
Chapter 63	Old clothing and other textile articles; rags
Chapter 64	Footwear, gaiters and the like, parts of such articles
Chapter 65	Headgear and parts thereof
Chapter 66	
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
Chapter 67	
ex 67.01	Feather dusters
67.02	Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
Chapter 68	
68.04	Hand polishing stones, whetstones, oilstones, hones and the like, and millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, trueing and cutting wheels, heads, discs and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, or paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
68.09	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of wood fibre, of straw, of wood shavings or of wood waste (including sawdust), agglomerated with cement, plaster or with other mineral binding substances
68.10	Articles of plastering material
68.11	Articles of cement (including slag cement), of concrete or of artificial stone (including granulated marble agglomerated with cement), reinforced or not
68.12	Articles of asbestos-cement, of cellulose fibre-cement or the like
68.14	Friction material (segments, discs, washers, strips, sheets, plates, rolls and the like) of a kind suitable for brakes, for clutches or the like, with a basis of asbestos, other mineral substances or of cellulose, whether or not combined with textile or other materials
Chapter 69	Ceramic products, excluding heading Nos 69.01, 69.02, other than bricks with a basis of magnesite and of magnesite-chromite, 69.03, 69.04 and 69.05, utensils and apparatus for laboratory and industrial use, containers for the transport of acids and other chemical products and articles, of a kind used in agriculture, of heading No 69.09, and porcelain articles of heading Nos 69.10, 69.13 and 69.14

Brussels Nomenclature heading No (CCCN)	Description
Chapter 70	
70.04	Unworked cast or rolled glass (including flashed or wired glass) whether figured or not, in rectangles
70.05	Unworked drawn or blown glass (including flashed glass) in rectangles
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked, excluding non-wired glass for mirrors
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; leaded lights and the like
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
70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass
ex 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 for similar uses, excluding fire-resisting glassware of a kind commonly used for table or kitchen purposes, with a low coefficient of expansion, similar to Pyrex or Durex
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of opal glass
ex 70.15	Glass of a kind used for sun glasses (but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like
ex 70.16	Multi-cellular glass in blocks, slabs, plates, panels and similar forms
ex 70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated, excluding glassware for chemical laboratories; glass ampoules
ex 70.21	Other articles of glass, excluding articles for industry
Chapter 71	
ex 71.12	Articles of jewellery, of silver (including silvergilt or platinum-plated silver), or rolled precious metal on base metal

Brussels Nomenclature heading No (CCCN)	Description
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
ex 71.14	Other articles of precious metal or rolled precious metal, excluding articles and utensils for workshops and laboratories
71.16	Imitation jewellery
Chapter 73	<p>Iron and steel and articles thereof, excluding:</p> <p>(a) Products within the jurisdiction of the European Coal and Steel Community, falling within heading Nos 73.01, 73.02, 73.03, 73.05, 73.06, 73.07, 73.08, 73.09, 73.10, 73.11, 73.12, 73.13, 73.15 and 73.16</p> <p>(b) Products falling within heading Nos 73.02, 73.05, 73.07 and 73.16 which are not within the jurisdiction of the European Coal and Steel Community</p> <p>(c) Heading Nos 73.04, 73.17, 73.19, 73.30, 73.33 and 73.34 and springs and leaves for springs, of iron or steel, for railway coaches, of heading No 73.35</p>
Chapter 74	Copper and articles thereof, excluding copper alloys containing more than 10% by weight of nickel and articles falling within heading Nos 74.01, 74.02, 74.06 and 74.11
Chapter 76	Aluminium and articles thereof, excluding heading Nos 76.01 and 76.05 and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 76.16)
Chapter 78	Lead and articles thereof
Chapter 79	Zinc and articles thereof, excluding heading Nos 79.01, 79.02 and 79.03
Chapter 82	<p>Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry</p> <p>82.02 Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)</p> <p>ex 82.04 Portable forges; grinding wheels with frameworks (hand or pedal operated); articles for domestic use</p> <p>82.09 Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor</p> <p>ex 82.11 Safety razor blades and blanks thereof</p> <p>ex 82.13 Other articles of cutlery (for example secateurs, hair clippers, butchers' cleavers, paper knives), excluding hand-operated clippers and parts thereof</p>

Brussels Nomenclature heading No (CCCN)	Description
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or table-ware
82.15	Handles of base metal for articles falling within heading Nos 82.09, 82.13 and 82.14
Chapter 83	Miscellaneous articles of base metal, excluding heading No 83.08, statuettes and other ornaments of a kind used indoors (ex 83.06) and beads and spangles (ex 83.09)
Chapter 84	
ex 84.06	Spark ignition engines, petrol driven of a cylinder capacity of 220 cc or more; internal combustion engines, semi-diesel type; internal combustion engines, diesel type, of 37 kW or less; engines for motor-cycles and auto-cycles
ex 84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices
ex 84.11	Air pumps and vacuum pumps (including motor and turbo-pumps); fans, blowers and the like, with integral motors, weighing less than 150 kg and fans or blowers without motor, weighing 100 kg or less
ex 84.12	Air-conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air, for domestic use
ex 84.14	Bakery ovens and parts thereof
ex 84.15	Refrigerating cabinets and other refrigerating plant, equipped with a refrigerating unit
ex 84.17	Instantaneous or storage water heaters, non-electrical
84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds
ex 84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders, for domestic use; similar hand operated appliances for agricultural use; similar appliances for agricultural use, truck mounted, weighing 60 kg or less
ex 84.24	Ploughs designed for tractor or animal draught, weighing 700 kg or less; ploughs designed for mounting on tractors, with two or three shares or discs; harrows designed for tractor or animal draught, with fixed framework and fixed teeth: disc harrows, weighing 700 kg or less
ex 84.25	Threshers; maize huskers and maize threshers; harvesting machinery, animal drawn; straw or fodder presses; fanning mills and similar machines for screening seeds and cereal graders
84.27	Presses, crushers and other machinery, of a kind used in wine making, cider making, fruit juice preparation or the like

Brussels Nomenclature heading No (CCCN)	Description
ex 84.28	Seed crushing machines; farm-type milling machines
84.29	Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
ex 84.34	Printing type
ex 84.38	Shuttles; reeds for looms
ex 84.40	Washing machines, whether or not electric, for domestic use
ex 84.47	Machine tools for sawing and planing wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
ex 84.56	Machinery for agglomerating, moulding or shaping ceramic paste, unhardened cements, plastering materials or other mineral products
ex 84.59	Oil presses and mills; machines for stearin soap manufacture
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and thermostatically-controlled valves
ex 84.63	Speed reducers
Chapter 85	
ex 85.01	Generators of 20 kVA output or less; motors of 74 kW or less; rotary converters of 37 kW or less; transformers and static converters other than for radio-broadcasting, radiotelephonic, radiotelegraphic and television receivers
85.03	Primary cells and primary batteries
85.04	Electric accumulators
ex 85.06	Room fans
85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
ex 85.17	Electric sound signalling apparatus

Brussels Nomenclature heading No (CCCN)	Description
ex 85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lamp holders and junction boxes)
ex 85.20	Electric filament lamps and electric discharge lamps, excluding infra-red and ultra-violet lamps
ex 85.21	Cathode-ray tubes for television sets
85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors
85.25	Insulators of any material
85.26	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
85.27	Electrical conduit tubing and joints therefor, of base metal lined with insulating material
Chapter 87	
ex 87.02	Motor vehicles for the public transport of persons and motor vehicles for the transport of goods or materials (excluding chassis mentioned in Note 2 to Chapter 87)
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
ex 87.06	Chassis without engines, and parts thereof
ex 87.11	Invalid carriages (other than motorized or otherwise mechanically propelled)
ex 87.12	Parts and accessories of invalid carriages (other than motorized or otherwise mechanically propelled)
87.13	Baby carriages and parts thereof
Chapter 89	
ex 89.01	Lighters and barges; tankers designed to be towed; sailing vessels; inflatable boats of artificial plastic materials
Chapter 90	
ex 90.01	Ophthalmic lenses
90.03	Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like

Brussels Nomenclature heading No (CCCN)	Description
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
ex 90.26	Meters for hand-operated petrol pumps and water meters (volumetric and tachometric)
Chapter 92	
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording
Chapter 93	
ex 93.04	Sporting guns and rifles
ex 93.07	Wads for shotguns; sporting cartridges, cartridges for revolvers, pistols and walking stick guns, ball or shot cartridges for target shooting guns of calibres up to 9 mm; cartridge cases for sporting guns and sporting rifles, of metal and paperboard; bullets, shot and buckshot for sporting guns and sporting rifles
Chapter 94	
Chapter 96	Furniture and parts thereof; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, excluding heading No 94.02
Chapter 97	Brooms, brushes, powder puffs and sieves, excluding prepared knots and tufts for broom or brush making of heading No 96.01 and articles falling within heading Nos 96.05 and 96.06
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles, and pedal motor cars); dolls' prams and dolls' push chairs
97.02	Dolls
97.03	Other toys; working models of a kind used for recreational purposes
ex 97.05	Streamers and confetti
Chapter 98	
Chapter 98	Miscellaneous manufactured articles, excluding stylograph pens falling within heading No 98.03 and excluding heading Nos 98.04, 98.10, 98.11, 98.14 and 98.15

Annex 2

List of products referred to in Article 7

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
31.02	Mineral or chemical fertilizers, nitrogenous	} 1 500 tonnes
31.03	Mineral or chemical fertilizers, phosphatic	
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: A. Other fertilizers:	
	I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus IV. Other	
ex 73.37	Boilers (excluding boilers of heading No 84.01) and radiators for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel: Boilers for central heating	1 000 EUA
ex 84.01	Steam and other vapour-generating boilers (excluding central heating hot-water boilers capable also of producing low-pressure steam); super-heated water boilers: - Of a power of 32 MW or less	1 500 EUA
84.06	Internal combustion piston engines: C. Other engines: ex II. Compression ignition engines:	

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
84.06 (cont'd)	Of a power of less than 37 kW	3 000 EUA
84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds: ex A. Delivery pumps fitted, or designed to be fitted, with a measuring device, other than pumps for dispensing fuel B. Other pumps C. Liquid elevators of bucket, chain, screw, band and similar kinds	5 000 EUA
84.14	Industrial and laboratory furnaces and ovens, non-electric: ex B. Other: - Parts of steel, for cement ovens	1 000 EUA
ex 84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better) including weight-operated counting and checking machines; weighing machine weights of all kinds, other than: Baby scales - Precision scales graduated in grams for domestic use - Weighing machine weights of all kinds	3 200 EUA
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: ex II. Other:	1 000 EUA

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
85.01 (cont'd)	<ul style="list-style-type: none"> - Motors of an output of not less than 370 W and not more than 15000 W <p>ex C. Parts:</p> <ul style="list-style-type: none"> - For motors of an output of not less than 370 W and not more than 15000 W 	
85.15	<p>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:</p> <p>A. 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:</p> <p>ex III. Receivers, whether or not incorporating sound recorders or reproducers:</p> <ul style="list-style-type: none"> - Television <p>C. Parts:</p> <p>I. Cabinets and cases:</p> <p>ex a) Of wood:</p> <ul style="list-style-type: none"> - For television receivers <p>ex b) Of other materials:</p> <ul style="list-style-type: none"> - For television receivers <p>ex III. Other:</p> <ul style="list-style-type: none"> - Chassis for television receivers and their parts, assembled or mounted - Printed circuit boards for television receivers 	<p>10000 EUA</p> <p>50000 EUA</p>

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
ex 85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors: - Cables for television aerials	1 000 EUA
87.02	Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No 87.09): A. For the transport of persons, including vehicles designed for the transport of both passengers and goods: I. With either a spark ignition or a compression ignition engine: ex a) Motor vehicles and buses with either a spark ignition engine of a cylinder capacity of 2 800 cc or more or a compression ignition engine of a cylinder capacity of 2 500 cc or more: - Complete motor buses and coaches ex b) Other: - Complete, with a seating capacity of more than six	100 000 EUA
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03: ex A. Bodies and cabs of metal for the industrial assembly of: - Agricultural walking tractors falling within subheading 87.01 A, - Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, with a seating capacity of more than six and less than 15,	

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
87.05 (cont'd)	<ul style="list-style-type: none"> - Motor vehicles for the transport of goods or materials, with either a spark ignition engine of a cylinder capacity of less than 2800 cc or a compression ignition engine of a cylinder capacity of less than 2500 cc, - Special purpose motor lorries and vans of heading No 87.03 (a) <p>ex B. Other:</p> <ul style="list-style-type: none"> - Bodies and cabs of metal, other than for motor vehicles for the transport of persons, with a seating capacity of six or less 	1000 EUA

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

INFORMATION CONCERNING

the AGREEMENT between the European Economic Community and the Arab Republic of Egypt on trade in textile products ⁽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	24.11.1980	24.6.1981	1.7.1981 ⁽²⁾	until 31.12.1981 ⁽³⁾
EGYPT		1.6.1981		

⁽¹⁾ OJ No L 273, 28.9.1981.

⁽²⁾ In accordance with Article 16, the Agreement applies with effect from 1.1.1978.

⁽³⁾ The Agreement may be extended until 31.12.1982.

INFORMATION CONCERNING

the arrangements applicable to trade between Greece and Egypt laid down autonomously by Council Regulation (EEC) No 3557/80 of 16 December 1980 which entered into force on 1 January 1981 with effect from 1 January 1981 ⁽¹⁾.

Until the entry into force of the Protocol to the Cooperation Agreement between the European Economic Community and Egypt ⁽²⁾, the arrangements applicable to trade between Greece and Egypt are those resulting from the Annex to Regulation (EEC) No 3557/80.

⁽¹⁾ OJ No L 382, 31.12.1980.

⁽²⁾ This Agreement appears in Volume 8, page 2165.

Agreements
between the EEC and the Kingdom of Morocco

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 1981 to 31 October 1982 ⁽¹⁾

COUNCIL REGULATION (EEC) No 3546/81

of 3 December 1981

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 1981 to 31 October 1982

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 ⁽²⁾, which entered into force on 1 November 1978, and in particular to Annex B thereof,

⁽¹⁾ OJ No L 356, 11.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 2341.

Having regard to the recommendation from the Commission,

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 1981 to 31 October 1982,

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 1981 to 31 October 1982 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, 3 December 1981.

For the Council

The President

T. KING

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 1981 to 31 October 1982

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco stipulates 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 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 Annex, the Community will take the necessary steps to fix the additional amount at 12.09 ECU per 100 kilograms for the period 1 November 1981 to 31 October 1982.

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 between the European Economic Community and the Kingdom of Morocco stipulates 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 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 above-mentioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12.09 ECU per 100 kilograms for the period 1 November 1981 to 31 October 1982.

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 3514/81

of 3 December 1981

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 (1982)

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 355, 10.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 2341.

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, 3 December 1981.

For the Council
The President
T. KING

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 1982 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 Government of
the Kingdom of Morocco*

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 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 1982 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 1982 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*

ARRANGEMENTS

Applicable to trade between Greece and Morocco ⁽¹⁾

COUNCIL REGULATION (EEC) No 3511/81

of 3 December 1981

laying down the arrangements applicable to trade between Greece and 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 proposal from the Commission,

Whereas the Protocol to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco ⁽²⁾ hereinafter referred to respectively as 'the Protocol' and 'the Agreement', to take account of the accession of the Hellenic Republic was initialled on 22 July 1981;

Whereas, pending the entry into force of the Protocol the Community should, in the light of the said Protocol, lay down autonomously the arrangements applicable to trade between Greece and Morocco,

⁽¹⁾ OJ No L 358, 14.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 2341.

HAS ADOPTED THIS REGULATION:

Article 1

Until the entry into force of the Protocol the arrangements applicable to trade between Greece and Morocco shall be those resulting from the Annex to this Regulation.

Article 2

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

It shall expire upon the date of entry into force of the Protocol.

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

Done at Brussels, 3 December 1981.

For the Council
The President
T. KING

ANNEX

Specific conditions of application of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco consequent upon the accession of the Hellenic Republic

Article 1

For the products listed in Annex 1, the Hellenic Republic shall progressively abolish customs duties on imports of products originating in Morocco in accordance with the following timetable:

- on the date of entry into force of this Regulation, each duty shall be reduced to 90% of the basic duty,
- on 1 January 1982, each duty shall be reduced to 80% of the basic duty,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

Article 2

1. For the products listed in Annex 1, the basic duty to which the successive reductions provided for in Article 1 are to be applied shall, for each product, be the duty actually applied by the Hellenic Republic in respect of Morocco on 1 July 1980.

2. However, in respect of matches falling within heading No 36-06 of the Common Customs Tariff, the basic duty shall be 17.2% *ad valorem*.

Article 3

1. For the products listed in Annex 1 the Hellenic Republic shall progressively abolish charges having equivalent effect to customs duties on imports of products originating in Morocco in accordance with the following timetable:

- on the date of entry into force of this Regulation, each charge shall be reduced to 90% of the basic rate,
- on 1 January 1982, each charge shall be reduced to 80% of the basic rate,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

2. The basic rate to which the successive reductions provided for in paragraph 1 are to be applied shall, for each product, be the rate applied by the Hellenic Republic on 31 December 1980 in respect of the Community of Nine.

3. Any charge having equivalent effect to a customs duty on imports, introduced as from 1 January 1979 in trade between Greece and Morocco, shall be abolished.

Article 4

If the Hellenic Republic suspends or reduces duties or charges having equivalent effect on products imported from the Community of Nine more quickly than under the established timetable, the Hellenic Republic shall also suspend or reduce, by the same percentage, those duties or charges having equivalent effect on products originating in Morocco.

Article 5

1. The variable component, which the Hellenic Republic may apply to products covered by Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, originating in Morocco, shall be adjusted by the compensatory amount applied in trade between the Community of Nine and Greece.

2. For the products covered by Regulation (EEC) No 3033/80 and also listed in Annex 3, the Hellenic Republic shall abolish, in accordance with the timetable laid down in Article 1, the difference between:

- the fixed component of the duty to be applied by the Hellenic Republic upon accession, and
- the duty (other than the variable component) resulting from the provisions of the Agreement.

Article 6

For the products listed in Annex II to the EEC Treaty, the preferential rates laid down or calculated shall be applied to the duties actually levied by the Hellenic Republic in respect of third countries in accordance with Article 64 of the 1979 Act of Accession.

Under no circumstances shall Greek imports from Morocco benefit from rates of duty more favourable than those applied to products from the Community of Nine.

⁽¹⁾ OJ No L 323, 29. 11. 1980.

Article 7

1. The Hellenic Republic may retain quantitative restrictions until 31 December 1985 on products listed in Annex 2 and originating in Morocco.
2. The restrictions referred to in paragraph 1 shall take the form of global quotas.

The global quotas for 1981 are listed in Annex 2.

3. The minimum rate of progressive increase for the quotas referred to in paragraph 2 shall be 25% at the beginning of each year for quotas expressed in European units of account (EUA), and 20% at the beginning of each year for quotas expressed in terms of volume. Such increases shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

However, with regard to motor coaches and buses and other vehicles falling within subheading ex 87.02 A I of the Common Customs Tariff, the quota shall be raised by 20% a year.

4. Where it is found that imports into Greece of a product listed in Annex 2 have for two consecutive years been less than 90% of the quota, the Hellenic Republic shall liberalize imports of that product originating in Morocco, if the product in question is at that time liberalized towards the Community of Nine.
5. If the Hellenic Republic liberalizes imports of a product listed in Annex 2 and coming from the Community of Nine or increases a quota applicable to the Community of Nine beyond the minimum rate, the Hellenic Republic shall also liberalize imports of that product originating in Morocco or increase the global quota proportionally.

6. Regarding licences for imports of products listed in Annex 2 and originating in Morocco, the Hellenic Republic shall apply the same administrative rules and practices as applied to such imports originating in the Community of Nine, with the exception of the quota for fertilizers falling within headings Nos 31.02 and 31.03 and subheadings 31.05 A I, II and IV of the Common Customs Tariff, where the Hellenic Republic may apply the rules and practices relevant to exclusive marketing rights.

Article 8

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to imports of products originating in Morocco shall be progressively eliminated in accordance with the following timetable:

- on the date of entry into force of this Regulation: 25%,
- 1 January 1982: 25%,
- 1 January 1983: 25%,
- 1 January 1984: 25%.

2. For the products listed in Annex II to the EEC Treaty, charges having equivalent effect to customs duties and measures having equivalent effect to quantitative restrictions (import deposits, cash payments, validation of invoices, etc.) shall be abolished by the Hellenic Republic on 1 January 1981 in respect of products originating in Morocco in accordance with Article 65 of the 1979 Act of Accession.

3. If, in respect of the Community of Nine, the Hellenic Republic reduces the rate of import deposits or cash payments more quickly than under the timetable set out in paragraph 1, the Hellenic Republic shall make the same reduction with regard to imports of products originating in Morocco.

*Annex 1***List of products referred to in Article 3**

Brussels Nomenclature heading No (CCCN)	Description
Chapter 13	
ex 13.02	Incense
ex 13.03	Pectates
Chapter 14	
ex 14.05	Valonia, gall nuts
Chapter 15	
ex 15.05	Wool grease stearin
ex 15.06	Other animal oils and fats (including fats from bones and waste), excluding neat's foot oil
15.08	Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blown or polymerized by heat in vacuum or in inert gas, or otherwise modified
15.10	Fatty acids, acid oils from refining, fatty alcohols
15.11	Glycerol and glycerol lyes
ex 15.15	Beeswax and other insect waxes, whether or not coloured
15.16	Vegetable waxes, whether or not coloured
ex 15.17	Degras
Chapter 17	
ex 17.02	Lactose and lactose syrup containing in the dry state 99% or more by weight of the pure product; glucose and glucose syrup containing in the dry state 99% or more by weight of the pure product
17.04	Sugar confectionery, not containing cocoa
Chapter 18	Cocoa and cocoa preparations, excluding heading Nos 18.01 and 18.02

Brussels Nomenclature heading No (CCCN)	Description
Chapter 19	
ex 19.02	Malt extract
19.03	Macaroni, spaghetti and similar products
19.05	Prepared foods obtained by swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
ex 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
Chapter 21	Miscellaneous edible preparations, excluding heading Nos 21.05 and 21.07
Chapter 22	
22.01	Waters, including spa waters and aerated waters, ice and snow
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
22.03	Beer made from malt
22.06	Vermouths and other wines of fresh grapes flavoured with aromatic extracts
ex 22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80% vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength, excluding those derived from agricultural products listed in Annex II to the Treaty
ex 22.09	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of less than 80% vol, excluding ethyl alcohol derived from agricultural products listed in Annex II to the Treaty; liqueurs and other spirituous beverages; compound alcoholic preparations (known as concentrated extracts) for the manufacture of beverages
Chapter 24	
24.02	Manufactured tobacco; tobacco extracts and essences
Chapter 25	
25.20	Gypsum; anhydrite; calcined gypsum, and plasters with a basis of calcium sulphate, whether or not coloured, but not including plasters specially prepared for use in dentistry
25.22	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide

Brussels Nomenclature heading No (CCCN)	Description
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
ex 25.30	Crude natural boric acid containing not more than 85% of H_3BO_3 calculated on the dry weight
ex 25.32	Earth colours, whether or not calcined or mixed together; santorin, pozzolana, trass and similar earths, used in making hydraulic cements, whether or not powdered
Chapter 27	
27.05 bis	Coal gas, water gas, producer gas and similar gases
27.06	Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
27.08	Pitch and pitch coke, obtained from coal tar or from other mineral tars
ex 27.10	Mineral oils and greases for lubricating purposes
ex 27.11	Petroleum gases and other gaseous hydrocarbons, excluding propane of a purity not less than 99% for use other than as a power or heating fuel
27.12	Petroleum jelly
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
27.15	Bitumen and asphalt, natural; bituminous shale, asphaltic rock and tar sands
27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
Chapter 28	
ex 28.01	Chlorine
ex 28.04	Hydrogen, oxygen (including ozone) and nitrogen
ex 28.06	Hydrochloric acid
28.08	Sulphuric acid; oleum
28.09	Nitric acid; sulphonitric acids
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)
28.12	Boric oxide and boric acid

Brussels Nomenclature heading No (CCCN)	Description
28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water)
28.15	Sulphides of non-metals; phosphorus trisulphide
28.16	Ammonia, anhydrous or in aqueous solution
28.17	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
ex 28.19	Zinc oxide
ex 28.20	Artificial corundum
28.22	Manganese oxides
ex 28.23	Iron oxides, including earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3
ex 28.27	Red lead and litharge
28.29	Fluorides; fluorosilicates, fluoroborates and other complex fluorine salts
ex 28.30	Magnesium chloride, calcium chloride
ex 28.31	Hypochlorites; commercial calcium hypochlorite; chlorites
28.35	Sulphides; polysulphides
28.36	Dithionites, including those stabilized with organic substances; sulphonylates
28.37	Sulphites and thiosulphates
ex 28.38	Sodium, barium, iron, zinc, magnesium and aluminium sulphates; alums
ex 28.40	Phosphites, hypophosphites and phosphates, excluding bibasic lead phosphate
ex 28.42	Carbonates, including commercial ammonium carbonate containing ammonium carbamate, excluding lead hydrocarbonate (white lead)
ex 28.44	Mercury fulminate
ex 28.45	Sodium silicate and potassium silicate, including commercial grades
ex 28.46	Refined borax
ex 28.48	Arsenites and arsenates
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
ex 28.56	Silicon, boron and calcium carbides

Brussels Nomenclature heading No (CCCN)	Description
ex 28.58	Distilled and conductivity water and water of similar purity
Chapter 29	
ex 29.01	Hydrocarbons for use as power or heating fuels; naphthalene and anthracene
ex 29.04	Amyl alcohols
29.06	Phenols and phenol-alcohols
ex 29.08	Dipentyl ether (diamyl ether), diethyl ether, anethole
ex 29.14	Palmitic, stearic and oleic acids and their water soluble salts; anhydrides
ex 29.16	Tartaric, citric and gallic acids; calcium tartrate
ex 29.21	Nitroglycerine
ex 29.42	Nicotine sulphate
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
Chapter 30	
ex 30.02	Antisera
ex 30.03	<p>Medicaments (including veterinary medicaments), excluding the following products:</p> <ul style="list-style-type: none"> - Anti-asthmatic cigarettes - Quinine, cinchonine, quinidine and their salts, whether or not in the form of proprietary products - Morphine, cocaine and other narcotics, whether or not in the form of proprietary products - Antibiotics and preparations based on antibiotics - Vitamins and preparations based on vitamins - Sulphonamides, hormones and preparations based on hormones
30.04	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 to this Chapter
Chapter 31	
ex 31.03	<p>Mineral or chemical fertilizers, phosphatic, excluding:</p> <ul style="list-style-type: none"> - Basic slag

Brussels Nomenclature heading No (CCCN)	Description
ex 31.03 (cont'd)	<ul style="list-style-type: none"> - Disintegrated (calcined) calcium phosphates (thermo phosphates and fused phosphates) and calcined natural aluminium calcium phosphates - Calcium hydrogen phosphate containing not less than 0.2% of fluorine
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
Chapter 32	
ex 32.01	Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin
ex 32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo, henna and chlorophyll) or of animal origin, excluding cochineal extract and kermes
ex 32.05	Synthetic organic dyestuffs (including pigment dyestuffs and excluding artificial indigo); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre
32.06	Colour lakes
ex 32.07	<p>Other colouring matter, excluding:</p> <ul style="list-style-type: none"> (a) inorganic pigments or pigments of mineral origin, whether or not containing other substances facilitating dyeing, based on cadmium salts (b) chrome colours and Prussian blue; inorganic products of a kind used as luminophores
32.08	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments dispersed in linseed oil, white spirit, spirits of turpentine, or other media of a kind used in the manufacture of paints or enamels; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined by Note 4 to this Chapter
32.11	Prepared driers
32.12	Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
32.13	Writing ink, printing ink and other inks

Brussels Nomenclature heading No (CCCN)	Description
Chapter 33	
ex 33.01	Essential oils (terpeneless or not); concretes and absolutes, excluding essences of roses, rosemary, eucalyptus, sandalwood and cedar; resinoids; concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration
ex 33.06	Eau de Cologne and other toilet waters; cosmetics and products for the care of the skin, hair and nails; toothpowders and toothpastes, products for oral hygiene; room deodorizers, prepared, whether or not perfumed
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
Chapter 35	Albuminoidal substances; glues; enzymes
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations
Chapter 37	
37.03	Sensitized paper; paperboard and cloth, unexposed or exposed but not developed
Chapter 38	
38.03	Activated carbon; activated natural mineral products; animal black, including spent animal black
38.09	Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
ex 38.11	Disinfectants, insecticides, rat poisons, pesticides and similar products, put up in the form of articles such as sulphur-treated bands, wicks and candles, fly-papers, sticks coated with hexachlorodicyclohexane (BHC) and the like; preparations consisting of an active product (such as DDT) mixed with other materials and put up in aerosol containers ready for use
38.18	Composite solvents and thinners for varnishes and similar products
ex 38.19	Preparations known as 'liquids for hydraulic transmission' (in particular for hydraulic brakes) containing less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals

Brussels Nomenclature heading No (CCCN)	Description
Chapter 39	
ex 39.02	Polyvinyl chloride
ex 39.01	Polystyrene in all its forms; other plastic materials, cellulose ethers and esters, artificial resins, excluding:
ex 39.02	
ex 39.03	
ex 39.04	
ex 39.05	
ex 39.06	
	(a) those in the form of granules, flakes, powders, waste and scrap to be used as raw materials for the manufacture of the products mentioned in this Chapter
	(b) ion exchangers
ex 39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06, excluding fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12
Chapter 40	Rubber, synthetic rubber, factice, and articles thereof, excluding heading Nos 40.01, 40.02, 40.03 and 40.04, latex (ex 40.06), solutions and dispersions (ex 40.06), protective clothing for surgeons and radiologists and divers' suits (ex 40.13), and bulk forms or blocks, scrap, waste and powder of hardened rubber (ebonite and vulcanite) (ex 40.15)
Chapter 41	Raw hides and skins (other than furskins) and leather, excluding parchment-dressed leather and articles falling within heading Nos 41.01 and 41.09
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)
Chapter 43	Furskins and artificial fur; manufactures thereof
Chapter 44	Wood and articles of wood; wood charcoal, excluding heading No 44.07, articles of fibre building board (ex 44.21, ex 44.23, ex 44.27, ex 44.28), spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 44.26) and wood paving blocks (ex 44.28)
Chapter 45	
45.03	Articles of natural cork
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork
Chapter 46	Manufacture of straw, of esparto and of other plaiting materials; basketware and wickerwork, excluding plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips (ex 46.02)
Chapter 48	
ex 48.01	Paper and paperboard (including cellulose wadding), in rolls or sheets, excluding the following products:

Brussels Nomenclature heading No (CCCN)	Description
ex 48.01 (cont d)	<ul style="list-style-type: none"> - Ordinary newsprint made from chemical and mechanical pulp, weighing not more than 60 g/m² - Magazine paper - Cigarette paper - Tissue paper - Filter paper - Cellulose wadding - Hand-made paper and paperboard
48.03	Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
48.04	Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
ex 48.05	Paper and paperboard, corrugated (with or without flat surface sheets) embossed, in rolls or sheets
ex 48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49) in rolls or sheets, excluding squared paper, gold paper or silver paper and imitations thereof, transfer paper, indicator paper and unsensitized photographic paper
ex 48.13	Carbon paper
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
ex 48.15	Other paper or paperboard, cut to size or shape, excluding cigarette paper, tapes for teletype machines, perforated tapes for monotype machines and calculating machines, filter papers and filter boards (including those for cigarette filter tips) and gummed strip
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard

Brussels Nomenclature heading No (CCCN)	Description
48.19	Paper or paperboard labels, whether or not printed or gummed
ex 48.21	Lamp shades; tablecloths and serviettes, handkerchiefs and towels; dishes, plates, cups, table-mats, bottle-mats, glass-mats
Chapter 49	
ex 49.01	Printed books, booklets, brochures and leaflets in the Greek language
ex 49.03	Children's picture books and painting books, printed wholly or partly in the Greek language
ex 49.07	Stamps not intended for public service
49.09	Picture postcards, Christmas and other picture greetings cards, printed by any process, with or without trimmings
ex 49.10	Calendars of any kind, of paper or paperboard, including calendar blocks, but excluding calendars intended for publicity purposes, in other languages than Greek
ex 49.11	<p>Other printed matter, including printed pictures and photographs, but excluding the following articles:</p> <ul style="list-style-type: none"> - Theatrical and photographic studio scenery - Printed matter for publicity purposes (including travel publicity), printed in other languages than Greek
Chapter 50	
Silk and waste silk	
Chapter 51	
Man-made fibres (continuous)	
Chapter 52	
Metallized textiles	
Chapter 53	
Wool and other animal hair, excluding raw, bleached and undyed products of heading Nos 53.01, 53.02, 53.03 and 53.04	
Chapter 54	
Flax and ramie, excluding heading No 54.01	
Chapter 55	
Cotton	
Chapter 56	
Man-made fibres (discontinuous)	
Chapter 57	
Other vegetable textile materials, excluding No 57.01; paper yarn and woven fabrics of paper yarn	
Chapter 58	
Carpets, mats, matting and tapestries; pile and chenille fabrics; narrow fabrics; trimmings; tulle and other net fabrics; lace; embroidery	

Brussels Nomenclature heading No (CCCN)	Description
Chapter 59	Wadding and felt; twine, cordage, ropes and cables; special fabrics; impregnated and coated fabrics; textile articles of a kind suitable for industrial use
Chapter 60	Knitted and crocheted goods
Chapter 61	Articles of apparel and clothing accessories of textile fabric, other than knitted or crocheted goods
Chapter 62	Other made up textile articles, excluding fans and hand screens (ex 62.05)
Chapter 63	Old clothing and other textile articles; rags
Chapter 64	Footwear, gaiters and the like, parts of such articles
Chapter 65	Headgear and parts thereof
Chapter 66	
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
Chapter 67	
ex 67.01	Feather dusters
67.02	Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
Chapter 68	
68.04	Hand polishing stones, whetstones, oilstones, hones and the like, and millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, truing and cutting wheels, heads, discs and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, or paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
68.09	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of wood fibre, of straw, of wood shavings or of wood waste (including sawdust), agglomerated with cement, plaster or with other mineral binding substances
68.10	Articles of plastering material
68.11	Articles of cement (including slag cement), of concrete or of artificial stone (including granulated marble agglomerated with cement), reinforced or not
68.12	Articles of asbestos-cement, of cellulose fibre-cement or the like

Brussels Nomenclature heading No (CCCN)	Description
68.14	Friction material (segments, discs, washers, strips, sheets, plates, rolls and the like) of a kind suitable for brakes, for clutches or the like, with a basis of asbestos, other mineral substances or of cellulose, whether or not combined with textile or other materials
Chapter 69	Ceramic products, excluding heading Nos 69.01, 69.02, other than bricks with a basis of magnesite and of magnesite-chromite, 69.03, 69.04 and 69.05, utensils and apparatus for laboratory and industrial use, containers for the transport of acids and other chemical products and articles, of a kind used in agriculture, of heading No 69.09, and porcelain articles of heading Nos 69.10, 69.13 and 69.14
Chapter 70	
70.04	Unworked cast or rolled glass (including flashed or wired glass) whether figured or not, in rectangles
70.05	Unworked drawn or blown glass (including flashed glass) in rectangles
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked, excluding non-wired glass for mirrors
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; leaded lights and the like
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
70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass
ex 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 for similar uses, excluding fire-resisting glassware of a kind commonly used for table or kitchen purposes, with a low coefficient of expansion, similar to Pyrex or Durex
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass
ex 70.15	Glass of a kind used for sun glasses (but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like

Brussels Nomenclature heading No (CCCN)	Description
ex 70.16	Multi-cellular glass in blocks, slabs, plates, panels and similar forms
ex 70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated, excluding glassware for chemical laboratories; glass ampoules
ex 70.21	Other articles of glass, excluding articles for industry
Chapter 71	
ex 71.12	Articles of jewellery, of silver (including silvergilt or platinum-plated silver), or rolled precious metal on base metal
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
ex 71.14	Other articles of precious metal or rolled precious metal, excluding articles and utensils for workshops and laboratories
71.16	Imitation jewellery
Chapter 73	Iron and steel and articles thereof, excluding:
	(a) Products within the jurisdiction of the European Coal and Steel Community, falling within heading Nos 73.01, 73.02, 73.03, 73.05, 73.06, 73.07, 73.08, 73.09, 73.10, 73.11, 73.12, 73.13, 73.15 and 73.16
	(b) Products falling within heading Nos 73.02, 73.05, 73.07 and 73.16 which are not within the jurisdiction of the European Coal and Steel Community
	(c) Heading Nos 73.04, 73.17, 73.19, 73.30, 73.33 and 73.34 and springs and leaves for springs, of iron or steel, for railway coaches, of heading No 73.35
Chapter 74	Copper and articles thereof, excluding copper alloys containing more than 10% by weight of nickel and articles falling within heading Nos 74.01, 74.02, 74.06 and 74.11
Chapter 76	Aluminium and articles thereof, excluding heading Nos 76.01 and 76.05 and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 76.16)
Chapter 78	Lead and articles thereof
Chapter 79	Zinc and articles thereof, excluding heading Nos 79.01, 79.02 and 79.03
Chapter 82	
ex 82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry

Brussels Nomenclature heading No (CCCN)	Description
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
ex 82.04	Portable forges; grinding wheels with frameworks (hand or pedal operated); articles for domestic use
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor
ex 82.11	Safety razor blades and blanks thereof
ex 82.13	Other articles of cutlery (for example secateurs, hair clippers, butchers' cleavers, paper knives), excluding hand-operated clippers and parts thereof
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware
82.15	Handles of base metal for articles falling within heading Nos 82.09, 82.13 and 82.14
Chapter 83	Miscellaneous articles of base metal, excluding heading No 83.08, statuettes and other ornaments of a kind used indoors (ex 83.06) and beads and spangles (ex 83.09)
Chapter 84	
ex 84.06	Spark ignition engines, petrol driven of a cylinder capacity of 220 cc or more; internal combustion engines, semi-diesel type; internal combustion engines, diesel type, of 37 kW or less; engines for motor-cycles and auto-cycles
ex 84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices
ex 84.11	Air pumps and vacuum pumps (including motor and turbo-pumps); fans, blowers and the like, with integral motors, weighing less than 150 kg and fans or blowers without motor, weighing 100 kg or less
ex 84.12	Air-conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air, for domestic use
ex 84.14	Bakery ovens and parts thereof
ex 84.15	Refrigerating cabinets and other refrigerating plant, equipped with a refrigerating unit
ex 84.17	Instantaneous or storage water heaters, non-electrical
84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds

Brussels Nomenclature heading No (CCCN)	Description
ex 84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders, for domestic use; similar hand operated appliances for agricultural use; similar appliances for agricultural use, truck mounted, weighing 60 kg or less
ex 84.24	Ploughs designed for tractor or animal draught, weighing 700 kg or less; ploughs designed for mounting on tractors, with two or three shares or discs; harrows designed for tractor or animal draught, with fixed framework and fixed teeth; disc harrows, weighing 700 kg or less
ex 84.25	Threshers; maize huskers and maize threshers; harvesting machinery, animal drawn; straw or fodder presses; fanning mills and similar machines for screening seeds and cereal graders
84.27	Presses, crushers and other machinery, of a kind used in wine making, cider making, fruit juice preparation or the like
ex 84.28	Seed crushing machines; farm-type milling machines
84.29	Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
ex 84.34	Printing type
ex 84.38	Shuttles; reeds for looms
ex 84.40	Washing machines, whether or not electric, for domestic use
ex 84.47	Machine tools for sawing and planing wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
ex 84.56	Machinery for agglomerating, moulding or shaping ceramic paste, unhardened cements, plastering materials or other mineral products
ex 84.59	Oil presses and mills; machines for stearin soap manufacture
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and thermostatically-controlled valves
ex 84.63	Speed reducers
Chapter 85	
ex 85.01	Generators of 20 kVA output or less; motors of 74 kW or less; rotary converters of 37 kW or less; transformers and static converters other than for radio-broadcasting, radiotelephonic, radiotelegraphic and television receivers

Brussels Nomenclature heading No (CCCN)	Description
85.03	Primary cells and primary batteries
85.04	Electric accumulators
ex 85.06	Room fans
85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
ex 85.17	Electric sound signalling apparatus
ex 85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lamp holders and junction boxes)
ex 85.20	Electric filament lamps and electric discharge lamps, excluding infra-red and ultra-violet lamps
ex 85.21	Cathode-ray tubes for television sets
85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors
85.25	Insulators of any material
85.26	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
85.27	Electrical conduit tubing and joints therefor, of base metal lined with insulating material
Chapter 87	
ex 87.02	Motor vehicles for the public transport of persons and motor vehicles for the transport of goods or materials (excluding chassis mentioned in Note 2 to Chapter 87)
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
ex 87.06	Chassis without engines, and parts thereof
ex 87.11	Invalid carriages (other than motorized or otherwise mechanically propelled)

Brussels Nomenclature heading No (CCCN)	Description
ex 87.12	Parts and accessories of invalid carriages (other than motorized or otherwise mechanically propelled)
87.13	Baby carriages and parts thereof
Chapter 89	
ex 89.01	Lighters and barges; tankers designed to be towed; sailing vessels; inflatable boats of artificial plastic materials
Chapter 90	
ex 90.01	Ophthalmic lenses
90.03	Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
ex 90.26	Meters for hand-operated petrol pumps and water meters (volumetric and tachometric)
Chapter 92	
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording
Chapter 93	
ex 93.04	Sporting guns and rifles
ex 93.07	Wads for shotguns; sporting cartridges, cartridges for revolvers, pistols and walking stick guns, ball or shot cartridges for target shooting guns of calibres up to 9 mm; cartridge cases for sporting guns and sporting rifles, of metal and paperboard; bullets, shot and buckshot for sporting guns and sporting rifles
Chapter 94	
Chapter 96	Brooms, brushes, powder puffs and sieves, excluding prepared knots and tufts for broom or brush making of heading No 96.01 and articles falling within heading Nos 96.05 and 96.06

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Brussels Nomenclature heading No (CCCN)	Description
Chapter 97	
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles, and pedal motor cars); dolls' prams and dolls' push chairs
97.02	Dolls
97.03	Other toys; working models of a kind used for recreational purposes
ex 97.05	Streamers and confetti
Chapter 98	Miscellaneous manufactured articles, excluding stylograph pens falling within heading No 98.03 and excluding heading Nos 98.04, 98.10, 98.11, 98.14 and 98.15

Annex 2

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
07.05	<p>Dried leguminous vegetables, shelled, whether or not skinned or split:</p> <p>B. Other:</p> <p> ex I. Peas (including chick peas) and beans (of the species <i>Phaesolus</i>)</p> <p> - Chick peas and beans (of the species <i>Phaesolus</i>)</p> <p> II. Lentils</p>	<p>500 tonnes</p> <p>2 000 tonnes</p>
31.02	Mineral or chemical fertilizers, nitrogenous	}
31.03	Mineral or chemical fertilizers, phosphatic	
31.05	<p>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:</p> <p>A. Other fertilizers:</p> <p> I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium</p> <p> II. Containing the two fertilizing substances: nitrogen and phosphorus</p> <p> IV. Other</p>	
ex 73.37	<p>Boilers (excluding boilers of heading No 84.01) and radiators for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel:</p> <p>- Boilers for central heating</p>	20 000 EUA
ex 84.01	Steam and other vapour-generating boilers (excluding central heating hot-water boilers capable also of producing low-pressure steam); super-heated water boilers:	

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
ex 84.01 (cont'd)	- Of a power of 32 MW or less	1 500 EUA
84.06	Internal combustion piston engines: C. Other engines: ex II. Compression ignition engines: - Of a power of less than 37 kW	3 000 EUA
84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds: ex A. Delivery pumps fitted, or designed to be fitted, with a measuring device, other than pumps for dispensing fuel B. Other pumps C. Liquid elevators of bucket, chain, screw, band and similar kinds	30 000 EUA
84.14	Industrial and laboratory furnaces and ovens, non-electric: ex B. Other: - Parts of steel, for cement ovens	1 000 EUA
ex 84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better) including weight-operated counting and checking machines; weighing-machine weights of all kinds, other than: - Baby scales - Precision scales graduated in grams for domestic use - Weighing-machine weights of all kinds	3 200 EUA

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
85.01	<p>Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:</p> <p>A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:</p> <p>ex II. Other:</p> <ul style="list-style-type: none"> - Motors of an output of not less than 370 W and not more than 15000 W <p>ex C. Parts:</p> <ul style="list-style-type: none"> - For motors of an output of not less than 370 W and not more than 15000 W 	<p>30 000 EUA</p>
85.15	<p>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:</p> <p>A. 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:</p> <p>ex III. Receivers, whether or not incorporating sound recorders or reproducers:</p> <ul style="list-style-type: none"> - Television <p>C. Parts:</p> <p>I. Cabinets and cases:</p> <p>ex a) Of wood:</p>	<p>10 000 EUA</p>

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
85.15 (cont'd)	<ul style="list-style-type: none"> - For television receivers ex b) Of other materials: <ul style="list-style-type: none"> - For television receivers ex III. Other: <ul style="list-style-type: none"> - Chassis for television receivers and their parts, assembled or mounted - Printed circuit boards for television receivers 	15000 EUA
ex 85.23	<p>Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors:</p> <ul style="list-style-type: none"> - Cables for television aerials 	30000 EUA
87.02	<p>Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No 87.09):</p> <p>A. For the transport of persons, including vehicles designed for the transport of both passengers and goods:</p> <p>I. With either a spark ignition or a compression ignition engine:</p> <ul style="list-style-type: none"> ex a) Motor vehicles and buses with either a spark ignition engine of a cylinder capacity of 2 800 cc or more or a compression ignition engine of a cylinder capacity of 2 500 cc or more: <ul style="list-style-type: none"> - Complete motor buses and coaches ex b) Other: <ul style="list-style-type: none"> - Complete, with a seating capacity of more than six 	100000 EUA

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
87.05	<p>Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03:</p> <p>ex A. Bodies and cabs of metal for the industrial assembly of:</p> <ul style="list-style-type: none"> - Agricultural walking tractors falling within subheading 87.01 A, - Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, with a seating capacity of more than six and less than 15, - Motor vehicles for the transport of goods or materials, with either a spark ignition engine of a cylinder capacity of less than 2 800 cc or a compression ignition engine of a cylinder capacity of less than 2 500 cc, - Special purpose motor lorries and vans of heading No 87.03 (a) <p>ex B. Other:</p> <ul style="list-style-type: none"> - Bodies and cabs of metal, other than for motor vehicles for the transport of persons, with a seating capacity of six or less 	<p>1 000 EUA</p>

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

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 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 1981 to 31 October 1982 ⁽¹⁾

EEC	16.12.1981	—	16.12.1981	from 1.11.1981 until 31.10.1982
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 (1982) ⁽²⁾

EEC	16.12.1981	—	16.12.1981	from 1.1.1982 until 31.12.1982
MOROCCO				

⁽¹⁾ OJ No L 356, 11.12.1981.

⁽²⁾ OJ No L 355, 10.12.1981.

INFORMATION CONCERNING

- the arrangements applicable to trade between Greece and Morocco laid down autonomously by Council Regulation (EEC) No 3511/81 of 3 December 1981 which entered into force on 15 December 1981 with effect from 15 December 1981 ⁽¹⁾.

Until the entry into force of the Protocol to the Cooperation Agreement between the European Economic Community and Morocco ⁽²⁾, the arrangements applicable to trade between Greece and Morocco are those resulting from the Annex to Regulation (EEC) No 3511/81.

⁽¹⁾ OJ No L 358, 14.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 2341.

**Agreements
between the EEC and 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 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 1981 to 31 October 1982 ⁽¹⁾

COUNCIL REGULATION (EEC) No 3545/81

of 3 December 1981

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 1981 to 31 October 1982

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 Algeria ⁽²⁾, which entered into force on 1 November 1978, and in particular to Annex B thereof,

⁽¹⁾ OJ No L 356, 11.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 2559.

Having regard to the recommendation from the Commission,

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 1981 to 31 October 1982,

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 1981 to 31 October 1982, 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, 3 December 1981.

For the Council

The President

T. KING

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 1981 to 31 October 1982

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the People's Democratic Republic of Algeria stipulates 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 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 Annex, the Community will take the necessary steps to fix the additional amount at 12.09 ECU per 100 kilograms for the period 1 November 1981 to 31 October 1982.

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 between the European Economic Community and the People's Democratic Republic of Algeria stipulates 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 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 Annex, the Community will take the necessary steps to fix the additional amount at 12.09 ECU per 100 kilograms for the period 1 November 1981 to 31 October 1982.

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 3513/81

of 3 December 1981

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 (1982)

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 355, 10.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 2559.

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, 3 December 1981.

For the Council
The President
T. KING

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 1982 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 Government of
the People's Democratic Republic of Algeria*

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 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 1982 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 1982 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 3517/81

of 3 December 1981

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 (1982)

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 355, 10.12.1981.

⁽²⁾ This Agreement appears in Volume 8, page 2559.

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, 3 December 1981.

For the Council
The President
T. KING

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

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 1982 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 Government of the
People's Democratic Republic of Algeria*

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 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 1982 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 1982.

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 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 1981 to 31 October 1982 ⁽¹⁾.

EEC	16.12.1981	—	16.12.1981	from 1.11.1981 until 31.10.1982
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 preserved fruit salads originating in Algeria (1982) ⁽²⁾.

EEC	16.12.1981	—	16.12.1981	from 1.1.1982 until 31.12.1982
ALGERIA				

⁽¹⁾ OJ No L 356, 11.12.1981.

⁽²⁾ OJ No L 355, 10.12.1981.

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 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 (1982) ⁽¹⁾.

EEC	16.12.1981	—	16.12.1981	from 1.1.1982 until 31.12.1982
ALGERIA				

⁽¹⁾ OJ No L 355, 10.12.1981.

Agreements
between the EEC and the Republic of Senegal

AGREEMENT

between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽¹⁾

COUNCIL REGULATION (EEC) No 2212/80

of 27 June 1980

on the conclusion of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal, of the Protocol, and of the exchanges of letters referring thereto

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas it is in the Community's interest to approve the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal, the Protocol and the exchange of letters referring thereto, signed in Brussels on 15 June 1979;

⁽¹⁾ OJ No L 226, 29.8.1980.
⁽²⁾ OJ No C 309, 10.12.1979.

Whereas the conclusion of this Agreement renders nugatory Council Decision 79/569/EEC of 12 June 1979 concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal, the Protocol and the exchanges of letters referring thereto are approved on behalf of the Community.

The instruments referred to in the preceding paragraph are annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 18 of the Agreement.

Article 3

Decision 79/569/EEC is hereby repealed.

Article 4

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

⁽¹⁾ This Agreement appears in Volume 9, page 489.

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

Done at Brussels, 27 June 1980.

For the Council

The President

A. SARTI

AGREEMENT

between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL AND THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community'),

RECALLING the close relations between the Community and the Republic of Senegal;

IN THE SPIRIT of cooperation resulting from the Lomé Convention, symbolizing the Parties' common desire to intensify friendly relations between the African, Caribbean and Pacific States and the Community;

CONSIDERING their mutual interest in the rational management, conservation and optimum utilization of fish stocks, notably in the Central East Atlantic;

WHEREAS the Republic of Senegal exercises its sovereignty or jurisdiction over a zone extending up to 200 nautical miles from the coast, particularly in respect of sea fishing;

TAKING INTO ACCOUNT the fact that vessels flying the flags of Member States of the Community habitually engage in fishing activities in that zone;

TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the Sea;

AFFIRMING that the exercise by coastal States of their sovereign rights in the waters within their jurisdiction for the purposes of exploring, exploiting, conserving and managing the living resources thereof must be in accordance with the principles of international law;

WHEREAS fishing activities in the waters under the sovereignty or jurisdiction of the Republic of Senegal are governed by its Sea Fishing Code;

DETERMINED TO CONDUCT their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing fishing activities of mutual interest to the Parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will govern in future, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, hereinafter referred to as 'Community vessels', in the waters over which the Republic of Senegal has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as 'Senegal's fishing zone'.

Article 2

The Government of the Republic of Senegal undertakes to authorize Community vessels to fish in Senegal's fishing zone in accordance with the terms of this Agreement, in particular those stipulated in Annex I, and with the Sea Fishing Code and other laws and regulations in force in Senegal.

Article 3

1. The Community undertakes to take all appropriate steps to ensure that its vessels adhere to the provisions of this Agreement and the rules and regulations governing fishing activities in Senegal's fishing zone.
2. The authorities of Senegal shall notify the Commission of the European Communities in advance of any changes to the said rules and regulations.

Article 4

1. Fishing activities by Community vessels in Senegal's fishing zone shall be subject to the possession of a licence issued at the Community's request by the authorities of Senegal.
2. The authorities of Senegal shall issue fishing licences within the limits laid down by category of vessel in the Protocol referred to in Article 9.
3. Licences shall be valid in the zones defined in Annex I.E., depending on the activity and the type of vessel in question.
4. Licences shall be valid from the day of issue until 31 December of the year in which they are issued.
5. A licence shall be issued for a given vessel and shall not be transferable.
6. Where a vessel in possession of a licence is prevented from using it by *force majeure*, the licence may be replaced at the Community's request by another one which shall be valid for a vessel of the same category.

Article 5

1. Licences shall be issued by the authorities of the Republic of Senegal upon payment of a fee by the shipowner concerned.

2. For those vessels that are obliged to land their entire catch at Senegalese ports, the fee shall be that laid down by the Senegalese rules and regulations in force. For those vessels that are not obliged to land their entire catch in Senegal, the fee shall be double that mentioned in the preceding sentence.

The amounts payable are set out in Annex I.A.

Licences shall be paid for in full when they are issued or declared valid; the fees for licences assessed on the basis of the quantity of fish caught shall be payable at the close of the year.

3. The fee for a licence issued under Article 4 (6) shall be in proportion to the remainder of the year.

Article 6

The Parties undertake to concert action, either directly or within international organizations, to ensure the management and conservation of the living resources, particularly in the Central East Atlantic, and to facilitate the relevant scientific research.

Article 7

Vessels authorized to fish in Senegalese waters under this Agreement shall be obliged to forward to the relevant Senegalese authorities statements of catches in accordance with the arrangements set out in Annex I.B. to this Agreement.

Article 8

Wet trawlers and tuna boats, authorized under this agreement to fish in Senegal's fishing zone, shall be obliged to land their entire catch.

Freezer trawlers and tuna boats shall be obliged to land part of their catch in accordance with the arrangements set out in Annex I.C. to this Agreement.

Article 9

In return for the fishing opportunities accorded under this Agreement, the Community shall pay the Republic of Senegal compensation as set out in the Protocol to this Agreement.

This compensation, which shall be paid without prejudice to financing accorded to the Republic of Senegal under the Lomé Convention, shall be mobilized in accordance with the special procedure described in the said Protocol.

The compensation shall be used to finance projects and services of a rural nature, in particular relating to sea fishing.

Article 10

The Parties agree to consult in the event of a dispute concerning the interpretation or application of this Agreement, where appropriate in accordance with the procedure set out in Annex II.

Article 11

A Joint Committee shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet once a year, alternating between Senegal and the Community, and shall hold special meetings at the request of either Contracting Party.

Article 12

Should the authorities of Senegal decide, as a result of an unforeseeable change in the state of the fish stocks, to take new conservation measures which, in the opinion of the Community, have a considerable effect on the fishing activities of Community vessels, consultations must be held between the Parties in order to adapt Annex I and the Protocol referred to in Article 9.

Such consultations shall be based on the principle that any reduction in the fishing opportunities provided for in the said Protocol shall be offset by other fishing opportunities of equivalent value, account being taken of compensation already paid by the Community.

Article 13

Nothing in this Agreement shall affect or prejudice in any manner the views of either Party with respect to any matter relating to the Law of the Sea.

Article 14

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

Article 15

The Parties agree to examine this Agreement upon the conclusion of the negotiations for a Multilateral Treaty which are being conducted within the framework of the Third United Nations Conference on the Law of the Sea.

Article 16

The Annexes form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement constitutes a reference to its Annexes.

Article 17

This Agreement shall be concluded for an initial period of two years running from the date of its entry into force. In the event of the Agreement not being terminated by either Party through notice of termination given at least six months before the expiry of that two-year period, it shall remain in force for additional periods of one year, provided that notice of termination has not been given at least three months before the expiry of each yearly term.

Negotiations shall then take place between the Parties to determine by mutual agreement the amendments or additions to be made to the Annexes or the Protocol referred to in Article 9.

Article 18

This Agreement shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.

ANNEX I

Conditions for the pursuit of fishing activities in Senegal's fishing zone by vessels flying the flags of Member States of the Community

A. Licence application and issuing formalities

The procedure for applications for and issue of the annual licences enabling vessels flying the flags of Member States of the Community to fish in Senegalese waters shall be as follows:

1. The relevant Community authorities must present to the relevant Senegalese authorities (MDR) ⁽¹⁾ an application for each vessel that wishes to fish under the Agreement.

The application shall be made on the forms provided for that purpose by the Government of Senegal. A specimen is annexed hereto.

The fees are set according to the following scale:

- (a) trawlers landing their entire catch: CFA 7 500 per gross register ton per year;
- (b) trawlers not landing their entire catch: CFA 15 000 per gross register ton per year;
- (c) tuna boats landing their entire catch: CFA 1 per kg of fish caught per year;

⁽¹⁾ Ministère du développement rural (Ministry of Rural Development).

- (d) tuna boats not landing their entire catch: CFA 2 per kg of fish caught per year.
2. The fee shall be for one year, regardless of the period for which the licence is valid, except in the case referred to in Article 4 (6) of the Agreement and in that referred to in paragraph 3 below.
 3. For licences issued between the date when the Agreement becomes operative and 1 January following that date, the fee shall be in proportion to the period for which they are valid.
 4. The relevant Senegalese authorities shall examine each application to see that it complies with the Agreement and with Senegalese legislation and shall apply the scale of fees to be paid.

The relevant Senegalese authorities shall inform the Community authorities of these decisions.

5. The licences issued upon payment of the fees shall be valid for a given vessel and shall not be transferable.
6. Should there be any difficulties or additional information needed when applications are examined and licences issued, consultations shall be held between the representatives of the Contracting Parties, in particular through the Direction de l'Océanographie et des Pêches maritimes (Directorate for Oceanography and Sea Fisheries) and the Delegation of the Commission of the European Communities in Dakar.

B. Statement of catch

All vessels authorized to fish in Senegalese waters under the Agreement shall be obliged to forward to the Direction de l'Océanographie et des Pêches maritimes a statement of their catch made out according to the attached specimen.

A statement of catch must be presented after each trip for wet vessels or every month for freezer vessels, and in this case before the end of the following month.

Should these provisions not be adhered to, the Government of Senegal reserves the right to suspend the licence of the offending vessel until the formality has been complied with. In addition, the penalty provided for under Article 49 of Senegal's Sea Fishing Code shall be inflicted upon the owner of the said vessel.

C. Landing of catch

Vessels authorized to fish in Senegalese waters under the Agreement shall be obliged to land part or all of their catch, depending on the type of fishing practised.

1. Wet trawlers and tuna boats shall land their entire catch in Senegal. Where catches are made in fishing zones that are not under Senegal's sovereignty or jurisdiction, the Parties shall consult within the Joint Committee in order to set the percentage of the catch to be landed in Senegal.
2. During the first year of application of the Agreement, freezer tuna boats may be obliged to land up to 4000 tonnes of tuna on price terms to be worked out between the shipowners and the users concerned on the basis of the selling prices charged by those same shipowners on their market; the terms for landings in subsequent years shall be determined within the Joint Committee by mutual agreement with the shipowners concerned on the basis of catches made during the preceding year in Senegal's fishing zone.

3. Every six months, freezer trawlers shall land 100 kg of fish and crustaceans per gross register ton.

Any failure to comply with the obligation to land catches shall render the shipowner liable to the following sanctions on the part of the Senegalese authorities:

1. fine of CFA 25 000 per tonne not landed;
2. withdrawal of the licence, which shall not be renewed until the quantities due have been delivered.

D. Training grants

The two Parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the Community shall make it easier for Senegalese nationals to find places in establishments in its Member States and shall provide study and training grants for the purpose in the various scientific, technical and economic disciplines connected with fisheries.

E. Fishing zones

The fishing zones referred to in Article 4 of the Agreement shall be as follows:

- (a) wet trawlers and freezer vessels engaged in near-water fishing as defined in Article 5 of Senegal's Sea Fishing Code shall be authorized to fish outside the limit of the first six nautical miles of the waters under Senegalese jurisdiction;

- (b) freezer trawlers engaged in distant-water fishing shall be authorized to fish outside the limit of the first 12 nautical miles of the waters under Senegalese jurisdiction;
- (c) wet and freezer tuna boats shall be authorized to fish throughout the waters under Senegalese jurisdiction.

The extent of the waters under Senegalese jurisdiction is measured from the baselines defined in Décret No 72-756 of 5 July 1972.

REPUBLIC OF SENEGAL
One people – One goal – One faith

**MINISTRY OF RURAL DEVELOPMENT AND
WATER ENGINEERING**

**DIRECTORATE FOR OCEANOGRAPHY AND
SEA FISHERIES**

**APPLICATION FORM
FOR FISHING LICENCE**

APPLICANT

- Name and first name:
- Date of birth:
- Occupation:
- Trade Register No:
- Style of firm:
- Number of employees:
- Permanent:
- Temporary:
- Annual turnover:
- Address:

VESSEL

- Name:
- Registration No:
- Date and place of construction:
- Original nationality:
- Date of transfer to Senegalese flag:
- Lengths:
- Widths:
- Gross register tons:
- Net register tons:
- Engine type and rating:
- Number of seamen aboard:
- Type of fishing:
- A. Trawling:
- Length of trawl:
- Opening:
- Mesh size in the body:
- Mesh size in the wings:

B. Sardine fishing:

Length of net:

Depth of net:

C. Tuna fishing:

Number of poles:

Length of net:

Number of bait tanks:

Volume of bait tanks:

Live bait?

Purse-seine?

– Is the vessel a freezer vessel?

– If so:

– Total freezing power:

– Freezing capacity:

– Storage capacity:

SHORE INSTALLATIONS

– Address and permit No:

– Style of firm:

- Activities:
- Domestic wholesale fish trading:
- Exploitation export wholesaling:
- Type and No of wholesale trader's card:
- Description of cold store and technical installations:
- Number of employees:
- Permanent:
- Temporary:

Technical notes by the Director for Fisheries

Authorization of the Minister for Rural Development

NAME OF VESSEL

STATEMENT OF CATCH

Shipowner:

Consignee:

Licence No:

Engine rating:

Gross register tons:

FISHING TACKLE USED

Trawl	Seine	Other tackle
Type and number	Type	
Mesh size in cod end	Mesh size	
Head line	Length	
Rigging	Depth	

INFORMATION ON FISHING ACTIVITIES

Date out:

Date in:

Date	Fishing zone	Sounding	Time spent fishing	Species caught	Weight landed
1st day				1)	

2nd day				2)	
3rd day				3)	
4th day				4)	
5th day				5)	
6th day				6)	
7th day				7)	
8th day				8)	
9th day				9)	
10th day				10)	
11th day				11)	
12th day				12)	
13th day				13)	
14th day				14)	
15th day				15)	

REPUBLIC OF SENEGAL
MINISTRY OF RURAL DEVELOPMENT
DIRECTORATE FOR OCEANOGRAPHY AND
SEA FISHERIES

STATEMENT OF FISHING ACTIVITIES

Name of vessel:

Type of fishing:

Permit No:

Home port:

Catches:

Species	Tonnage landed	Tonnage not landed	Total
Albacore or bigeye			
Skipjack			
Other tuna			
Total			

I, the undersigned, owner of the above vessel or his duly authorized representative, hereby certify that the above statement conforms to the actual catches made by my vessel.

Done at,

signature and stamp of shipowner

ANNEX II

Procedure for settlement of disputes

The two Parties undertake to submit any disputes that may occur between them as to the interpretation or the application of the Agreement, apart from those relating to the exercise by Senegal of its sovereign rights over the waters off its coast, to the following arbitration procedure, should it prove impossible to settle them under Article 10:

1. Within two months of the date on which either Party formally requests that a dispute be submitted to arbitration in accordance with this Annex, each Contracting Party shall appoint one member of the arbitration tribunal and these two members shall, within three months of the same date, appoint, by mutual agreement and on behalf of the two Parties, a national of a third State as the third member of the tribunal.
2. The Contracting Party requesting arbitration shall submit, when its request is treated, a statement of its claim and the grounds on which such claim is based.
3. The arbitration tribunal shall reach its decisions by majority vote, basing them on the Agreement and on the other rules of international law. Decisions shall be binding on the two Parties. The cost of arbitration shall normally be borne by the two Contracting Parties in equal shares.

PROTOCOL

between the European Economic Community and the Government of the Republic of Senegal⁽¹⁾

THE PARTIES TO THIS PROTOCOL,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal, signed on 15 June 1979,

HAVE AGREED AS FOLLOWS:

Article 1

The limits referred to in Article 4 of the abovementioned Agreement shall be set as follows for the first two years of application of that Agreement:

1. tuna boats obliged to land their entire catch in Senegal: 3 300 grt,
2. trawlers obliged to land their entire catch in Senegal: 1 600 grt,
3. tuna boats not obliged to land their entire catch in Senegal: 23 300 grt,
4. trawlers not obliged to land their entire catch in Senegal: 12 300 grt,

⁽¹⁾ OJ No L 226, 29.8.1980.

Article 2

The compensation referred to in Article 9 of the Agreement shall be set for the first two years of application of the Agreement at CFA 2 500 000 000.

Article 3

1. The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of Senegal.
2. The Government of Senegal shall inform the European Economic Community of the programme for the use of the compensation.

Article 4

1. The compensation provided for in Article 2 shall be mobilized in accordance with a procedure to be laid down in an exchange of letters.
2. The compensation shall be paid into an account opened with a financial institution chosen by the Government of Senegal or in the books of the Treasurer-General of Senegal.

Article 5

If the European Economic Community fails to make the payments provided for in this Protocol, the Agreement on Fishing shall be suspended.

Article 6

This Protocol shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.

A. Letter from the Government of the Republic of Senegal

Sir,

With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community signed today, I have the honour to inform you that my Government reserves the right to make the granting of fishing licences to vessels flying the flag of a Member State of the Community and fishing under the Agreement on fishing negotiated between us subject to the obligation to take on board Senegalese nationals under the following conditions:

1. Vessels authorized to fish in Senegalese waters under the Agreement on fishing shall be obliged to take on board Senegalese registered seamen up to a proportion of 33% of their crew. The personnel at present available have the following qualifications:

- (a) first mate of vessel up to 300 grt;
- (b) first engineer of vessel up to 800 hp;
- (c) deck officer of vessel up to 500 grt;
- (d) engineer officer of vessel up to 3 500 hp;
- (e) boatswain of vessel up to 300 grt;
- (f) seaman;
- (g) ship's greaser;
- (h) ship's cook and steward.

Where a vessel authorized to fish in Senegalese waters has at least three crew officers in the deck or engine-room service, the crew of that vessel must include at least one Senegalese national having one of the qualifications mentioned under (a) or (b) above.

2. The number of seamen whom freezer tunny boats shall be obliged to take on shall be determined in overall terms, account being taken of the scale of their activities in Senegal's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

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

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

*For the Government
of the Republic of Senegal*

B. Letter from the European Economic Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community signed today, I have the honour to inform you that my Government reserves the right to make the granting of fishing licences to vessels flying the flag of a Member State of the Community and fishing under the Agreement on fishing negotiated between us subject to the obligation to take on board Senegalese nationals under the following conditions:

1. Vessels authorized to fish in Senegalese waters under the Agreement on fishing shall be obliged to take on board Senegalese registered seamen up to a proportion of 33% of their crew. The personnel at present available have the following qualifications:
 - (a) first mate of vessel up to 300 grt;
 - (b) first engineer of vessel up to 800 hp;
 - (c) deck officer of vessel up to 500 grt;
 - (d) engineer officer of vessel up to 3 500 hp;
 - (e) boatswain of vessel up to 300 grt;
 - (f) seaman;

(g) ship's greaser;

(h) ship's cook and steward.

Where a vessel authorized to fish in Senegalese waters has at least three crew officers in the deck or engine-room service, the crew of that vessel must include at least one Senegalese national having one of the qualifications mentioned under (a) or (b) above.

2. The number of seamen whom freezer tunny boats shall be obliged to take on shall be determined in overall terms, account being taken of the scale of their activities in Senegal's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

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

I have the honour to inform you that the Community will have the letter published in order to bring its content to the attention of the shipowners concerned.

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

*On behalf of the Council
of the European Communities*

A. Letter from the European Economic Community

Sir,

With reference to the Protocol between the European Economic Community and the Government of the Republic of Senegal annexed to the Agreement on fishing signed today, I have the honour to confirm that the amount of the compensation laid down in that Protocol for the first two years of application of the Agreement on fishing is by way of being an agreed amount and in no way prejudices what could be agreed for the following years on the basis of precise statistical and economic data on the catches made by the different categories of vessel in Senegal's fishing zone.

I should be obliged if you would confirm that your Government is in agreement with this interpretation.

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

*On behalf of the Council
of the European Communities*

B. Letter from the Government of the Republic of Senegal

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol between the European Economic Community and the Government of the Republic of Senegal annexed to the Agreement on fishing signed today, I have the honour to confirm that the amount of the compensation laid down in that Protocol for the first two years of application of the Agreement on fishing is by way of being an agreed amount and in no way prejudices what could be agreed for the following years on the basis of precise statistical and economic data on the catches made by the different categories of vessel in Senegal's fishing zone.

I should be obliged if you would confirm that your Government is in agreement with this interpretation.'

I have the honour to confirm that the Government of the Republic of Senegal is in agreement with this interpretation.

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

*For the Government
of the Republic of Senegal*

AGREEMENT

in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽¹⁾

COUNCIL DECISION

of 27 July 1981

on the conclusion of the Agreement in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal

(81/600/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽²⁾, and in particular Article 17 (2) thereof,

⁽¹⁾ OJ No L 220, 6.8.1981.

⁽²⁾ See page 1311 of this volume.

Having regard to the proposal from the Commission,

Whereas the European Economic Community and Senegal have begun the negotiations provided for in Article 17 (2) of the said Agreement in order to determine the amendments or additions to be made to the Annexes or the Protocol referred to in Article 9 of that Agreement;

Whereas the two Parties have agreed to extend the said Protocol for an interim period of three months pending the final outcome of the negotiations,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

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

Done at Brussels, 27 July 1981.

For the Council
The President
P. WALKER

AGREEMENT

in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal

A. Letter from the Community

Sir,

I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Republic of Senegal and the European Economic Community pending the completion of the negotiations on the Protocol to that Agreement to be concluded for its third year of application.

1. The arrangements applicable during the first two years shall be extended for a period of three months commencing on 15 June 1981.

The compensation paid by the Community under the interim arrangements shall amount, *pro rata temporis*, to the sum provided for in Article 2 of the Protocol to the Agreement.

2. Licences shall be granted during the interim period subject to payment of the fees which correspond *pro rata temporis* to those laid down in Annex I.A.1 to the Agreement.

The Community takes note of the intention of the Senegalese authorities to adjust, with effect from 15 June 1981, the scale of the fees specified in Article 5 of the Agreement on fishing, and in particular in Annex I.A thereto; such rates shall be notified by the Senegalese authorities to all shipowners concerned prior to examination of licence applications.

On the adoption of the decree containing the new rates for fees, the Government of Senegal shall notify the Community and each licence-holder of its content.

The Community takes note of the intention of the Senegalese authorities to require shipowners applying for licences to be issued during the period from 15 June 1981 until the formal adoption of the new rates to arrange for a bank represented in Senegal to guarantee payment of the difference, in the interim period, between the global rate at 1 January 1981 and the future rate, on the understanding that such guarantee implies no financial liability on the part of the Community in respect of licence payments.

3. The compensation paid in accordance with point 1 and the fishing rights (licences) granted in accordance with point 2 shall be covered by the provisions of the Protocol applicable as from the third year of the Agreement.

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

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

*On behalf of the Council
of the European Communities*

B. *Letter from the Government of the Republic of Senegal*

Sir,

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

'I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Republic of Senegal and the European Economic Community pending the completion of the negotiations on the Protocol to that Agreement to be concluded for its third year of application.

1. The arrangements applicable during the first two years shall be extended for a period of three months commencing on 15 June 1981.

The compensation paid by the Community under the interim arrangements shall amount, *pro rata temporis*, to the sum provided for in Article 2 of the Protocol to the Agreement.

2. Licences shall be granted during the interim period subject to payment of the fees which correspond *pro rata temporis* to those laid down in Annex I.A.1 to the Agreement.

The Community takes note of the intention of the Senegalese authorities to adjust, with effect from 15 June 1981, the scale of the fees specified in Article 5 of the Agreement on fishing, and in particular to Annex I.A thereto; such rates shall be notified by the Senegalese authorities to all shipowners concerned prior to examination of licence applications.

On the adoption of the decree containing the new rates for fees, the Government of Senegal shall notify the Community and each licence-holder of its content.

The Community takes note of the intention of the Senegalese authorities to require shipowners applying for licences to be issued during the period from 15 June 1981 until the formal adoption of the new rates to arrange for a bank represented in Senegal to guarantee payment of the difference, in the interim period, between the global rate at 1 January 1981 and the future rate, on the understanding that such guarantee implies no financial liability on the part of the Community in respect of licence payments.

3. The compensation paid in accordance with point 1 and the fishing rights (licences) granted in accordance with point 2 shall be covered by the provisions of the Protocol applicable as from the third year of the Agreement.

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

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

*For the Government of the
Republic of Senegal*

AGREEMENT

in the form of an exchange of letters amending the Agreement concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽¹⁾

COUNCIL DECISION

of 19 October 1981

concerning the conclusion of the Agreement in the form of an exchange of letters amending the Agreement concerning an interim extension annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal

(81/860/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽²⁾, and in particular the second paragraph of Article 17 thereof,

⁽¹⁾ OJ No L 319, 7.11.1981.

⁽²⁾ See page 1311 of this volume.

Having regard to the proposal from the Commission,

Whereas the European Economic Community and Senegal have begun the negotiations provided for in the second paragraph of Article 17 of the said Agreement in order to determine the amendments or additions to be made to the Annexes or the Protocol referred to in Article 9 of that Agreement;

Whereas, by Decision 81/600/EEC ⁽¹⁾, the Agreement in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the abovementioned Agreement has been approved;

Whereas the said Protocol has been extended for an interim period of three months up to 15 September 1981 pending the final outcome of these negotiations;

Whereas these negotiations were not concluded before 15 September 1981, and whereas the two Parties have therefore agreed to extend the said Protocol for an additional interim period of two months,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters amending the Agreement concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

⁽¹⁾ See page 1343 of this volume.

Article 2

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

Done at Luxembourg, 19 October 1981.

For the Council

The President

P. WALKER

AGREEMENT

in the form of an exchange of letters amending the Agreement concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal

A. Letter from the Community

Sir,

I have the honour to confirm that we have agreed to amend the Agreement concerning an interim extension of the Protocol annexed to the Agreement on fishing between the Government of the Republic of Senegal and the European Economic Community as follows:

In the first sentence of paragraph 1 of the abovementioned Agreement the words 'a period of three months' shall be replaced by 'a period of five months'.

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

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

*On behalf of the Council
of the European Communities*

B. Letter from the Government of the Republic of Senegal

Sir,

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

'I have the honour to confirm that we have agreed to amend the Agreement concerning an interim extension of the Protocol annexed to the Agreement on fishing between the Government of the Republic of Senegal and the European Economic Community as follows:

In the first sentence of paragraph 1 of the abovementioned Agreement the words "a period of three months" shall be replaced by "a period of five months".

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

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

*For the Government
of the Republic of Senegal*

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 between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽¹⁾

EEC	15.6.1979	12.3.1981	1.6.1981 ⁽²⁾	2 years ⁽³⁾
SENEGAL		n. 1.6.1981		

- the PROTOCOL between the European Economic Community and the Government of the Republic of Senegal ⁽¹⁾

EEC	15.6.1979	12.3.1981	1.6.1981 ⁽²⁾	2 years
SENEGAL		n. 1.6.1981		

- the AGREEMENT in the form of an exchange of letters ⁽⁴⁾ concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal

EEC	12.11.1981	—	⁽⁵⁾	until 15.9.1981
SENEGAL				

- the AGREEMENT in the form of an exchange of letters ⁽⁶⁾ amending the Agreement ⁽⁴⁾ concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽¹⁾.

EEC	12.11.1981	—		until 15.11.1981
SENEGAL				

⁽¹⁾ OJ No L 226, 29.8.1980.

⁽²⁾ OJ No L 168, 25.6.1981.

⁽³⁾ Article 17 states that the Agreement 'shall be concluded for an initial period of two years . . . it shall remain in force for additional periods of one year, provided that notice of termination has not been given . . . '.

⁽⁴⁾ OJ No L 220, 6.8.1981.

⁽⁵⁾ Application of this Agreement took effect on 15.6.1981.

⁽⁶⁾ OJ No L 319, 7.11.1981.

**Agreements
between the EEC
and the Republic of Guinea Bissau**

AGREEMENT

between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau ⁽¹⁾

COUNCIL REGULATION (EEC) No 2213/80

of 27 June 1980

on the conclusion of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau, and of the two exchanges of letters referring thereto

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas it is in the Community's interest to approve the Agreement between the European Economic Community and the Government of the Republic of Guinea Bissau on fishing off the coast of Guinea Bissau, and the two exchanges of letters referring thereto, signed in Brussels on 27 February 1980;

⁽¹⁾ OJ No L 226, 29.8.1980.

⁽²⁾ OJ No C 85, 8.4.1980.

Whereas the conclusion of this Agreement renders nugatory Council Decision 80/255/EEC of 26 February 1980, concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and of the two exchanges of letters relating thereto ⁽¹⁾;

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau, and the two exchanges of letters referring thereto are approved on behalf of the Community.

The instruments referred to in the preceding paragraph are annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 18 of the Agreement.

Article 3

Decision 80/255/EEC is hereby repealed.

Article 4

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

⁽¹⁾ This Agreement appears in Volume 10, page 987.

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

Done at Brussels, 27 June 1980.

For the Council

The President

A. SARTI

AGREEMENT

between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau

THE GOVERNMENT OF THE REPUBLIC OF GUINEA BISSAU AND THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community');

RECALLING the close relations between the Community and the Republic of Guinea Bissau;

IN THE SPIRIT of cooperation resulting from the Lomé Convention, symbolizing the Parties' common desire to intensify friendly relations between the African, Caribbean and Pacific States and the Community;

CONSIDERING their mutual interest in the rational management, conservation and optimum utilization of fish stocks, notably in the Central East Atlantic;

WHEREAS the Republic of Guinea Bissau exercises its sovereignty or jurisdiction, in respect of sea fishing, over a zone extending up to 200 nautical miles from its coast;

TAKING INTO ACCOUNT the fact that vessels flying the flags of Member States of the Community habitually engage in fishing activities in that zone;

TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the Sea;

AFFIRMING that the exercise by coastal States of their sovereign rights in the waters within their jurisdiction for the purposes of exploring, exploiting, conserving and managing the living resources thereof must be in accordance with the principles of international law;

DETERMINED to conduct their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing fishing activities of mutual interest to the Parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will govern in future, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, herein after referred to as 'Community vessels', in the waters over which the Republic of Guinea Bissau has jurisdiction in respect of fisheries, hereinafter referred to as 'Guinea Bissau's fishing zone'.

Article 2

The Government of the Republic of Guinea Bissau undertakes to authorize Community vessels to fish in Guinea Bissau's fishing zone in accordance with the terms of this Agreement, in particular those stipulated in the Annex.

Article 3

1. The Community undertakes to take all appropriate steps to ensure that its vessels adhere to the provisions of this Agreement and the rules and regulations governing fishing activities in Guinea Bissau's zone.

2. The authorities of Guinea Bissau shall notify the Commission of the European Communities in advance of any changes to the said rules and regulations.

Article 4

1. Fishing activities by Community vessels in Guinea Bissau's fishing zone shall be subject to the possession of a licence issued at the Community's request by the authorities of Guinea Bissau.

2. The authorities of Guinea Bissau shall issue fishing licences within the limits laid down by category of vessel in the Protocol referred to in Article 9.

3. Licences shall be valid from the day of issue until 31 December of the year in which they are issued, or during a period of six months from 1 January to 30 June or 1 July to 31 December of any year.

4. A licence shall be issued for a given vessel and shall not be transferable.

5. Where a vessel in possession of a licence is prevented from using it by *force majeure*, the licence may be replaced at the Community's request by another one which shall be valid for a vessel of the same category.

Article 5

1. Licences shall be issued by the authorities of the Republic of Guinea Bissau subject to payment of a fee by the shipowner concerned.

2. The fees payable for each category of vessel are given in the Annex under A.1. The fees shall be paid in full before the licences are issued; however, the fees assessed on the basis of the quantity of fish caught in Guinea Bissau's fishing zone, in accordance with the provisions of point A.2 in the Annex, shall be paid in the form of an advance lump sum, accompanied by a banker's guarantee to cover any additional amount necessary to make up the final total fees due at the end of each season.

3. The fees shall be set in proportion to the period for which the licence is valid.

Article 6

The Parties undertake to concert action, either directly or within international organizations, to ensure the management and conservation of the living resources, particularly in the Central East Atlantic, and to facilitate the relevant scientific research.

Article 7

Vessels authorized to fish in Guinea Bissau's fishing zone under this agreement shall be obliged to forward to the relevant authorities of Guinea Bissau statements of catches in accordance with the arrangements set out under B in the Annex to this Agreement.

Article 8

The vessels, authorized under this Agreement to fish in Guinea Bissau's fishing zone, may be obliged to land a proportion of the fish caught in that zone at ports in Guinea Bissau.

The quantities and conditions for the landings shall be determined within the Joint Committee provided for in Article 11.

Article 9

In return for the fishing opportunities accorded under this Agreement, the Community shall pay the Republic of Guinea Bissau compensation as set out in the Protocol to this Agreement.

This compensation, which shall be paid without prejudice to financing accorded to the Republic of Guinea Bissau under the Convention, shall be mobilized in accordance with the special procedure described in the said Protocol.

The compensation shall be used to finance projects relating to sea and fresh-water fishing.

Article 10

The Parties agree to consult in the event of a dispute concerning the interpretation or application of this Agreement.

Article 11

A Joint Committee shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet once a year, alternating between Guinea Bissau and the Community, and shall hold special meetings at the request of either Contracting Party.

The Joint Committee shall meet in particular once new legislation has been adopted governing fishing in Guinea Bissau's waters in order to see whether the Annex should be amended.

Article 12

Should the authorities of Guinea Bissau decide, as a result of an unforeseeable change in the state of the fish stocks, to take new conservation measures which, in the opinion of the Community, have a considerable effect on the fishing activities of Community vessels, consultations must be held between the Parties in order to adapt the Annex and the Protocol referred to in Article 9.

Such consultations shall be based on the principle that any reduction in the fishing opportunities provided for in the said Protocol shall be offset by other fishing opportunities of equivalent value, account being taken of compensation already paid by the Community.

Article 13

Nothing in this Agreement shall affect or prejudice in any manner the views of either Party with respect to any matter relating to the Law of the Sea.

Article 14

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

Article 15

The Parties agree to examine this Agreement upon the conclusion of the negotiations for a Multilateral Treaty which are being conducted within the framework of the Third United Nations Conference on the Law of the Sea.

Article 16

The Annex and the Protocol form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement constitutes a reference to them.

Article 17

This Agreement shall be concluded for an initial period of two years running from the date of its entry into force. In the event of the Agreement not being terminated by either Party through notice of termination given at least six months before the expiry of that two-year period, it shall remain in force for additional periods of one year, provided that notice of termination has not been given at least three months before the expiry of each yearly term.

Negotiations shall then take place between the Parties to determine by mutual agreement the amendments or additions to be made to the Annex or the Protocol.

Article 18

This Agreement shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.

ANNEX

Conditions for the pursuit of fishing activities in Guinea Bissau's fishing zone by vessels flying the flags of Member States of the Community

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the annual licences enabling vessels flying the flags of Member States of the Community to fish in Guinea Bissau's fishing zone shall be as follows:

1. The relevant Community authorities shall present to the Office of the Secretary of State for Fisheries of the Republic of Guinea Bissau, via the Delegation of the Commission of the European Communities in Guinea Bissau, an application for each vessel that wishes to fish under this Agreement.

The applications shall be made on the forms provided for that purpose by the Government of Guinea Bissau. A specimen is given under A.1 below.

The fees shall be set according to the following scale:

- | | |
|-------------------------|--------------------------------|
| (a) bottom trawlers: | FF 420 per grt per year; |
| (b) freezer tuna boats: | FF 0.04 per kg of fish caught. |

2. Applications for licences for tuna boats shall be accompanied by proof of payment of a lump sum equivalent to a catch of 1 000 tonnes of tuna for the whole fleet and by a banker's guarantee covering payment at the end of each season of any sums due in respect of catches in excess of the abovementioned quantity.

In case of landings agreed under Article 8 of the Agreement, payments of a smaller amount will be fixed by the Joint Committee.

3. The relevant authorities of Guinea Bissau shall examine each application to see that it complies with this Agreement and with the legislation of Guinea Bissau and shall apply the scale of fees to be paid.

The relevant authorities of Guinea Bissau shall inform the Community authorities of their decisions.

4. The licences issued upon payment of the fees shall be valid for a given vessel and shall not be transferable.
5. Should there be any difficulties or additional information needed when applications are examined and licences issued, consultations shall be held between the representatives of the Contracting Parties, in particular through the Office of the Secretary of State for Fisheries and the Delegation of the Commission of the European Communities in Guinea Bissau.

B. Statement of catch

1. All vessels authorized to fish in Guinea Bissau's waters under this Agreement shall be obliged to forward to the Office of the Secretary of State for Fisheries a statement of their catch made out according to the specimen given under B.1 below.

A statement of catch must be drawn up for each month and presented at least once every three months.

Should these provisions not be adhered to, the Government of Guinea Bissau reserves the right to suspend the licence of the offending vessel until the formality has been accomplished.

2. Any Community vessel fishing in Guinea Bissau's fishing zone shall allow on board, and assist in the accomplishment of his duties, any official of Guinea Bissau responsible for inspecting and monitoring compliance with the provisions of this Agreement.

C. Training grants

The two Parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the European Economic Community shall make it easier for nationals of Guinea Bissau to find places in establishments in its Member States and shall provide study and training grants for that purpose in the various scientific, technical and economic subjects connected with fisheries.

REPUBLIC OF GUINEA BISSAU
OFFICE OF THE SECRETARY OF STATE FOR FISHERIES

A.J.

APPLICATION FOR A FISHING LICENCE⁽¹⁾

1. Valid from: to:
2. Name of vessel:
3. Name of shipowner:
4. Port and registration number:
5. Type of fishing:
6. Authorized mesh size:
7. Length of vessel:
8. Width of vessel:
9. Gross registered tonnage:
10. Hold capacity:
11. Engine rating:
12. Type of construction:
13. Usual number of seamen aboard:

⁽¹⁾ The original application form is issued in French and Portuguese only.

14. Radio/electrical equipment:

15. Master's name:

The above information is the sole responsibility of the shipowner or his representative.

Date of application:

13/														
14/														
15/														
16/														
17/														
18/														
19/														
20/														
21/														
22/														
23/														
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25/														
26/														
27/														
28/														
29/														
30/														
31/														

INSTRUCTIONS FOR FILLING IN THE LOG-BOOK

Each ship's master shall be responsible for the information supplied every month to the Office of the Secretary of State for Fisheries. He shall fill in this log-book in a spirit of frank cooperation.

The following information is requested:

1. Month: Year:
2. Name of vessel:
Nationality (flag):
3. Engine rating in hp:
Gross registered tonnage (grt):
4. Fishing method (gear):
Port of landing:

The statistical table of catches and fishing activity is divided into two parts.

The first part shows the daily fishing activity (each horizontal line corresponds to a day's activity). The first page should be used for the first half of the month and the second page for the last half.

The master should indicate the fishing zone by noting the latitude and longitude. He should note the number of times the net is thrown per day. He should give the total number of fishing hours for each day.

The second part of the log is for information on catches, in kilograms or in tonnes. It should be clearly stated whether the figure is in kilograms or tonnes. There are seven columns, one for each species. Only the six most important species fished should be entered in the log. The column before the total (headed 'other') should be reserved for the sum of all other species fished.

The monthly logs, once filled in, should be sent every month to the Office of the Secretary of State for Fisheries for those vessels landing their catches in Bissau. For other vessels, the monthly logs should be sent, duly filled in, to the Office of the Secretary of State for Fisheries every three months.

PROTOCOL

between the European Economic Community and the Government of the Republic of Guinea Bissau ⁽¹⁾

THE PARTIES TO THIS PROTOCOL,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Guinea Bissau on fishing off the coast of Guinea Bissau, signed on 27 February 1980,

HAVE AGREED AS FOLLOWS:

Article 1

The limits referred to in Article 4 of the abovementioned Agreement shall be set as follows for the first two years of application of that Agreement:

- | | |
|------------------------|-------------|
| 1. Bottom trawlers: | 6 500 grt, |
| 2. Freezer tuna boats: | 23 300 grt. |

Article 2

The compensation referred to in Article 9 of the Agreement shall be set for the first two years of application of the Agreement at FF 12 800 000.

⁽¹⁾ OJ No L 226, 29.8.1980.

Article 3

1. The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of Guinea Bissau.
2. The Government of Guinea Bissau shall inform the European Economic Community of the programme for the use of the compensation.

Article 4

1. The compensation shall be mobilized in two equal annual instalments.
2. The compensation shall be paid into an account opened with a financial institution chosen by the Government of Guinea Bissau.

Article 5

If the European Economic Community fails to make the payments provided for in this Protocol, the Agreement on fisheries shall be suspended.

Article 6

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

AGREEMENT

in the form of exchanges of letters between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau ⁽¹⁾

Exchange of letters No 1

A. Letter from the Government of the Republic of Guinea Bissau

Sir,

With reference to the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community signed today, I have the honour to remind you that my Government decided to approve the signing of the Agreement provided that the shipowners to whom fishing licences are granted under the Agreement contribute towards the practical vocational training of nationals of Guinea Bissau on the following terms and within the following limits:

1. Trawlers authorized under the Agreement to fish in waters over which the Republic of Guinea Bissau has sovereignty or jurisdiction may be obliged to take on board seamen of Guinea Bissau up to a proportion of 25% of that part of their crew representing uncertificated personnel of the bridge, machines and general services (seamen, trainees, cleaners, greasers, galley boys, etc. . . .).

⁽¹⁾ OJ No L 226, 29.8.1980.

2. Owners of freezer tuna boats authorized under the Agreement to fish in the waters referred to in point 1 above shall be responsible for employing nationals of Guinea Bissau either on board the tuna boats or in suitable positions ashore, following approval of the said positions by the authorities of Guinea Bissau. The number of positions referred to in this paragraph shall be determined in overall terms, account being taken of the scale of the tuna boats' activities in Guinea Bissau's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

My Government would like the shipowners' contribution towards the vocational training of Guinea Bissau nationals to be examined by the Joint Committee referred to in Article 11 of the Agreement.

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

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

*For the Government of
the Republic of Guinea Bissau*

B. *Letter from the European Economic Community*

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community signed today, I have the honour to remind you that my Government decided to approve the signing of the Agreement provided that the shipowners to whom fishing licences are granted under the Agreement contribute towards the practical vocational training of nationals of Guinea Bissau on the following terms and within the following limits:

1. Trawlers authorized under the Agreement to fish in waters over which the Republic of Guinea Bissau has sovereignty or jurisdiction may be obliged to take on board seamen of Guinea Bissau up to a proportion of 25% of that part of their crew representing uncertificated personnel of the bridge, machines and general services (seamen, trainees, cleaners, greasers, galley boys, etc. . .).
2. Owners of freezer tuna boats authorized under the Agreement to fish in the waters referred to in point 1 above shall be responsible for employing nationals of Guinea Bissau either on board the tuna boats or in suitable positions ashore, following approval of the said positions by the authorities of Guinea Bissau. The number of positions referred to in this paragraph shall be determined in overall terms, account being taken of the scale of the tuna boats' activities in Guinea Bissau's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

My Government would like the shipowners' contribution towards the vocational training of Guinea Bissau nationals to be examined by the Joint Committee referred to in Article 11 of the Agreement.'

I have the honour to inform you that the Community will have the letter published in order to bring its content to the attention of the shipowners concerned.

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

*On behalf of the Council
of the European Communities*

Exchange of letters No 2

A. Letter from the European Economic Community

Sir,

With reference to the Agreement on fisheries between the Government of the Republic of Guinea Bissau and the European Economic Community, and in particular Article 8 thereof, signed today, may I request that you confirm your agreement to the following conditions, decided upon to govern future landings of catches in Guinea Bissau.

The Joint Committee shall meet at the request of the Government of Guinea Bissau in order to determine the quantities and conditions for landings of fish, taking into consideration the requirements and the processing capacities of the shore installations in Guinea Bissau and the scale of landings by vessels of other nationalities fishing in Guinea Bissau's fishing zone.

In addition, should there be any landings of tuna, the fee shall be reduced by half and the economic conditions offered to the fishermen shall be comparable to those offered to the same vessels for the quantities landed at Dakar.

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

*On behalf of the Council
of the European Communities*

B. Letter from the Government of the Republic of Guinea Bissau

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement on fisheries between the Government of the Republic of Guinea Bissau and the European Economic Community, and in particular Article 8 thereof, signed today, may I request that you confirm your agreement to the following conditions, decided upon to govern future landings of catches in Guinea Bissau.

The Joint Committee shall meet at the request of the Government of Guinea Bissau in order to determine the quantities and conditions for landings of fish, taking into consideration the requirements and the processing capacities of the shore installations in Guinea Bissau and the scale of landings by vessels of other nationalities fishing in Guinea Bissau's fishing zone.

In addition, should there be any landings of tuna, the fee shall be reduced by half and the economic conditions offered to the fishermen shall be comparable to those offered to the same vessels for the quantities landed at Dakar.'

I have the honour to confirm that my Government is in agreement with the conditions for future landings of catches as stated in that letter.

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

*For the Government of the
Republic of Guinea Bissau*

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 between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau ⁽¹⁾

EEC	27.2.1980	17.12.1981	17.12.1981 ⁽²⁾	2 years from the date of entry into force of the Agreement with tacit renewal, except for fishing rights and financial compensation ⁽²⁾
GUINEA BISSAU				

⁽¹⁾ OJ No L 226, 29.8.1980.

⁽²⁾ OJ No L 2, 6.1.1982—In the case of fishing rights and financial compensation the Agreement was applied provisionally from the date of signature.

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
---------------------	--	--	--------------------------	----------

– the PROTOCOL between the European Economic Community and the Government of the Republic of Guinea Bissau ⁽¹⁾

EEC	27.2.1980	17.12.1981	17.12.1981 ⁽²⁾	2 years from the date of entry into force of the Agreement with tacit renewal, except for fishing rights and financial compensation ⁽²⁾
GUINEA BISSAU				

– the AGREEMENT in the form of two exchanges of letters between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau ⁽¹⁾

EEC	27.2.1980	17.12.1981	17.12.1981	Same as the Agreement of 27.2.1980 published in OJ No L 226, 29.8.1980
GUINEA BISSAU				

(¹) OJ No L 226, 29.8.1980.

(²) OJ No L 2, 6.1.1982—In the case of fishing rights and financial compensation the Agreement was applied provisionally from the date of signature.

**Agreement
between the EEC and the
Republic of Zimbabwe**

INTERIM AGREEMENT

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

COUNCIL REGULATION (EEC) No 3550/80

of 16 December 1980

concluding the Interim Agreement between the European Economic Community and the Republic of Zimbabwe

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 pending the entry into force of the Agreement signed at Luxembourg on 4 November 1980, on the accession of the Republic of Zimbabwe to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, the Interim Agreement between the European Economic Community and the Republic of Zimbabwe signed at Luxembourg on 4 November 1980 should be approved,

⁽¹⁾ OJ No L 372, 31.12.1980.

HAS ADOPTED THIS REGULATION:

Article 1

The Interim Agreement between the European Economic Community and the Republic of Zimbabwe and the declarations annexed to the Final Act are hereby approved on behalf of the Community.

The texts referred to in the first paragraph are annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 5 of the Interim Agreement.

Article 3

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 16 December 1980.

For the Council
The President
Colette FLESCH

INTERIM AGREEMENT

between the European Economic Community and the Republic of Zimbabwe

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE,

of the other part,

Whereas the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 'Convention', will enter into force as soon as the necessary procedures are completed;

Whereas Zimbabwe has applied to accede to the Convention and the ACP-EEC Council of Ministers, by its Decision No 6/80 of 9 May 1980, has approved this request;

Whereas an agreement on Zimbabwe's accession was signed on 4 November 1980 between the Community and its Member States on the one hand and Zimbabwe on the other, and whereas the agreement cannot enter into force until a certain period of time has elapsed;

Whereas it is appropriate, pending the entry into force of the aforementioned accession agreement, to establish transitional trade arrangements as from 1 January 1981 which would replace those introduced unilaterally by the Community by virtue of Council Regulation (EEC) No 120/80;

Whereas these transitional arrangements can, at this stage, be made to correspond to the Convention's provisions on trade,

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gaston THORN,

President-in-office of the Council of the European Communities,
Vice-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 ZIMBABWE:

The Hon. David Colville SMITH, MP,
Minister for Commerce and Industry.

Article 1

From 1 January 1981 until the entry into force of the Agreement on the accession of the Republic of Zimbabwe to the Convention, trade relations between the Community and Zimbabwe shall be governed by provisions corresponding to the trade arrangements laid down in Articles 1 to 19 of the Convention, in Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, Protocol 4 on bananas and Protocol 5 on rum, annexed to the said Convention.

The provisions of Articles 1 to 19 of the Convention are set out in the Annex to this Interim Agreement, which shall form an integral part thereof.

Article 2

For the purpose of applying the texts referred to in Article 1:

- the word 'Convention' shall be replaced by 'Interim Agreement',
- 'Zimbabwe' shall replace references to 'ACP State(s)', except in the application of Protocol 1, in which the words 'ACP State(s)' also cover Zimbabwe,
- the powers invested in the ACP-EEC Council of Ministers and in the other bodies provided for under the Convention shall be exercised jointly by the Community and Zimbabwe,
- the reference, which appears in the third subparagraph of Article 1 of the Convention, to measures under Titles V, VI, and VII of the Convention shall not apply.

Article 3

Save for the special provisions on relations between Zimbabwe and the French overseas departments, provided for in this Agreement, this Agreement shall apply, on the one hand, to those territories in which the Treaty establishing the European Economic Community is applied and under the conditions set out in that Treaty and, on the other hand, to the territory of the Republic of Zimbabwe.

Article 4

The arrangements applicable to trade between the ACP States and Greece as from 1 January 1981 shall also apply to trade between Zimbabwe and Greece.

Article 5

1. This Agreement shall be subject to ratification, acceptance or approval in accordance with the Contracting Parties' own procedures and the Parties shall notify one another of the completion of the procedures necessary for that purpose.

2. This Agreement shall enter into force on 1 January 1981 if the notifications referred to in paragraph 1 have been given by that date. Otherwise, it shall enter into force on the first day of the second month following the date on which the notifications referred to in paragraph 1 are given.

Article 6

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

Article 7

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

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne interimsaftale.

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

In witness whereof the undersigned Plenipotentiaries have signed this Interim Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord intérimaire.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo interinale.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Interimovereenkomst hebben gesteld.

Udfærdiget i Luxembourg, den fjerde november nitten hundrede og firs.

Geschehen zu Luxemburg am vierten November neunzehnhundertachtzig.

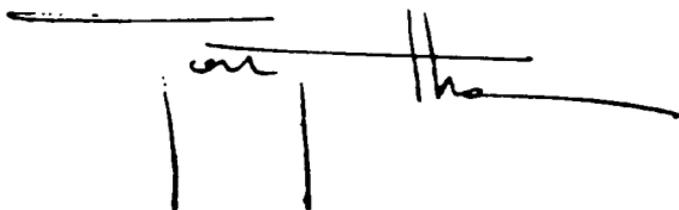
Done at Luxembourg on the fourth day of November in the year one thousand nine hundred and eighty.

Fait à Luxembourg, le quatre novembre mil neuf cent quatre-vingt.

Fatto a Lussemburgo, addi quattro novembre millenovecentoottanta.

Gedaan te Luxemburg, de vierde november negentienhonderd tachtig.

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 stylized handwritten signature consisting of a long horizontal line with a small 'ou' written below it, and two vertical lines extending downwards from the center of the horizontal line.

C. Cheyrou

For præsidenten for republikken Zimbabwe
Für den Präsidenten der Republik Simbabwe
For the President of the Republic of Zimbabwe
Pour le président de la république du Zimbabwe
Per il Presidente della Repubblica di Zimbabwe
Voor de President van de Republiek Zimbabwe

A handwritten signature in cursive script that reads 'D. C. Smith'.

SECOND ACP-EEC CONVENTION

signed at Lomé on 31 October 1979

TRADE COOPERATION

Article 1

In the field of trade cooperation, the object of this Convention is to promote trade between the ACP States and the Community, taking account of their respective levels of development, and also between the ACP States themselves.

In the pursuit of this objective, particular regard will be had to the need to secure effective additional benefits for the trade of the ACP States with the Community, in order to accelerate the growth of their trade and in particular of the flow of their exports to the Community and in order to improve the conditions of access for their products to the market of the Community, so as to ensure a better balance in the trade of the Contracting Parties.

To this end the Contracting Parties shall apply the provisions of this Title and the other appropriate measures under Titles V, VI and VII.

Chapter 1

TRADE ARRANGEMENTS

Article 2

1. Products originating in the ACP States shall be imported into the Community free of customs duties and charges having equivalent effect.
2. (a) Products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on import into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of customs duties for which Community provisions in force at the time of import do not provide, apart from customs duties, for the application of any other measure relating to their import;
 - (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure more favourable treatment than that granted to third countries benefiting from the most-favoured-nation clause for the same products.
- (b) If, during the application of this Convention, the ACP States request that new lines of agricultural production or agricultural products which are not the subject of specific arrangements upon the entry into force of this Convention should benefit from such arrangements, the Community shall examine these requests in consultation with the ACP States.
- (c) The arrangements referred to in subparagraph (a) shall enter into force at the same time as this Convention and shall remain applicable for its duration.

If, however, during the application of this Convention, the Community:

- subjects one or more products to common organization of the market or to specific rules introduced as a result of the implementation of the common agricultural policy, it reserves the right to adapt the import treatment for these products originating in the ACP States, following consultations within the Council of Ministers. In such cases, the provisions of subparagraph (a) shall be applicable,

 - modifies the common organization of the market in a particular product or the specific rules introduced as a result of the implementation of the common agricultural policy, it reserves the right to modify the arrangements laid down for products originating in the ACP States, following consultations within the Council of Ministers. In such cases, the Community undertakes to ensure that products originating in the ACP States continue to enjoy an advantage comparable to that previously enjoyed in relation to products originating in third countries benefiting from the most-favoured-nation clause.
- (d) Where the Community envisages concluding a preferential agreement with third States it shall inform the ACP States thereof. Consultations shall take place, where the ACP States so request, in order to safeguard their interests.

Article 3

1. The Community shall not apply to imports of products originating in the ACP States any quantitative restrictions or measures having equivalent effect.

2. Paragraph 1, however, shall not prejudice the import treatment applied to the products referred to in the first indent of Article 2 (2) (a).

The Community shall inform the ACP States when residual quantitative restrictions are eliminated in respect of any of these products.

Article 4

The provisions of this chapter shall not preclude any commitments which the Contracting Parties might have to enter into within the framework of International Community Agreements.

Consultations shall take place on this subject when Contracting Parties envisage concluding such Agreements with a view to taking into consideration the respective interests of all the Contracting Parties.

Article 5

1. The provisions of Article 3 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 and plants; the protection of national treasures possessing artistic, historic or archaeological value or the protection of industrial and commercial property.

2. Such prohibitions or restrictions shall not in any case constitute a means of arbitrary discrimination or a disguised restriction on trade generally.

3. In cases where the implementation of the measures referred to in paragraph 1 affect the interests of one or more ACP States, consultations shall be held at the request of the latter with a view to reaching a satisfactory solution.

Article 6

The treatment applied to imports of products originating in the ACP States may not be more favourable than that applied to trade among the Member States.

Article 7

Where new measures or measures stipulated in programmes adopted by the Community for the approximation of laws and regulations in order to facilitate the movement of goods are likely to affect the interests of one or more ACP States the Community shall, prior to adopting such measures, inform the ACP States thereof through the Council of Ministers.

In order to enable the Community to take into consideration the interests of the ACP States concerned, consultations shall be held at the request of the latter with a view to reaching a satisfactory solution.

Article 8

1. Where existing rules or regulations of the Community adopted in order to facilitate the movement of goods affect the interests of one or more ACP States or where these interests are affected by the interpretation, application or administration of such rules or regulations, consultations shall be held at the request of the ACP States concerned with a view to reaching a satisfactory solution.

2. With a view to finding a satisfactory solution, the ACP States may also bring up within the Council of Ministers any other problem relating to the movement of goods which might result from measures taken or envisaged by the Member States.

3. The competent institutions of the Community shall to the greatest possible extent inform the Council of Ministers of such measures.

Article 9

1. In view of their present development needs, the ACP States shall not be required for the duration of this Convention to assume in respect of imports of products originating in the Community, obligations corresponding to the commitments entered into by the Community in respect of imports of the products originating in the ACP States, under this Chapter.

2. (a) In their trade with the Community, the ACP States shall not discriminate among the Member States, and shall grant to the Community treatment no less favourable than the most-favoured-nation treatment.
- (b) The most-favoured-nation treatment referred to in subparagraph (a) shall not apply in respect of trade or economic relations between ACP States or between one or more ACP States and other developing countries.

Article 10

Unless it has already done so under the terms of the ACP-EEC Convention of Lomé, each Contracting Party shall communicate its customs tariff to the Council of Ministers within a period of three months following the entry into force of this Convention. Each Contracting Party shall also communicate any subsequent amendments to its tariff as and when they come into force.

Article 11

1. The concept of 'originating products' for the purposes of implementing this Chapter, and the methods of administrative cooperation relating thereto, are defined in Protocol 1.
2. The Council of Ministers may adopt any amendment to Protocol 1.
3. Where the concept of 'originating products' has not yet been defined for a given product in implementation of paragraph 1 or 2, each Contracting Party shall continue to apply its own rules.

Article 12

1. If, as a result of applying the provisions of this Chapter, serious disturbances occur in a sector of the economy of the Community or of one or more of its Member States, or jeopardize their external financial stability, or if difficulties arise which may result in a deterioration in a sector of the economy of the Community or of a region thereof, the Community may take, or may authorize the Member State concerned to take, safeguard measures. These measures, their duration and their methods of application shall be notified immediately to the Council of Ministers.

2. The Community and its Member States undertake not to use safeguard measures or other means for protectionist purposes or to hamper structural development.

3. These safeguard measures shall be restricted to those which would least disturb trade between the Contracting Parties in implementing the objectives of the Convention and must not exceed the scope of what is strictly necessary to remedy the difficulties that have arisen.

4. Safeguard measures shall, at the time of their application, take account of the existing level of the ACP exports concerned to the Community and their potential for development.

Article 13

1. Prior consultations shall take place concerning the application of the safeguard clause, both when such measures are first adopted and when such measures are extended. The Community shall provide the ACP States with all the information necessary for such consultations and shall provide the necessary data from which to determine to what extent imports from an ACP State or ACP States of a specific product have caused the effects mentioned in Article 12(1).

2. Where consultations have taken place, safeguard measures, or arrangements jointly agreed upon by the ACP States concerned and the Community, shall enter into force thereafter.

3. However, the prior consultations provided for in paragraphs 1 and 2 shall not prevent any immediate decisions which the Community or its Member States, in accordance with Article 12 (1), might take where special factors have necessitated these decisions.

4. In order to facilitate the examination of facts that may cause market disturbances a mechanism shall be instituted designed to ensure statistical surveillance of certain ACP exports to the Community.

5. The Contracting Parties undertake to hold regular consultations with the view to finding satisfactory solutions to problems which might result from the application of the safeguard clause.

Article 14

The Council of Ministers shall, at the request of any Contracting Party concerned, consider the economic and social effects of the application of the safeguard clause.

Article 15

When safeguard measures are being taken, modified or removed, particular attention will be paid to the interests of the least-developed, land-locked and island ACP States.

Article 16

In order to ensure effective implementation of the provisions of this Convention in the field of trade cooperation, the Contracting Parties agree to inform and consult each other.

In addition to the cases for which consultations are specifically provided in Articles 1 to 15, consultations shall also take place, at the request of the Community or of the ACP States, and in accordance with the conditions provided for in the rules of procedure in Article 168, particularly in the following cases:

1. where Contracting Parties envisage taking any trade measures affecting the interests of one or more Contracting Parties under this Convention, they shall inform the Council of Ministers thereof. Consultations shall take place, where the Contracting Parties concerned so request, in order to take account of their respective interests;
2. if, during the application of this Convention, the ACP States consider that agricultural products covered by Article 2 (2) a) other than those subject to special treatment should benefit from such treatment, consultations may take place within the Council of Ministers;
3. where a Contracting Party considers that obstacles to the movement of goods arise as a result of the existing rules of another Contracting Party or the interpretation, application or administration thereof;
4. where the Community envisages concluding a preferential agreement with third States, it shall inform the ACP States thereof. Consultations shall take place, where the ACP States so request, in order to safeguard their interests;
5. where the Community or the Member States take safeguard measures in accordance with Article 12, consultations on these measures may take place within the Council of Ministers, where the Contracting Parties concerned so request, notably with a view to ensuring compliance with Article 12 (3).

Chapter 2

SPECIAL UNDERTAKINGS ON RUM AND BANANAS

Article 17

Until the entry into force of a common organization of the market in spirits and notwithstanding the provisions of Article 2 (1), entry into the Community of products of subheading 22.09 C I – rum, arrack, tafia – originating in the ACP States shall be governed by the provisions of Protocol 5.

Article 18

In order to permit the improvement of the conditions under which bananas originating in the ACP States are produced and marketed, the Contracting Parties agree to the objectives set out in Protocol 4.

Article 19

This Chapter and Protocols 4 and 5 shall not apply to relations between the ACP States and the French overseas departments.

PROTOCOL 1

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 purposes of implementing the Convention and without prejudice to paragraphs 3 and 4, the following products shall be considered as products originating in an ACP State, provided that they have been transported directly, within the meaning of Article 5:

- (a) products wholly obtained in one or more ACP State;
- (b) products obtained in one or more ACP State in the manufacture of which products other than those referred to in (a) 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 paragraph 1, the ACP States are considered as being one territory.

3. When products wholly obtained in the Community or in the countries and territories defined in Explanatory Note 9 undergo working or processing in one or more ACP State, they shall be considered as having been wholly produced in that or those ACP States, provided that the products have been transported directly within the meaning of Article 5.

4. Working and processing carried out in the Community or in the countries and territories shall be considered as having been carried out in one or more ACP State, when the final products undergo working or processing in one or more ACP State, provided that the products have been transported directly within the meaning of Article 5.

5. For the purpose of implementing the previous paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the products obtained in two or more ACP States shall be considered as products originating in the ACP State where the last working or processing took place. For this purpose the working or processing listed in Article 3 (3) (a), (b), (c) and (d) shall not be considered as working or processing nor shall a combination of such working or of such processing.

6. The products set out in List C of Annex IV shall be temporarily excluded from the scope of this Protocol. Nevertheless, the arrangements regarding administrative cooperation shall apply *mutatis mutandis* to these products.

Article 2

The following shall be considered as wholly obtained either in one or more ACP States, or in the Community or in the countries and territories within the meaning of Article 1 (1) (a) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products obtained by hunting or fishing conducted therein;
- (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 therein;
- (j) goods produced there exclusively from the products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1 (1) (b) 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 tariff 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 'tariff headings' shall mean the sections, chapters and headings in the Customs Cooperation Council nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits, in List A and in List 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 tariff 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 paragraph 1 (a) the following shall always be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of tariff 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 and other like distinguishing signs on products or their packaging;

- (e) (i) simple mixing of products of the same kind where one or more components of the mixtures do not meet the conditions laid down in this Protocol to enable them to be considered as originating either in an ACP State, the Community or in the countries and territories;

- (ii) simple mixing of products of different kinds unless such components of the mixture meet in the conditions laid down in this Protocol to enable them to be considered as originating either in an ACP State, in the Community, or in the countries and territories and provided that one or more components contribute in determining the essential characteristics of the finished product.
- (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 the Lists A and B referred to in Article 3 provide that goods obtained in an ACP State 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 percentage shall be:

- on the one hand, as regards products whose import can be proved, their customs value at the time of import; and 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 export.

Article 5

1. For the purpose of implementing Article 1 (1), (3) and (4), products whose transport is effected without entering into territory

other than that of the parties concerned are considered as transported directly from the ACP States to the Community or from the Community or the countries and territories to the ACP States. Goods constituting one single consignment may be transported through territory other than that of the ACP States or the Community or the countries and territories, 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 or the needs of transport and that the products have not entered into commerce or been delivered for home use and have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Interruptions or changes in the method of transport due to *force majeure* or consequent upon conditions at sea shall not affect the application of the preferential treatment laid down in this Protocol, provided that the goods have not, during these interruptions or changes, entered into commerce or been delivered for home use and have not undergone any operations other than those designed to preserve 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 by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit;
- (b) or 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. (a) Evidence of originating status, within the meaning of this Protocol, of products is given by a movement certificate EUR.1 of which a specimen appears in Annex V to this Protocol.

(b) 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 1 420 European units of account per consignment, is given by a form EUR.2, of which a specimen appears in Annex VI to this Protocol.

(c) Up to and including 30 April 1981 the European unit of account to be used in any given national currency of a Member State of the Community shall be the equivalent in that national currency of the European unit of account as at 30 June 1978. For each successive period of two years it shall be the equivalent in that national currency of the European unit of account as at the first working day in October in the year immediately preceding that two-year period.

- (d) Revised amounts replacing the amounts expressed in EUA mentioned above and in Article 16 (2) may be introduced by the Community at the beginning of any successive two-year period if necessary and shall be notified by the Community to the Customs Cooperation Committee not later than one month before they shall come into force. These amounts shall be, in any event, such as to ensure that the value of the limits as expressed in the currency of any Member State shall not decline.

- (e) If the goods are invoiced in the currency of another Community Member State the importing Member State shall recognize the amount notified by the Member State concerned.

2. 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 Customs Cooperation Council 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 import 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.

4. 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

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

2. In exceptional circumstances a movement certificate EUR.1 may also be issued after export of the goods to which it relates if it was not issued at the time of export 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 appears 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 Convention.

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

Article 8

1. The movement certificate EUR.1 shall be issued by the customs authorities of the exporting ACP 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

1. Movement certificates EUR.1 shall be made out on the form of which a specimen appears in Annex V to this Protocol. This form shall be printed in one or more of the languages in which the Convention 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.

2. Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 or minus 5 mm in the length may 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.

3. 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 will 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

1. A movement certificate EUR.1 must be submitted, within 10 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.
2. When the products enter a port of an ACP State or country or territory other than the country of origin, a further period of validity of 10 months shall commence on the date on which the customs authorities in the port of transit enter the following in box 7 of the certificate EUR.1:

- the word 'transit',
- the name of the country of transit,
- a date stamp.

This procedure shall enter into force after a specimen of the date stamp used has been communicated to the Commission.

The Commission shall communicate this information to the customs authorities of the Member States.

3. It shall at any time be possible to replace one or more movement certificate EUR.1 by one or more other movement certificate EUR.1 provided that this is done at the customs office where the goods are located.

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 Convention.

Article 13

1. A movement certificate EUR.1 which is submitted to the customs authorities of the importing State after the final date of 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

Form EUR.2, a specimen of which appears in Annex VI, shall be completed by the exporter. It shall be made out in one of the languages in which the Convention 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.

Form EUR.2 shall consist of a single sheet measuring 210 × 148 mm. 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 printers they have approved. In the latter case each form must include a reference to such approval. In addition, each form shall 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. After completing and signing the form, the exporter shall, in the case of consignments by parcel post, attach the form to the dispatch note. In the case of consignment by letter post, the exporter shall insert the form inside the package.

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

Article 16

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 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. Imports 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 imports 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 90 European units of account in the case of small packages or 285 European units of account in the case of the contents of travellers' personal luggage.

Article 17

1. Goods sent from an ACP State for exhibition in a country other than an ACP State, a Member State or a 'country or territory' and sold after the exhibition for importation into the Community, shall benefit on importation from the provisions of the Convention on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in an ACP State and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from an ACP State 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 the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter 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 18

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 export of the goods to which the certificate relates,
- certify that no movement certificate EUR.1 was issued at the time of export 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'.

Article 19

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'.

Article 20

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 ACP State requested to issue the certificate for products in the manufacture of which products coming from other ACP States, the Community or 'countries or territories' are used, shall take into consideration the declaration, of which a specimen appears in Annex VII, given by the exporter in the State, country or territory 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 21 and of which a specimen appears 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 21

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 20 (2), or at the initiative of this exporter, by the competent customs office in the State, country or territory 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 three years.

Article 22

The ACP States 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 23

1. The ACP States shall send to the Commission specimens of the stamps used together with the addresses of the customs authorities competent to issue movement certificates EUR.1 and carry out the subsequent verification of movement certificates EUR.1 and forms EUR.2.

The Commission shall send this information to the Customs authorities of the Member States.

2. In order to ensure the proper application of this Title, the Member States, the countries and territories and the ACP States 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 20.

Article 24

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 25

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 doubts 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 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 certificate EUR.1 or 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 provisions of the Convention 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 within three months. These results must be such as to make it possible to determine whether the disputed movement certificate EUR.1 or form EUR.2 applied 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 28.

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 26

The subsequent verification of the information certificate referred to in Article 20 shall be carried out in the circumstances envisaged in Article 25 following a similar procedure to that envisaged in that Article.

Article 27

In accordance with the provisions of Article 11 of the Convention, the Council of Ministers shall examine annually, or whenever the ACP States or the Community so requests, the application of the provisions of this Protocol and their economic effects with a view to making any necessary amendments or adaptations.

The Council of Ministers shall take into account among other elements the effects on the rules of origin of technological developments.

The decisions taken shall be implemented as soon as possible.

Article 28

1. A Customs Cooperation Committee shall be set up and 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 meet regularly, in particular to prepare the decisions of the Council of Ministers pursuant to Article 27.
3. The Committee shall take decisions on derogations from this Protocol, under the conditions laid down in Article 30.
4. The Committee shall be composed on the one hand of experts of Member States and of officials of the Commission who are responsible for customs questions, and on the other hand of experts representing the ACP States and of officials of regional groupings of the ACP States who are responsible for customs questions.

Article 29

The Customs Cooperation Committee shall examine regularly the effect on the ACP States and in particular on the least-developed ACP States of the application of the rules of origin and shall recommend to the Council of Ministers appropriate measures.

Article 30

1. Derogations from this Protocol may be adopted by the Committee where the development of existing industries or the creation of new industries justifies them. The ACP State or States concerned shall, either before or when the ACP States submit the matter to the Committee, notify the Community of its request for a derogation together with the reasons for the request in accordance with Explanatory Note 10.

2. The examination of requests shall in particular take into account :

- (a) the level of development or the geographical situation of the ACP State or States concerned;
- (b) cases where the application of the existing rules of origin would affect significantly the ability of an existing industry in an ACP State to continue its exports to the Community, with particular reference to cases where this could lead to cessation of its activities;
- (c) specific cases where it can be clearly demonstrated that significant investment in an industry could be deterred by the rules of origin and where a derogation favouring the realization of the investment programme would enable these rules to be satisfied by stages.

3. In every case an examination shall be made to ascertain whether the rules relating to cumulation of origin do not provide a solution to the problem.

4. In addition when a request for derogation concerns a least-developed ACP State, its examination shall be carried out with a favourable bias having particular regard to:

- (a) the economic and social impact of the decision to be taken especially in respect of employment;
- (b) the need to apply the derogation for a period taking into account the particular situation of the least-developed ACP State concerned and its difficulties.

5. The examination of requests shall in particular take into account on a case-by-case basis, the possibility of conferring originating status on products which include in their composition products originating in neighbouring developing countries or in developing countries with which one or more ACP States have special relationships, provided that satisfactory administrative cooperation can be established.

6. The Committee shall take steps necessary to ensure that a decision is reached as quickly as possible, and in any case not later than three months after referral to the Community. In the event of a decision not being taken by the Committee, the Committee of Ambassadors shall be called upon to decide within one month after the date on which the matter is referred to it.

7. (a) The derogations shall be valid for a period to be determined by the Committee which shall generally be of two years. This period may be extended to a maximum of three years, when the derogations concern a least-developed ACP State.

(b) The derogation decision may provide for renewals for periods of one year without a new decision of the Committee being necessary provided that the ACP State or States concerned submit, three months before the end of each period, proof that they are still unable to meet the conditions of this Protocol which have been derogated from.

(c) If any objection is made to the extension the Committee shall examine such an objection as soon as possible and decide whether to prolong the derogation. The Committee shall proceed as provided for in paragraph 6. All necessary measures shall be taken to avoid interruptions in the application of the derogation.

Article 31

The contracting parties undertake to examine in an appropriate institutional framework, from the date of the signature of the Convention, any applications for derogations from this Protocol, with a view to allowing them to enter into force at the same date as the Convention.

Article 32

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

Article 33

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

ANNEX I

EXPLANATORY NOTES

Note 1: Articles 1 and 2⁽¹⁾

The terms 'one or more ACP State', 'the Community' and 'countries and territories' shall also cover their territorial waters.

Sea-going vessels, including factory ships, on which the fish caught is worked or processed shall be considered as part of the territory of the ACP States, the Community or the countries and territories to which they belong, provided that they satisfy the conditions set out in Explanatory Note 6.

Note 2: Article 1 (1) (b)

In order to determine whether goods originate in an ACP State, the Community or one of the countries or territories, it shall not be necessary to establish whether the electrical power, fuel, plant and equipment and machines and tools used to obtain such goods or whether any products used in the course of production which do not enter and which were not intended to enter into the final composition of the 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 an ACP State, 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-country products imported into the Community, the ACP States or the 'countries and territories'.

⁽¹⁾ On these rules, refer to the examination provided for in the joint declaration on the origin of fishery products (page 2127 of this volume).

Note 4: Article 3 (1) and (2) and Article 4

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

Note 5: Article 1

For the purpose of applying the rules of origin, packaging material is regarded as forming a whole with the products contained therein. This provision, however, shall not apply to packaging 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 packaging.

Note 6

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

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

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 23

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 ACP States, Member States or countries and territories concerned.

Note 9: Article 1 (3)

Within the meaning of this protocol 'countries and territories' shall mean the countries and territories referred to in Part Four of the Treaty establishing the European Economic Community.

Note 10: Article 30 (1)

In order to facilitate the examination by the Customs Cooperation Committee of requests for derogation, the ACP State making the request shall furnish in support of its request the fullest possible information covering in particular the points listed below:

- description of the finished product,

- nature and quantity of products originating in a third country,

- nature and quantity of products originating in ACP States, the Community or the overseas countries and territories or which have been processed there,
- manufacturing process,
- value added,
- number of employees in the undertaking concerned,
- anticipated volume of exports to the Community,
- other possible sources of supply for raw materials,
- reasons for the duration requested in the light of efforts made to find new sources of supply,
- other observations.

The same rules apply to any requests for extension.

The period stipulated in Article 30 (6) shall run from the date of notification to the Community.

ANNEX II

LIST A

List of working or processing operations carried out on non-originating materials which result in a change of tariff heading without conferring the status of 'originating products' on the products resulting from such operations, or conferring this status only subject to certain conditions

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
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 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
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
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
ex 19.02	Malt extract	Manufacture from products of heading No 11.07

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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	Manufacture from durum wheat
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 products other than: <ul style="list-style-type: none"> - maize of the type 'Zea indurata', - durum wheat, - products falling within Chapter 17, the value of which does not exceed 30% of the value of the finished product, - vitamins, mineral salts, chemicals and natural or other substances or preparations used as additives 	
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	Manufacture 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
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	

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 the 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 headings 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
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) This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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	
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	
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, paper-board or cloth	Manufacture from products of heading No 37.02	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02	
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, flypapers)		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	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; 	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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
ex 38.19 (cont'd)	<ul style="list-style-type: none"> - Naphthenic acids and their water-insoluble salts; esters of naphthenic acids; - Sulphonaphthenic acids and their water-insoluble salts; esters of sulphonaphthenic acids; - Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanalamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; - Mixed alkylbenzenes and mixed alkyl-naphthalenes; - 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 		

	<ul style="list-style-type: none"> - Sorbitol other than that of heading No 29.04 - Ammoniacal gas liquors and spent oxide produced in coal gas purification 	
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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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)	
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
ex 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 greetings 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 or silk		Manufacture from products of heading No 50.01 or of heading No 50.03 neither carded nor combed

⁽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.

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
50.09 ⁽¹⁾	Woven fabrics of silk, of noil or of other waste silk		Manufacture from products of heading No 50.02 or 50.03
51.01 ⁽²⁾	Yarn of man-made fibres (continuous), not put up for retail sale		Manufacture from chemical products or textile pulp
51.02 ⁽²⁾	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials		Manufacture from chemical products or textile pulp
51.03 ⁽²⁾	Yarn of man-made fibres (continuous), put up for retail sale		Manufacture from chemical products or textile pulp
51.04 ⁽¹⁾	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 ⁽²⁾	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 ⁽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 or 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 headings 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

⁽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 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.

⁽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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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
55.09 ⁽²⁾	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 ⁽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 No 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

⁽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 material 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 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 ⁽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
ex 57.11 ⁽¹⁾	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
58.01 ⁽²⁾	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 ⁽²⁾	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 ⁽²⁾	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 ⁽²⁾	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 ⁽²⁾	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 ⁽²⁾	Chenille yarn (including flock chenille yarn), gimped yarn (other than metalized 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 ⁽²⁾	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

(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 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.

(²) 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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
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 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 amyloseous 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
59.10 ⁽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 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	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 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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
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 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⁾

⁽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 with 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.

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 ⁽¹⁾
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⁾
ex 61.01	Men's and boy's outer garments, excluding fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from yarn ⁽¹⁾
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⁾

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⁾
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⁾
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⁾
61.04	Women's, girls' and infants' under garments	Manufacture from yarn ⁽¹⁾
ex 61.05	Handkerchiefs, not embroidered	Manufacture from unbleached single yarn ⁽¹⁾⁽²⁾
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⁾

⁽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⁾ 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.

CCT heading No	Products obtained	Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
	Description		
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⁾
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⁾
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⁾
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⁾
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⁾
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 ⁽¹⁾
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⁾
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⁾
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods		Manufacture from unbleached single yarn ⁽²⁾
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	

⁽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⁾ 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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⁾
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 ⁽¹⁾
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
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	

(¹) Trimmings and accessories (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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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	
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 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

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
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
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
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
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
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
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
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

CCT heading No	Products obtained	Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
	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
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
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
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
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
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
75.04	Tubes and pipes and blanks thereof, 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
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

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
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 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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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
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
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
78.05	Tubes and pipes and blanks thereof, 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
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
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 thereof, 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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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

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
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 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 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

⁽¹⁾ In determining the value of the 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
ex 84.41 (cont'd)			<ul style="list-style-type: none"> - 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 materials 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 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 are originating products, and - the value of the 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		<p>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, and provided that:</p> <ul style="list-style-type: none"> - at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and

85.15 (cont'd)		- the value of the 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, 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 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 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 (except electrically ignited photographic flashbulbs), 90.08, 90.12 and 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

⁽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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
90.05	Refracting telescopes (monocular and binocular), prismatic or not		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, and provided that at least 50% in value of the materials and parts ⁽¹⁾ 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 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 but not including re-recorders or film editing apparatus; any combination of these articles		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, 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 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 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 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 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

⁽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.

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 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 are originating products, and - the value of the 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
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

⁽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%.

ANNEX III

LIST B

List of working or processing operations which when carried out on non-originating materials do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products resulting from such operations

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
		Incorporation of materials and parts in boilers, machinery, mechanical appliances, etc., of Chapter 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 materials and parts used does not exceed 50% of the value of the finished product
ex 15.05	Refined lanolin	Manufacture from crude wool grease
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

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 25.19	Natural magnesium carbonate (magnesite), whether or not calcined, other than magnesium oxide, crushed and put into hermetically sealed containers	Crushing and putting into hermetically sealed containers of natural magnesium carbonate (magnesite), whether or not calcined, other than magnesium oxide
ex 25.24	Natural asbestos fibres	Treatment of asbestos concentrate
ex 25.26	Milled and homogenized mica waste	Milling and homogenizing of mica waste
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 terpene 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 products used does not exceed 20% of the value of the finished product

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
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 gallnut 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 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 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 methacrylic 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	Sheep- and lamb-skins without the wool	Removing wool from sheep- and lamb-skins in the wool
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 sheep- and lamb-skin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of sheep- and lamb-skin leather, not further prepared than tanned
ex 41.04	Retanned goat- and kid-skin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of goat- and kid-skin 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 coopers' 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

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
ex 59.14	Incandescent gas mantles	Manufacture from tubular gas-mantle fibre
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 gluing 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
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,	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 73.29	Skid chains	Working or processing in which the value of the products used does not exceed 50% of the value of the finished product

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
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
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 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 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

(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.

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
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 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 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 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 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	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, and provided that: <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 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 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 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 ⁽³⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton 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 ⁽³⁾
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

⁽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 the 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 transistors laid down in List A for the same tariff heading.

⁽³⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other parts which are part of the composition of the final product.

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
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 97.06	Golf-club heads of wood or other materials	Manufacture from roughly shaped blocks
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

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	<p>Hydrocarbons:</p> <ul style="list-style-type: none"> - Acyclic - Cyclanes and cyclenes, excluding azulenes - Benzene, toluene, xylenes <p>for use as power or heating fuels</p>
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.

(*) 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 this certificate.

Place and date:

.....

.....

.....

.....

(Signature)

(Front)

<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>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>.....</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	
	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)	
	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.

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 ⁽³⁾	9 Country of destination ⁽⁴⁾
		10 Gross weight (kg)	
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country ⁽⁵⁾ 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

.....

(indicate the State(s) partner to the Convention in which the products were obtained)

and (as appropriate):

(a) (*) satisfy the rules on the definition of the concept of 'wholly produced products'

or

(b) (*) were produced from the following products:

Description	Country of origin	Value (*)
.....
.....
.....
.....

and have undergone the following processes:

..... (indicate processings)

in

..... (indicate the State(s) partner to the Convention in which the products were obtained)

..... (Place and date)

(Signature)

(*) To be completed as necessary.

ANNEX VIII
EUROPEAN COMMUNITIES

1. Supplier ⁽¹⁾	<p 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</p> <p>and THE ACP STATES</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

14. Quantity (*)

15. Value (*) (*)

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)

(*) (*) (*) (*) 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) The value must be indicated in accordance with the provisions on rules of origin.

PROTOCOL 4

on bananas

The Community and the ACP States agree to the following objectives for improving the conditions under which the ACP States' bananas are produced and marketed, and agree that appropriate measures will be taken for their implementation.

Article 1

As regards its exports of bananas to the markets of the Community, no ACP State will be placed, as regards access to its traditional markets and its advantages on those markets, in a less favourable situation than in the past or at present.

Article 2

Each of the ACP States concerned and the Community will confer together in order to determine the measures to be implemented to improve conditions for the production and marketing of bananas. This aim will be pursued by using all the means provided for in the context of financial and technical cooperation. The measures in question will be designed to enable the ACP States, particularly Somalia, account being taken of their individual situations, to become more competitive both on their traditional markets and on the other markets of the Community. Measures will be implemented at all stages from production to consumption and will cover the following fields in particular:

- improvement of production, harvesting, handling and internal transport conditions,
- trade promotion.

Article 3

For the purpose of attaining these objectives, the two parties agree to confer together in a permanent joint group, assisted by a group of experts whose task will be to keep under continuous review any specific problems arising from application of this Protocol in order to suggest solutions.

Article 4

Should the banana-producing ACP States decide to set up a joint organization for the purpose of attaining the objectives of this Protocol, the Community will support such an organization and will give consideration to any requests it may receive for support for the organization's activities which fall within the scope of regional schemes under the heading of financial and technical cooperation.

PROTOCOL 5

on rum

Article 1

Until the entry into force of a common organization of the market in spirits, products of tariff subheading 22.09 C I originating in the ACP States shall be imported duty free into the Community under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States.

Article 2

- (a) For the purposes of applying Article 1 and by derogation from Article 2 (1) of the Convention, the Community shall each year fix the quantities which may be imported free of customs duties on the basis of the largest annual quantities imported from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40% on the market of the United Kingdom and 18% on the other markets of the Community.
- (b) Where the application of the provisions of point (a) hampers the development of a traditional trade flow between the ACP States and a Member State, the Community shall take appropriate measures to remedy this situation.
- (c) To the extent that the consumption of rum increases significantly in the Member States, the Community commits itself to engaging in a new examination of the annual percentage increase fixed by the present Protocol.

- (d) The Community declares itself prepared to proceed to appropriate consultations before determining the measures provided for in (b).
- (e) The Community moreover declares itself willing to seek with the interested ACP States measures capable of allowing an expansion of their sales of rum in non-traditional markets.

Article 3

With a view to attaining these objectives the parties agree to confer together within a joint working party whose role will be to examine continuously any specific problems arising from application of this Protocol.

Article 4

At the request of the ACP States the Community, within the framework of the provisions of Title I, Chapter 3, shall assist the ACP States in promoting and expanding their sales in the traditional and non-traditional markets of the Community.

FINAL ACT

The Plenipotentiaries

of the Council of the European Communities,

of the one part, and

the Plenipotentiary

of the President of the Republic of Zimbabwe,

of the other part,

meeting in Luxembourg on 4 November 1980, for the signing of the Interim Agreement between the European Economic Community and the Republic of Zimbabwe, have adopted the following texts:

- the Interim Agreement between the European Economic Community and the Republic of Zimbabwe, and the Annex thereto,
- Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation,
- Protocol 4 on bananas,
- Protocol 5 on rum,

these Protocols forming an integral part of the second ACP-EEC Convention, signed in Lomé on 31 October 1979.

The Plenipotentiaries of the Member States and of the Community and the Plenipotentiary of Zimbabwe have also agreed that the following declarations annexed to the Final Act of the Convention shall be applicable *mutatis mutandis*:

1. Joint declaration on the arrangements governing access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 2 (2) of the Convention (Annex II).
2. Joint declaration on Articles 9 and 11 of the Convention (Annex III).
3. Joint declaration on products covered by the common agricultural policy (Annex IV).
4. Joint declaration on Protocol 1 (Annex XX).
5. Joint declaration on Protocol 5 (Annex XXII).
6. Joint declaration on Article 1 of Protocol 5 (Annex XXIII).
7. Joint declaration on Article 4 of Protocol 5 (Annex XXIV).

They have also adopted the text of the following joint declaration:

8. Joint declaration on Article 9 (2) of the Convention:

Having regard to Article 9 of the second ACP-EEC Convention and to the declaration in Annex XXVIII to the Convention, the Community recognizes and the Government of Zimbabwe declares:

- that if any modification to the Zimbabwe tariff and to its preferential arrangements with a developed third country is contemplated, the Government of Zimbabwe will enter into immediate consultations with the Community regarding such intentions;

- that the Government of Zimbabwe and the Community will have immediate consultations at the request of either party, whenever the preferential treatment granted to another developed country might be considered as giving rise to less favourable treatment for Community exports.

The Plenipotentiary of the Republic of Zimbabwe has taken note of the content, *mutatis mutandis*, of the following declarations annexed to the Final Act of the Convention:

9. Community declaration on trade liberalization (Annex XXV).
10. Community declaration on Article 2 (2) of the Convention (Annex XXVI).
11. Community declaration on Article 3 of the Convention (Annex XXVII).
12. Community declaration on Article 9 (2) (a) of the Convention (Annex XXVIII).
13. Community declaration on 12(3) of the Convention (Annex XXIX).
14. Community declaration on Articles 30 and 31 of Protocol 1 (Annex XXXVI).

Til bekræftelse her af har undertegnede befuldmægtigede sat deres underskrifter under 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.

Udfærdiget i Luxembourg, den fjerde november nitten hundrede og firs.

Geschehen zu Luxemburg am vierten November neunzehnhundertachtzig.

Done at Luxembourg on the fourth day of November in the year one thousand nine hundred and eighty.

Fait à Luxembourg, le quatre novembre mil neuf cent quatre-vingt.

Fatto a Lussemburgo, addi quattro novembre millenovecentottanta.

Gedaan te Luxemburg, de vierde november negentienhonderd tachtig.

For Rådet for De europæiske Fællesskaber

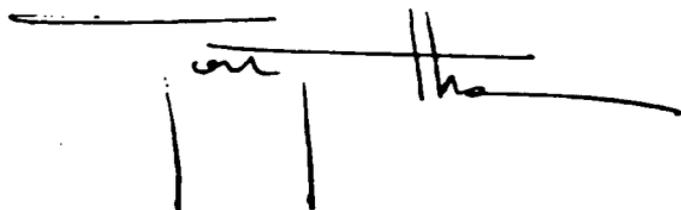
Für den Rat der Europäischen Gemeinschaften

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 handwritten signature in black ink, appearing to be 'C. Cheyrou', written over a horizontal line. The signature is stylized with a long horizontal stroke and a vertical stroke.

C. Cheyrou

For præsidenten for republikken Zimbabwe

Für den Präsidenten der Republik Simbabwe

For the President of the Republic of Zimbabwe

Pour le président de la république du Zimbabwe

Per il Presidente della Repubblica di Zimbabwe

Voor de President van de Republiek Zimbabwe

A handwritten signature in black ink, appearing to be 'D. C. Smith', written in a cursive style.

Joint declaration on the arrangements governing access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 2 (2) of the Convention (Annex II)

The Contracting Parties reaffirm that Chapters 1 and 3 of Title I of the Convention apply to the relations between the French overseas departments and the ACP States.

The Community shall have the right, during the life of the Convention, to amend, in the light of the economic development requirements of the French overseas departments, the arrangements governing access to the latter's markets for products originating in the ACP States referred to in Article 2 (2) of the Convention.

When examining the possible application of this right the Community will take into consideration the direct trade between the ACP States and the French overseas departments. Information and consultation procedures shall apply between the parties concerned in accordance with the provisions of Article 16.

Joint declaration on Articles 9 and 11 of the Convention (Annex III)

If special tariff treatment were applied by the ACP States to imports of products originating in the Community, the provisions of Protocol 1 would apply *mutatis mutandis*. In all other cases where the treatment applied to imports by the ACP States necessitates the provision of proof of origin, those States shall accept certificates of origin drawn up in accordance with the relevant international agreements.

**Joint declaration on products covered by the common agricultural policy
(Annex IV)**

The Contracting Parties recognize that products covered by the common agricultural policy follow specific rules and regulations, in particular with regard to safeguard measures. The provisions of the Convention concerning the safeguard clause may be applied to those products only in so far as they are consistent with the specific nature of these rules and regulations.

Joint declaration on Protocol 1 (Annex XX)

1. For the purposes of applying Article 5 (2) (c) of the Protocol, the certificate of sea transport, issued in the first port of embarkation for the Community, shall be equivalent to the through bill of lading for products covered by movement certificates issued in land-locked ACP States.
2. Products exported from land-locked ACP States which are warehoused elsewhere than in the ACP States or the countries and territories referred to in Explanatory Note 9 may be the subject of movement certificates issued under the circumstances referred to in Article 7 (2).
3. For the purpose of Article 7 (1) of the Protocol, certificates EUR.1 issued by a competent authority and endorsed by the customs authorities will be accepted.
4. In order to help ACP undertakings in their efforts to find new sources of supply with a view to benefiting to the maximum extent from the provisions of the Protocol as regards cumulation of origin, steps will be taken to ensure that the Centre for Industrial Development provides assistance to ACP operators in the establishment of appropriate contacts with suppliers in the ACP States, the Community and the countries and territories, as well as to promote relations in the field of industrial cooperation among the operators concerned.

Furthermore, the Contracting Parties agree that a manual on the rules of origin shall be established for the use of the officials involved and of exporters; they also envisage supplementing the issue of this manual by information seminars.

Joint declaration on Protocol 5 (Annex XXII)

The Member States undertake that their licensing system shall not be operated by their authorities in such a way as to impede the import of the quantities of rum specified in Article 2 (a).

Joint declaration on Article 1 of Protocol 5 (Annex XXIII)

In the event of the introduction of a common organization of the market in alcohol the Community undertakes to consult with the traditional exporters of rum with the aim of safeguarding their interests under changing market conditions.

Joint declaration on Article 4 of Protocol 5 (Annex XXIV)

The Contracting Parties note that the Community has agreed to the provisions of Article 4 on condition that:

- (a) any ACP State wishing to benefit from these provisions shall include appropriate trade promotion projects for rum in its national indicative programme;
- (b) the Community's acceptance does not prejudice the legislation of Member States in matters of alcohol advertising.

Community declaration on trade liberalization (Annex XXV)

The Community is conscious of the need to ensure, in the overall application of this Convention, the maintenance of the competitive position of the ACP States where their trade advantages on the Community market are affected by measures relating to general trade liberalization.

The Community declares its willingness, whenever ACP States bring to its attention any specific case, to study jointly specific appropriate action with a view to safeguarding the interests of the latter.

Community declaration on Article 2 (2) of the Convention (Annex XXVI)

For the purposes of applying Article 2 (2) of the Convention, the Community is prepared, for the purposes of achieving the aims set out in Article 1, to begin an examination of requests by the ACP States that other agricultural products referred to in Article 2 (2)(a) of the Convention should benefit from special treatment.

This examination will cover either new agricultural productions for which there would be real possibilities of export to the Community, or current products not covered by the provisions for implementing the treatment referred to above, in so far as these exports might assume an important position in the exports of one or more ACP States.

Community declaration on Article 3 of the Convention (Annex XXVII)

Article 3 (1) of the Convention shall be without prejudice to the special system applicable to imports of motor vehicles and the motor vehicle assembly industry in Ireland which are the subject of Protocol 7 to the Act concerning the conditions of accession and the adjustments to the Treaties.

Community declaration on Article 9 (2)(a) of the Convention (Annex XXVIII)

While agreeing to the reproduction of the text of Article 7 (2)(a) of the ACP-EEC Convention of Lomé in Article 9 (2)(a), the Community reaffirms the interpretation of that text, namely that the ACP States shall grant to the Community treatment no less favourable than that which they grant to developed States under trade agreements where those States do not grant the ACP States greater preferences than those granted by the Community.

Community declaration on Article 12 (3) of the Convention (Annex XXIX)

Were the Community to adopt the strictly necessary measures referred to in this Article, it would endeavour to seek those which, by reason of their geographical scope and/or the types of products concerned, would least disturb the exports of the ACP States.

Community declaration on Articles 30 and 31 of Protocol 1 (Annex XXXVI)

The Community recognizes the special importance for the ACP States of implementing the measures for applying derogation decisions as swiftly as possible after their adoption.

It will introduce procedures which enable it to take such application measures in the shortest possible time, with a view notably to being able to deal with emergency situations, and within the context of Article 31 of the Protocol.

COUNCIL REGULATION (EEC) No 3551/80

of 16 December 1980

on the advance application of certain trade provisions of the Second ACP-EEC Convention in respect of Zimbabwe

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 Community and Zimbabwe signed an Interim Agreement on 4 November 1980 governing trade arrangements pending the entry into force of the Agreement signed on 4 November 1980 on the accession of the Republic of Zimbabwe to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979;

Whereas it is consequently desirable to extend the application of the trade arrangements in force between the Community and the ACP States to Zimbabwe; whereas these arrangements should replace those accorded autonomously by the Community under Council Regulation (EEC) No 120/80 of 21 January 1980 on trade arrangements between Southern Rhodesia and the European Economic Community⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the countries and territories⁽²⁾, 'Zimbabwe' shall be added after Zambia.

⁽¹⁾ OJ No L 16, 22. 1. 1980.

⁽²⁾ OJ No L 55, 28. 2. 1980.

Article 2

Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the Second ACP-EEC Convention ⁽¹⁾ shall also apply to Zimbabwe.

Article 3

Council Regulation (EEC) No 1711/80 of 27 June 1980 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1980/81) ⁽²⁾, shall also apply to Zimbabwe.

Article 4

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

It shall apply until the Agreement whereby Zimbabwe accedes to the Second ACP-EEC Convention enters into force.

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

Done at Brussels, 16 December 1980.

For the Council
The President
Colette FLESCH

⁽¹⁾ OJ No L 147, 13. 6. 1980.

⁽²⁾ OJ No L 167, 1. 7. 1980.

INFORMATION CONCERNING

the INTERIM AGREEMENT between the European Economic Community and the Republic of Zimbabwe ⁽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	4.11.1980	18.12.1980	1.1.1981 ⁽¹⁾	until entry into force of the Agreement ⁽²⁾
ZIMBABWE		n. 3.3.1981		

⁽¹⁾ OJ No L 372, 31.12.1980.

⁽²⁾ Agreement on the accession of the Republic of Zimbabwe to the Second ACP-EEC Convention of Lomé (1979).

CHAPTER IV

American countries

**Agreements
between the EEC and Canada**

AGREEMENT ON FISHERIES

between the European Economic Community and the Government of Canada ⁽¹⁾

COUNCIL DECISION

of 29 December 1981

on the conclusion of an Agreement on fisheries between the European Economic Community and the Government of Canada

(81/1053/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the recommendation from the Commission,

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

Whereas it is in the Community's interest to approve the Agreement between the European Economic Community and the Government of Canada concerning fishing by vessels of either Party in the fishery zone of the other Party,

⁽¹⁾ OJ No L 379, 31.12.1981.

⁽²⁾ OJ No C 101, 4.5.1981.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement on fisheries between the European Economic Community and the Government of Canada is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall, on behalf of the Community, give the notification provided for in Article XV of the Agreement.

Done at Brussels, 29 December 1981.

For the Council
The President
P. WALKER

AGREEMENT ON FISHERIES

between the European Economic Community and the Government of Canada

THE EUROPEAN ECONOMIC COMMUNITY,

(hereinafter referred to as 'the Community') and

THE GOVERNMENT OF CANADA,

RECALLING the close relations between the Community and Canada and, in particular, the Framework Agreement for Commercial and Economic Cooperation between the European Communities and Canada signed in Ottawa on 6 July 1976;

CONSIDERING their common desire to ensure the conservation and rational management of the living resources of the waters adjacent to their coasts and their concern for the welfare of their coastal communities and the living resources of the adjacent waters upon which these communities depend;

NOTING that the Government of Canada has extended its jurisdiction over the living resources of its adjacent waters to a limit of up to 200 nautical miles from its coast and exercises within this limit sovereign rights for the purposes of exploring and exploiting, conserving and managing these resources; and that the Member States of the Community have agreed that the limits of their fishing zones (hereinafter referred to as the fishery zone of the Community) shall extend up to 200 nautical miles from the coast, fishing within these limits being subject to the common fisheries policy of the Community;

TAKING into account the need to coordinate the management of certain living resources which occur both in waters under the fisheries jurisdiction of Canada and in the fishery zone of the Community;

TAKING into account the work of the Third United Nations Conference on the Law of the Sea and State practice conforming thereto;

AFFIRMING that the exercise of sovereign rights by coastal States within their areas of jurisdiction over the living resources for the purpose of exploring, exploiting, conserving and managing these resources should be conducted in accordance with the principle of international law;

TAKING into account the interest of each Party in developing fisheries in the fishery zone of the other Party;

DESIROUS of establishing the terms and conditions pertaining to fisheries of mutual concern,

HAVE AGREED AS FOLLOWS:

Article I

The two Parties shall cooperate closely in matters pertaining to the conservation and utilization of the living resources of the sea. They shall take appropriate measures to facilitate such cooperation and shall consult and cooperate in international negotiations and organizations with a view to achieving common fisheries objectives.

Article II

1. (a) The Government of Canada undertakes to grant access to vessels flying the flag of Member States of the Community to fish within the area off the east coast of Canada, brought under Canadian fisheries jurisdiction after 31 December 1976, for allotments, as appropriate, of parts of total allowable catches surplus to Canadian harvesting capacity, in accordance with the provisions of this Article.

- (b) The Community undertakes to grant access to Canadian vessels to fish within the fishery zone of the Community for allotments, as appropriate, of parts of total allowable catches surplus to Community harvesting capacity, in accordance with the provisions of this Article.

2. Each Party shall determine annually for the waters under its fisheries jurisdiction referred to in paragraph 1, subject to adjustment when necessary to meet unforeseen circumstances:

- (a) the total allowable catch for individual stocks or complexes of stocks taking into account the scientific evidence available to it, the interdependence of stocks, the work of appropriate international organizations and other relevant factors;

- (b) its harvesting capacity in respect of such stocks; and

- (c) after appropriate consultations, allotments, as appropriate, for fishing vessels of the other Party of parts of surpluses of stocks or complexes of stocks and the areas within which these allotments may be fished.

3. In determining the allotments and areas where fishing may take place, each Party will take into account *inter alia*:

- its interests,
- the amount of the surplus of total allowable catches of relevant stocks,
- traditional fishing by vessels of the other Party,
- reciprocity of access,

- other benefits which may be offered pursuant to the cooperation referred to in Article VIII.

Article III

1. Each Party shall take all appropriate measures to oblige its vessels to operate in compliance with the provisions of this Agreement and with any measures agreed upon from time to time pursuant to the provisions of this Agreement.
2. Each Party may take within its area of fisheries jurisdiction such measures, in conformity with international law, as may be necessary to ensure compliance with the provisions of this Agreement by vessels of the other Party.
3. Each Party shall take, within its area of fisheries jurisdiction, the necessary measures to give effect to the provisions of this Agreement, which may include the issuing of licences.
4. Fishing vessels of one Party shall, when fishing within the area of fisheries jurisdiction of the other Party, comply with all laws governing fishing activities in that area.
5. Each Party may establish measures which it deems to be required for the conservation, rational management, and regulation of fisheries within its fishery zone, provided that such measures are not taken for the specific purpose of impeding the fishing vessels of the other Party from taking the allocations granted under this Agreement.

Article IV

The two Parties shall cooperate, either bilaterally or through appropriate international organizations, to ensure the proper management and conservation of stocks occurring within the fishery zones of both Parties and stocks of associated species.

In particular, they shall endeavour to harmonize the regulatory measures applicable to these stocks, and shall consult frequently and exchange relevant fisheries statistics for this purpose.

Article V

Each Party shall cooperate with the other Party, as appropriate, in the light of the development of their fisheries relations pursuant to the provisions of Article II, in scientific research required for the purposes of management, conservation and utilization of the living resources in the area under the fisheries jurisdiction of that other Party. For these purposes, scientists of the two Parties shall consult regarding such research and the analysis and interpretation of the results obtained.

Article VI

1. Each Party shall, subject to the availability of facilities and to the needs of its own vessels, allow vessels which it has licensed pursuant to this Agreement to enter its ports in accordance with applicable laws, regulations and administrative requirements, for the purpose of purchasing bait, supplies or outfits or effecting repairs, or for such other purposes as that Party may determine.
2. Such authorization shall become null and void in respect of any vessel licensed pursuant to this Agreement upon the cancellation or termination of its licence, except for the purpose of entering port to purchase supplies or effect repairs necessary for its outward voyage.
3. The provisions of this Article shall not affect access to the ports of either Party in cases of distress, medical emergency or *force majeure*.

Article VII

1. The two Parties reaffirm their attachment to the cooperation provided for in the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries, to which they are Contracting Parties and, in particular, in Article XI, paragraph 4, thereof.
2. In the event that third-party fishing causes a threat to the conservation of the living resources of the waters beyond and adjacent to the areas referred to in Article II, the two Parties agree to take cooperative action to overcome that threat.

Article VIII

1. The two Parties shall encourage economic and commercial cooperation in the field of fisheries.
2. To this end, the two Parties shall, in particular, utilize the possibilities offered by the 1976 Framework Agreement for commercial and economic cooperation between Canada and the European Communities in the fisheries sector with a view to improving in a reciprocal manner the conditions and terms of their fisheries relations.

Article IX

The two Parties shall carry out periodic bilateral consultations regarding the development of further cooperation in relation to fisheries, including cooperation on such matters as fisheries trade, exchanges of technical information and specialized personnel, improvement of utilization and processing of catches, and arrangements for the use of the ports of each Party by fishing vessels of the other Party to ship or discharge crew members or other persons and for such other purposes as may be agreed upon.

Article X

1. The two Parties shall consult periodically on questions relating to the application of this Agreement.
2. In the event of a dispute concerning the interpretation or application of this Agreement, such dispute shall be the subject of consultations between the two Parties.

Article XI

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Canada.

Article XII

1. Nothing in this Agreement shall prejudice any multilateral convention to which Canada and the Community, or Canada and any Member State of the Community, are parties, or the views of either Party with respect to any question relating to the Law of the Sea.
2. This Agreement is without prejudice to the delimitation of economic zones or fishery zones between Canada and Member States of the Community.

Article XIII

This Agreement is without prejudice to any existing Bilateral Agreement between a Member State of the Community and Canada relating to fisheries.

Article XIV

The Annex to this Agreement shall form an integral part thereof.

Article XV

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

Article XVI

This Agreement may be terminated by either Party on 31 December 1987 or any time thereafter, provided that notice of termination is given not less than 12 months in advance of such termination.

In witness whereof, the undersigned, being duly authorized for this purpose, have signed this Agreement.

Done at, on, in duplicate in the Danish, Dutch, English, French, German, Greek and Italian languages, each of these texts being equally authentic.

*For the Council
of the European Communities*

For the Government of Canada

ANNEX

Community declaration concerning Article XI of the Agreement on fisheries between the European Economic Community and the Government of Canada

Pursuant to the wish expressed by the Government of Canada, the Community confirms that it considers Article XI of the Agreement, which incorporates provisions that are traditionally used in agreements concluded between the European Economic Community and third countries, as having no bearing upon the question of the legal status of the economic zone, currently under discussion at the Third Conference of the United Nations on the Law of the Sea.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations ⁽¹⁾

COUNCIL DECISION

of 29 December 1981

on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations

(81/1054/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 European Economic Community and the Government of Canada have concluded their negotiations concerning their fisheries relations;

⁽¹⁾ OJ No L 379, 31.12.1981.

Whereas the resulting Agreement in the form of an exchange of letters, which provides for the opening of tariff quotas by the Community for certain fisheries products from 1 January 1982, should be approved,

HAS DECIDED AS FOLLOWS:

Sole Article

The Agreement in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations is hereby approved on behalf of the Community.

The text of this Agreement is attached to this Decision.

Done at Brussels, 29 December 1981.

For the Council
The President
P. WALKER

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations

A. Letter from the Government of Canada

Sir,

With reference to the Agreement on fisheries between the European Economic Community and the Government of Canada signed on this date, in particular, to Article VIII, I have the honour to confirm that the Government of Canada will provide to vessels flying the flag of Member States of the Community the opportunity to fish according to the laws and regulations of Canada the allocations listed in Annex I to this letter.

The maintenance of these allocations shall be contingent upon the fulfilment by the Community of its obligations with regard to commercial cooperation set out below.

If the benefits from this undertaking are nullified or impaired by direct or indirect action by Canada, the two Parties shall consult promptly with a view to removing such nullification or impairment.

I have the honour in addition to confirm my understanding that the Community will open tariff quotas for the importation of fisheries products as specified in Annex II to this letter during the period 1 January 1982 to 31 December 1987.

The maintenance of these tariff quotas shall be contingent upon the fulfilment by Canada of its obligations concerning fishing allocations set out above.

If the benefits from this undertaking are nullified or impaired by direct or indirect action by the Community, the two Parties shall consult promptly with a view to removing such nullification or impairment.

The two Parties agree to examine, before 1 January 1987, the mutual fisheries arrangements which might follow those provided for in the present arrangement.

This exchange of letters is without prejudice to the rights and obligations of Canada and the Community under the General Agreement on Tariffs and Trade.

With regard to Atlantic salmon, the Government of Canada and the Community recognize that States in whose rivers anadromous stocks originate have the primary interest in and responsibility for such stocks, and agree that fishing for anadromous species should not be conducted in areas beyond the limits of national fisheries jurisdiction. They will continue to work together for the establishment, as soon as possible, of a permanent international arrangement reflecting this position.

In the interest of the conservation of anadromous species, each Party, in the context of close scientific cooperation, shall regulate the fishing for anadromous species within its area of fisheries jurisdiction, and shall take measures to prevent vessels flying the flag either of Canada or of a Member State of the Community from taking anadromous species in waters beyond the limits of their fishery zones.

The two Parties had agreed on the following measures, for 1981 :

- the Government of Canada shall regulate the fishing of Atlantic salmon in the Canadian area of fisheries jurisdiction in such a manner as to avoid as far as possible the catching of Atlantic salmon of Community origin,

- the Community will limit fishing for Atlantic salmon west of 44°W longitude by vessels flying the flag of Member States of the Community to 1 190 tonnes, and will ensure that such catches are taken in accordance with the fishing patterns of 1976 and 1977.

This quota of 1 190 tonnes is based on a fishing season which opens on 10 August.

In the event that the opening date is delayed to 25 August, this quota may, in accordance with biological advice by the ICES Working Group on Atlantic salmon, be increased to a level of 1 270 tonnes while ensuring that the mortality of salmon of Canadian origin or of Community origin does not exceed the equivalent of that corresponding to a quota of 1 190 tonnes in accordance with the fishing patterns of 1976/77.

If an International Convention for Atlantic salmon has not been established in time to determine fishing conditions applicable in 1982, the two Parties agree to prolong the preceding provisions for one year and, if the aforesaid Convention has not yet entered into force, until 31 December 1983.

If the proposals referred to in this letter are acceptable to the Community, I have the further honour to propose that this Note, which is equally authentic in English and French, and your reply to that effect, shall constitute an Agreement between the European Economic Community and the Government of Canada which shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

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

For the Government of Canada

ANNEX I

**Annual quotas to be allocated to the Community by Canada for the period 1
January to 31 December 1982**

<i>Species</i>	<i>Zone</i>	<i>Quantity</i>
Cod	2J3KL	8 000 tonnes
Cod	2GH	6 500 tonnes
Squid	3 and 4	7 000 tonnes

1 January 1983 to 31 December 1987

Cod	2J3KL	9 500 tonnes
Cod	2GH	6 500 tonnes
Squid	3 and 4	7 000 tonnes

ANNEX II

Tariff quotas to be opened by the European Economic Community 1982 to 1987

(tonnes)

Item	Rate	1982	1983	1984	1985	1986	1987
03.01 B I h) 2 Cod, frozen, round ⁽¹⁾ }	3-7% ⁽²⁾	5 000	5 000	6 000	6 000	6 000	6 000
03.01 B I f) 2 Redfish, frozen, round }							
03.01 B II b) I Cod fillets, frozen ⁽¹⁾	4% ⁽²⁾ 6% ⁽²⁾	7 000 9 000	8 000 10 000	8 000 11 000	9 000 12 000	9 000 13 000	9 000 15 000
03.02 A I b) Cod, whole, salted	0%	⁽³⁾	⁽³⁾	⁽³⁾	4 000	5 000	6 000
03.02 A II a) Cod fillets, salted	0%	⁽³⁾	⁽³⁾	⁽³⁾	2 500	3 500	4 000
ex 16.04 C II 'Herring-flaps', prepared or preserved in vinegar, in packings of a net capacity of 10 kg or more	10%	3 000	4 000	4 500	6 000	6 500	7 000

⁽¹⁾ Of the species *gadus morrhua*, North Atlantic cod; imports into the Community will be permitted only when accompanied by a certificate of origin.

⁽²⁾ The suspension shall apply to fish intended to undergo any operation unless they are intended to undergo exclusively one or more of the following treatments:

- cleaning, gutting, heading, tailing,
- cutting (excluding filleting or cutting of frozen blocks),
- sorting,
- labelling,
- packing,
- icing,
- freezing,
- deep freezing,
- thawing, separation.

The suspension shall not apply to products intended to undergo one treatment which qualifies for the grant of the benefit of suspension but which is carried out at retail or catering level.

The suspension of customs duties shall apply only to fish intended for human consumption. Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions.

⁽³⁾ Without quantitative limits.

B. Letter from the European Economic Community

Sir,

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

'With reference to the Agreement on fisheries between the European Economic Community and the Government of Canada signed on this date, in particular, to Article VIII, I have the honour to confirm that the Government of Canada will provide to vessels flying the flag of Member States of the Community the opportunity to fish according to the laws and regulations of Canada the allocations listed in Annex I to this letter.

The maintenance of these allocations shall be contingent upon the fulfilment by the Community of its obligations with regard to commercial cooperation set out below.

If the benefits from this undertaking are nullified or impaired by direct or indirect action by Canada, the two Parties shall consult promptly with a view to removing such nullification or impairment.

I have the honour in addition to confirm my understanding that the Community will open tariff quotas for the importation of fisheries products as specified in Annex II to this letter during the period 1 January 1982 to 31 December 1987.

The maintenance of these tariff quotas shall be contingent upon the fulfilment by Canada of its obligations concerning fishing allocations set out above.

If the benefits from this undertaking are nullified or impaired by direct or indirect action by the Community, the two Parties shall consult promptly with a view to removing such nullification or impairment.

The two Parties agree to examine, before 1 January 1987, the mutual fisheries arrangements which might follow those provided for in the present arrangement.

This exchange of letters is without prejudice to the rights and obligations of Canada and the Community under the General Agreement on Tariffs and Trade.

With regard to Atlantic salmon, the Government of Canada and the Community recognize that States in whose rivers anadromous stocks originate have the primary interest in and responsibility for such stocks, and agree that fishing for anadromous species should not be conducted in areas beyond the limits of national fisheries jurisdiction. They will continue to work together for the establishment, as soon as possible, of a permanent international arrangement reflecting this position.

In the interest of the conservation of anadromous species, each Party, in the context of close scientific cooperation, shall regulate the fishing for anadromous species within its area of fisheries jurisdiction, and shall take measures to prevent vessels flying the flag either of Canada or of a Member State of the Community from taking anadromous species in waters beyond the limits of their fishery zones.

The two Parties had agreed on the following measures, for 1981:

- the Government of Canada shall regulate the fishing of Atlantic salmon in the Canadian area of fisheries jurisdiction in such a manner as to avoid as far as possible the catching of Atlantic salmon of Community origin,

- the Community will limit fishing for Atlantic salmon west of 44°W longitude by vessels flying the flag of Member States of the Community to 1 190 tonnes, and will ensure that such catches are taken in accordance with the fishing patterns of 1976 and 1977.

This quota of 1 190 tonnes is based on a fishing season which opens on 10 August.

In the event that the opening date is delayed to 25 August, this quota may, in accordance with biological advice by the ICES Working Group on Atlantic salmon, be increased to a level of 1 270 tonnes while ensuring that the mortality of salmon of Canadian origin or of Community origin does not exceed the equivalent of that corresponding to a quota of 1 190 tonnes in accordance with the fishing patterns of 1976/77.

If an International Convention for Atlantic salmon has not been established in time to determine fishing conditions applicable in 1982, the two Parties agree to prolong the preceding provisions for one year and, if the aforesaid Convention has not yet entered into force, until 31 December 1983.

If the proposals referred to in this letter are acceptable to the Community, I have the further honour to propose that this Note, which is equally authentic in English and French, and your reply to that effect, shall constitute an Agreement between the European Economic Community and the Government of Canada which shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.'

I have the honour to confirm that the foregoing proposals are acceptable to the Community and that your letter together with this reply shall constitute and evidence an Agreement in accordance with your proposal.

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** on fisheries between the European Economic Community and the Government of Canada ⁽¹⁾ ⁽²⁾

EEC	30.12.1981	30.12.1981	30.12.1981	until 31.12.1987
CANADA				

- the **AGREEMENT** in the form of an exchange of letters between the European Economic Community and the Government of Canada concerning their fisheries relations ⁽¹⁾

EEC	30.12.1981	30.12.1981	30.12.1981	until 31.12.1987
CANADA				

⁽¹⁾ OJ No L 379, 31.12.1981.

⁽²⁾ Article XVI states that the Agreement 'may be terminated by either Party on 31 December 1987 or at any time thereafter . . . '.

**Agreements
between the EEC and the Argentine Republic**

AGREEMENT

in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic ⁽¹⁾

COUNCIL DECISION

of 18 December 1979

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

(80/24/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 ⁽²⁾ should be extended for one year as provided for in Article 9 (2) thereof,

⁽¹⁾ OJ No L 12, 17.1.1980.

⁽²⁾ This Agreement appears in Volume 4, page 939.

HAS DECIDED:

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, 18 December 1979.

For the Council
The President
B. LENIHAN

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 1980.

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 1980.’

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 1980.

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

ARRANGEMENT

in the form of an exchange of letters between the European Economic Community and the Argentine Republic on trade in mutton and lamb ⁽¹⁾

COUNCIL DECISION

of 14 October 1980

on the conclusion of voluntary restraint Agreements with Argentina, Australia, New Zealand and Uruguay in the sheepmeat and goatmeat sector

(80/982/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 opened negotiations with non-member countries which supply sheepmeat and goatmeat or live sheep and goats, with a view to reaching Agreements for voluntary restraint on their exports to the Community;

Whereas the Commission has reached agreement with Argentina, Australia, New Zealand and Uruguay;

⁽¹⁾ OJ No L 275, 18.10.1980.

Whereas the said Agreements allow trade to be carried on in a manner compatible with the common organization of the markets in the sector in question,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreements drawn up in the form of exchanges of letters on trade in the sheepmeat and goatmeat sector with the countries listed hereafter are hereby approved on behalf of the European Economic Community:

- Argentina,
- Australia,
- New Zealand,
- Uruguay ⁽¹⁾.

2. The texts of the Agreements are annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1, in order to bind the Community.

Done at Luxembourg, 14 October 1980.

For the Council
The President
C. NEY

⁽¹⁾ For the Agreements with Uruguay, New Zealand and Australia, see pages 1639, 1695 and 1717 of this volume.

ARRANGEMENT

in the form of an exchange of letters between the European Economic Community and the Argentine Republic on trade in mutton and lamb

Letter No 1

Sir,

I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Argentina, in connection with implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (02.01 A IV a),
 - frozen mutton, lamb and goatmeat (02.01 A IV b)).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Argentina to the Community are fixed at the following annual quantity: 20 000 tonnes expressed in carcass weight ⁽¹⁾.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

In order to ensure the proper functioning of the arrangement, Argentina undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.

3. Should the Community have recourse to the safeguard clause, it undertakes that Argentina's access into the Community as provided for in this arrangement will not be affected.
4. If imports in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Argentina for the remainder of that year. The quantity overshipped shall be offset against Argentina's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10%, *ad valorem*.
6. At the time of accession of new Member States, the Community, in consultation with Argentina, will alter the quantities set out in paragraph 2, in accordance with Argentina's trade with each new Member State.

The charges applicable to imports for the said new Member States shall be fixed in accordance with rules in the Treaty of Accession, the maximum level of the levy specified in point 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 23 000 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Argentina's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Argentina's mutton and lamb.

8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2)(c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

9. Argentina shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in paragraph 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Argentina, subject to the presentation of an export certificate, issued by the competent authority designated by the Argentine Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Argentine authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A consultative committee shall be set up composed of representatives from the Community and from Argentina. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.

12. The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present arrangement and until 1 January of the following year will be fixed on a *pro rata* basis in relation to the total annual quantity and will take into account the seasonality of the trade.
13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Argentine Republic.
14. The Agreement shall enter into force on 20 October 1980.

It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

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

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

*For 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:

I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Argentina, in connection with implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (02.01 A IV a)),
 - frozen mutton, lamb and goatmeat (02.01 A IV b)).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Argentina to the Community are fixed at the following annual quantity: 20 000 tonnes expressed in carcass weight ⁽¹⁾.

In order to ensure the proper functioning of the arrangement, Argentina undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.

3. Should the Community have recourse to the safeguard clause, it undertakes that Argentina's access into the Community as provided for in this arrangement will not be affected.
4. If imports from Argentina in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Argentina for the remainder of that year. The quantity overshipped shall be offset against Argentina's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10%, *ad valorem*.
6. At the time of accession of new Member States, the Community, in consultation with Argentina, will alter the quantities set out in paragraph 2, in accordance with Argentina's trade with each new Member State.

The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession, the maximum level of the levy specified in point 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 23 000 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Argentina's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Argentina's mutton and lamb.

8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2)(c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

9. Argentina shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in paragraph 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Argentina, subject to the presentation of an export certificate, issued by the competent authority designated by the Argentine Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Argentine authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A consultative committee shall be set up composed of representatives from the Community and from Argentina. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.
12. The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present arrangement and until 1 January of the following year will be fixed on a *pro rata* basis in relation to the total annual quantity and will take into account the seasonality of the trade.
13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Argentine Republic.
14. The Agreement shall enter into force on 20 October 1980.

It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

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

I have the honour to confirm that my Government is in agreement with the contents of your letter.

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

For the Government of the Argentine Republic

AGREEMENT

between the European Economic Community and the Argentine Republic on trade in textile products ⁽¹⁾

COUNCIL REGULATION (EEC) No 2557/79

of 30 October 1979

concerning the conclusion of the Agreement between the European Economic Community and the Argentine Republic on trade in textile products

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 on trade in textile products negotiated between the European Economic Community and the Argentine Republic should be approved,

HAS ADOPTED THIS REGULATION:

⁽¹⁾ OJ No L 298, 26.11.1979.

Article 1

The Agreement between the European Economic Community and the Argentine Republic on trade in textile products 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 16 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 Luxembourg, 30 October 1979.

For the Council
The President
M. O'KENNEDY

AGREEMENT

between the European Economic Community and the Argentine Republic on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE ARGENTINE REPUBLIC,

of the other part,

DESIRING to promote, with a view to permanent cooperation and in conditions providing every security for trade, the orderly and equitable development of trade in textile products between the European Economic Community (hereinafter referred to as 'the Community') and the Argentine Republic (hereinafter referred to as 'Argentina'),

RESOLVED to take the fullest possible account of the serious economic and social problems at present affecting the textile industry in both importing and exporting countries, and, in particular, to eliminate real risks of market disruption on the market of the Community and disruption to the textile trade of Argentina,

HAVING REGARD to the Arrangement regarding international trade in textiles (hereinafter referred to as 'the Geneva Arrangement'), and in particular Article 4 thereof, and to the conditions set out in the Protocol extending the Arrangement together with the conclusions adopted on 14 December 1977 by the Textiles Committee (L/4616),

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

TRẦN Van-Thinh,

Special Representative of the Commission of the European Communities
for textile negotiations;

THE GOVERNMENT OF THE ARGENTINE REPUBLIC:

Elvio BALDINELLI,

Ambassador Extraordinary and Plenipotentiary, Head of the Mission of
the Argentine Republic to the European Communities;

WHO HAVE AGREED AS FOLLOWS:

Section I

TRADE ARRANGEMENTS

Article 1

1. The Parties recognize and confirm that, subject to the provisions of this Agreement and without prejudice to their rights and obligations under the General Agreement on Tariffs and Trade, the conduct of their mutual trade in textile products shall be governed by the provisions of the Geneva Arrangement.
2. In respect of the products covered by this Agreement, the Community undertakes not to introduce quantitative restrictions under Article XIX of the General Agreement on Tariffs and Trade or Article 3 of the Geneva Arrangement.
3. Measures having equivalent effect to quantitative restrictions on the importation into the Community of the products covered by this Agreement shall be prohibited.

Article 2

1. This Agreement shall apply to trade in textile products of cotton, wool and man-made fibres originating in Argentina which are listed in Annex I.
2. The description and identification of the products covered by this Agreement are based on the nomenclature of the Common Customs Tariff and on the nomenclature of goods for the external trade statistics of the Community and the statistics of trade between Member States (Nimexe).
3. The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community.

The procedures for control of the origin of the products referred to above are laid down in Protocol A.

Article 3

Argentina agrees for each Agreement year to restrain its exports to the Community of the products described in Annex II to the limits set out therein.

Exports of textile products set out in Annex II shall be subject to a double-checking system specified in Protocol A.

Article 4

1. Experts of cottage industry fabrics woven on hand- or foot-operated looms, garments or other articles obtained manually from such fabrics and traditional folklore handicraft products shall not be subject to quantitative limits, provided that these products meet the conditions laid down in Protocol B.

2. Imports into the Community of textile products covered by this Agreement shall not be subject to the quantitative limits established in Annex II, provided that they are declared to be for re-export outside the Community in the same state or after processing, under the administrative system of control set up for this purpose within the Community.

However, the release for home use of products imported under the conditions referred to above shall be subject to the production of an export licence issued by the Argentine authorities, and to proof of origin in accordance with the provisions of Protocol A.

3. Where the authorities in the Community ascertain that imports of textile products have been set off against a quantitative limit established under this Agreement, but that the products have subsequently been re-exported outside the Community, the authorities concerned shall inform the Argentine authorities within four weeks of the quantities involved and authorize imports of identical quantities of the same products, which shall not be set off against the quantitative limit established in Annex II for the current or the following year.

Article 5

1. In any Agreement year advance use of a portion of the quantitative limit established for the following Agreement year is authorized for each category of products up to 5% of the quantitative limit for the current Agreement year.

Amounts delivered in advance shall be deducted from the corresponding quantitative limits established for the following Agreement year.

2. Carryover to the corresponding quantitative limit for the following Agreement year of amounts not used during any Agreement year is authorized up to 5% of the quantitative limit for the current Agreement year.

3. Transfers in respect of categories in Group I shall not be made from any category except as follows:

- transfers between categories 1, 2 and 3 may be effected up to 5% of the quantitative limits for the category to which the transfer is made except that in the case of category 1 the Parties acknowledge that the transfer of 5% has already been incorporated in the quantitative limit for category 1 set out in Annex II,
- transfers between categories 4, 5, 6, 7 and 8 may be made up to 5% of the quantitative limit for the category to which the transfer is made.

Transfers into any category in Groups II, III, IV and V may be made from any category or categories in Groups I, II, III, IV and V up to 5% of the quantitative limit for the category to which the transfer is made.

4. The table of equivalence applicable to the transfers referred to above is given in Annex I to this Agreement.

5. The increase in any category of products resulting from the cumulative application of the provisions in paragraphs 1, 2 and 3 above during an Agreement year shall not exceed 15%.

6. Prior notification shall be given by the authorities of Argentina in the event of recourse to the provisions of paragraphs 1, 2 and 3 above.

Article 6

1. Exports of textile products not listed in Annex II to this Agreement may be made subject to quantitative limits by Argentina on the conditions laid down in the following paragraphs.

2. Where the Community finds, under the system of administrative control set up, that the level of imports of products in a given category not listed in Annex II originating in Argentina exceeds, in relation to the preceding year's total imports into the Community of products in that category, the following rates:

- for categories of products in Group I: 0.2%,
- for categories of products in Group II: 1.5%
- for categories of products in Group III, IV or V: 4%,

it may request the opening of consultations in accordance with the procedure described in Article 12 of this Agreement, with a view to reaching agreement on an appropriate restraint level for the products in such category.

3. Pending a mutually satisfactory solution, Argentina undertakes, from the date of notification of the request for consultations, to suspend or limit at the level indicated by the Community in the said notification exports of the category of products in question to the Community or to the region or regions of the Community market specified by the Community.

The Community shall authorize the importation of products of the said category shipped from Argentina before the date on which the request for consultations was submitted.

4. Should the Parties be unable in the course of consultations to reach a satisfactory solution within the period specified in Article 12 of the Agreement, the Community shall have the right to introduce a quantitative limit at an annual level not lower than that reached by imports of the category in question and referred to in the notification of the request for consultations.

The annual level so fixed shall be revised upwards after consultations in accordance with the procedure referred to in Article 12, with a view to fulfilling the conditions set out in paragraph 2, should the trend of total imports into the Community of the product in question make this necessary.

5. The limits introduced under paragraph 2 or 4 may in no case be lower than the level of imports of products in that category originating in Argentina in 1976.

6. Quantitative limits may also be established by the Community on a regional basis in accordance with the provisions of Protocol C.

7. The annual growth rate for the quantitative limits introduced under this Article shall be determined in accordance with the provisions of Protocol D.

8. The provisions of this Article shall not apply where the percentages specified in paragraph 2 have been reached as a result of a fall in total imports into the Community, and not as a result of an increase in exports of products originating in Argentina.

9. In the event of the provisions of paragraph 2 or 4 being applied, Argentina undertakes to issue export licences for products covered by contracts concluded before the introduction of the quantitative limit, up to the volume of the quantitative limit fixed for the current year.

10. For the purpose of applying the provisions of paragraph 2, the Community undertakes to provide the Argentine authorities, before 31 March of each year, with the preceding year's statistics on imports of all textile products covered by this Agreement, broken down by supplying country and Community Member State.

11. The provisions of this Agreement which concern exports of products subject to the quantitative limits established in Annex II shall also apply to products for which quantitative limits are introduced under this Article.

Section II

ADMINISTRATION OF THE AGREEMENT

Article 7

1. Argentina undertakes to supply the Community with precise statistical information on all export licences issued by the Argentine authorities for all categories of textile products subject to the quantitative limits set out in Annex II.

2. The Community shall likewise transmit to the Argentine authorities precise statistical information on import authorizations or documents issued by the Community authorities, and import statistics for products covered by the system of administrative control referred to in Article 6 (2).

3. The information referred to above shall, for all categories of products, be transmitted before the end of the second month following the quarter to which the statistics relate.

4. Should it be found on analysis of the information exchanged that there are significant discrepancies between the returns for exports and those for imports, consultations may be initiated in accordance with the procedure specified in Article 12 of this Agreement.

Article 8

Any amendment to the Common Customs Tariff or Nimexe, made in accordance with the procedures in force in the Community, concerning categories of products covered by this Agreement or any decision relating to the classification of goods shall not have the effect of reducing any quantitative limit established in Annex II.

Article 9

Should recourse be had to the provisions of Article 16 (3), the quantitative limits established in Annex II shall be reduced on a *pro rata* basis.

Article 10

1. Portions of the quantitative limits established in Annex II not used in a Member State of the Community may be allocated to another Member State in accordance with the procedures in force in the Community. The Community undertakes to reply within four weeks to any request made by Argentina for such reallocation. It is understood that any reallocation so effected shall not be subject to the limits fixed under the flexibility provisions set out in Article 5 of this Agreement.

2. Should it appear in any given region of the Community that additional supplies are required, the Community may, where measures taken pursuant to paragraph 1 above are inadequate to cover those requirements, authorize the importation of amounts greater than those stipulated in Annex II.

Article 11

1. Argentina and the Community undertake to refrain from discrimination in the allocation of export licences and import authorizations or documents respectively.

2. In implementing this Agreement, the Contracting Parties shall take care to maintain the traditional commercial practices and trade flows between the Community and Argentina.

3. Should either Party find that the application of this Agreement is disturbing existing commercial relations between importers in the Community and suppliers in Argentina, consultations shall be started promptly, in accordance with the procedure specified in Article 12 of this Agreement, with a view to remedying this situation.

Article 12

1. The special consultation procedures referred to in this Agreement shall be governed by the following rules :

- any request for consultations shall be notified in writing to the other Party,
- the request for consultations shall be followed within a reasonable period (and in any case not later than 15 days following the notification) by a statement setting out the reasons and circumstances which, in the opinion of the requesting Party, justify the submission of such a request,
- the Parties shall enter into consultations within one month at the latest of notification of the request, with a view to reaching agreement or a mutually acceptable conclusion within one further month at the latest.

2. If necessary, at the request of either of the Parties and in conformity with the provisions of the Geneva Arrangement, consultations shall be held on any problems arising from the application of this Agreement. Any consultations held under this Article shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the difference between them.

Section III

TRANSITIONAL AND FINAL PROVISIONS

Article 13

Products originating in Argentina which become subject to quantitative limits from 1 January 1978, in pursuance of this Agreement, may be imported into the Community without the production of an export licence until 31 March 1978, provided such products are shipped before 1 January 1978.

Article 14

By way of derogation from Articles 2 and 8 of Protocol A, the Community undertakes to issue import authorizations or documents without the production of an export licence or certificate of origin in the form prescribed in the said Article 8 for products originating in Argentina, subject to quantitative limits under this Agreement, provided such products are shipped in the period from 1 January to 31 March 1978 and do not exceed 40% of the quantitative limits applicable to the products. This period may be extended by agreement reached between the Parties in accordance with the procedure laid down in Article 12 of this Agreement.

The Community shall supply the Argentine authorities without delay with precise statistical information on import authorizations or documents issued under this Article; the said authorities shall set the corresponding amounts off against the quantitative limits established in Annex II for the products in question for 1978.

Article 15

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

Article 16

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties notify each other of the completion of the procedures necessary for this purpose. It shall be applicable until 31 December 1982.

2. This Agreement shall apply with effect from 1 January 1978.

3. Either Party may at any time propose modifications to this Agreement or denounce it provided that at least 90 days' notice is given. In the latter event the Agreement shall come to an end on the expiry of the period of notice.

4. The Annexes and Protocols to this Agreement and the exchange of letters shall form an integral part thereof.

Article 17

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

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 signed 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.

En fe de lo cual los plenipotenciarios suscritos han firmado el presente acuerdo.

Udfærdiget i Bruxelles, den attende september nitten hundrede og nioghalvfjerds.

Geschehen zu Brüssel am achtzehnten September neunzehnhundertneunundsiebzig.

Done at Brussels on the eighteenth day of September in the year one thousand nine hundred and seventy-nine.

Fait à Bruxelles, le dix-huit septembre mil neuf cent soixante-dix-neuf.

Fatto a Bruxelles, addi diciotto settembre millenovecentosettantanove.

Gedaan te Brussel, de achttiende september negentienhonderd negenzeventig.

Hecho en Bruselas, a dieciocho de septiembre de mil novecientos setenta y nueve.

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

En nombre del Consejo de las Comunidades europeas

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

For regeringen for republikken Argentina

Für die Regierung der Republik Argentinien

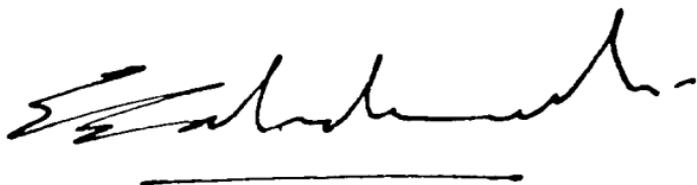
For the Government of the Argentine Republic

Pour le gouvernement de la république Argentine

Per il governo della Repubblica argentina

Voor de Regering van de Argentijnse Republiek

En nombre del gobierno de la República argentina

A handwritten signature in black ink, consisting of several fluid, connected strokes. Below the signature is a solid horizontal line.

ANNEX I

GROUP 1

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
1	Cotton yarn not put up for retail sale	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 52; 58; 61; 65; 67; 69; 72; 78; 92; 98		
2	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics a) Of which other than unbleached or bleached	55.09-01; 02; 03; 04; 05; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 76; 77; 78; 81; 82; 83; 84; 86; 87; 92; 93; 97 55.09-03; 04; 05; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 70; 71; 81; 82; 83; 84; 86; 87; 92; 93; 97		
3	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics a) Of which other than unbleached or bleached	56.07-01; 04; 05; 07; 08; 11; 13; 14; 16; 17; 18; 21; 23; 24; 26; 27; 28; 32; 33; 34; 36 56.07-01; 05; 07; 08; 13; 14; 16; 18; 21; 23; 26; 27; 28; 33; 34; 36		

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
4	Shirts, T-shirts, lightweight roll or turtle neck pullovers, undershirts and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres: a) T-shirts, etc. b) Shirts other than T-shirts	60.04-01; 05; 13; 18; 28; 29; 30; 41; 50; 58	6-48	154
5	Jerseys, pullovers, slip-overs, twinsets, cardigans, bedjackets and jumpers, knitted or crocheted, not elastic or rubberized	60.05-01; 27; 28; 29; 30; 33; 36; 37; 38	4-53	221
6	Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 72	1-76	568
7	Blouses and shirt-blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants	60.05-22; 23; 24; 25 61.02-78; 82; 84	5-55	180
8	Men's and boys' shirts, woven	61.03-11; 15; 19	4-60	217

GROUP II

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
9	Woven cotton terry fabrics; toilet and kitchen linen of woven cotton terry fabrics	55.08-10; 30; 50; 80 62.02-71		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
10	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, impregnated or coated with artificial plastic materials	60.02-40	10.14 pairs	99
11	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, other than those of category 10	60.02-50; 60; 70; 80	24.6 pairs	41
12	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized, other than women's stockings of synthetic textile fibres	60.03-11; 19; 25; 27; 30; 90	24.3 pairs	41
13	Men's and boys' underpants and briefs, women's, girls' and infants' (other than babies') knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres	60.04-17; 27; 48; 56	17	59
14 A	Men's and boys' coats of impregnated, coated, covered or laminated woven fabric	61.01-01	1.0	1000
14 B	Men's and boys' woven overcoats, raincoats and other coats, cloaks and capes, other than those of category 14 A	61.01-41; 42; 44; 46; 47	0.72	1389
15 A	Women's, girls' and infants' coats of impregnated, coated, covered or laminated woven fabric	61.02-05	1.1	909
15 B	Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than garments of category 15 A	61.02-31; 32; 33; 35; 36; 37; 39; 40	0.84	1190

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
16	Men's and boys' woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together)	61.01-51; 54; 57	0-80	1 250
17	Men's and boys' woven jackets and blazers	61.01-34; 36; 37	1-43	700
18	Men's and boys' woven under garments other than shirts	61.03-51; 55; 59; 81; 85; 89		
19	Handkerchiefs of woven cotton fabric, of a value of not more than 15 EUA/kg net weight	61.05-30; 99	55-5	18
20	Bed linen, woven	62.02-11; 19		
21	Parkas; anoraks, windcheaters and the like, woven	61.01-29; 31; 32 61.02-25; 26; 28	2-3	435
22	Yarn of discontinuous or waste synthetic fibres, not put up for retail sale a) Of which acrylic	56.05-03; 05; 07; 09; 11; 13; 15; 19; 21; 23; 25; 28; 32; 34; 36; 38; 39; 42; 44; 45; 46; 47 56.05-21; 23; 25; 28; 32; 34; 36		
23	Yarn of discontinuous or waste regenerated fibres, not put up for retail sale	56.05-51; 55; 61; 65; 71; 75; 81; 85; 91; 95; 99		
24	Men's and boys' pyjamas, knitted or crocheted, of cotton or of synthetic textile fibres	60.04-15; 47	2-8	357
25	Women's, girls' and infants' (other than babies') knitted or crocheted pyjamas and nightdresses, of cotton or synthetic fibres	60.04-21; 25; 51; 53	4-3	233

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
26	Women's, girls' and infants' (other than babies') woven and knitted or crocheted dresses	60.05-41; 42; 43; 44 61.02-48; 52; 53; 54	3-1	323
27	Women's, girls' and infants' (other than babies') woven and knitted or crocheted skirts, including divided skirts	60.05-51; 52; 54; 58 61.02-57; 58; 62	2-6	385
28	Knitted or crocheted trousers (except shorts) other than babies'	60.05-61; 62; 64	1-61	620
29	Women's, girls' and infants' (other than babies') woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together)	61.02-42; 43; 44	1-37	730
30 A	Women's, girls' and infants' woven pyjamas and nightdresses	61-04-11; 13; 18	4-0	250
30 B	Women's, girls' and infants' (other than babies') woven under garments, other than pyjamas and nightdresses	61.04-91; 93; 98		
31	Brassières, woven, knitted or crocheted	61.09-50	18-2	55

GROUP III

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
32	Woven pile fabrics and chenille fabrics (other than terry fabrics of cotton and narrow woven fabrics)	58.04-07; 11; 15; 18; 41; 43; 45; 61; 63; 67; 69; 71; 75; 77; 78		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
33	Woven fabrics of strip or the like of polyethylene or polypropylene, less than 3 m wide; woven sacks of such strip or the like	51.04-06 62.03-96		
34	Woven fabrics of strip or the like of polyethylene or polypropylene, 3 m or more wide	51.04-08		
35	Woven fabrics of synthetic textile fibres (continuous), other than those for tyres and those containing elastomeric yarn a) Of which other than unbleached or bleached	51.04-11; 13; 15; 17; 18; 21; 23; 25; 26; 27; 28; 32; 34; 36; 42; 44; 46; 48 51.04-15; 17; 18; 23; 25; 26; 27; 28; 32; 34; 42; 44; 46; 48		
36	Woven fabrics of regenerated textile fibres (continuous), other than those for tyres and those containing elastomeric yarn a) Of which other than unbleached or bleached	51.04-56; 58; 62; 64; 66; 72; 74; 76; 82; 84; 86; 88; 89; 93; 94; 95; 96; 97; 98 51.04-58; 62; 64; 72; 74; 76; 82; 84; 86; 88; 89; 94; 95; 96; 97; 98		
37	Woven fabrics of regenerated textile fibres (discontinuous or waste), other than narrow woven fabrics, pile fabrics including terry fabrics, and chenille fabrics a) Of which other than unbleached or bleached	56.07-37; 42; 44; 48; 52; 53; 54; 57; 58; 62; 63; 64; 66; 72; 73; 74; 77; 78; 82; 83; 84; 87 56.07-37; 44; 48; 52; 54; 57; 58; 63; 64; 66; 73; 74; 77; 78; 83; 84; 87		
38 A	Knitted or crocheted synthetic curtain fabrics including net curtain fabric	60.01-40		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
38 B	Net curtains	62.02-09		
39	Woven table linen, toilet and kitchen linen other than of cotton terry fabric	62.02-41; 43; 47; 65; 73; 77		
40	Woven curtains (other than net curtains) and furnishing articles	62.02-81; 89		
41	Yarn of synthetic textile fibres (continuous), not put up for retail sale, other than non-textured single yarn untwisted or with a twist of not more than 50 turns per metre	51.01-05; 07; 08; 09; 11; 13; 16; 18; 21; 23; 26; 28; 32; 34; 38; 42; 44; 48		
42	Yarn of regenerated textile fibres (continuous), not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns per metre and single non-textured yarn of any acetate	51.01-50; 61; 64; 66; 71; 76; 80		
43	Yarn of man-made fibres (continuous), put up for retail sale	51.03-10; 20		
44	Woven fabrics of synthetic textile fibres (continuous), containing elastomeric yarn	51.04-05		
45	Woven fabrics of regenerated textile fibres (continuous), containing elastomeric yarn	51.04-54		
46	Carded or combed sheep's or lambs' wool or other fine animal hair	53.05-10; 22; 29; 32; 39		
47	Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale	53.06-21; 25; 31; 35; 51; 55; 71; 75 53.08-11; 15		
48	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale	53.07-01; 09; 21; 29; 40; 51; 59; 81; 89 53.08-21; 25		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
49	Yarn of sheep's or lambs' wool or of fine animal hair, put up for retail sale	53.10-11; 15		
50	Woven fabrics of sheep's or lambs' wool or of fine animal hair	53.11-01; 03; 07; 11; 13; 17; 20; 30; 40; 52; 54; 58; 72; 74; 75; 82; 84; 88; 91; 93; 97		
51	Carded or combed cotton	55.04-00		
52	Cotton yarn put up for retail sale	55.06-10; 90		
53	Cotton gauze	55.07-10; 90		
54	Regenerated textile fibres (discontinuous or waste), carded or combed	56.04-21; 23; 25; 29		
55	Synthetic textile fibres (discontinuous or waste), carded or combed	56.04-11; 13; 15; 16; 17; 18		
56	Yarn of synthetic fibres (discontinuous or waste), put up for retail sale	56.06-11; 15		
57	Yarn of regenerated textile fibres (discontinuous or waste), put up for retail sale	56.06-20		
58	Carpets, carpeting and rugs, knotted (made up or not)	58.01-01; 11; 13; 17; 30; 80		
59	Woven, knitted or crocheted carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not); floor coverings of felt	58.02-12; 14; 17; 18; 19; 30; 43; 49; 90 59.02-01; 09		
60	Tapestries, hand made	58.03-00		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
61	Narrow woven fabrics not exceeding 30 cm in width with selvages (woven, gummed or made otherwise) on both edges, other than woven labels and the like; bolduc	58.05-01; 08; 30; 40; 51; 59; 61; 69; 73; 77; 79; 90		
62	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size	58.06-10; 90		
	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like	58.07-31; 39; 50; 80		
	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain	58.08-11; 15; 19; 21; 29		
	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	58.09-11; 19; 21; 31; 35; 39; 91; 95; 99		
	Embroidery, in the piece, in strips or in motifs	58.10-21; 29; 41; 45; 49; 51; 55; 59		
63	Knitted or crocheted fabric, not elastic or rubberized, of synthetic textile fibres, containing elastofibres; knitted or crocheted fabric, elastic or rubberized	60.01-30		
		60.06-11; 18		
64	Rachel lace and long-pile fabric (imitation fur), knitted or crocheted, not elastic or rubberized, of synthetic textile fibres	60.01-51; 55		
65	Knitted or crocheted fabrics, not elastic or rubberized, other than those of categories 38 A, 63 and 64	60.01-01; 10; 62; 64; 65; 68; 72; 74; 75; 78; 81; 89; 92; 94; 96; 97		
66	Travelling rugs and blankets	62.01-10; 20; 81; 85; 93; 95		
67	Clothing accessories and other articles (except garments), knitted or crocheted, not elastic or rubberized; articles (other than bathing costumes) of knitted or crocheted fabric, elastic or rubberized	60.05-86; 87; 89; 91; 95; 98		
		60.06-92; 96; 98		

GROUP IV

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
68	Babies' under garments of knitted or crocheted fabrics, not elastic or rubberized	60.04-11; 36		
69	Women's, girls' and infants' knitted or crocheted petticoats and slips, of synthetic textile fibres, other than babies' garments	60.04-54	7-8	128
70	Panty-hose (tights)	60.04-31; 33; 34	30-4	33
71	Babies' knitted outer garments	60.05-06; 07; 08; 09		
72	Knitted swimwear	60.05-11; 13; 15 60.06-91	10	100
73	Track suits of knitted or crocheted fabric, not elastic or rubberized	60.05-16; 17; 19	1-67	600
74	Women's, girls' and infants' (other than babies') suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of knitted or crocheted fabric, not elastic or rubberized	60.05-71; 72; 73; 74	1-54	650
75	Men's and boys' suits (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of knitted or crocheted fabric, not elastic or rubberized	60.05-66; 68	0-80	1 250

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
76	Men's and boys' woven industrial and occupational clothing; women's, girls' and infants' woven aprons, smock-overalls and other industrial and occupational clothing (whether or not also suitable for domestic use)	61.01-13; 15; 17; 19 61.02-12; 14		
77	Women's stockings of synthetic textile fibres	60.03-21; 23	40 pairs	25
78	Men's and boys' woven bath robes, dressing gowns, smoking jackets and similar indoor wear and other outer garments, except garments of categories 6, 14 A, 14 B, 16, 17, 21, 76 and 79	61.01-09; 24; 25; 26; 92; 94; 96		
79	Woven swimwear	61.01-22; 23 61.02-16; 18	8-3	120
80	Babies' woven garments	61.02-01; 03 61.04-01; 09		
81	Women's, girls' and infants' woven bath robes, dressing gowns, bed jackets and similar indoor wear and other outer garments, except garments of categories 6, 7, 15 A, 15 B, 21, 26, 27, 29, 76, 79 and 80	61.02-07; 22; 23; 24; 86; 88; 92		
82	Under garments, other than babies', knitted or crocheted, not elastic or rubberized, of wool, of fine animal hair or of regenerated textile fibres	60.04-38; 60		
83	Outer garments, knitted or crocheted, not elastic or rubberized, other than garments of categories 5, 7, 26, 27, 28, 71, 72, 73, 74 and 75	60.05-04; 81; 82; 83; 84		
84	Shawls, scarves, mufflers, mantillas, veils and the like, other than knitted or crocheted	61.06-30; 40; 50; 60		
85	Ties, bow ties and cravats, other than knitted or crocheted	61.07-30; 40; 90	17-9	56

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
86	Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), other than brassières, whether or not elastic	61.09-20; 30; 40; 80	8.8	144
87	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods	61.10-00		
88	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets), other than knitted or crocheted	61.11-00		
89	Handkerchiefs of woven cotton fabric, of a value of more than 15 EUA/kg net weight	61.05-20	59	17

GROUP V

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
90	Twine, cordage, ropes and cables, of synthetic textile fibres, plaited or not	59.04-11; 13; 15; 17; 18		
91	Tents	62.04-23; 73		
92	Woven fabrics of man-made textile fibres and rubberized textile woven fabrics, for tyres	51.04-03; 52 59.11-15		

Category	Description	Nimexe code (1978)	Table of equiv- alence	
			pieces/kg	g/piece
93	Sacks and bags, of a kind used for the packing of goods, of woven fabrics, other than made from polyethylene or polypropylene strip	62.03-93; 95; 97; 98		
94	Wadding and articles of wadding; textile flock and dust and mill neps	59.01-07; 12; 14; 15; 16; 18; 21; 29		
95	Felt and articles of felt, whether or not impregnated or coated, other than floor coverings	59.02-35; 41; 47; 51; 57; 59; 91; 95; 97		
96	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated, other than clothing and clothing accessories	59.03-11; 19; 30		
97	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope	59.05-11; 21; 29; 91; 99		
98	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics, articles made from such fabrics and articles of category 97	59.06-00		
99	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	59.07-10; 90		
100	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	59.08-10; 51; 53; 57		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
101	Twine, cordage, ropes and cables, plaited or not, other than of synthetic textile fibres	59.04-90		
102	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	59.10-10; 31; 39		
103	Rubberized textile fabrics other than rubberized, knitted or crocheted goods, excluding fabrics for tyres	59.11-11; 14; 17; 20		
104	Textile fabrics, impregnated or coated, other than those of categories 99, 100, 102 and 103; painted canvas being theatrical scenery, studio backcloths or the like	59.12-00		
105	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads	59.13-01; 11; 13; 15; 19; 32; 34; 35; 39		
106	Wicks, of woven, plaited or knitted textile materials for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles	59.14-00		
107	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials	59.15-10. 90		
108	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material	59.16-00		
109	Woven tarpaulins, sails, awnings and sun-blinds	62.04-21; 61; 69		

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
110	Woven pneumatic mattresses	62.04-25; 75		
111	Camping goods, woven, other than pneumatic mattresses and tents	62.04-29; 79		
112	Other made up textile articles, woven, excluding those of categories 113 and 114	62.05-10; 30; 93; 98		
113	Floor cloths, dish cloths, dusters and the like, other than knitted or crocheted	62.05-20		
114	Textile fabrics and textile articles of a kind commonly used in machinery or plant	59.17-10; 29; 41; 49; 51; 59; 71; 79; 91; 93; 95; 99		

ANNEX II

For practical reasons the product descriptions used in Annex I are given in the present Annex in abbreviated form.

Category	Description	Units	Year	EEC quantitative limits
1	Cotton yarn not put up for retail sale	Tonnes	1978 1979 1980 1981 1982	2 839 2 853 2 868 2 884 2 900

PROTOCOL A

Double-checking system

Title I

QUANTITATIVE LIMITS

Section I

EXPORTATION

Article 1

The competent authorities of Argentina shall issue an export licence in respect of all consignments from Argentina of textile products referred to in Annex II, up to the relevant quantitative limits as may be modified by Articles 5 and 10 of the Agreement.

Article 2

The export licence shall conform to the model annexed to this Protocol. It must certify *inter alia* that the quantity of the product in question has been set off against the quantitative limit prescribed for the category of the product in question.

Article 3

The competent Community authorities must be notified forthwith of the withdrawal or alteration of any export licence already issued.

Article 4

Exports shall be set off against the quantitative limits established for the year in which shipment of the goods has been effected, even if the export licence is issued after such shipment.

Section II

IMPORTATION

Article 5

Importation into the Community of textile products subject to quantitative limits shall be subject to the presentation of an import authorization or document.

Article 6

The competent Community authorities shall issue such import authorization or document automatically within five working days of the presentation by the importer of a certified copy of the corresponding export licence.

The import authorization or document shall be valid for six months.

Article 7

1. If the competent Community authorities find that the total quantities covered by export licences issued by Argentina for a particular category in any Agreement year exceed the quantitative limit established in Annex II for that category, as it may be modified by Articles 5 and 10 of the Agreement, the said authorities may suspend the further issue of import authorizations or documents. In this event, the competent Community authorities shall immediately inform the authorities of Argentina and the special consultation procedure set out in Article 12 of the Agreement shall be initiated forthwith.

2. Exports of Argentine origin not covered by Argentine export licences issued in accordance with the provisions of this Protocol may be refused the issue of import authorizations or documents by the competent Community authorities.

However, if the imports of such products are allowed into the Community by the competent Community authorities, the quantities involved shall not be set off against the appropriate limits set out in Annex II without the express agreement of Argentina.

Title II

ORIGIN

Article 8

1. Products originating in Argentina for export to the Community in accordance with the arrangements established by this Agreement shall be accompanied by a certificate of Argentine origin conforming to the model annexed to this Protocol.

2. The certificate of origin shall be issued by the competent governmental authorities of Argentina if the products in question can be considered products originating in that country within the meaning of the relevant rules in force in the Community.

3. However, the products in Groups III, IV and V may be imported into the Community in accordance with the arrangements established by this Agreement on production of a declaration by the exporter on the invoice or other commercial document to the effect that the products in question originate in Argentina within the meaning of the relevant rules in force in the Community.

Article 9

The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the product shall not *ipso facto* cast doubt upon the statements in the certificate.

Article 10

1. Subsequent verification of certificates of origin shall be carried out at random, or whenever the competent Community authorities have reasonable doubt as to the authenticity of the certificate or as to the accuracy of the information regarding the true origin of the products in question.

In such cases the competent authorities in the Community shall return the certificate of origin or a copy thereof to the competent governmental authority in Argentina giving, where appropriate, the reasons of form or substance for an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate or its copy. The authorities shall also forward any information that has been obtained suggesting that the particulars given on the said certificate are inaccurate.

2. The provisions of paragraph 1 above shall be applicable to subsequent verifications of the declarations of origin referred to in Article 8 (3) of this Protocol.

3. The results of the subsequent verifications carried out in accordance with paragraphs 1 and 2 above shall be communicated to the competent authorities of the Community within three months at the latest.

Should such verifications reveal systematic irregularities in the use of declarations of origin, the Community may subject imports of the products in question of Groups III, IV and V to the provisions of Article 8 (1) and (2) of this Protocol.

4. For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept for at least two years by the competent governmental authority in Argentina.

5. Recourse to the random verification procedure specified in this Article must not constitute an obstacle to the release for home use in the Community of the products in question.

Article 11

The provisions of this Title shall not apply to goods covered by a certificate of origin Form A completed in accordance with the relevant Community rules in order to qualify for generalized tariff preferences.

Title III

FORM AND PRODUCTION OF EXPORT LICENCES AND CERTIFICATES OF ORIGIN, AND COMMON PROVISIONS

Article 12

The export licence and the certificate of origin may comprise additional copies duly indicated as such. They shall be made out in English or French. If they are completed by hand, entries must be in ink and in printscript.

These documents shall measure 210 × 297 mm. The paper used must be white writing paper, sized, not containing mechanical pulp and weighing not less than 25 g/m². Each part shall have a printed guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

Each document shall bear a serial number, whether or not printed, by which it can be identified.

Article 13

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases they shall bear either the endorsement 'délivré a posteriori' or the endorsement 'issued retrospectively'.

Article 14

In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate licence or certificate so issued shall bear the endorsement 'duplicata'.

The duplicate must bear the date of the original licence or certificate.

Article 15

Argentina shall send the Commission of the European Communities the names and addresses of the governmental authorities competent to issue export licences and certificates of origin, together with specimens of the stamps used by these authorities.

ANNEX TO PROTOCOL A

1 Exporter (name, full address, country) Exportateur (nom, adresse complete, pays)	ORIGINAL	2 No
	3 Quota year Année contingentaire	4 Category number Numero de categorie
5 Consignee (name, full address, country) Destinataire (nom, adresse complete, pays)	EXPORT LICENCE (Textile products)	
	LICENCE D'EXPORTATION (Produits textiles)	
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Données supplémentaires	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES	11 Quantity () Quantité ()	12 FOB Value () Valeur fob ()

que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net

13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Economic Community

Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté économique européenne

14 Competent authority (name, full address, country)
 Autorité compétente (nom, adresse complète, pays)

At - À

on - le

(Signature)

(Stamp - Cachet)

veuillez inscrire dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	3 Quota year Année contingente	4 Category number Numéro de catégorie
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	CERTIFICATE OF ORIGIN (Textile products) <hr/> CERTIFICAT D'ORIGINE (Produits textiles)	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DÉSIGNATION DES MARCHANDISES	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
9 Supplementary details Données supplémentaires	11 Quantity (') Quantité (')	12 FOB Value (') Valeur fob (')

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight – Indiquer le poids net en kilogramme
 (2) In the currency of the sale contract – Dans la monnaie du contrat de vente.

13 CERTIFICATION BY THE COMPETENT AUTHORITY – VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Economic Community

Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté économique européenne.

14 Competent authority (name, full address, country)
 Autorité compétente (nom, adresse complète, pays)

At - À

, on - le

(Signature)

(Stamp - Cachet)

PROTOCOL B

The exemption provided for in the first paragraph of Article 4 of the Agreement in respect of cottage industry products shall apply only to the following products:

- (a) textile fabrics woven on looms operated solely by hand or foot, being fabrics of a kind traditionally made in the cottage industry of Argentina;
- (b) garments or other textile articles of a kind traditionally made in the cottage industry of Argentina obtained manually from the fabrics described above and sewn solely by hand without the aid of any machine;
- (c) traditional folklore handicraft textile products of Argentina made by hand in the cottage industry of Argentina as defined in a list of such products to be agreed between the two Parties.

Exemption shall apply only in respect of products covered by a certificate issued by the competent authorities of Argentina conforming to the specimen annexed to this Protocol. Such certificates shall indicate the grounds on which exemption is based and shall be accepted by the competent Community authorities provided that they are satisfied that the products concerned conform to the conditions set out in this Protocol. Should imports of any of the above products reach such proportions as to cause difficulties to the Community, the two Parties shall open consultations forthwith in accordance with the procedure laid down in Article 12 of the Agreement with a view to finding a solution to the problem.

ANNEX TO PROTOCOL B

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No	
3 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<p>CERTIFICATE in regard to HANDLOOMS, TEXTILE HANDICRAFTS and TRADITIONAL TEXTILE PRODUCTS, OF THE COTTAGE INDUSTRY, issued in conformity with and under the conditions regulating trade in textile products with the European Economic Community</p> <hr/> <p>CERTIFICAT relatif aux TISSUS TISSÉS SUR MÉTIERS À MAIN, aux PRODUITS TEXTILES FAITS À LA MAIN, et aux PRODUITS TEXTILES RELEVANT DU FOLKLORE TRADITIONNEL, DE FABRICATION ARTISANALE, délivré en conformité avec et sous les conditions régissant les échanges de produits textiles avec la Communauté économique européenne</p>		
6 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	4 Country of origin Pays d'origine	5 Country of destination Pays de destination	
B Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DESIGNATION DES MARCHANDISES	7 Supplementary details Données supplémentaires		9 Quantity Quantité
			10 FOB Value (') Valeur FOB (')

(1) In the currency of the sale contract — Dans la monnaie du contrat de vente
 (2) Delete as appropriate — Bâter la (les) mention(s) indélé(s)

11 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the consignment described above includes only the following textile products of the cottage industry of the country shown in box No 4.

- a) fabrics woven on looms operated solely by hand or foot (handlooms) ⁽²⁾
- b) garments or other textile articles obtained manually from the fabrics described under a) and sewn solely by hand without the aid of any machine (handicrafts) ⁽²⁾
- c) traditional folklore handicraft textile products made by hand, as defined in the list agreed between the European Economic Community and the country shown in box No 4

Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement les produits textiles suivants relevant de la fabrication artisanale du pays figurant dans la case 4:

- a) tissus tissés sur des métiers actionnés à la main ou au pied (handlooms) ⁽²⁾
- b) vêtements ou autres articles textiles obtenus manuellement à partir de tissus décrits sous a) et cousus uniquement à la main sans l'aide d'une machine (handicrafts) ⁽²⁾
- c) produits textiles relevant du folklore traditionnel fabriqués à la main, comme définis dans la liste convenue entre la Communauté économique européenne et le pays indiqué dans la case 4

12 Competent authority (name, full address, country)
 Autorité compétente (nom, adresse complète, pays)

At — À _____, on — le _____

(Signature)

(Stamp — Cachet)

PROTOCOL C

Under Article 2 (6) of the Agreement, a quantitative limit may be fixed on a regional basis where imports of a given product into any region of the Community, in relation to the amount determined in accordance with paragraph 2 of the said Article 6, exceed the following regional percentage:

Germany	28.5%
Benelux	10.5%
France	18.5%
Italy	15 %
Denmark	3 %
Ireland	1 %
UK	23.5%.

PROTOCOL D

The annual growth rate for the quantitative limits introduced under Article 6 of the Agreement shall be determined as follows:

- (a) for products in Group I:
 - the rate shall be fixed at 0.5% per year for a product in category 1 or 2,
 - the rate shall be fixed at 4% per year for a product in category 3, 4, 5, 6, 7 or 8;
- (b) for products in categories falling within Group II, III, IV or V, the growth rate shall be fixed by agreement between the Parties in accordance with the consultation procedure established in Article 12 of the Agreement. Such growth rate may in no case be lower than the highest rate applied to corresponding products under bilateral agreements concluded under the Geneva Arrangement between the Community and other third countries having a level of trade equal to or comparable with that of Argentina.

EXCHANGE OF LETTERS

The Directorate-General for External Relations of the Commission of the European Communities presents its compliments to the Mission of Argentina to the European Communities and has the honour to refer to the Agreement in textile products negotiated between Argentina and the Community and initialled on 24 December 1977.

The Directorate-General for External Relations wishes to inform the Mission of Argentina that:

1. The Community may, for the years after 1978, make adjustments to the distribution between Member States of the quantitative limits established in Annex II to the Agreement for categories of products in Group I, it being understood:
 - that in no case may the Community level of the quantitative limits in question be reduced, and
 - that Argentina shall be notified of any such adjustments for a given year by 30 June of the preceding year at the latest.
2. Where, in the opinion of Argentina, such adjustments might create difficulties in regard to the flow of trade between the Community and Argentina consultations shall be opened promptly in accordance with the procedure specified in Article 12 of the Agreement, with a view to remedying these difficulties.
3. Should such adjustments exceed 10% of the volume of the national shares in question, they shall be effected only by agreement reached between the Parties in accordance with the consultation procedure specified in Article 12 of the Agreement.

The Directorate-General for External Relations would be grateful if the Mission of Argentina would confirm its agreement to the foregoing.

The Directorate-General for External Relations avails itself of this opportunity to renew to the Mission of Argentina the assurance of its highest consideration.

The Mission of Argentina to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Directorate-General's letter of today's date worded as follows:

'The Directorate-General for External Relations of the Commission of the European Communities presents its compliments to the Mission of Argentina to the European Communities and has the honour to refer to the Agreement in textile products negotiated between Argentina and the Community and initialled on 24 December 1977.

The Directorate-General for External Relations wishes to inform the Mission of Argentina that:

1. The Community may, for the years after 1978, make adjustments to the distribution between Member States of the quantitative limits established in Annex II to the Agreement for categories of products in Group I, it being understood:
 - that in no case may the Community level of the quantitative limits in question be reduced, and
 - that Argentina shall be notified of any such adjustments for a given year by 30 June of the preceding year at the latest.
2. Where, in the opinion of Argentina, such adjustments might create difficulties in regard to the flow of trade between the Community and Argentina consultations shall be opened promptly in accordance with the procedure specified in Article 12 of the Agreement, with a view to remedying these difficulties.
3. Should such adjustments exceed 10% of the volume of the national shares in question, they shall be effected only by agreement reached between the Parties in accordance with the consultation procedure specified in Article 12 of the Agreement.

The Directorate-General for External Relations would be grateful if the Mission of Argentina would confirm its agreement to the foregoing.

The Directorate-General for External Relations avails itself of this opportunity to renew to the Mission of Argentina the assurance of its highest consideration.'

The Mission of Argentina has the honour to confirm to the Directorate-General for External Relations that it agrees to the content of the foregoing letter.

The Mission of Argentina avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration.

-

Declaration concerning Article 2 (3) of the Agreement

The Community declares that, in accordance with the Community rules on origin referred to in Article 2 (3) of the Agreement, any amendments to the said rules will remain based upon criteria not requiring, in order to confer original status, more extensive operations than those which constitute a single complete process.

Done at Brussels,

For the European Economic Community

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 the Trade Agreement between the European Economic Community and the Argentine Republic ⁽²⁾

EEC	19.12.1979	—	1.1.1980	until 31.12.1980
ARGENTINA				

- the ARRANGEMENT in the form of an exchange of letters between the European Economic Community and the Argentine Republic on trade in mutton and lamb ⁽³⁾

EEC	17.10.1980	—	20.10.1980	until 31.3.1984 ⁽⁴⁾
ARGENTINA				

- the AGREEMENT between the European Economic Community and the Argentine Republic on trade in textile products ⁽⁵⁾

EEC	18.9.1979	21.12.1979	1.1.1981 ⁽⁶⁾ ⁽⁷⁾	until 31.12.1982
ARGENTINA		n. 23.12.1980		

(1) OJ No L 12, 17.1.1980.

(2) This Agreement appears in Volume 4, page 939.

(3) OJ No L 275, 18.10.1980.

(4) Clause 14 states that the Arrangement 'shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing'.

(5) OJ No L 298, 26.11.1979.

(6) OJ No L 64, 11.3.1981.

(7) In accordance with Article 16, the Agreement applies with effect from 1.1.1978.

**Agreements
between the EEC
and the Eastern Republic of Uruguay**

ARRANGEMENT

in the form of an exchange of letters between the European Economic Community and the Eastern Republic of Uruguay on trade in mutton and lamb ⁽¹⁾

COUNCIL DECISION

of 14 October 1980

on the conclusion of voluntary restraint Agreements with Argentina, Australia, New Zealand and Uruguay in the sheepmeat and goatmeat sector

(80/982/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 opened negotiations with non-member countries which supply sheepmeat and goatmeat or live sheep and goats, with a view to reaching Agreements for voluntary restraint on their exports to the Community;

⁽¹⁾ OJ No L 275, 18.10.1980.

Whereas the Commission has reached agreement with Argentina, Australia, New Zealand and Uruguay;

Whereas the said Agreements allow trade to be carried on in a manner compatible with the common organization of the markets in the sector in question,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreements drawn up in the form of exchanges of letters on trade in the sheepmeat and goatmeat sector with the countries listed hereafter are hereby approved on behalf of the European Economic Community:

- Argentina,
- Australia,
- New Zealand,
- Uruguay ⁽¹⁾.

2. The texts of the Agreements are annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1, in order to bind the Community.

Done at Luxembourg, 14 October 1980.

For the Council
The President
C. NEY

⁽¹⁾ For the Agreements with Argentina, New Zealand and Australia, see pages 1569, 1695 and 1717 of this volume.

ARRANGEMENT

in the form of an exchange of letters between the European Economic Community and the Eastern Republic of Uruguay on trade in mutton and lamb

Letter No 1

Sir,

I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Uruguay in connection with the implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (subheading 02.01 A IV a) of the Common Customs tariff),
 - frozen mutton, lamb and goatmeat (subheading 02.01 A IV b) of the Common Customs Tariff).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Uruguay to the Community are fixed at the following annual quantity:

5 100 tonnes expressed in carcass weight ⁽¹⁾.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

In order to ensure the proper functioning of the arrangement, Uruguay undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.

3. Should the Community have recourse to the safeguard clause, it undertakes that Uruguay's access to the Community as provided for in this arrangement will not be affected.
4. If imports from Uruguay in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Uruguay for the remainder of that year. The quantity overshipped shall be offset against Uruguay's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10%, *ad valorem*.
6. At the time of accession of new Member States, the Community, in consultation with Uruguay, will alter the quantities set out in clause 2, in accordance with Uruguay's trade with each new Member State. The charges applicable to imports for the said new Member State shall be fixed in accordance with the rules in the Treaty of Accession, the maximum level of the levy specified in clause 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 5 800 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Uruguay's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Uruguay's mutton and lamb.

8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lambs intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of the General Agreement on Tariffs and Trade and in particular in conformity with Article 10 (2)(c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

9. Uruguay shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Uruguay, subject to the presentation of an export certificate, issued by the competent authority designated by the Uruguay Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Uruguay authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A Consultative Committee shall be set up composed of representatives from the Community and from Uruguay. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.
12. The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present arrangement and until 1 January of the following year will be fixed on a *pro rata* basis in relation to the total annual quantity and will take into account the seasonality of the trade.

13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Eastern Republic of Uruguay.
14. The arrangement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

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

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

*For 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:

'I have the honour to refer to the negotiations recently undertaken between our respective delegations for the purpose of drawing up provisions concerning import into the European Economic Community of mutton, lamb and goatmeat from Uruguay in connection with the implementation by the Community of the common organization of the market in sheepmeat and goatmeat.

During these negotiations both parties agreed as follows:

1. This arrangement shall relate to:
 - fresh or chilled mutton, lamb and goatmeat (subheading 02.01 A IV a) of the Common Customs Tariff),
 - frozen mutton, lamb and goatmeat (subheading 02.01 A IV b) of the Common Customs Tariff).
2. Within the terms of this arrangement, the possibilities of export of mutton and lamb and goatmeat from Uruguay to the Community are fixed at the following annual quantity:

5 100 tonnes expressed in carcass weight ⁽¹⁾.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

In order to ensure the proper functioning of the arrangement, Uruguay undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity agreed and shall be exported in accordance with the traditional patterns of presentation (frozen or chilled).

Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this arrangement will consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.

3. Should the Community have recourse to the safeguard clause, it undertakes that Uruguay's access to the Community as provided for in this arrangement will not be affected.
4. If imports from Uruguay in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Uruguay for the remainder of that year. The quantity overshipped shall be offset against Uruguay's export entitlement for the following year.
5. The Community undertakes to limit the levy applicable to imports of products covered by the present arrangement to a maximum amount of 10%, *ad valorem*.
6. At the time of accession of new Member States, the Community, in consultation with Uruguay, will alter the quantities set out in clause 2, in accordance with Uruguay's trade with each new Member State. The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession, the maximum level of the levy specified in clause 5 of this arrangement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 5 800 tonnes in carcass weight as from the date of accession of Greece to the Community.

7. The Community will endeavour to avoid any market development which could prejudice the marketing of Uruguay's mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community will take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Uruguay's mutton and lamb.

8. In taking account of the objectives and provisions of this arrangement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lambs intended for slaughter will apply only at prices and on conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of the General Agreement on Tariffs and Trade and in particular in conformity with Article 10 (2)(c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

9. Uruguay shall ensure that this arrangement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this arrangement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Uruguay, subject to the presentation of an export certificate, issued by the competent authority designated by the Uruguay Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Uruguay authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

10. A Consultative Committee shall be set up composed of representatives from the Community and from Uruguay. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly. It will examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this arrangement.

It will ensure that the proper application of the arrangement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the arrangement.

The Committee will discuss all questions which could arise in applying the arrangement and will recommend appropriate solutions to the competent authorities.

11. The provisions of this arrangement shall be agreed without prejudice to the parties' rights and obligations under GATT.
12. The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present arrangement and until 1 January of the following year will be fixed on a *pro rata* basis in relation to the total annual quantity and will take into account the seasonality of the trade.
13. This arrangement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Eastern Republic of Uruguay.
14. The arrangement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this arrangement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

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

I have the honour to confirm that my Government is in agreement with the contents of your letter.

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

For the Government
- *of the Eastern Republic of Uruguay*

AGREEMENT

between the European Economic Community and the Eastern Republic of Uruguay on trade in textile products ⁽¹⁾

COUNCIL REGULATION (EEC) No 611/80

of 18 February 1980

on the conclusion of the Agreement between the European Economic Community and the Eastern Republic of Uruguay on trade in textile products

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 on trade in textile products negotiated between the European Economic Community and the Eastern Republic of Uruguay should be approved,

HAS ADOPTED THIS REGULATION:

⁽¹⁾ OJ No L 70, 17.3.1980.

Article 1

The Agreement between the European Economic Community and the Eastern Republic of Uruguay on trade in textile products 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 10 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, 18 February 1980.

For the Council
The President
G. MARCORA

AGREEMENT

between the European Economic Community and the Eastern Republic of Uruguay on trade in textile products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE EASTERN REPUBLIC OF URUGUAY,

of the other part,

DESIRING to promote, with a view to permanent cooperation in conditions providing every security for trade, the orderly and equitable development of trade in textile products between the European Economic Community (hereinafter referred to as 'the Community') and the Eastern Republic of Uruguay (hereinafter referred to as 'Uruguay'),

RESOLVED to take the fullest possible account of the serious economic and social problems at present affecting the textile industry in both importing and exporting countries, and in particular, in order to eliminate real risks of market disruption on the market of the Community and disruption to the textile trade of Uruguay,

HAVING REGARD to the Arrangement regarding international trade in textiles (hereinafter referred to as 'the Geneva Arrangement'), and in particular Article 4 thereof, and to the conditions set out in the Protocol extending the said Arrangement together with the conclusions adopted on 14 December 1977 by the Textiles Committee (L/4616),

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

TRÂN Van-Thinh,

Special Representative of the Commission of the European Communities
for textile negotiations;

THE GOVERNMENT OF THE EASTERN REPUBLIC OF
URUGUAY:

Gustavo MAGARIÑOS,

Ambassador Extraordinary and Plenipotentiary, Head of the Mission of
the Eastern Republic of Uruguay to the European Communities;

WHO HAVE AGREED AS FOLLOWS:

Trade arrangements

Article 1

1. This Agreement shall apply to trade in textile products of cotton, wool or man-made fibres originating in Uruguay which are listed in the Annex.
2. This Agreement shall not apply to exports of cottage industry fabrics woven on hand- or foot-operated looms, or to garments or other textile articles sewn by hand from such fabrics, or to traditional folklore handicraft products, provided that these products meet the conditions laid down in Protocol A.
3. The description and identification of the products covered by this Agreement are based on the nomenclature of the Common Customs Tariff and on the nomenclature of goods for the external trade statistics of the Community and the statistics of trade between Member States (Nimexe).

4. The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community.

The procedures for control of the origin of the products referred to above are laid down in Protocol B.

Article 2

1. Imports of textile products covered by this Agreement shall be subject to a system of administrative control by the Community in accordance with the provisions in force in the Community.

2. The Community undertakes to supply the Uruguayan authorities with import statistics for products originating in Uruguay before the end of the second month following the quarter to which those statistics relate. The preceding year's statistics on all imports into the Community of products covered by this Agreement, broken down by supplying country and Member State of the Community, will also be provided before 31 March of each year.

Article 3

Exports from Uruguay to the Community of products covered by this Agreement shall be free from quantitative limits as from the entry into force of this Agreement. However, quantitative limits may subsequently be introduced under the conditions specified in Protocol C.

Article 4

Should quantitative limits be introduced under Article 3, the Parties agree to initiate without delay the consultation procedure specified in Article 5, with a view to establishing the arrangements for the administration of imports of the products subject to quantitative limits.

Article 5

The consultation procedures referred to in this Agreement shall be governed by the following provisions:

- any request for consultations shall be notified in writing to the other Party,
- where appropriate, the request for consultations shall be followed within a reasonable period (and in any case not later than 15 days following the notification) by a report setting out the circumstances which, in the opinion of the requesting Party, justify the submission of such a request,
- the Parties shall enter into consultations within one month at the latest of notification of the request with a view to reaching agreement or a mutually acceptable conclusion within one month at the latest,
- the period of one month referred to above for the purpose of reaching agreement or a mutually acceptable conclusion may be extended by common accord.

Article 6

At the request of either of the Parties and in conformity with the provisions of the Geneva Arrangement, consultations shall be held on any matter concerning their trade in textile products and in particular on any problems arising from the application of this Agreement. Any consultations held under this Article shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the differences between them.

Transitional and final provisions

Article 7

By way of derogation from Article 1, and Article 2 of Protocol B, products originating in Uruguay may be imported into the Community on production of a certificate of origin in a form other than that specified in Article 2 of the said Protocol B, provided that such products are shipped in the period 1 January to 31 March 1978.

This period may be extended by agreement between the Parties after consultations in accordance with the procedure laid down in Article 5 of this Agreement.

Article 8

1. Subject to the provisions set out in Articles 3 and 4, the Community undertakes, in respect of the products covered by this Agreement, not to introduce quantitative restrictions under Article XIX of the General Agreement on Tariffs and Trade or Article 3 of the Geneva Arrangement.

2. Measures having an effect equivalent to quantitative restrictions on the importation into the Community of the products covered by this Agreement shall be prohibited.

Article 9

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

Article 10

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties notify each other of the completion of the procedures necessary for this purpose. It shall be applicable until 31 December 1982.
2. This Agreement shall apply with effect from 1 January 1978.
3. Either Party may at any time propose modifications to this Agreement or denounce it provided that at least 90 days' notice is given. In the latter event the Agreement shall come to an end on the expiry of the said period of notice.
4. The Annex and Protocols to this Agreement shall form an integral part thereof.

Article 11

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

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 signed 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 gevolmachtigen hun handtekening onder deze Overeenkomst hebben gesteld.

En fe de lo cual los plenipotenciarios suscritos han firmado el presente acuerdo.

Udfærdiget i Bruxelles, den otteogtyvende januar nitten hundrede og firs.

Geschehen zu Brüssel am achtundzwanzigsten Januar neunzehnhundert-undachtzig.

Done at Brussels on the twenty-eighth day of January in the year one thousand nine hundred and eighty.

Fait à Bruxelles, le vingt-huit janvier mil neuf cent quatre-vingts.

Fatto a Bruxelles, addì ventotto gennaio millenovecentoottanta.

Gedaan te Brussel, de achtentwintigste januari negentienhonderd tachtig.

Hecho en Bruselas, a los veintiocho días del mes de enero de mil novecientos ochenta.

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
En nombre del Consejo de las Comunidades europeas

A stylized, handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

For regeringen for republikken Uruguay
Für die Regierung der Republik Östlich des Uruguay
For the Government of the Eastern Republic of Uruguay
Pour le gouvernement de la république orientale de l'Uruguay
Per il governo della Repubblica orientale dell'Uruguay
Voor de Regering van de Republiek ten Oosten van de Uruguay
En nombre del gobierno de la república oriental del Uruguay

A large, handwritten signature in black ink, appearing to read 'J. M. Sauer', with a long, sweeping horizontal stroke at the bottom.

ANNEX I

GROUP 1

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
1	Cotton yarn not put up for retail sale	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 52; 58; 61; 65; 67; 69; 72; 78; 92; 98		
2	Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics a) Of which other than unbleached or bleached	55.09-01; 02; 03; 04; 05; 11; 12; 13; 14; 15; 16; 17; 19; 21; 29; 31; 33; 35; 37; 38; 39; 41; 49; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 76; 77; 78; 81; 82; 83; 84; 86; 87; 92; 93; 97 55.09-03; 04; 05; 51; 52; 53; 54; 55; 56; 57; 59; 61; 63; 64; 65; 66; 67; 70; 71; 81; 82; 83; 84; 86; 87; 92; 93; 97		
3	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics a) Of which other than unbleached or bleached	56.07-01; 04; 05; 07; 08; 11; 13; 14; 16; 17; 18; 21; 23; 24; 26; 27; 28; 32; 33; 34; 36 56.07-01; 05; 07; 08; 13; 14; 16; 18; 21; 23; 26; 27; 28; 33; 34; 36		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
4	Shirts, T-shirts, lightweight roll or turtle neck pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres: a) T-shirts, etc. b) Shirts other than T-shirts	60.04-01; 05; 13; 18; 28; 29; 30; 41; 50; 58	6-48	154
5	Jerseys, pullovers, slip-overs, twinsets, cardigans, bedjackets and jumpers, knitted or crocheted, not elastic or rubberized	60.05-01; 27; 28; 29; 30; 33; 36; 37; 38	4-53	221
6	Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks	61.01-62; 64; 66; 72; 74; 76 61.02-66; 68; 72	1-76	568
7	Blouses and shirt-blouses, knitted or crocheted (not elastic or rubberized), or woven, for women, girls and infants	60.05-22; 23; 24; 25 61.02-78; 82; 84	5-55	180
8	Men's and boys' shirts, woven	61.03-11; 15; 19	4-60	217

GROUP II

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
9	Woven cotton terry fabrics; toilet and kitchen linen of woven cotton terry fabrics	55.08-10; 30; 50; 80 62.02-71		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
10	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, impregnated or coated with artificial plastic materials	60.02-40	10-14 pairs	99
11	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, other than those of category 10	60.02-50; 60; 70; 80	24-6 pairs	41
12	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized, other than women's stockings of synthetic textile fibres	60.03-11; 19; 25; 27; 30; 90	24-3 pairs	41
13	Men's and boys' underpants and briefs, women's, girls' and infants' (other than babies') knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres	60.04-17; 27; 48; 56	17	59
14 A	Men's and boys' coats of impregnated, coated, covered or laminated woven fabric	61.01-01	1-0	1000
14 B	Men's and boys' woven overcoats, raincoats and other coats, cloaks and capes, other than those of category 14 A	61.01-41; 42; 44; 46; 47	0-72	1 389
15 A	Women's, girls' and infants' coats of impregnated, coated, covered or laminated woven fabric	61.02-05	1-1	909
15 B	Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes, jackets and blazers, other than garments of category 15 A	61.02-31; 32; 33; 35; 36; 37; 39; 40	0-84	1 190

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
16	Men's and boys' woven suits (including coordinate suits consisting of two or three pieces, which are ordered, packed, consigned and normally sold together)	61.01-51; 54; 57	0-80	1 250
17	Men's and boys' woven jackets and blazers	61.01-34; 36; 37	1-43	700
18	Men's and boys' woven under garments other than shirts	61.03-51; 55; 59; 81; 85; 89		
19	Handkerchiefs of woven cotton fabric, of a value of not more than 15 EUA/kg net weight	61.05-30; 99	55-5	18
20	Bed linen, woven	62.02-11; 19		
21	Parkas; anoraks, windcheaters and the like, woven	61.01-29; 31; 32 61.02-25; 26; 28	2-3	435
22	Yarn of discontinuous or waste synthetic fibres, not put up for retail sale a) Of which acrylic	56.05-03; 05; 07; 09; 11; 13; 15; 19; 21; 23; 25; 28; 32; 34; 36; 38; 39; 42; 44; 45; 46; 47 56.05-21; 23; 25; 28; 32; 34; 36		
23	Yarn of discontinuous or waste regenerated fibres, not put up for retail sale	56.05-51; 55; 61; 65; 71; 75; 81; 85; 91; 95; 99		
24	Men's and boys' pyjamas, knitted or crocheted, of cotton or of synthetic textile fibres	60.04-15; 47	2-8	357
25	Women's, girls' and infants' (other than babies') knitted or crocheted pyjamas and nightdresses, of cotton or synthetic fibres	60.04-21; 25; 51; 53	4-3	233

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
26	Women's, girls' and infants' (other than babies) woven and knitted or crocheted dresses	60.05-41; 42; 43; 44 61.02-48; 52; 53; 54	3-1	323
27	Women's, girls' and infants' (other than babies) woven and knitted or crocheted skirts, including divided skirts	60.05-51; 52; 54; 58 61.02-57; 58; 62	2-6	385
28	Knitted or crocheted trousers (except shorts) other than babies'	60.05-61; 62; 64	1-61	620
29	Women's, girls' and infants' (other than babies) woven suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together)	61.02-42; 43; 44	1-37	730
30 A	Women's, girls' and infants' woven pyjamas and nightdresses	61-04-11; 13; 18	4-0	250
30 B	Women's, girls' and infants' (other than babies) woven under garments, other than pyjamas and nightdresses	61.04-91; 93; 98		
31	Brassières, woven, knitted or crocheted	61.09-50	18-2	55

GROUP III

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
32	Woven pile fabrics and chenille fabrics (other than terry fabrics of cotton and narrow woven fabrics)	58.04-07; 11; 15; 18; 41; 43; 45; 61; 63; 67; 69; 71; 75; 77; 78		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
33	Woven fabrics of strip or the like of polyethylene or polypropylene, less than 3 m wide; woven sacks of such strip or the like	51.04-06 62.03-96		
34	Woven fabrics of strip or the like of polyethylene or polypropylene, 3 m or more wide	51.04-08		
35	Woven fabrics of synthetic textile fibres (continuous), other than those for tyres and those containing elastomeric yarn a) Of which other than unbleached or bleached	51.04-11; 13; 15; 17; 18; 21; 23; 25; 26; 27; 28; 32; 34; 36; 42; 44; 46; 48 51.04-15; 17; 18; 23; 25; 26; 27; 28; 32; 34; 42; 44; 46; 48		
36	Woven fabrics of regenerated textile fibres (continuous), other than those for tyres and those containing elastomeric yarn a) Of which other than unbleached or bleached	51.04-56; 58; 62; 64; 66; 72; 74; 76; 82; 84; 86; 88; 89; 93; 94; 95; 96; 97; 98 51.04-58; 62; 64; 72; 74; 76; 82; 84; 86; 88; 89; 94; 95; 96; 97; 98		
37	Woven fabrics of regenerated textile fibres (discontinuous or waste), other than narrow woven fabrics, pile fabrics including terry fabrics, and chenille fabrics a) Of which other than unbleached or bleached	56.07-37; 42; 44; 48; 52; 53; 54; 57; 58; 62; 63; 64; 66; 72; 73; 74; 77; 78; 82; 83; 84; 87 56.07-37; 44; 48; 52; 54; 57; 58; 63; 64; 66; 73; 74; 77; 78; 83; 84; 87		
38 A	Knitted or crocheted synthetic curtain fabrics including net curtain fabric	60.01-40		

Category	Description	Nimexe code (1978)	Table of equiv- alence	
			pieces/kg	g/piece
38 B	Net curtains	62.02-09		
39	Woven table linen, toilet and kitchen linen other than of cotton terry fabric	62.02-41; 43; 47; 65; 73; 77		
40	Woven curtains (other than net curtains) and furnishing articles	62.02-81; 89		
41	Yarn of synthetic textile fibres (continuous), not put up for retail sale, other than non-textured single yarn untwisted or with a twist of not more than 50 turns per metre	51.01-05; 07; 08; 09; 11; 13; 16; 18; 21; 23; 26; 28; 32; 34; 38; 42; 44; 48		
42	Yarn of regenerated textile fibres (continuous), not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns per metre and single non-textured yarn of any acetate	51.01-50; 61; 64; 66; 71; 76; 80		
43	Yarn of man-made fibres (continuous), put up for retail sale	51.03-10; 20		
44	Woven fabrics of synthetic textile fibres (continuous), containing elastomeric yarn	51.04-05		
45	Woven fabrics of regenerated textile fibres (continuous), containing elastomeric yarn	51.04-54		
46	Carded or combed sheep's or lambs' wool or other fine animal hair	53.05-10; 22; 29; 32; 39		
47	Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale	53.06-21; 25; 31; 35; 51; 55; 71; 75 53.08-11; 15		
48	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale	53.07-01; 09; 21; 29; 40; 51; 59; 81; 89 53.08-21; 25		

Category	Description	Nimex code (1978)	Table of equiv- alence	
			pieces/kg	g/piece
49	Yarn of sheep's or lambs' wool or of fine animal hair, put up for retail sale	53.10-11; 15		
50	Woven fabrics of sheep's or lambs' wool or of fine animal hair	53.11-01; 03; 07; 11; 13; 17; 20; 30; 40; 52; 54; 58; 72; 74; 75; 82; 84; 88; 91; 93; 97		
51	Carded or combed cotton	55.04-00		
52	Cotton yarn put up for retail sale	55.06-10; 90		
53	Cotton gauze	55.07-10; 90		
54	Regenerated textile fibres (discontinuous or waste), carded or combed	56.04-21; 23; 25; 29		
55	Synthetic textile fibres (discontinuous or waste), carded or combed	56.04-11; 13; 15; 16; 17; 18		
56	Yarn of synthetic fibres (discontinuous or waste), put up for retail sale	56.06-11; 15		
57	Yarn of regenerated textile fibres (discontinuous or waste), put up for retail sale	56.06-20		
58	Carpets, carpeting and rugs, knotted (made up or not)	58.01-01; 11; 13; 17; 30; 80		
59	Woven, knitted or crocheted carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not); floor coverings of felt	58.02-12; 14; 17; 18; 19; 30; 43; 49; 90 59.02-01; 09		
60	Tapestries, hand made	58.03-00		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
61	Narrow woven fabrics not exceeding 30 cm in width with selvages (woven, gummed or made otherwise) on both edges, other than woven labels and the like; bolduc	58.05-01; 08; 30; 40; 51; 59; 61; 69; 73; 77; 79; 90		
62	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size	58.06-10; 90		
	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like	58.07-31; 39; 50; 80		
	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain	58.08-11; 15; 19; 21; 29		
	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	58.09-11; 19; 21; 31; 35; 39; 91; 95; 99		
	Embroidery, in the piece, in strips or in motifs	58.10-21; 29; 41; 45; 49; 51; 55; 59		
63	Knitted or crocheted fabric, not elastic or rubberized, of synthetic textile fibres, containing elastofibres; knitted or crocheted fabric, elastic or rubberized	60.01-30		
		60.06-11; 18		
64	Rachel lace and long-pile fabric (imitation fur), knitted or crocheted, not elastic or rubberized, of synthetic textile fibres	60.01-51; 55		
65	Knitted or crocheted fabrics, not elastic or rubberized, other than those of categories 38 A, 63 and 64	60.01-01; 10; 62; 64; 65; 68; 72; 74; 75; 78; 81; 89; 92; 94; 96; 97		
66	Travelling rugs and blankets	62.01-10; 20; 81; 85; 93; 95		
67	Clothing accessories and other articles (except garments), knitted or crocheted, not elastic or rubberized; articles (other than bathing costumes) of knitted or crocheted fabric, elastic or rubberized	60.05-86; 87; 89; 91; 95; 98 60.06-92; 96; 98		

GROUP IV

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
68	Babies' under garments of knitted or crocheted fabrics, not elastic or rubberized	60.04-11; 36		
69	Women's, girls' and infants' knitted or crocheted petticoats and slips, of synthetic textile fibres, other than babies' garments	60.04-54	7-8	128
70	Panty-hose (tights)	60.04-31; 33; 34	30-4	33
71	Babies' knitted outer garments	60.05-06; 07; 08; 09		
72	Knitted swimwear	60.05-11; 13; 15 60.06-91	10	100
73	Track suits of knitted or crocheted fabric, not elastic or rubberized	60.05-16; 17; 19	1-67	600
74	Women's, girls' and infants' (other than babies') suits and costumes (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of knitted or crocheted fabric, not elastic or rubberized	60.05-71; 72; 73; 74	1-54	650
75	Men's and boys' suits (including coordinate suits consisting of two or three pieces which are ordered, packed, consigned and normally sold together), of knitted or crocheted fabric, not elastic or rubberized	60.05-66; 68	0-80	1250

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
76	Men's and boys' woven industrial and occupational clothing; women's, girls' and infants' woven aprons, smock-overalls and other industrial and occupational clothing (whether or not also suitable for domestic use)	61.01-13; 15; 17; 19 61.02-12; 14		
77	Women's stockings of synthetic textile fibres	60.03-21; 23	40 pairs	25
78	Men's and boys' woven bath robes, dressing gowns, smoking jackets and similar indoor wear and other outer garments, except garments of categories 6, 14 A, 14 B, 16, 17, 21, 76 and 79	61.01-09; 24; 25; 26; 92; 94; 96		
79	Woven swimwear	61.01-22; 23 61.02-16; 18	8-3	120
80	Babies' woven garments	61.02-01; 03 61.04-01; 09		
81	Women's, girls' and infants' woven bath robes, dressing gowns, bed jackets and similar indoor wear and other outer garments, except garments of categories 6, 7, 15 A, 15 B, 21, 26, 27, 29, 76, 79 and 80	61.02-07; 22; 23; 24; 86; 88; 92		
82	Under garments, other than babies', knitted or crocheted, not elastic or rubberized, of wool, of fine animal hair or of regenerated textile fibres	60.04-38; 60		
83	Outer garments, knitted or crocheted, not elastic or rubberized, other than garments of categories 5, 7, 26, 27, 28, 71, 72, 73, 74 and 75	60.05-04; 81; 82; 83; 84		
84	Shawls, scarves, mufflers, mantillas, veils and the like, other than knitted or crocheted	61.06-30; 40; 50; 60		
85	Ties, bow ties and cravats, other than knitted or crocheted	61.07-30; 40; 90	17-9	56

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
86	Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), other than brassières, whether or not elastic	61.09-20; 30; 40; 80	8.8	144
87	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods	61.10-00		
88	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets), other than knitted or crocheted	61.11-00		
89	Handkerchiefs of woven cotton fabric, of a value of more than 15 EUA/kg net weight	61.05-20	59	17

GROUP V

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
90	Twine, cordage, ropes and cables, of synthetic textile fibres, plaited or not	59.04-11; 13; 15; 17; 18		
91	Tents	62.04-23; 73		
92	Woven fabrics of man-made textile fibres and rubberized textile woven fabrics, for tyres	51.04-03; 52 59.11-15		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
93	Sacks and bags, of a kind used for the packing of goods, of woven fabrics, other than made from polyethylene or polypropylene strip	62.03-93; 95; 97; 98		
94	Wadding and articles of wadding; textile flock and dust and mill neps	59.01-07; 12; 14; 15; 16; 18; 21; 29		
95	Felt and articles of felt, whether or not impregnated or coated, other than floor coverings	59.02-35; 41; 47; 51; 57; 59; 91; 95; 97		
96	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated, other than clothing and clothing accessories	59.03-11; 19; 30		
97	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope	59.05-11; 21; 29; 91; 99		
98	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics, articles made from such fabrics and articles of category 97	59.06-00		
99	Textile fabrics coated with gum or amylose 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	59.07-10; 90		
100	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	59.08-10; 51; 53; 57		

Category	Description	Nimex code (1978)	Table of equivalence	
			pieces/kg	g/piece
101	Twine, cordage, ropes and cables, plaited or not, other than of synthetic textile fibres	59.04-90		
102	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	59.10-10; 31; 39		
103	Rubberized textile fabrics other than rubberized, knitted or crocheted goods, excluding fabrics for tyres	59.11-11; 14; 17; 20		
104	Textile fabrics, impregnated or coated, other than those of categories 99, 100, 102 and 103; painted canvas being theatrical scenery, studio backcloths or the like	59.12-00		
105	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads	59.13-01; 11; 13; 15; 19; 32; 34; 35; 39		
106	Wicks, of woven, plaited or knitted textile materials for lamps, stoves, lighters, candles and the like; tubular knitted gas-mantle fabric and incandescent gas mantles	59.14-00		
107	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials	59.15-10; 90		
108	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material	59.16-00		
109	Woven tarpaulins, sails, awnings and sun-blinds	62.04-21; 61; 69		

Category	Description	Nimexe code (1978)	Table of equivalence	
			pieces/kg	g/piece
110	Woven pneumatic mattresses	62.04-25; 75		
111	Camping goods, woven, other than pneumatic mattresses and tents	62.04-29; 79		
112	Other made up textile articles, woven, excluding those of categories 113 and 114	62.05-10; 30; 93; 98		
113	Floor cloths, dish cloths, dusters and the like, other than knitted or crocheted	62.05-20		
114	Textile fabrics and textile articles of a kind commonly used in machinery or plant	59.17-10; 29; 41; 49; 51; 59; 71; 79; 91; 93; 95; 99		

PROTOCOL A

The exemption provided for in Article 1 (2) of the Agreement in respect of cottage-industry products shall apply only to the following products:

- (a) textile fabrics woven on looms operated solely by hand or foot and traditionally made in the cottage industry of Uruguay;
- (b) traditional Uruguayan folklore garments and other textile articles produced solely by hand without the aid of any machine from the fabrics described above;
- (c) traditional Uruguayan folklore handicraft textile products made by hand, as listed in the schedule of handicraft products appended to Declaration No 3 by the Community on certain products of the Uruguayan craft industry, as annexed to the Trade Agreement of 2 April 1973 between Uruguay and the Community.

Exemption shall be granted only in respect of products covered by a certificate issued by the Uruguayan authorities in conformity with the aforementioned Declaration. Such certificates must state the grounds on which they are issued; the Community authorities shall accept the certificates when they have established that the products in question meet the requirements laid down in this Protocol. Should any product referred to above be imported in quantities likely to give rise to problems in the Community, the two Parties shall open consultations in conformity with the procedure laid down in Article 5 of the Agreement, with a view to reaching a solution as regards quantities.

ANNEX TO PROTOCOL A

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL		2 No	
3 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<p>CERTIFICATE in regard to HANDLOOMS, TEXTILE HANDICRAFTS and TRADITIONAL TEXTILE PRODUCTS, OF THE COTTAGE INDUSTRY, issued in conformity with and under the conditions regulating trade in textile products with the European Economic Community</p> <hr/> <p>CERTIFICAT relatif aux TISSUS TISSÉS SUR MÉTIERS À MAIN, aux PRODUITS TEXTILES FAITS À LA MAIN, et aux PRODUITS TEXTILES RELEVANT DU FOLKLORE TRADITIONNEL, DE FABRICATION ARTISANALE, délivré en conformité avec et sous les conditions régissant les échanges de produits textiles avec la Communauté économique européenne</p>			
	4 Country of origin Pays d'origine	5 Country of destination Pays de destination		
6 Place and date of shipment -- Means of transport Lieu et date d'embarquement -- Moyen de transport	7 Supplementary details Données supplémentaires			
8 Marks and numbers -- Number and kind of packages -- DESCRIPTION OF GOODS Marques et numéros -- Nombre et nature des colis -- DÉSIGNATION DES MARCHANDISES	9 Quantity Quantité	10 FOB Value (*) Valeur fob (*)		

11 CERTIFICATION BY THE COMPETENT AUTHORITY -- VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the consignment described above includes only the following textile products of the cottage industry of the country shown in box No 4

- a) fabrics woven on looms operated solely by hand or foot (handlooms) (†)
- b) garments or other textile articles obtained manually from the fabrics described under a) and sewn solely by hand without the aid of any machine (handicrafts) (†)
- c) traditional folklore handicraft textile products made by hand, as defined in the list agreed between the European Economic Community and the country shown in box No 4

Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement les produits textiles suivants relevant de la fabrication artisanale du pays figurant dans la case 4

- a) tissus tissés sur des métiers actionnés à la main ou au pied (handlooms) (†)
- b) vêtements ou autres articles textiles obtenus manuellement à partir de tissus décrits sous a) et cousus uniquement à la main sans l'aide d'une machine (handicrafts) (†)
- c) produits textiles relevant du folklore traditionnel fabriqués à la main, comme définis dans la liste convenue entre la Communauté économique européenne et le pays indiqué dans la case 4

12 Competent authority (name, full address, country)

Autorité compétente (nom, adresse complète, pays)

At — À

on — le

(Signature)

(Stamp — Cachet)

PROTOCOL B

Procedures for origin control

Article 1

1. Products originating in Uruguay may be imported into the Community in accordance with the arrangements established by this Agreement on production of a certificate of origin conforming to the specimen annexed to this Protocol.
2. The certificate of origin shall be issued by the competent governmental authorities of Uruguay if the products in question can be considered products originating in that country within the meaning of the relevant rules in force in the Community.
3. However, the products in Groups III, IV and V may be imported into the Community in accordance with the arrangements established by this Agreement on production of a declaration by the exporter on the invoice or other commercial document to the effect that the products in question originate in Uruguay within the meaning of the relevant rules in force in the Community.

Article 2

The certificate of origin shall be made out in English or French. If it is completed by hand, entries must be in ink and in printscript. It may comprise additional copies duly indicated as such.

The document shall measure 210 × 297 mm. 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 guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

Each document shall bear a serial number, whether or not printed, by which it can be identified.

Article 3

The certificate of origin may be issued after the shipment of the products to which it relates. In such cases it must bear the endorsement 'délivré a posteriori' or 'issued retrospectively'.

Article 4

In the event of theft, loss or destruction of a certificate of origin, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate certificate issued in this way must bear the endorsement 'duplicata'.

The duplicate must bear the date of the original certificate.

Article 5

The competent governmental authorities in Uruguay shall satisfy themselves that the goods exported correspond to the particulars given in the certificate of origin.

Article 6

Uruguay shall send the Commission of the European Communities the names and addresses of the governmental authorities competent to issue certificates of origin, together with specimens of the stamps used by these authorities.

Article 7

The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the product shall not *ipso facto* cast doubt upon the statements in the certificate.

Article 8

1. Subsequent verification of certificates of origin shall be carried out at random, or whenever the competent Community authorities have reasonable doubt as to the authenticity of the certificate or as to the accuracy of the information regarding the true origin of the products in question.

In such cases the competent authorities in the Community shall return the certificate of origin or a copy thereof to the competent governmental authority in Uruguay giving where appropriate the reasons of form or substance for an enquiry. If the invoice or a copy of it has been submitted, such invoice or copy shall be attached by the said authorities to the certificate of origin. The authorities shall also forward any information that has been obtained suggesting that the particulars given on the said certificate are inaccurate.

2. The provisions of paragraph 1 shall be applicable to subsequent verifications of the declarations of origin referred to in Article 1 (3) of this Protocol.

3. The results of the subsequent verifications carried out in accordance with paragraphs 1 and 2 above shall be communicated to the competent authorities in the Community within three months at the latest.

Should such verifications reveal systematic irregularities in the use of the declarations of origin described in Article 1 (3) of this Protocol, the Community may subject imports of the products in question to the provisions of Article 1 (1) and (2) of this Protocol.

4. For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept for at least two years by the competent governmental authorities in Uruguay.

5. Random recourse to the procedure specified in this Article may not constitute an obstacle to the release for home use in the Community of the products in question.

Article 9

The provisions of this Protocol shall not apply to goods covered by a certificate of origin Form A completed in accordance with the relevant Community rules in order to qualify for generalized tariff preferences.

ANNEX TO PROTOCOL B

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL		No	
	3 Quota year Année contingentaie		4 Category number Numero de categorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	CERTIFICATE OF ORIGIN (Textile products) <hr/> CERTIFICAT D'ORIGINE (Produits textiles)			
	6 Country of origin Pays d'origine		7 Country of destination Pays de destination	
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Donnees supplementaires			
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numeros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES	11 Quantity (*) Quantite (*)		12 FOB Value (*) Valeur fob (*)	

(¹) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight - indiquer le poids net en kilogrammes
 (²) In the currency of the sale contract - Dans la monnaie du contrat de vente.

13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Economic Community

Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté économique européenne

14 Competent authority (name, full address, country)
 Autorité compétente (nom, adresse complète, pays)

At - À

on - le

(Signature)

(Stamp) (Sceau)

PROTOCOL C

1. Pursuant to Article 3 of the Agreement, the Community may place quantitative limits on exports of the textile products listed in the Annex, on the conditions specified in the following paragraphs.

2. Where the Community finds, under the system of administrative control set up, that the level of imports of products in any category listed in the Annex originating in Uruguay exceeds, in relation to the preceding year's total imports into the Community of products in that category, the following percentages:

- for categories of products in Group I, 0.2%,
- for categories of products in Group II, 1.5%,
- for categories of products in Groups III, IV and V, 4%,

it may request the opening of consultations in accordance with the procedure specified in Article 5 of the Agreement, with a view to reaching agreement on a suitable level of limitation for products in that category.

3. Pending a mutually satisfactory solution, Uruguay undertakes, from the date of notification of the request for consultations, to suspend or limit at the level indicated by the Community exports of the category of products in question to the Community or to the region or regions of the Community market specified by the Community.

The Community shall authorize the importation of products of the said category dispatched from Uruguay before the date on which the request for consultations was submitted.

4. Should the Parties be unable in the course of consultations to reach a satisfactory solution within the period specified in Article 5 of the Agreement, the Community shall have the right to introduce an annual quantitative limit at a level which shall not be lower than that reached by imports of the category in question and shall be indicated in the notification of the request for consultations.

If the trend of total imports of the said product to the Community so requires, the annual level fixed in this way shall be raised under the consultation procedure referred to in Article 5 of the Agreement in order to ensure observance of the conditions specified in paragraph 2 of this Protocol.

5. Quantitative limits introduced under paragraphs 2 and 4 may in no case be lower than the level of imports into the Community of products of the category in question originating in Uruguay for 1976.

6. Quantitative limits on a regional basis may be introduced only where imports of a given product into any region of the Community exceed, in relation to the amounts determined in accordance with paragraph 2, the following regional percentages:

Germany	28.5%
Benelux	10.5%
France	18.5%
Italy	15 %
Denmark	3 %
Ireland	1 %
UK	23.5%.

7. The annual growth rate for the quantitative limits introduced under paragraph 2, 4 or 6 shall be determined as follows:

(a) for categories of products in Group I:

- the rate shall be fixed at 0.5% per year for categories 1 and 2,
- the rate shall be fixed at 4% per year for categories 3 to 8;

(b) for categories in Groups II, III, IV and V, the growth rate shall be fixed by agreement between the Parties in accordance with the consultation procedure established in Article 5 of the Agreement. Such growth rate may in no case be lower than the highest rate applied to corresponding categories under bilateral agreements concluded under the Geneva Arrangement between the Community and other third countries having a level of trade equal or comparable to that of Uruguay.

8. The provisions of this Protocol shall not apply where the percentages specified in paragraph 2 have been reached as a result of a fall in total imports into the Community, and not as a result of an increase in exports of products originating in Uruguay.

Declaration concerning Article 1 (4) of the Agreement

The Community declares that, in accordance with the Community rules of origin referred to in Article 1 (4) of the Agreement, any changes in those rules shall be made in line with the principle according to which origin is conferred on the basis of a single complete processing operation.

Done at Brussels,

For the Community

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 ARRANGEMENT in the form of an exchange of letters between the European Economic Community and the Eastern Republic of Uruguay on trade in mutton and lamb ⁽¹⁾

EEC	17.10.1980	—	20.10.1980	until 31.3.1984 ⁽²⁾
URUGUAY				

- the AGREEMENT between the European Economic Community and the Eastern Republic of Uruguay on trade in textile products ⁽³⁾

EEC	28.1.1980	25.3.1980	1.6.1981 ⁽⁴⁾	until 31.12.1982 ⁽⁴⁾
URUGUAY		n. 6.5.1981		

⁽¹⁾ OJ No L 275, 18.10.1980.

⁽²⁾ Clause 14 states that the arrangement 'shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing'.

⁽³⁾ OJ No L 70, 17.3.1980.

⁽⁴⁾ In accordance with Article 10, the Agreement applies with effect from 1.1.1978.

CHAPTER V

Oceanian countries

**Agreements
between the EEC and New Zealand**

AGREEMENT

in the form of an exchange of letters between the European Economic Community and New Zealand on trade in mutton, lamb and goatmeat ⁽¹⁾

COUNCIL DECISION

of 14 October 1980

on the conclusion of voluntary restraint Agreements with Argentina, Australia, New Zealand and Uruguay in the sheepmeat and goatmeat sector

(80/982/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 opened negotiations with non-member countries which supply sheepmeat and goatmeat or live sheep and goats, with a view to reaching Agreements for voluntary restraint on their exports to the Community;

Whereas the Commission has reached agreement with Argentina, Australia, New Zealand and Uruguay;

⁽¹⁾ OJ No L 275, 18.10.1980.

Whereas the said Agreements allow trade to be carried on in a manner compatible with the common organization of the markets in the sector in question,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreements drawn up in the form of exchanges of letters of trade in the sheepmeat and goatmeat sector with the countries listed hereafter are hereby approved on behalf of the European Economic Community:

- Argentina,
- Australia,
- New Zealand,
- Uruguay.⁽¹⁾

2. The texts of the Agreements are annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1, in order to bind the Community.

Done at Luxembourg, 14 October 1980.

For the Council
The President
C. NEY

⁽¹⁾ For the Agreements with Argentina, Uruguay and Australia, see pages 1569, 1639 and 1717 of this volume.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and New Zealand on trade in mutton, lamb and goatmeat

Letter No 1

Sir,

I have the honour to refer to negotiations held between our respective delegations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from New Zealand, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Recognizing the vital dependence of the New Zealand economy on the sheep industry and on the export of mutton and lamb to world markets, particularly to the Community, and the importance of ensuring that the normal marketing of its mutton and lamb on these markets should not be prejudiced, I have the honour to propose an Agreement on the following terms:

Clause 1

Products included

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

Clause 2

Access and quantity

Under this Agreement New Zealand is guaranteed for its mutton and lamb and goatmeat access possibilities to the Community up to the quantity provided by the Agreement. New Zealand is assured that the normal marketing of its mutton and lamb shall not be prejudiced by the operation of the regulation.

In order to ensure the proper functioning of the Agreement, New Zealand undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity fixed. This quantity is fixed at 234 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentations (frozen or chilled). The Community confirms that it is not a purpose of this Agreement to prevent New Zealand from taking advantage of new technological developments or from maintaining its competitive position in the market place within the Community. Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

Clause 3

Safeguard clause

Should the Community have recourse to the safeguard clause, it undertakes to protect the interests of New Zealand as they result from this Agreement.

Clause 4

Exceeding limit

If imports from New Zealand exceed the quantities agreed, the Community reserves the right to suspend imports from that country.

Clause 5

Tariff

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10%, *ad valorem*.

Clause 6

Accession of new members

At the time of accession of new Member States, the Community, in consultation with New Zealand, shall alter the quantities set out in clause 2, in accordance with New Zealand's trade with each new Member State. The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession, the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 245 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

Clause 7

Disposal of intervention stocks

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of New Zealand mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine this objective. Moreover the two parties shall undertake all possible efforts in order to encourage sheepmeat consumption in the Community without affecting the stability of the market.

Clause 8

Export restitutions

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2)(c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

Clause 9

Export and import certificates

New Zealand shall ensure that the annual quantities referred to in clause 2 do not exceed the limits specified therein by ensuring, in particular, that export certificates are not issued for any amount beyond such limits.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import licence for the products referred to above, originating in New Zealand, subject to the production of an export certificate, issued by the competent authority designated by the New Zealand Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import licence in respect of the products in question.

Also, such detailed rules of application shall provide that the competent New Zealand authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

Clause 10

Consultative Committee

A Consultative Committee shall be set up composed of representatives from the Community and from New Zealand. The Committee shall ensure that the Agreement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss any matter relating to the application of this Agreement that may be put before it by either party and shall recommend appropriate solutions to the competent authorities.

Clause 11

GATT obligations

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

Clause 12

V. R. period

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable in the period between the entry into force of this Agreement and 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity.

Clause 13

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the metropolitan territory of New Zealand.

Clause 14

Commencement and review

The Agreement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984 and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this Agreement shall be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I have the honour to propose that if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute and evidence an Agreement between the European Economic Community and New Zealand on the matter.

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

*For 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:

I have the honour to refer to negotiations held between our respective delegations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from New Zealand, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Recognizing the vital dependence of the New Zealand economy on the sheep industry and on the export of mutton and lamb to world markets, particularly to the Community, and the importance of ensuring that the normal marketing of its mutton and lamb on these markets should not be prejudiced, I have the honour to propose an Agreement on the following terms:

Clause 1

Products included

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a)),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

Clause 2

Access and quantity

Under this Agreement New Zealand is guaranteed for its mutton and lamb and goatmeat access possibilities to the Community up to the quantity provided by the Agreement. New Zealand is assured that the normal marketing of its mutton and lamb shall not be prejudiced by the operation of the regulation.

In order to ensure the proper functioning of the Agreement, New Zealand undertakes to implement the appropriate procedures to ensure that the annual quantity actually exported does not exceed the quantity fixed. This quantity is fixed at 234 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentations (frozen or chilled). The Community confirms that it is not a purpose of the Agreement to prevent New Zealand from taking advantage of new technological developments or from maintaining its competitive position in the market place within the Community. Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the Committee mentioned in clause 10 in order to find an adequate solution.

Clause 3

Safeguard clause

Should the Community have recourse to the safeguard clause, it undertakes to protect the interests of New Zealand as they result from this Agreement.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

Clause 4

Exceeding limit

If imports from New Zealand exceed the quantities agreed, the Community reserves the right to suspend imports from that country.

Clause 5

Tariff

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10%, *ad valorem*.

Clause 6

Accession of new members

At the time of accession of new Member States, the Community, in consultation with New Zealand, shall alter the quantities set out in clause 2, in accordance with New Zealand's trade with each new Member State. The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules of the Treaty of Accession, the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 245 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

Clause 7

Disposal of intervention stocks

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of New Zealand mutton and

lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine this objective. Moreover the two parties shall undertake all possible efforts in order to encourage sheepmeat consumption in the Community without affecting the stability of the market.

Clause 8

Export restitutions

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular to conformity with Article 10 (2)(c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

Clause 9

Export and import certificates

New Zealand shall ensure that the annual quantities referred to in clause 2 do not exceed the limits specified therein by ensuring, in particular, that export certificates are not issued for any amount beyond such limits.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import licence for the products

referred to above, originating in New Zealand, subject to the production of an export certificate, issued by the competent authority designated by the New Zealand Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import licence in respect of the products in question.

Also, such detailed rules of application shall provide that the competent New Zealand authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

Clause 10

Consultative Committee

A Consultative Committee shall be set up composed of representatives from the Community and from New Zealand. The Committee shall ensure that the Agreement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss any matter relating to the application of this Agreement that may be put before it by either party and shall recommend appropriate solutions to the competent authorities.

Clause 11

GATT obligations

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

Clause 12

V. R. period

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable in the period between the entry into force of this Agreement and 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity.

Clause 13

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the metropolitan territory of New Zealand.

Clause 14

Commencement and review

The Agreement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984 and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this Agreement shall be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I have the honour to propose that if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute and evidence an Agreement between the European Economic Community and New Zealand on the matter.'

I have the honour to confirm the foregoing is acceptable to my Government and that your letter together with this reply shall constitute an Agreement in accordance with your proposal.

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

*For the Government
of New Zealand*

EXCHANGE OF LETTERS

comprising an understanding relevant to clause 2 of the exchange of letters comprising an Agreement between the European Economic Community and New Zealand on trade in mutton, lamb and goatmeat ⁽¹⁾

Letter No 1

Sir,

Taking account of the new circumstances within the markets of the European Community as a consequence of the adoption of the European Community sheepmeat regime, New Zealand affirms its intention that the marketing of New Zealand products within the European Community will be conducted on an orderly basis. In particular, for a period from the implementation of the Agreement until 31 March 1984, New Zealand will ensure that exports to particular market areas determined as sensitive will be subject to administrative restraints avoiding any change in the trends of traditional trade flows to these markets and thus providing a sound basis for market development in the future. The Consultative Committee will consider the necessary arrangements to this effect. Both parties confirm that after 31 March 1984 no restrictions other than those stipulated in the exchange of letters establishing the Agreement will be applied to New Zealand exports of sheepmeat to the European Economic Community.

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

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

*For the Government
of New Zealand*

⁽¹⁾ OJ No L 275, 18.10.1980.

Letter No 2

Sir,

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

'Taking account of the new circumstances within the markets of the European Community as a consequence of the adoption of the European Community sheepmeat regime, New Zealand affirms its intention that the marketing of New Zealand products within the European Community will be conducted on an orderly basis. In particular, for a period from the implementation of the Agreement until 31 March 1984, New Zealand will ensure that exports to particular market areas determined as sensitive will be subject to administrative restraints avoiding any change in the trends of traditional trade flows to these markets and thus providing a sound basis for market development in the future. The Consultative Committee will consider the necessary arrangements to this effect. Both parties confirm that after 31 March 1984 no restrictions other than those stipulated in the exchange of letters establishing the Agreement will be applied to New Zealand exports of sheepmeat to the European Economic Community.

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

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

*For 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 in the form of an exchange of letters between the European Economic Community and New Zealand on trade in mutton, lamb and goatmeat ⁽¹⁾

EEC	17.10.1980	—	20.10.1980	until 31.3.1984 ⁽²⁾
NEW ZEALAND				

- the EXCHANGE OF LETTERS comprising an understanding relevant to clause 2 of the exchange of letters comprising an Agreement between the European Economic Community and New Zealand on trade in mutton, lamb and goatmeat ⁽¹⁾

EEC	17.10.1980	—	20.10.1980	until 31.3.1984
NEW ZEALAND				

⁽¹⁾ OJ No L 275, 18.10.1980.

⁽²⁾ Clause 14 states that the Agreement 'shall remain in force until 31 March 1984 and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing'.

**Agreement
between the EEC and Australia**

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Australia on trade in mutton, lamb and goatmeat ⁽¹⁾

COUNCIL DECISION

of 14 October 1980

on the conclusion of voluntary restraint Agreements with Argentina, Australia, New Zealand and Uruguay in the sheepmeat and goatmeat sector

(80/982/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 opened negotiations with non-member countries which supply sheepmeat and goatmeat or live sheep and goats, with a view to reaching Agreements for voluntary restraint on their exports to the Community;

⁽¹⁾ OJ No L 275, 18.10.1980.

Whereas the Commission has reached agreement with Argentina, Australia, New Zealand and Uruguay;

Whereas the said Agreements allow trade to be carried on in a manner compatible with the common organization of the markets in the sector in question,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreements drawn up in the form of exchanges of letters on trade in the sheepmeat and goatmeat sector with the countries listed hereafter are hereby approved on behalf of the European Economic Community:

- Argentina,
- Australia,
- New Zealand,
- Uruguay ⁽¹⁾.

2. The texts of the Agreements are annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1, in order to bind the Community.

Done at Luxembourg, 14 October 1980.

For the Council
The President
C. NEY

⁽¹⁾ For the Agreements with Argentina, Uruguay and New Zealand, see pages 1569, 1639 and 1695 of this volume.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Australia on trade in mutton, lamb and goatmeat

Letter No 1

Sir,

The respective delegations of the European Economic Community and Australia have held negotiations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from Australia, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Both parties recognize the need to avoid any action which might disrupt or prejudice international trade in sheepmeat. Accordingly they have agreed that:

Clause 1

Products included

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a)),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

Clause 2

Access and quantity

In order to ensure the proper functioning of the Agreement, Australia and the Community undertake to implement the appropriate

procedures to ensure respectively that the annual quantity actually exported does not exceed the quantity agreed and that imports will be allowed up to this quantity according to the provisions of clause 9 below. This quantity is fixed at 15 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentation (frozen or chilled). Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.

Clause 3

Safeguard clause

Should the Community have recourse to the safeguard clause, it undertakes that Australia's access into the Community as provided for in the Agreement shall not be affected.

Clause 4

Exceeding limit

If imports from Australia in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Australia for the remainder of that year. The quantity overshipped shall be offset against Australian export entitlement for the following year.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as such as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

Clause 5

Tariff

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10%, *ad valorem*.

Clause 6

Accession of new members

At the time of accession of new Member States, the Community, in consultation with Australia, shall alter the quantities set out in clause 2, in accordance with Australia's trade with each new Member State.

The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules in the Treaty of Accession, the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in clause 2 above is fixed at 17 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

Clause 7

Disposal of intervention stocks

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of Australian mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Australian mutton and lamb.

Clause 8

Export restitutions

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2)(c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

Clause 9

Export and import certificates

Australia shall ensure that this Agreement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this Agreement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Australia, subject to the presentation of an export certificate, issued by the competent authority designated by the Australian Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Australian authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

Clause 10

Consultative Committee

A Consultative Committee shall be set up composed of representatives from the Community and from Australia. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss all questions which could arise in applying the Agreement and shall recommend appropriate solutions to the competent authorities.

Clause 11

GATT obligations

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

Clause 12

V. R. period

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present Agreement and until 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity and shall take into account the seasonality of the trade.

Clause 13

The Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Australia.

Clause 14

Commencement and review

The Agreement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this Agreement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I have the honour to propose that, if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute and evidence an Agreement between the European Economic Community and Australia on the matter.

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

*For 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:

'The respective delegations of the European Economic Community and Australia have held negotiations for the purpose of drawing up the provisions relating to the import of mutton and lamb and goatmeat into the Community from Australia, together with the implementation of the regulation for a common organization of the market in mutton and lamb and goatmeat. Both parties recognize the need to avoid any action which might disrupt or prejudice international trade in sheepmeat. Accordingly they have agreed that:

Clause 1

Products included

The Agreement shall relate to:

- fresh or chilled mutton and lamb and goatmeat (02.01 A IV a)),
- frozen mutton and lamb and goatmeat (02.01 A IV b)).

Clause 2

Access and quantity

In order to ensure the proper functioning of the Agreement, Australia and the Community undertake to implement the appropriate procedures to ensure respectively that the annual quantity actually exported does not exceed the quantity agreed and that imports will be allowed up to this

quantity according to the provisions of clause 9 below. This quantity is fixed at 15 000 tonnes expressed in carcass weight ⁽¹⁾.

Chilled products

The quantities fixed above shall be exported in accordance with the traditional pattern of presentation (frozen or chilled). Should changes in technology and trade make it possible to modify the presentational structure of trade, the two parties to this Agreement shall consult each other prior to any such modification in the committee mentioned in clause 10 in order to find an adequate solution.

Clause 3

Safeguard clause

Should the Community have recourse to the safeguard clause, it undertakes that Australia's access into the Community as provided for in the Agreement shall not be affected.

Clause 4

Exceeding limit

If imports from Australia in any one year exceed the quantities agreed, the Community reserves the right to suspend imports from Australia for the remainder of that year. The quantity overshipped shall be offset against Australian export entitlement for the following year.

⁽¹⁾ Carcass weight (bone-in equivalent weight). By this term is understood the weight of bone-in meat presented as well as boned meat converted by a coefficient into bone-in weight. For this purpose 55 kg of boned mutton corresponds to 100 kg of bone-in mutton and 60 kg of boned lamb corresponds to 100 kg of bone-in lamb.

Clause 5

Tariff

The Community undertakes to limit the levy applicable to imports of products covered by the present Agreement to a maximum amount of 10%, *ad valorem*.

Clause 6

Accession of new members

At the time of accession of new Member States, the Community, in consultation with Australia, shall alter the quantities set out in clause 2, in accordance with Australia's trade with each new Member State.

The charges applicable to imports for the said new Member States shall be fixed in accordance with the rules of the Treaty of Accession, the maximum level of the levy specified in clause 5 of this Agreement being taken into account.

The total quantity as mentioned in Clause 2 above is fixed at 17 500 tonnes in carcass weight as from the date of accession of Greece to the Community.

Clause 7

Disposal of intervention stocks

The Community shall endeavour to avoid any market development which could prejudice the normal marketing of Australian mutton and lamb on the Community market within the limits of the quantities agreed. In particular, the Community shall take steps to ensure that the disposal of intervention stocks in frozen form arising from the operation of the regulation does not undermine such marketing of Australian mutton and lamb.

Clause 8

Export restitutions

In taking account of the objectives and provisions of this Agreement the Community agrees that any actual implementation of refunds or any other form of assistance with respect to exports of mutton, lamb and live sheep and lamb intended for slaughter shall apply only at prices and conditions which comply with existing international obligations and in respect of the traditional shares of the Community of world export trade in these products. These words shall be interpreted in a manner consistent with Article XVI of GATT and in particular in conformity with Article 10 (2) (c) of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.

Clause 9

Export and import certificates

Australia shall ensure that this Agreement is observed, in particular, by issuing export certificates covering the products referred to in clause 1 within the limits of the quantities covered by this Agreement.

For its part, the Community shall undertake to adopt all necessary provisions to make the issue of the import certificates for the products referred to above, originating in Australia, subject to the presentation of an export certificate, issued by the competent authority designated by the Australian Government.

Detailed rules for applying this system shall be laid down in such a way as to render unnecessary the lodging of a security for the issue of the import certificate in respect of the products in question.

Also, such detailed rules of application shall provide that the competent Australian authority shall communicate periodically to the competent authority of the Community the quantities in respect of which export certificates are issued, broken down, where appropriate, according to destination.

Clause 10

Consultative Committee

A Consultative Committee shall be set up composed of representatives from the Community and from Australia. The Committee shall ensure that the arrangement is being properly applied and is functioning smoothly.

It shall examine regularly the trend of the two parties' markets in mutton and lamb and goatmeat and the trend of the international market, as well as marketing conditions on those markets including those relevant to the objective set out in clause 7 of this Agreement.

It shall ensure that the proper application of the Agreement is not affected by the export of mutton and lamb and goatmeat-based products to the Community under customs headings not referred to by the Agreement.

The Committee shall discuss all questions which could arise in applying the Agreement and shall recommend appropriate solutions to the competent authorities.

Clause 11

GATT obligations

The provisions of the Agreement shall be agreed without prejudice to the parties' rights and obligations under GATT.

Clause 12

V. R. period

The annual quantity fixed in clause 2 refers to the period running from 1 January to 31 December. The quantity applicable as of the implementation of the present Agreement and until 1 January of the following year shall be fixed on a *pro rata* basis in relation to the total annual quantity and shall take into account the seasonality of the trade.

Clause 13

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

Clause 14

Commencement and review

The Agreement shall enter into force on 20 October 1980. It shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing. In any case the provisions of this Agreement will be examined by the two parties before 1 April 1984 with a view to making any adjustment which they agree is necessary.

I have the honour to propose that, if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute and evidence an Agreement between the European Economic Community and Australia on the matter.'

I have the honour to confirm that the foregoing is acceptable to my Government and that your letter together with this reply shall constitute and evidence an Agreement in accordance with your proposal.

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

For the Government of Australia

INFORMATION CONCERNING

the AGREEMENT in the form of an exchange of letters between the European Economic Community and Australia on trade in mutton, lamb and goatmeat ⁽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	14.11.1980	—	20.10.1980	until 31.3.1984 ⁽²⁾
AUSTRALIA				

⁽¹⁾ OJ No L 275, 18.10.1980.

⁽²⁾ Clause 14 states that the Agreement 'shall remain in force until 31 March 1984, and shall continue in force thereafter subject to each party having the right to denounce it by giving one year's notice in writing'.

CHAPTER VI

International organizations

Convention
between the EEC and the United Nations Relief
and Works Agency for Palestine Refugees

CONVENTION

between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East ⁽¹⁾

COUNCIL REGULATION (EEC) No 3827/81

of 21 December 1981

on the supply of sugar to the United Nations Relief and Works Agency for Palestine refugees (UNRWA) as food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) has asked the Community to provide food aid in the form of white sugar;

⁽¹⁾ OJ No L 392, 31.12.1981.

COUNCIL DECISION

of 21 December 1981

on the conclusion of the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), concerning aid to refugees in the countries of the Near East

(81/1071/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Community wishes to continue its programme of aid to Palestine refugees in the Near East;

Whereas the Convention, approved on 21 April 1980 and concluded with the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East, expired on 31 December 1980;

Whereas a new Convention, providing for contributions in kind and in cash over a period of three years, should be concluded with UNRWA so that the Community's aid can continue to be provided as part of a comprehensive operation offering a measure of continuity;

Whereas Article 43 of the Treaty does not provide sufficient enabling powers,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East is hereby approved on behalf of the Community.

The text of the Convention is attached to this Decision.

Article 2

Questions relating to the application of the Convention shall be examined by the Commission together with UNRWA.

Article 3

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

Done at Brussels, 21 December 1981.

For the Council
The President
N. RIDLEY

CONVENTION

between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East

Article 1

Anxious to continue its programme of aid to Palestine refugees, the European Economic Community (hereinafter referred to as 'the Community') hereby concludes this Convention with the United Nations Relief and Works Agency for Palestine Refugees (hereinafter referred to as 'UNRWA') providing for contributions to UNRWA in kind and in cash for a three-year period, for use under the Basic Rations Programme and the Supplementary Feeding Programme.

Article 2

Basic Rations Programme

1. The Community shall supply to UNRWA for each year of this Convention specific quantities of wheat flour, skimmed-milk powder enriched with vitamins, butteroil and white sugar for use under the Basic Rations Programme. The quantities to be supplied for the initial period of the Convention are given in paragraph 1 of the Annex which forms an integral part of this Convention.
2. The Community shall be responsible for transport of the products to ports of unloading. Detailed arrangements shall be agreed between the two parties.
3. The Community shall pay to UNRWA a specific sum per tonne of each product actually received by UNRWA, as a contribution to the costs of internal transport and distribution in the period covered by this Convention. The amount to be paid for this purpose in the initial period of the Convention is given in paragraph 2 of the Annex.

4. UNRWA shall distribute the products as rations to Palestine refugees eligible for the Basic Rations Programme, free of charge and for their own consumption.

5. UNRWA shall send to the Community before 1 March of each year a report on the Basic Rations Programme, notably on the use of the contributions supplied in kind and in cash under this Convention.

Article 3

Supplementary Feeding Programme

1. The Community shall supply to UNRWA for each year of this Convention specific quantities of wheat flour, milled rice, skimmed-milk powder enriched with vitamins, butteroil and white sugar for use under the Supplementary Feeding Programme. The quantities to be supplied for the initial period of this Convention are given in paragraph 1 of the Annex.

2. The Community shall be responsible for transport of the products to ports of unloading. Detailed arrangements shall be agreed between the two parties.

3. (a) The Community shall pay to UNRWA for each year of this Convention a cash sum as a contribution to the costs of operating the Supplementary Feeding Programme. The cash sum to be paid for the initial period of this Convention is given in paragraph 2 of the Annex.

(b) Part of this sum shall be spent on the purchase on the Community market of products to be used under the Supplementary Feeding

Programme, notably the purchase of specific quantities of corned beef and tomato paste in each year of this Convention. The quantities of corned beef and tomato paste to be purchased in the initial period of this Convention are given in paragraph 3 of the Annex.

4. UNRWA shall distribute the products free of charge as prepared foods or drinks to Palestine refugees eligible for the Supplementary Feeding Programme. The skimmed-milk powder may also be distributed in the form of powder in health centres.

5. Any products supplied in excess of requirements shall be used exclusively in other UNRWA programmes. Any cash paid in excess of requirements shall be transferred to UNRWA's general budget, provided agreement has been given by the Commission of the European Communities. In these circumstances the Community may reduce its contributions in kind or cash for the following year.

6. UNRWA shall send to the Community twice each year, before 1 March and 1 September, a report on the Supplementary Feeding Programme. This report shall cover:

- operation of the programme, including the number, category and location of recipients and the services provided,
- cost of the programme, including costs of staff and the purchase of food-stuffs and other materials,
- use of Community contributions in kind and in cash.

Article 4

Care of products

UNRWA shall be responsible for transport and distribution of the products after delivery has been made. It shall exercise every

care over the products and shall insure them against loss or damage, to the extent that this is feasible. In case of loss or damage, whether or not covered by insurance, UNRWA shall replace the products so as to restore the Community's contribution, except in case of riots, civil commotions or armed conflicts, or of risks against which insurance could not have been effected on reasonable terms.

Article 5

Information

UNRWA shall take all reasonable steps to inform the Palestine refugees and the authorities of the host countries, of the aid received from the Community and from its Member States.

Article 6

UNRWA shall give every facility to any person nominated by the Community for the purpose of observing the Agency's receipt, storage and distribution of the Community's aid. UNRWA shall also provide such supplementary information as may reasonably be requested by the person so nominated.

Article 7

Any questions arising out of this Convention shall be settled between the two parties by consultation, at the request of either party.

Article 8

Duration of the Convention

This Convention shall cover a period of three calendar years (1981, 1982 and 1983). There shall, however, be an initial period under

the Convention, beginning on 1 January 1981 and ending on 31 December 1981. The Convention may be prolonged by agreement between the two parties, with or without amendment, until 31 December 1983. If no decision to this effect has been taken by 31 December of the preceding year, application of the Convention shall be suspended until a decision is taken.

Article 9

The Convention is drawn up in two copies in the Danish, Dutch, English, French, German, Greek and Italian languages, each version being equally authentic.

ANNEX

INITIAL PERIOD OF THE CONVENTION

(1 January to 31 December 1981)

1. Contributions in kind

– *Basic Rations Programme*

- 27 593 tonnes of wheat flour (equivalent to 36 700 tonnes of unprocessed cereals)
- 732 tonnes of skimmed-milk powder enriched with vitamins
- 3 735 tonnes of butteroil
- 6 000 tonnes of white sugar

– *Supplementary Feeding Programme*

- 2 150 tonnes of wheat flour (equivalent to 2 860 tonnes of unprocessed cereals)
- 152 tonnes of milled rice (equivalent to 440 tonnes of unprocessed cereals)
- 900 tonnes of skimmed-milk powder enriched with vitamins
- 165 tonnes of butteroil
- 86 tonnes of white sugar

2. Contribution in cash

– *Basic Rations Programme*

– Sum paid per tonne of products received: US \$ 35

– *Supplementary Feeding Programme*

– Cash contribution to operating costs of
Supplementary Feeding Programme: Equivalent of
3 000 000 ECU
in US \$

3. Foodstuffs to be bought on the Community market

– corned beef 315-480 tonnes

– tomato paste 20-880 tonnes

INFORMATION CONCERNING

the CONVENTION between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East ⁽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	17.2.1982	—	21.12.1981 ⁽²⁾	from 1.1.1981 until 31.12.1983
UNRWA				

⁽¹⁾ OJ No L 392, 31.12.1981.

⁽²⁾ Applicable from 1.1.1981.

PART TWO

Bilateral agreements
concluded by the
European Atomic Energy
Community

Agreement
between the EAEC and the Kingdom of Spain

COOPERATION AGREEMENT

between the European Atomic Energy Community and the Kingdom of Spain in the field of controlled thermonuclear fusion ⁽¹⁾

COUNCIL DECISION

of 11 July 1980

approving the conclusion by the Commission of the Cooperation Agreement between the European Atomic Energy Community and the Kingdom of Spain in the field of controlled thermonuclear fusion

(80/698/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the draft Decision submitted by the Commission,

Whereas the Commission, in accordance with the directives from the Council, has negotiated the Cooperation Agreement with Spain in the field of controlled thermonuclear fusion;

⁽¹⁾ OJ No L 190, 24.7.1980.

Whereas it is therefore necessary to approve the conclusion of this Agreement by the Commission,

HAS DECIDED AS FOLLOWS:

Sole Article

The conclusion by the Commission of the Cooperation Agreement between the European Atomic Energy Community and the Kingdom of Spain in the field of controlled thermonuclear fusion is hereby approved.

The text of the Agreement is annexed to this Decision.

Done at Brussels, 11 July 1980.

For the Council
The President
J. SANTER

COOPERATION AGREEMENT

**between the European Atomic Energy Community and the Kingdom of Spain
in the field of controlled thermonuclear fusion**

THE EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter called 'Euratom', represented by the Commission of the European Communities, hereinafter called the 'Commission',

AND THE KINGDOM OF SPAIN,

hereinafter called 'Spain', represented by the Spanish Government,

Whereas since 1959 Euratom has, as part of a joint long-term programme in the field of controlled nuclear fusion, been implementing multiannual research and training programmes executed *inter alia* by means of contracts of association and of a staff mobility agreement, the most recent being the fifth multiannual programme covering the 1979 to 1983 period and comprising the execution of the JET Project, assigned to the JET Joint Undertaking:

Whereas Spain, having applied for membership of the European Communities, wishes to cooperate with the Community programme for the purpose of developing its own programme in the field of controlled thermal nuclear fusion by becoming a party to the staff mobility agreement concluded by the Commission and its associates in this field:

Whereas this cooperation will enable Spain, on the one hand, to send its scientific staff to work in the laboratories of the Community

and its associates and on the other hand, to invite scientists from these laboratories to Spain for the purpose of developing and implementing a programme compatible with that of the Community with a view to a wider association, particularly in the event of accession by Spain to the Community;

Whereas such participation is in the interests of the Community and of Spain,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish cooperation between the Euratom programme and the programme of Spain in the field of controlled thermonuclear fusion by setting up an exchange of scientists from the Commission and its associates and from Spain, through participation by Spain in the agreement for the promotion of staff mobility concluded by the Commission and its associates, for the purpose of orienting and developing the Spanish programme to ensure its compatibility with that of Euratom with a view to more extensive association, particularly in the event of accession by Spain to the Community.

Euratom shall make arrangements to ensure that, as soon as this Agreement enters into force, Spain becomes a party to the agreement for the promotion of staff mobility, referred to in the first paragraph of this Article, which will be signed by the Junta de Energia Nuclear.

Article 2

By the terms of this Agreement, the financial contribution of Spain to the Euratom programme shall be fixed annually at an amount such that the ratio between that amount and that of the financial contribution of Euratom to the agreement for the promotion of staff mobility corresponds to the ratio that exists between the gross domestic product of Spain and that of Euratom during the antepenultimate year.

At the beginning of each year, the Commission shall inform Spain of the amount set aside for the expenditure relating to the contract for the promotion of staff mobility for the year in question. Spain shall pay the Commission the amount due on the basis of this Article.

Article 3

Officials and other servants of the Commission who are subject to Community tax on salaries, wages, and emoluments paid by the Communities and who participate in Spain in the activities referred to in this Agreement shall be exempt from national taxes on salaries, wages and emoluments.

Article 4

The information acquired and inventions developed by staff belonging to a Spanish body who have been seconded to an associate of the Commission shall be subject to the system laid down in the contract of association of the associate, it being understood that the Spanish body shall in this case have the same rights in respect of such information as those enjoyed by the Commission pursuant to the said contract.

The Spanish body shall enjoy a free, non-exclusive and irrevocable right of use for its own requirements in respect of the patents registered or obtained by the host associate in accordance with the provisions of the first paragraph, this right of use covering research, work and orders undertaken by third parties for its account.

With regard to information acquired and inventions developed by staff belonging to an associate of the Commission who have been seconded to a Spanish body, that body shall grant the Commission and the associate in question rights identical to those which the two last-mentioned would have enjoyed if the Commission had concluded a similar contract of association with the Spanish body.

Article 5

A mixed committee called 'Euratom/Spain Fusion Committee' shall be set up and shall comprise representatives of the Commission and of Spain.

The Euratom/Spain Fusion Committee shall be responsible for the proper implementation of this Agreement. It shall study all measures likely to improve cooperation within the framework of the Agreement.

The Euratom Spain Fusion Committee shall adopt its own rules of procedure. The Chair shall be occupied alternately by a representative of each of the contracting parties, in conformity with the rules of procedure of the Euratom/Spain Fusion Committee.

The Euratom Spain Fusion Committee shall meet at the request of either of the contracting parties and at least once per year.

Article 6

This Agreement shall be approved by the contracting parties in accordance with their own procedures. It shall enter into force as soon as the parties thereto have informed each other that the procedure to be followed in this regard has been properly completed.

This Agreement shall be concluded for a period limited to three years.

Each contracting party may terminate the Agreement at any time by giving six months' notice.

INFORMATION CONCERNING

the COOPERATION AGREEMENT between the European Atomic Energy Community and the Kingdom of Spain in the field of controlled thermonuclear fusion ⁽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
EAEC	14.7.1980	—	14.7.1980	3 years
SPAIN				

⁽¹⁾ OJ No L 190, 24.7.1980.

Agreement
between the EAEC and Canada

AGREEMENT

in the form of an exchange of letters between the European Atomic Energy Community (Euratom) and the Government of Canada intended to replace the 'Interim Arrangement concerning enrichment, reprocessing and subsequent storage of nuclear material within the Community and Canada' constituting Annex C of the Agreement in the form of an exchange of letters of 16 January 1978 between Euratom and the Government of Canada ⁽¹⁾

(82/52/Euratom)

Brussels, 18 December 1981

A. Letter from the Government of Canada

Sir,

1. I have the honour to refer to the 16 January 1978 exchange of letters between the Government of Canada and the European Atomic Energy Community (Euratom) (hereinafter referred to as the exchange of letters) amending the Agreement between the Government of Canada and the European Atomic Energy Community for cooperation in the peaceful uses of atomic energy of 6 October 1959, (hereinafter referred to as the Agreement) particularly in so far as it relates to safeguards (followed by an additional exchange of letters). I specifically refer to paragraph (c) of the exchange of letters which states that:

'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

⁽¹⁾ OJ No L 27, 4.2.1982.

between the parties (see Annex C: Interim Arrangement concerning enrichment, reprocessing and subsequent storage of nuclear material within the Community and Canada).’

Paragraph 5 of Annex C states that the parties would commence negotiations as soon as possible after 31 December 1979, or the termination of the INFCE study, whichever was earlier, with a view to replacing the Interim Arrangement by other arrangements that would take into account *inter alia* any results of the INFCE studies in relation to the operations in question.

2. These negotiations have now been completed and I have the honour to propose that the guidelines set forth below should cover reprocessing and plutonium storage and use:
 - (a) an effective commitment to non-proliferation should have been made and should continue to be maintained by the party envisaging reprocessing and plutonium storage and use;
 - (b) all nuclear material subject to a peaceful uses commitment in facilities involved in reprocessing and the storage and use of plutonium should be subject to IAEA safeguards;
 - (c) all nuclear material subject to a peaceful uses commitment in facilities involved in reprocessing and the subsequent storage and use activities, including related transport, should be subject to adequate physical protection measures;
 - (d) mutually satisfactory notification and material reporting procedures should be in place between the parties;

- (e) a description of the current and planned nuclear energy programme including in particular a detailed description of the policy, legal and regulatory elements relevant to reprocessing and plutonium storage and use should be provided by the party envisaging such activities;

- (f) the parties should agree to periodic and timely consultations at which *inter alia* the information provided under guideline (e) should be updated and significant changes in the nuclear energy programme would receive the fullest possible consideration;

- (g) the reprocessing and plutonium storage should only take place when the information provided on the nuclear energy programme of the party in question has been received, when the undertakings, arrangements and other information called for by the guidelines are in place or have been received and when the parties have agreed that the reprocessing and plutonium storage are an integral part of the described nuclear energy programme; where it is proposed to carry out reprocessing or storage of plutonium when these conditions are not met, the operation should take place only when the parties have so agreed after consultation, which should take place promptly to consider any such proposal;

- (h) the reprocessing and plutonium storage envisaged should only take place so long as the commitment of the party in question to non-proliferation does not change and so long as the commitment to periodic and timely consultations referred to in guideline (f) is honoured.

3. I note that Canada and the Community have agreed that the objectives of the above guidelines have been met.

In particular I note that Canada and the Community and its Member States, to the extent of their respective competences, have made an effective commitment to non-proliferation and have submitted all relevant material to IAEA safeguards, and to adequate physical protection measures, in paragraphs (c) and (g) of the exchange of letters completed by the letters from Member States' foreign ministers to Canadian ambassadors on physical protection. I also note that the Community has provided Canada with the description of the current and planned nuclear energy programmes of the Community and of its Member States and that the notification and material reporting procedures have been settled.

4. Finally I note that these arrangements take into account *inter alia* the results of INFCE's studies in relation to the operations in question, as envisaged in paragraph 5 of Annex C to the exchange of letters. I note that the parties, in particular, acknowledge that the separation, storage, transportation and use of plutonium require particular measures to reduce the risk of nuclear proliferation: are determined to continue to support the development of international safeguards and other non-proliferation measures relevant to reprocessing and plutonium, including an effective and generally accepted international plutonium storage scheme; recognize the role of reprocessing in connection with the maximum use of available resources and the management of materials contained in spent fuel or other peaceful non-explosive uses, including research, in particular in the context of significant nuclear energy programmes; and desire the predictable and practical implementation of paragraph (e) of the exchange of letters taking into account both their determination to ensure the furtherance of the objective of non-proliferation and the long-term needs of the nuclear energy programmes of the parties.

5. I have the honour to inform the Commission that pursuant to the above, in accordance with paragraph (e) of the exchange of letters, the Government of Canada agrees that material subject to the Agreement may be reprocessed and plutonium stored within the framework of the current and planned nuclear energy programmes as described and updated from time to time by the Community and its Member States.

6. I have the honour to inform the Commission that the Agreement given by the Government of Canada in paragraph 5 will remain in force as long as the following conditions are met:
 - (i) that the Community maintain its commitment to non-proliferation with respect to guideline (a) which is set out in paragraph (c) of the exchange of letters, and

 - (ii) that the Community continue to consult with the Government of Canada, as provided for by the Agreement with a view to up-dating the described nuclear energy programmes and informing the Government of Canada of any significant changes.

7. Paragraph (e) of the exchange of letters provides that material subject to the Agreement shall be enriched beyond 20% and that uranium enriched beyond 20% shall be stored only according to conditions agreed upon in writing between the two parties. I have the honour to propose that the parties agree to consult within 40 days of the receipt of a request from either party to consider proposals for conditions to be agreed upon in writing according to which material subject to the Agreement may be enriched beyond 20% or uranium enriched beyond 20% may be stored.

8. I have the honour to confirm that the documents containing the descriptions of current and planned nuclear energy programmes of the Community and its Member States shall remain confidential to the Contracting Parties.

9. 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 the Agreement required by paragraph (e) of the exchange of letters, and replace both Annex C thereto and the 23 December 1980 exchange of letters. This Agreement shall take effect as of the date of Your Excellency's reply to this letter.

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

Brussels, 18 December 1981

B. *Letter from the Community*

Your Excellency,

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

1. I have the honour to refer to the 16 January 1978 exchange of letters between the Government of Canada and the European Atomic Energy Community (Euratom) (hereinafter referred to as the exchange of letters) amending the Agreement between the Government of Canada and the European Atomic Energy Community for cooperation in the peaceful uses of atomic energy of 6 October 1959 (hereinafter referred to as the Agreement) particularly in so far as it relates to safeguards (followed by an additional exchange of letters). I specifically refer to paragraph (e) of the exchange of letters which states that:

“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).”

Paragraph 5 of Annex C states that the parties would commence negotiations as soon as possible after 31 December 1979, or the termination of the INFCE study, whichever was earlier, with a view to replacing the Interim Arrangement by other arrangements that would take into account *inter alia* any results of the INFCE studies in relation to the operations in question.

8. I have the honour to confirm that the documents containing the descriptions of current and planned nuclear energy programmes of the Community and its Member States shall remain confidential to the Contracting Parties.

9. 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 the Agreement required by paragraph (e) of the exchange of letters, and replace both Annex C thereto and the 23 December 1980 exchange of letters. This Agreement shall take effect as of the date of Your Excellency's reply to this letter.

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

Brussels, 18 December 1981

B. *Letter from the Community*

Your Excellency,

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

1. I have the honour to refer to the 16 January 1978 exchange of letters between the Government of Canada and the European Atomic Energy Community (Euratom) (hereinafter referred to as the exchange of letters) amending the Agreement between the Government of Canada and the European Atomic Energy Community for cooperation in the peaceful uses of atomic energy of 6 October 1959 (hereinafter referred to as the Agreement) particularly in so far as it relates to safeguards (followed by an additional exchange of letters). I specifically refer to paragraph (e) of the exchange of letters which states that:

“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).”

Paragraph 5 of Annex C states that the parties would commence negotiations as soon as possible after 31 December 1979, or the termination of the INFCE study, whichever was earlier, with a view to replacing the Interim Arrangement by other arrangements that would take into account *inter alia* any results of the INFCE studies in relation to the operations in question.

2. These negotiations have now been completed and I have the honour to propose that the guidelines set forth below should cover reprocessing and plutonium storage and use:
 - (a) an effective commitment to non-proliferation should have been made and should continue to be maintained by the party envisaging reprocessing and plutonium storage and use;
 - (b) all nuclear material subject to a peaceful uses commitment in facilities involved in reprocessing and the storage and use of plutonium should be subject to IAEA safeguards;
 - (c) all nuclear material subject to a peaceful uses commitment in facilities involved in reprocessing and the subsequent storage and use activities, including related transport, should be subject to adequate physical protection measures;
 - (d) mutually satisfactory notification and material reporting procedures should be in place between the parties;
 - (e) a description of the current and planned nuclear energy programme including in particular a detailed description of the policy, legal and regulatory elements relevant to reprocessing and plutonium storage and use should be provided by the party envisaging such activities;

- (f) the parties should agree to periodic and timely consultations at which *inter alia* the information provided under guideline e) above would be updated and significant changes in the nuclear energy programme would receive the fullest possible consideration;

 - (g) the reprocessing and plutonium storage should only take place when the information provided on the nuclear energy programme of the party in question has been received, when the undertakings, arrangements and other information called for by the guidelines are in place or have been received and when the parties have agreed that reprocessing and plutonium storage are an integral part of the described nuclear energy programme; where it is proposed to carry out reprocessing or storage of plutonium when these conditions are not met, the operation should take place only when the parties have so agreed after consultation, which should take place promptly to consider any such proposal;

 - (h) the reprocessing and plutonium storage envisaged should only take place so long as the commitment of the party in question to non-proliferation does not change and so long as the commitment to periodic and timely consultations referred to in guideline (f) is honoured.
3. I note that Canada and the Community have agreed that the objectives of the above guidelines have been met.

In particular I note that Canada and the Community and its Member States, to the extent of their respective competences,

have made an effective commitment to non-proliferation and have submitted all relevant material to IAEA safeguards, and to adequate physical protection measures in paragraphs (c) and (g) of the exchange of letters completed by the letters from Member States' foreign ministers to Canadian ambassadors on physical protection. I also note that the Community has provided Canada with the description of the current and planned nuclear energy programmes of the Community and of its Member States and that the notification and material reporting procedures have been settled.

4. Finally, I note that these arrangements take into account *inter alia* the results of INFCE's studies in relation to the operations in question as envisaged in paragraph 5 of Annex C to the exchange of letters. I note that the parties, in particular, acknowledge that the separation, storage, transportation and use of plutonium require particular measures to reduce risk of nuclear proliferation; are determined to continue to support the development of international safeguards and other non-proliferation measures relevant to reprocessing and plutonium including an effective and generally accepted international plutonium storage scheme; recognize the role of reprocessing in connection with the maximum use of available resources and the management of materials contained in spent fuel or other peaceful non-explosive uses, including research, in particular in the context of significant nuclear energy programmes; and desire the predictable and practical implementation of paragraph (e) of the exchange of letters taking into account both their determination to ensure the furtherance of the objective of non-proliferation and the long-term needs of the nuclear energy programmes of the parties.

5. I have the honour to inform the Commission that pursuant to the above, in accordance with paragraph (e) of the exchange of letters, the Government of Canada agrees that material subject to the Agreement may be reprocessed and plutonium stored within the framework of the current and planned nuclear energy programmes as described and up-dated from time to time by the Community and its Member States.

6. I have the honour to inform the Commission that the agreement given by the Government of Canada in paragraph 5 will remain in force as long as the following conditions are met:
 - (i) that the Community maintain its commitment to non-proliferation with respect to guideline (a) which is set out in paragraph (c) of the exchange of letters, and

 - (ii) that the Community continue to consult with the Government of Canada, as provided for by the Agreement, with a view to updating the described nuclear energy programmes and informing the Government of Canada of any significant changes.

7. Paragraph (e) of the exchange of letters provides that material subject to the Agreement shall be enriched beyond 20% and that uranium enriched beyond 20% shall be stored only according to conditions agreed upon in writing between the parties. I have the honour to propose that the parties agree to consult within 40 days of the receipt of a request from either party to consider proposals for conditions to be agreed upon in writing according to which material subject to the Agreement may be enriched beyond 20% or uranium enriched beyond 20% may be stored.

8. I have the honour to confirm that the documents containing the descriptions of current and planned nuclear energy programmes of the Community and its Member States shall remain confidential to the Contracting Parties.

9. 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 the agreement required by paragraph (e) of the exchange of letters and replace both Annex C thereto and the 23 December 1980 exchange of letters. This Agreement shall take effect as of the date of Your Excellency's reply to this letter.'

I have further the honour to inform Your Excellency that the European Atomic Energy Community takes note of the guidelines set forth by the Canadian Government in Your Excellency's letter and accepts that they should cover the reprocessing of material subject to the Agreement and the storage of plutonium so obtained and agrees that Your Excellency's letter and this reply shall constitute the agreement required by paragraph (e) of the exchange of letters and replace both Annex C thereto and the 23 December 1980 exchange of letters.

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

INFORMATION CONCERNING

the AGREEMENT in the form of an exchange of letters ⁽¹⁾ between the European Atomic Energy Community (Euratom) and the Government of Canada intended to replace the 'Interim Arrangement concerning enrichment, reprocessing and subsequent storage of nuclear material within the Community and Canada' constituting Annex C of the Agreement ⁽²⁾ in the form of an exchange of letters of 16 January 1978 between Euratom and the Government of Canada

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	18.12.1981	—	18.12.1981	(3)
CANADA				

⁽¹⁾ OJ No L 27, 4.2.1982.

⁽²⁾ This Agreement was published in Volume 8, page 2815.

⁽³⁾ The present Agreement replaces Annex C to the Agreement in the form of an exchange of letters of 16.1.1978 between the EAEC and Canada published in Volume 8, page 2815.

It was stipulated that the 1978 Agreement would 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

Agreement
between the ECSC and Austria

NEW TEXT OF ANNEX I 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 and the High Authority of the European Coal and Steel Community, of the other part, establishing through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria ⁽¹⁾

Following the coming into effect, from 1 January 1981, of the amendments in the goods tariff of the Austrian Federal Railways, Annex I to the above-mentioned Agreement, as last amended on 27 January 1978 (OJ No C 23 of 27 January 1978, p. 2), is drawn up with effect from 1 January 1981 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) OJ No C 4, 7.1.1981.

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, wide strip, briquettes, coke, coal	Kufstein Brennero Brenner	2.	2.
	Salzburg Hbf Tarvisio Centrale	2.	2.
	Salzburg Hbf Rosenbach frontier	2.	2.
	Lindau-Reutin Brennero Brenner	2.	2.
	Simbach (Inn) Tarvisio Centrale	3.	3.
	Passau Hbf Spielfeld frontier	3.	3.
	Buchs (SG) Rosenbach frontier	4.	4.
Lindau-Reutin Rosenbach frontier	4.	4.	
Ores, flue dust, crude steel, semi-finished products	Kufstein Brennero Brenner	2.	1.
	Salzburg Hbf Tarvisio Centrale	2.	2.
	Salzburg Hbf Rosenbach frontier	2.	2.
	Lindau-Reutin Brennero Brenner	2.	2.
	Simbach (Inn) Tarvisio Centrale	2.	2.
	Passau Hbf Spielfeld frontier	3.	3.
	Buchs (SG) Rosenbach frontier	3.	3.
Lindau-Reutin Rosenbach frontier	3.	3.	
Scrap	Kufstein Brennero Brenner	30-20	23-20
	Salzburg Hbf Tarvisio Centrale	50-20	38-20
	Salzburg Hbf Rosenbach frontier	50-20	38-20
	Lindau-Reutin Brennero Brenner	53-20	40-20
	Simbach (Inn) Tarvisio Centrale	59-20	45-20
	Passau Hbf Spielfeld frontier	78-20	59-20
	Buchs (SG) Rosenbach frontier	87-20	66-20
Lindau-Reutin Rosenbach frontier	87-20	66-20	

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'.

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 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⁾ - amendment of Annex I - 3rd updating supplement

Following the coming into effect on 1 January 1981 of amendments to the goods tariff of the Austrian Federal Railways, Annex I to the above Agreement has been amended with effect from 1 January 1981 ⁽²⁾.

⁽¹⁾ This Agreement appears in Volume 5, page 107. An amendment to Annex I appears in Volume 5, page 118. The first updating supplement appears in Volume 7, page 1257 and the second in Volume 8, page 2845.

⁽²⁾ OJ No C 4, 7.1.1981.

PART FOUR

Multilateral agreements concluded by the European Economic Community, the European Atomic Energy Community and the European Coal and Steel Community

The information in the tables at the end of each agreement was supplied in the main by the depositaries or by the bodies responsible for the agreement.

CHAPTER I

**Multilateral agreements
concluded by the
European Economic Community**

ACP-EEC Convention of Lomé

**Agreements
between the EEC and the ACP States**

SECOND ACP-EEC CONVENTION

signed at Lomé on 31 October 1979 ⁽¹⁾ ⁽²⁾

COUNCIL REGULATION (EEC) No 3225/80

of 25 November 1980

on the conclusion of the Second ACP-EEC Convention signed at Lomé on 31
October 1979

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 the Second ACP-EEC Convention between the African, Caribbean and Pacific States, on the one part, and the European Community and its Member States, of the other part, signed at Lomé on 31 October 1979, should be approved,

HAS ADOPTED THIS REGULATION:

⁽¹⁾ OJ No L 347, 22.12.1980.

⁽²⁾ The First Convention appears in Volume 6, page 1003.

⁽³⁾ OJ No C 327, 15.12.1980.

Article 1

The Second ACP-EEC Convention, the Protocols annexed thereto, the declarations annexed to Protocol 7 and the declarations annexed to the Final Act are hereby approved on behalf of the European Economic Community.

The texts of the Convention, the Protocols and the Final Act are annexed to this Regulation.

Saint Vincent and the Grenadines shall be considered a signatory State to the Convention by virtue of the act of signature which is also annexed to this Regulation.

Article 2

The President of the Council shall, as regards the Community, deposit the act of notification of the conclusion of the Convention, as provided for in Article 183 thereof.

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, 25 November 1980.

For the Council
The President
Colette FLESCH

SECOND ACP-EEC CONVENTION

signed at Lomé on 31 October 1979

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, hereinafter referred to as 'the Community', signed at Rome on 25 March 1957, whose States are hereinafter referred to as 'the Member States';

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE HEAD OF STATE OF THE BAHAMAS,

THE HEAD OF STATE OF BARBADOS,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN,

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON,

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE
COMOROS,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO,

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST,

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS
OF THE INDEPENDENT STATE OF DOMINICA,

THE CHAIRMAN OF THE PROVISIONAL MILITARY
ADMINISTRATIVE COUNCIL AND OF THE COUNCIL OF
MINISTERS AND COMMANDER-IN-CHIEF OF THE
REVOLUTIONARY ARMY OF ETHIOPIA,

HER MAJESTY THE QUEEN OF FIJI,

THE PRESIDENT OF THE GABONESE REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA,

THE PRESIDENT OF THE REPUBLIC OF GHANA,
THE HEAD OF STATE OF GRENADA,
THE PRESIDENT OF THE REPUBLIC OF GUINEA,
THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA
BISSAU,
THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA,
THE PRESIDENT OF THE REPUBLIC OF GUYANA,
THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA,
THE HEAD OF STATE OF JAMAICA,
THE PRESIDENT OF THE REPUBLIC OF KENYA,
THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,
HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO,
THE PRESIDENT OF THE REPUBLIC OF LIBERIA,
THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF
MADAGASCAR,
THE PRESIDENT OF THE REPUBLIC OF MALAWI,
THE PRESIDENT OF THE REPUBLIC OF MALI,
THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,
HER MAJESTY THE QUEEN OF MAURITIUS,

THE PRESIDENT OF THE REPUBLIC OF NIGER,
THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA,
THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW
GUINEA,
THE PRESIDENT OF THE REPUBLIC OF RWANDA,
THE PRESIDENT OF THE REPUBLIC OF SAINT LUCIA,
THE HEAD OF STATE OF WESTERN SAMOA,
THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO
TOME AND PRINCIPE,
THE PRESIDENT OF THE REPUBLIC OF SENEGAL,
THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES,
THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,
THE PRESIDENT OF THE INDEPENDENT STATE OF SOLOMON
ISLANDS,
THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL,
THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE
SUDAN,
THE PRESIDENT OF THE REPUBLIC OF SURINAME,
HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND,
THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,

THE PRESIDENT OF THE REPUBLIC OF CHAD,
THE PRESIDENT OF THE REPUBLIC OF TOGO,
HIS MAJESTY KING TAUFU'AHAU TUPOU IV OF TONGA,
THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND
TOBAGO,
HER MAJESTY THE QUEEN OF TUVALU,
THE PRESIDENT OF THE REPUBLIC OF UGANDA,
THE PRESIDENT OF THE REPUBLIC OF ZAIRE,
THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,
whose States are hereinafter called 'the ACP States',

of the other part.

HAVING REGARD to the Treaty establishing the European Economic Community, hereinafter referred to as 'the Treaty', and to the Georgetown Agreement constituting the group of African, Caribbean and Pacific States;

ANXIOUS to reinforce, on the basis of complete equality between partners and in their mutual interest, close and continuing cooperation in the spirit of international solidarity;

RESOLVED to intensify their efforts together for the economic development and social progress of the ACP States, and to ensure the greater well-being of their populations;

WISHING to demonstrate their common desire to maintain and develop the friendly relations existing between their countries, in accordance with the principles of the United Nations Charter;

RESOLVED to continue and intensify their efforts to establish a model for relations between developed and developing States which is compatible with the aspirations of the international community towards the establishment of a new, more just and more balanced international economic order;

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

CONSCIOUS of the need to develop cooperation and trade among the ACP States as a whole and the particular need to accelerate economic cooperation and development within and between the regions of the ACP States;

CONSCIOUS of the particular importance of the agricultural and rural development of the ACP States and of the need to intensify efforts to that end;

DESIROUS of safeguarding the interests of the ACP States whose economies depend to a considerable extent on the export of commodities and of developing their resources;

ANXIOUS to promote the industrial development of the ACP States through increased cooperation between these States and the Member States;

ACKNOWLEDGING the need for special treatment to be accorded to the least-developed ACP States and for special measures to be introduced in favour of the land-locked and island ACP States in order to help them overcome the specific difficulties with which they are faced;

CONSCIOUS of the need to establish adequate machinery for widest possible consultations, with a view to promoting ACP-EEC cooperation;

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

HIS MAJESTY THE KING OF THE BELGIANS:

Mr Paul NOTERDAEME,
Ambassador,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Mr Niels ERSBØLL,
State Secretary,
Ambassador,
Ministry of Foreign Affairs;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Mr Klaus von DOHNANYI,
Minister of State,
Ministry of Foreign Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Mr Robert GALLEY,
Minister for Cooperation,

Mr Pierre BERNARD-REYMOND,
State Secretary,
Ministry of Foreign Affairs;

THE PRESIDENT OF IRELAND:

Mr Michael O'KENNEDY,
Minister for Foreign Affairs of Ireland;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

The Honourable Giuseppe ZAMBERLETTI,
Under-Secretary of State for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Mr Jean DONDELINGER,
Ambassador,
Permanent Representative of Luxembourg to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Mr D.F. VAN DER MEI,
Secretary of State,
Ministry of Foreign Affairs;

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

The Honourable Douglas Richard HURD, CBE,
Member of Parliament,
Minister of State for Foreign and Commonwealth Affairs;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Mr Michael O'KENNEDY,
President-in-Office of the Council of the European Communities,
Minister for Foreign Affairs of Ireland;

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

THE HEAD OF STATE OF THE COMMONWEALTH OF THE
BAHAMAS:

H.E. Mr R.F. Anthony ROBERTS,
High Commissioner for the Commonwealth of the Bahamas in London;

THE HEAD OF STATE OF BARBADOS:

The Honourable Harold Bernard St JOHN, QC, MP,
Deputy Prime Minister and Minister of Trade, Tourism and Industry;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN:

Mr André ATCHADE,
Minister for Trade and Tourism;

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA:

Mr Archibald MOOKETSA MOGWE,
Minister of External Affairs;

THE PRESIDENT OF THE REPUBLIC OF BURUNDI:

Mr Donatien BIHUTE,
Minister for Planning;

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON:

Mr Robert NAAH,
Deputy Minister for Economic Affairs and Planning;

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE:

Mr Abilio Augusto MONTERO DUARTE,
Minister for Foreign Affairs;

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC:

Mr Jean-Pierre LE BOUDER,
Minister for Cooperation, Planning, General Statistics, Companies and
Consultancy Bureaux on Projects relating *inter alia* to the Organization
and Promotion of Agro-Industrial Operations;

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE
COMOROS:

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Minister for Foreign Affairs and Cooperation;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO:

Mr Elenga NGAPORO,
Minister for Trade;

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST:

Mr Abdoulaye KONE,
Minister for Economic Affairs, Financing and Planning;

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI:

H.E. Mr Ahmed Ibrahim ABDI,
Ambassador Extraordinary and Plenipotentiary of the Republic of Djibouti to the French Government and to the European Economic Community;

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS
OF THE COMMONWEALTH OF DOMINICA:

Mr Arden SHILLINGFORD,
High Commissioner of Dominica in London;

THE CHAIRMAN OF THE PROVISIONAL MILITARY ADMINIS-
TRATIVE COUNCIL AND OF THE COUNCIL OF MINISTERS AND
COMMANDER-IN-CHIEF OF THE REVOLUTIONARY ARMY OF
ETHIOPIA:

Mr Teferra WOLDE-SEMAIT,
Minister of Finance;

HER MAJESTY THE QUEEN OF FIJI:

Mr Satya Nand NANDAN,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Fiji to the European Communities;

THE PRESIDENT OF THE GABONESE REPUBLIC:

Mr Michel ANCHOUEY,
Minister for Planning, Development, Regional Planning and Tourism;

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA:

Mr Mohamadu CADI CHAM,
Minister of Finance and Trade;

THE PRESIDENT OF THE REPUBLIC OF GHANA:

H.E. Mr Amon NIKOI,
Minister of Finance and Economic Planning;

THE HEAD OF STATE OF GRENADA :

Mr Fennis AUGUSTINE,
High Commissioner for Grenada in London;

THE PRESIDENT OF THE REPUBLIC OF GUINEA :

Mr N'Faly SANGARE,
Minister Delegate to the European Communities;

**THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA
BISSAU :**

H.E. Dr Vasco CABRAL,
State Commissioner for Economic Coordination and Planning;

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA :

Lieut. Cristino Seriche MALABO BICO,
Member of the Supreme Military Council;

THE PRESIDENT OF THE REPUBLIC OF GUYANA :

Mr Samuel Rudolph INSANALLY,
Guyana's Permanent Representative to the European Economic Community;

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA :

Mr Georges SANOGO,
Minister for Planning and Cooperation;

THE HEAD OF STATE OF JAMAICA :

H.E. Mr Donald RAINFORD,
Ambassador Extraordinary and Plenipotentiary of Jamaica to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF KENYA:

Mr Joseph MULIRO,
Permanent Secretary,
Ministry of Agriculture;

THE PRESIDENT OF THE REPUBLIC OF KIRIBATI:

The Honourable Douglas Richard HURD, CBE, MP,
Minister of State for Foreign and Commonwealth Affairs of the United
Kingdom of Great Britain and Northern Ireland;

HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO:

The Honourable Morena MAKHAOLA LEROTHOLI;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA:

The Honourable D. Franklin NEAL,
Minister of Planning and Economic Affairs;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR:

H.E. Mr Justin RARIVOSON,
Minister for Economic Affairs and Trade;

THE PRESIDENT OF THE REPUBLIC OF MALAWI:

The Honourable Stott Zondwayo JERE, MP,
Minister for Trade, Industry and Tourism;

THE PRESIDENT OF THE REPUBLIC OF MALI:

H.E. Mr Alioune Blondin BEYE,
Minister for Foreign Affairs and International Cooperation;

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA:

Mr Abdellah OULD DADDAH,
Ambassador Extraordinary and Plenipotentiary,
Representative of the Islamic Republic of Mauritania to the European
Communities;

HER MAJESTY THE QUEEN OF MAURITIUS:

The Honourable Sir Sateam BOOLELL, Knight,
Minister for Agriculture, Natural Resources and the Environment;

THE PRESIDENT OF THE REPUBLIC OF NIGER:

Mr Mai MAIGENA,
Minister for Economic Affairs, Trade and Industry;

THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA:

H.E. Mr P. Ayodele AFOLABI,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the Federal Republic of Nigeria to the European
Communities;

**THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW
GUINEA:**

Mr Frederick Bernard Carl REIHER,
Ambassador to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF RWANDA :

Mr Ambroise MULINDANGABO,
Minister for Planning;

THE PRESIDENT OF THE REPUBLIC OF SAINT LUCIA :

Mr George William ODLUM,
Deputy Prime Minister,
Minister for Foreign Affairs and Trade;

THE HEAD OF STATE OF WESTERN SAMOA :

The Honourable Filipino VAOVASAMANAIA,
Minister for Finance;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO
TOME AND PRINCIPE :

Mrs Maria de AMORIM,
Minister for Foreign Affairs and Cooperation;

THE PRESIDENT OF THE REPUBLIC OF SENEGAL :

Mr Ousmane SECK,
Minister for Finance and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES :

Mr Maxime FERRARI,
Minister for Planning and Development;

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE :

The Honourable Dr I.M. FOFANA,
Minister for Trade and Industry;

THE PRESIDENT OF THE INDEPENDENT STATE OF SOLOMON ISLANDS:

The Honourable Douglas Richard HURD, CBE, MP,
Minister of State,
Ministry of Foreign and Commonwealth Affairs of the United Kingdom
of Great Britain and Northern Ireland;

**THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL:**

H.E. Mr Omar Salah AHMED,
Ambassador Extraordinary and Plenipotentiary,
Representative of the Somali Democratic Republic to the European Com-
munities;

**THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE
SUDAN:**

Mr IZZ EL DIN HAMID,
Minister of State in the Council of Ministers;

THE PRESIDENT OF THE REPUBLIC OF SURINAME:

Mr Ludwig C. ZUIVERLOON,
Minister of Economic Affairs;

HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND:

Mr DZABULUMJIVA H.S. NHLABATSI,
Deputy Minister for Works, Power and Communications;

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:

Mr Alphonse M. RULEGURA,
Minister for Trade;

THE PRESIDENT OF THE REPUBLIC OF CHAD:

Mr Issaka Ramat AL HAMDou,
Chargé d'affaires a.i.
Brussels Embassy of the Republic of Chad;

THE PRESIDENT OF THE REPUBLIC OF TOGO:

Mr Koudjoulou DOGO,
Minister for Planning, Industrial Development and Administrative
Reform;

HIS MAJESTY KING TAUFA'AHOU TUPOU IV OF TONGA:

H.R.H. Crown Prince TUPOUTO'A,

**THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND
TOBAGO:**

H.E. Mr Eustache SEIGNORET,
High Commissioner (London);

HER MAJESTY THE QUEEN OF TUVALU:

Mr Satya Nand NANDAN,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Fiji to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF UGANDA:

The Honourable Ateker EJALU,
Minister of Regional Cooperation;

THE PRESIDENT OF THE REPUBLIC OF ZAIRE:

Mr KIAKWAMA Kia KIZIKI,
State Commissioner for the Economy, Industry and Trade;

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA:

Mr Remi CHISUPA, MP,
Minister of Commerce and Industry;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Title I

TRADE COOPERATION

Article 1

In the field of trade cooperation, the object of this Convention is to promote trade between the ACP States and the Community, taking account of their respective levels of development, and also between the ACP States themselves.

In the pursuit of this objective, particular regard will be had to the need to secure effective additional benefits for the trade of the ACP States with the Community, in order to accelerate the growth of their trade and in particular of the flow of their exports to the Community and in order to improve the conditions of access for their products to the market of the Community, so as to ensure a better balance in the trade of the Contracting Parties.

To this end the Contracting Parties shall apply the provisions of this Title and the other appropriate measures under Titles V, VI and VII.

Chapter 1

TRADE ARRANGEMENTS

Article 2

1. Products originating in the ACP States shall be imported into the Community free of customs duties and charges having equivalent effect.

2. (a) Products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on import into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of customs duties for which Community provisions in force at the time of import do not provide, apart from customs duties, for the application of any other measure relating to their import;
- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure more favourable treatment than that granted to third countries benefiting from the most-favoured-nation clause for the same products.

- (b) If, during the application of this Convention, the ACP States request that new lines of agricultural production or agricultural products which are not the subject of specific arrangements upon the entry into force of this Convention should benefit from such arrangements, the Community shall examine these requests in consultation with the ACP States.
- (c) The arrangements referred to in subparagraph (a) shall enter into force at the same time as this Convention and shall remain applicable for its duration.

If, however, during the application of this Convention, the Community:

- subjects one or more products to common organization of the market or to specific rules introduced as a result of the implementation of the common agricultural policy, it reserves the right to adapt the import treatment for these products originating in the ACP States, following consultations within the Council of Ministers. In such cases, the provisions of subparagraph (a) shall be applicable,
 - modifies the common organization of the market in a particular product or the specific rules introduced as a result of the implementation of the common agricultural policy, it reserves the right to modify the arrangements laid down for products originating in the ACP States, following consultations within the Council of Ministers. In such cases, the Community undertakes to ensure that products originating in the ACP States continue to enjoy an advantage comparable to that previously enjoyed in relation to products originating in third countries benefiting from the most-favoured-nation clause.
- (d) Where the Community envisages concluding a preferential agreement with third States it shall inform the ACP States thereof. Consultations shall take place, where the ACP States so request in order to safeguard their interests.

Article 3

1. The Community shall not apply to imports of products originating in the ACP States any quantitative restrictions or measures having equivalent effect.

2. Paragraph 1, however, shall not prejudice the import treatment applied to the products referred to in the first indent of Article 2 (2)(a).

The Community shall inform the ACP States when residual quantitative restrictions are eliminated in respect of any of these products.

Article 4

The provisions of this chapter shall not preclude any commitments which the Contracting Parties might have to enter into within the framework of International Community Agreements.

Consultations shall take place on this subject when Contracting Parties envisage concluding such Agreements with a view to taking into consideration the respective interests of all the Contracting Parties.

Article 5

1. The provisions of Article 3 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 and plants; the protection of national treasures possessing artistic, historic or archeological value or the protection of industrial and commercial property.

2. Such prohibitions or restrictions shall not in any case constitute a means of arbitrary discrimination or a disguised restriction on trade generally.

3. In cases where the implementation of the measures referred to in paragraph 1 affect the interests of one or more ACP States, consultations shall be held at the request of the latter with a view to reaching a satisfactory solution.

Article 6

The treatment applied to imports of products originating in the ACP States may not be more favourable than that applied to trade among the Member States.

Article 7

Where new measures or measures stipulated in programmes adopted by the Community for the approximation of laws and regulations in order to facilitate the movement of goods are likely to affect the interests of one or more ACP States the Community shall, prior to adopting such measures, inform the ACP States thereof through the Council of Ministers.

In order to enable the Community to take into consideration the interests of the ACP States concerned, consultations shall be held at the request of the latter with a view to reaching a satisfactory solution.

Article 8

1. Where existing rules or regulations of the Community adopted in order to facilitate the movement of goods affect the interests of one or more ACP States or where these interests are affected by the interpretation, application or administration of such rules or regulations, consultations shall be held at the request of the ACP States concerned with a view to reaching a satisfactory solution.

2. With a view to finding a satisfactory solution, the ACP States may also bring up within the Council of Ministers any other problems relating to the movement of goods which might result from measures taken or envisaged by the Member States.

3. The competent institutions of the Community shall to the greatest possible extent inform the Council of Ministers of such measures.

Article 9

1. In view of their present development needs, the ACP States shall not be required for the duration of this Convention to assume in respect of imports of products originating in the Community, obligations corresponding to the commitments entered into by the Community in respect of imports of the products originating in the ACP States, under this Chapter.

2. (a) In their trade with the Community, the ACP States shall not discriminate among the Member States, and shall grant to the Community treatment no less favourable than the most-favoured-nation treatment.

(b) The most-favoured-nation treatment referred to in subparagraph (a) shall not apply in respect of trade or economic relations between ACP States or between one or more ACP States and other developing countries.

Article 10

Unless it has already done so under the terms of the ACP-EEC Convention of Lomé, each Contracting Party shall communicate its customs tariff to the Council of Ministers within a period of three months following the entry into force of this Convention. Each Contracting Party shall also communicate any subsequent amendments to its tariff as and when they come into force.

Article 11

1. The concept of 'originating products' for the purposes of implementing this chapter, and the methods of administrative cooperation relating thereto, are defined in Protocol 1.

2. The Council of Ministers may adopt any amendment to Protocol 1.
3. Where the concept of 'originating products' has not yet been defined for a given product in implementation of paragraph 1 or 2, each Contracting Party shall continue to apply its own rules.

Article 12

1. If, as a result of applying the provisions of this Chapter, serious disturbances occur in a sector of the economy of the Community or of one or more of its Member States, or jeopardize their external financial stability, or if difficulties arise which may result in a deterioration in a sector of the economy of the Community or of a region thereof, the Community may take, or may authorize the Member State concerned to take, safeguard measures. These measures, their duration and their methods of application shall be notified immediately to the Council of Ministers.
2. The Community and its Member States undertake not to use safeguard measures or other means for protectionist purposes or to hamper structural development.
3. These safeguard measures shall be restricted to those which would least disturb trade between the Contracting Parties in implementing the objectives of the Convention and must not exceed the scope of what is strictly necessary to remedy the difficulties that have arisen.
4. Safeguard measures shall, at the time of their application, take account of the existing level of the ACP exports concerned to the Community and their potential for development.

Article 13

1. Prior consultations shall take place concerning the application of the safeguard clause, both when such measures are first adopted

and when such measures are extended. The Community shall provide the ACP States with all the information necessary for such consultations and shall provide the necessary data from which to determine to what extent imports from an ACP State or ACP States of a specific product have caused the effects mentioned in Article 12 (1).

2. Where consultations have taken place, safeguard measures, or arrangements jointly agreed upon by the ACP States concerned and the Community, shall enter into force thereafter.

3. However, the prior consultations provided for in paragraphs 1 and 2 shall not prevent any immediate decisions which the Community or its Member States, in accordance with Article 12 (1), might take where special factors have necessitated these decisions.

4. In order to facilitate the examination of facts that may cause market disturbances a mechanism shall be instituted designed to ensure statistical surveillance of certain ACP exports to the Community.

5. The Contracting Parties undertake to hold regular consultations with the view to finding satisfactory solutions to problems which might result from the application of the safeguard clause.

Article 14

The Council of Ministers shall, at the request of any Contracting Party concerned, consider the economic and social effects of the application of the safeguard clause.

Article 15

When safeguard measures are being taken, modified or removed, particular attention will be paid to the interests of the least-developed, land-locked and island ACP States.

Article 16

In order to ensure effective implementation of the provisions of this Convention in the field of trade cooperation, the Contracting Parties agree to inform and consult each other.

In addition to the cases for which consultations are specifically provided in Articles 1 to 15, consultations shall also take place, at the request of the Community or of the ACP States, and in accordance with the conditions provided for in the rules of procedure in Article 168, particularly in the following cases:

1. where Contracting Parties envisage taking any trade measures affecting the interests of one or more Contracting Parties under this Convention, they shall inform the Council of Ministers thereof. Consultations shall take place, where the Contracting Parties concerned so request, in order to take account of their respective interests;
2. if, during the application of this Convention, the ACP States consider that agricultural products covered by Article 2 (2)(a) other than those subject to special treatment should benefit from such treatment, consultations may take place within the Council of Ministers;
3. where a Contracting Party considers that obstacles to the movement of goods arise as a result of the existing rules of another Contracting Party or the interpretation, application or administration thereof;
4. where the Community envisages concluding a preferential agreement with third States, it shall inform the ACP States thereof. Consultations shall take place, where the ACP States so request, in order to safeguard their interests;

5. where the Community or the Member States take safeguard measures in accordance with Article 12, consultations on these measures may take place within the Council of Ministers, where the Contracting Parties concerned so request, notably with a view to ensuring compliance with Article 12 (3).

Chapter 2

SPECIAL UNDERTAKINGS ON RUM AND BANANAS

Article 17

Until the entry into force of a common organization of the market in spirits and notwithstanding the provisions of Article 2 (1), entry into the Community of products of subheading 22.09 C I – rum, arrack, tafia – originating in the ACP States shall be governed by the provisions of Protocol 5.

Article 18

In order to permit the improvement of the conditions under which bananas originating in the ACP States are produced and marketed, the Contracting Parties agree to the objectives set out in Protocol 4.

Article 19

This Chapter and Protocols 4 and 5 shall not apply to relations between the ACP States and the French overseas departments.

Chapter 3

TRADE PROMOTION

Article 20

With a view to attaining the objectives set in Article 1, the Contracting Parties shall implement trade promotion measures from the production

stage to the final stage of distribution. The object is to ensure that the ACP States derive maximum benefit from the provisions of this Convention in the fields of trade, agricultural and industrial cooperation and can participate under the most favourable conditions in the Community, domestic, regional and international markets by diversifying the range and increasing the value and volume of ACP exports.

Article 21

The trade promotion measures provided for in Article 20 shall include the provision of technical and financial assistance for achieving the following objectives:

- (a) the establishment and/or improvement of the structure of organizations, centres or firms involved in the development of the trade of ACP States and the assessment of their staffing requirements, financial management and working methods;
- (b) basic training, management training, and vocational training of technicians in fields related to the development and promotion of national and international trade;
- (c) product policy inclusive of research, processing, quality guarantee and control, packaging and presentation;
- (d) development of supportive infrastructure, including transport and storage facilities, in order to facilitate the flow of exports from ACP States;
- (e) advertising;

- (f) establishing, promoting and improving cooperation among economic operators in ACP States and between such operators and those in the Member States of the Community and in third countries and introducing appropriate measures to promote such cooperation;
- (g) carrying out and making use of market research and marketing studies;
- (h) collecting, analysing and disseminating quantitative and qualitative trade information and facilitating free access to existing or future information systems or bodies in the Community and in the ACP States;
- (i) participation by the ACP States in fairs, exhibitions and, in particular, specialized international shows, the list of which shall be drawn up in consultation with the ACP States, and the organization of trade events;
- (j) special assistance to small- and medium-sized undertakings for product identification and development, market outlets and joint marketing ventures;
- (k) the participation of the least-developed ACP States in the various trade promotion activities envisaged shall be encouraged by special provisions *inter alia* the payment of travel expenses of personnel and costs of transporting articles and goods that are to be exhibited, on the occasion of their participation in fairs and exhibitions.

Article 22

In addition to the appropriations which, within the framework of the national indicative programme referred to in Article 109, may be allocated by each ACP State to the financing of trade promotion activities on the basis of their development aims and priorities, the

contribution of the Community to the financing of this type of activity, on a regional basis, could reach – within the framework of the regional development cooperation programmes mentioned in Article 133 – a sum of 40 million European units of account (hereinafter referred to as ‘EUA’).

Title II

EXPORT EARNINGS FROM COMMODITIES

Chapter 1

STABILIZATION OF EXPORT EARNINGS

Article 23

1. With the aim of remedying the harmful effects of the instability of export earnings and to help the ACP States overcome one of the main obstacles to the stability, profitability and sustained growth of their economies, to support their development efforts and to enable them in this way to ensure economic and social progress for their peoples by helping to safeguard their purchasing power, a system shall be operated to guarantee the stabilization of earnings derived from the ACP States' exports to the Community of products on which their economies are dependent and which are affected by fluctuations in price or quantity or both these factors.

2. In order to attain these objectives, transfers must be devoted to maintaining financial flows in the sector in question or, for the purpose of promoting diversification, directed towards other appropriate sectors and used for economic and social development.

Article 24

Export earnings to which the stabilization system applies shall be those accruing from the export by each ACP State to the Community of each

of the products on the following list, in the drawing up of which account has been taken of factors such as employment, deterioration of the terms of trade between the Community and the ACP State concerned and the level of development of that ACP State.

Article 25

1. The following products shall be covered:

	<i>Nimexe codes</i>
1. Groundnuts, shelled or not	12.01-31 to 12.01-35
2. Groundnut oil	15.07-74 and 15.07-87
3. Cocoa beans	18.01-00
4. Cocoa paste	18.03-10 to 18.03-30
5. Cocoa butter	18.04-00
6. Raw or roasted coffee	09.01-11 to 09.01-17
7. Extracts, essences or concentrates of coffee	21.02-11 to 21.02-15
8. Cotton, not carded or combed	55.01-10 to 55.01-90
9. Cotton linters	55.02-10 to 55.02-90
10. Coconuts	08.01-71 to 08.01-75
11. Copra	12.01-42
12. Coconut oil	15.07-29, 15.07-77 and 15.07-92
13. Palm oil	15.07-19, 15.07-61 and 15.07-63
14. Palm nut and kernel oil	15.07-31, 15.07-78 and 15.07-93
15. Palm nuts and kernels	12.01-44
16. Raw hides and skins	41.01-11 to 41.01-95
17. Bovine cattle leather	41.02-05 to 41.02-98
18. Sheep and lamb skin leather	41.03-10 to 41.03-99
19. Goat and kid skin leather	41.04-10 to 41.04-99
20. Wood in the rough	44.03-20 to 44.03-99

Nimexe codes

21. Wood roughly squared or half-squared, but not further manufactured	44.04-20 to 44.04-98
22. Wood sawn lengthwise, but not further prepared	44.05-10 to 44.05-79
23. Fresh bananas	08.01-31
24. Tea	09.02-10 to 09.02-90
25. Raw sisal	57.04-10
26. Vanilla	09.05-00
27. Cloves – whole fruit, cloves and stems	09.07-00
28. Sheep's or lambs' wool, not carded or combed	53.01-10 to 53.01-40
29. Fine animal hair of Angora goats – mohair	53.02-95
30. Gum arabic	13.02-91
31. Pyrethrum – flowers, leaves, stems, peel and roots; saps and extracts from pyrethrum	12.07-10 and 13.03-15
32. Essential oils, not terpenes, of cloves, of niaouli and of ylang-ylang	33.01-23
33. Sesame seed	12.01-68
34. Cashew nuts and kernels	08.01-77
35. Pepper	09.04-11 and 09.04-70
36. Shrimps and prawns	03.03-43
37. Squid	03.03-68
38. Cotton seeds	12.01-66
39. Oil-cake	23.04-01 to 23.04-99
40. Rubber	40.01-20 to 40.01-60
41. Peas	07.01-41 to 07.01-43, 07.05-21 and 07.05-61
42. Beans	07.01-45 to 07.01-47, 07.05-25 and 07.05-65
43. Lentils	07.05-30 and 07.05-70
44. Iron ore (ores, concentrates, and roasted iron pyrites)	26.01-12 to 26.01-18

2. Exports of iron ores (ores, concentrates, roasted iron pyrites) from sites being worked when this Convention is signed shall be covered by Articles 23 to 47 for a period limited to the first five financial years of this system.

Upon expiry of that period, iron ore shall be wholly covered by Articles 49 to 59.

3. Upon presentation of each transfer request the ACP State shall choose between the following systems:

- (a) each product listed in Article 25 (1) shall constitute a product within the meaning of Articles 27, 29, 36, 37, 38, 39, 42, 43 and 44;
- (b) product groups 1 and 2, 3 to 5, 6 and 7, 8 and 9, 10 to 12, 13 to 15, 16 to 19 and 20 to 22 shall each constitute a product within the meaning of Articles 27, 29, 36, 37, 38, 39, 42, 43 and 44.

Article 26

If, 12 months after the entry into force of this Convention, one or more products not contained in the list in Article 25, but upon which the economies of one or more ACP States depend to a considerable extent, are affected by sharp fluctuations, the Council of Ministers shall decide, not later than six months after the presentation of a request by the ACP State or States concerned, whether or not to include the said product or products in the list.

Article 27

If so requested by one or more ACP States in respect of one or more of the products listed in Article 25, the Council of Ministers may decide, on the basis of a report established by the Commission of the European Communities, hereinafter referred to as 'the Commission', in

liaison with the requesting ACP State or States, to apply the system to exports of the products in question from the said ACP State or States to other ACP States.

Article 28

Each ACP State concerned shall certify that the products to which the system applies have originated in its territory within the meaning of Article 2 of Protocol 1.

Article 29

The system shall apply to the earnings derived from an ACP State's exports of the products listed in Article 25 if, during the year preceding the year of application, earnings from the export of each product to all destinations, re-exports excluded, represented at least 6.5% of its total export earnings from their goods. The percentage shall be 5% for sisal.

Article 30

1. The system shall be implemented in respect of the products listed in Article 25 where they are:

- (a) released for home use in the Community, or
- (b) brought under the inward processing arrangements there in order to be processed.

2. The statistics used to implement the system shall be:

- (a) those obtained by cross-checking Community and ACP State statistics, account being taken of fob values, or

(b) those obtained by multiplying the unit values for the exports of the ACP State in question, as given in that ACP State's statistics, by the quantities imported by the Community, as shown in Community statistics.

3. When submitting the transfer request for each product, the requesting ACP State shall choose one of the two systems set out above.

Article 31

For the purposes specified in Article 23, the Community shall allocate to the system, for the duration of this Convention, an amount of 550 million EUA to cover all its commitments under the system. This amount shall be managed by the Commission.

Article 32

1. The overall amount referred to in Article 31 shall be divided into a number of equal annual instalments corresponding to the number of years of application.

2. Whatever balance remains at the end of each of the first four years of application of the Convention shall be carried forward automatically to the following year.

Article 33

The resources available for each year of application are made up of the sum of the following elements:

1. the annual instalment, reduced by any amounts used under Article 34(1);
2. the sums carried forward under Article 32 (2);

3. the amounts replenished under Articles 42 and 43;
4. any amounts made available under Article 34 (1).

Article 34

In the case of an insufficiency of funds for a year of application the Council of Ministers, on the basis of a report submitted to it by the Commission, may:

1. authorize, for each year except the last, the use in advance of a maximum of 20% of the following year's instalment;
2. reduce the amount of the transfers to be made.

Article 35

Before the expiry of the period referred to in Article 31, the Council of Ministers shall decide on the use of any balance remaining from the overall amount established in Article 31, as well as on the conditions for further use of any amounts still to be replenished by the ACP States under Articles 42 and 43, following the expiry of the period referred to in Article 31.

Article 36

1. In order to implement the system a reference level shall be calculated for each ACP State and for each product.
2. This reference level shall correspond to the average of export earnings in the four years preceding each year of application.
3. Where, however, an ACP State:

- starts processing a product traditionally exported in the raw state, or
- begins exporting a product which it did not traditionally produce.

the system may be put into operation on the basis of a reference level calculated on the three years preceding the year of application.

Article 37

An ACP State shall be entitled to request a transfer if, on the basis of the results of a calendar year, its actual earnings, as defined in Article 30, from its exports of each product to the Community and, in the cases referred to in Article 27, to other ACP States or, in the cases referred to in Article 46 (3), to all destinations, are at least 6.5% below the reference level.

Article 38

1. Requests for transfers shall be inadmissible in the following cases:
 - (a) if the request is presented after 31 March of the year following the year of application;
 - (b) if it emerges from the examination of the request, to be undertaken by the Commission in conjunction with the ACP State concerned, that the fall in earnings from exports to the Community is the result of a trade policy of that ACP State concerned adversely affecting exports to the Community in particular.
2. Requests for transfers may also be declared inadmissible if it emerges from the request, after consultations, that the requesting ACP State has recorded earnings from its exports to all destinations

during the year of application in excess of the average of its export earnings to all destinations in the four years preceding the year of application for each product for which a request has been made.

Article 39

1. Every request for transfer shall be addressed to the Commission, which shall examine it in conjunction with the ACP State concerned.
2. The difference between the reference level and actual earnings, plus 1% for statistical errors and omissions, shall constitute the basis of the transfer.
3. Should examination of the trend of the requesting ACP State's exports to all destinations and of the production of the product in question and of demand in the Community reveal significant changes, consultations shall take place between the Commission and the requesting State to determine whether those changes are such as to affect the amount of the transfer, and if so to what extent.

Article 40

1. The Commission shall adopt a transfer decision on completion of the examination carried out in conjunction with the requesting ACP State.
2. For each transfer a transfer agreement shall be concluded between the Commission and the ACP State concerned.
3. The Commission and the ACP State concerned shall take such steps as are required to ensure that transfers are made rapidly. To that end, provision shall be made for the payment of advances.
4. The amounts transferred shall not bear interest.

Article 41

1. The recipient ACP State shall decide how the resources will be used, subject to compliance with the objectives laid down in Article 23.
2. During the examination of the request, and in any case before the transfer agreement is signed, the requesting ACP State shall give the Commission some indication of the probable use to which the transfer will be put.
3. Within the 12 months following the signing of the transfer agreement the recipient ACP State shall inform the Commission of the use to which the funds transferred have been put.

Article 42

Subject to the provisions of Article 46 (1)(c), ACP States which have received transfers shall, in accordance with the provisions of Article 43, contribute during the seven years following the year in which the transfer was paid, to the replenishment of the resources made available for the system by the Community.

Article 43

1. Where the trend of the export earnings derived from the product which sustained the drop in export earnings that gave rise to the transfer so permits, the ACP State concerned shall help replenish the resources of the system.
2. For the purposes of paragraph 1, the Commission shall determine:
 - at the beginning of each year during the seven years following the year during which the transfer was paid,

- until such time as the whole amount of the transfer has been paid back into the system,
- in accordance with the provisions of Article 30,

whether, for the preceding year:

- (a) the unit value of the product under consideration exported to the Community was higher than the average unit value during the four years prior to the preceding year;
- (b) the quantity of the same product actually exported to the Community was at least equal to the average of the quantities exported to the Community during the four years prior to the preceding year;
- (c) the earnings for the year and the product in question amount to at least 106.5% of the average of earnings from exports to the Community during the four years prior to the preceding year.

3. If the three conditions set out in paragraph 2 are fulfilled simultaneously, the ACP State shall contribute to the system an amount equal to the difference between the actual earnings derived in the preceding year from exports to the Community and the average of earnings from exports to the Community during the four years prior to the preceding year, but in no case shall the amount of the contribution towards the replenishment of the resources of the system exceed the transfer in question.

4. This amount shall be contributed to the system at the rate of one fifth per year after a period of deferment of two years beginning in the year during which the obligation to contribute towards replenishment was established.

5. Should examination of the trend of exports to all destinations and of production of the product in question in the ACP State concerned as

well as of demand in the Community reveal significant changes, consultations shall be held between the Commission and the ACP State concerned in order to establish whether these changes are such as to justify a contribution to the replenishment of the resources of the system, and if so to what extent.

Where such justification exists, the ACP State shall contribute to the system, under the conditions set out in paragraph 4, the amount determined in the consultations.

6. On the basis of decisions taken by the Council of Ministers pursuant to Article 27, exports to other ACP States shall be added to the exports to the Community referred to in this Article.

Article 44

If, on expiry of the seven-year period referred to in Article 42, the resources have not been fully replenished, the Council of Ministers, taking into consideration in particular the situation of and prospects for the balance of payments, exchange reserves and foreign indebtedness of the ACP State concerned, may decide that:

- the sums outstanding are to be replenished wholly or partially, in one or more instalments,
- rights to repayment are to be waived.

Article 45

1. In order to ensure that the stabilization system functions efficiently and rapidly, statistical and customs cooperation shall be instituted between each ACP State and the Commission.

2. The ACP States and the Commission shall adopt by mutual agreement any measures facilitating *inter alia* the exchange of necessary information,

the submission of requests for transfers, the provision of information concerning the use of transfers, the implementation of the replenishment provisions and of any other aspect of the system by means of the widest possible use of standard forms.

Article 46

1. For the ACP States listed in Article 155 (3)(a):
 - (a) the percentage fixed in Article 29 shall be 2%;
 - (b) the percentage fixed in Article 37 shall be 2%;
 - (c) no contribution shall be required towards the replenishment of the resources made available to the system.
2. In the application of Articles 24, 34 and 37 the special difficulties of the ACP States referred to above shall be taken into account.
3. In the case of certain ACP States which do not send the bulk of their exports to the Community, the Council of Ministers may decide, by way of derogation from Articles 24 and 30, that the system shall apply to their exports of the products in question whatever their destination. The system shall then operate on the basis of the export statistics of the ACP State in question.

Article 47

1. For the ACP States listed in Article 155 (3)(b) and (c):
 - (a) the percentage fixed in Article 29 shall be 2%;

(b) the percentage fixed in Article 37 shall be 2%.

2. In the application of Article 24 the special difficulties of the above ACP States shall be taken into account.

Chapter 2

SPECIAL UNDERTAKINGS ON SUGAR

Article 48

1. In accordance with Article 25 of the ACP-EEC Convention of Lomé and with Protocol 3 annexed to that Convention, the Community has undertaken for an indefinite period, notwithstanding the other provisions of this Convention, to purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, which originates in the ACP States producing and exporting cane sugar and which those States have undertaken to deliver to it.

2. The conditions for the implementation of Article 25 of the ACP-EEC Convention of Lomé have been laid down by Protocol 3 referred to in paragraph 1. The text of this Protocol is annexed to this Convention as Protocol 7.

3. The provisions of Article 12 of this Convention shall not apply within the framework of the said Protocol.

4. For the purpose of Article 8 of the said Protocol, the institutions established by the Convention may be used during the period of application of this Convention.

5. The provisions of Article 8 (2) of the said Protocol shall apply in the event of this Convention ceasing to be operative.

6. The declarations contained in Annexes XIII, XXI and XXII of the Final Act of the ACP-EEC Convention of Lomé are reaffirmed and their provisions shall continue to apply. These declarations are annexed as such to this Convention.

7. This Article and the Protocol 3 referred to in paragraph 1 shall not apply to relations between the ACP States and the French overseas departments.

Title III

MINERAL PRODUCTS

Chapter I

PROJECT AND PROGRAMME AID

Article 49

With a view to contributing towards the creation of a more solid basis for the development of the ACP States whose economies are largely dependent on the mining sectors and in particular towards helping them cope with a decline in their capacity to export mining products to the Community and the corresponding decline in their export earnings, a system shall be established to assist these States in their efforts to remedy the harmful effects on their income of serious temporary disruptions affecting those mining sectors and beyond the control of the ACP States concerned.

Article 50

1. The system laid down in Article 49 shall apply to the following products:
 - copper, including associated production of cobalt,

- phosphates,
- manganese,
- bauxite and alumina,
- tin,
- roasted iron pyrites and iron ore, whether or not in agglomerate form (including pellets), excluding, during the period mentioned in Article 25(2), the cases referred to in that Article.

2. If, not sooner than 12 months following the entry into force of this Convention, one or more products not contained in the above list, but upon which the economies of one or more ACP States depend to a considerable extent, are affected by serious disturbances, the Council of Ministers shall decide, not later than six months after the presentation of a request by the ACP State or States concerned, whether or not to include the said product or products in the list.

Article 51

1. For the purpose specified in Article 49, and for the period of application of this Convention, a special financing facility shall be set up to which the Community shall allocate an overall amount of 280 million EUA to cover all its commitments under this system.

- (a) This amount shall be managed by the Commission.
- (b) This overall amount shall be divided into a number of equal annual instalments corresponding to the number of years of application. Each year, except the last, the Council of Ministers, on the basis of a report submitted to it by the Commission, may authorize, where required, a maximum of 50% of the following year's instalment to be used in advance.

- (c) Whatever balance remains at the end of each year of application of this Convention, except the last, shall be carried over automatically to the following year.
- (d) If the resources available for any year of application are insufficient, the amounts due shall be reduced accordingly.
- (e) The resources available for each year of application shall be made up of the following elements:
- the annual instalment, reduced by any amounts used under (b) above,
 - the sums carried over under (c) above.

2. Before the expiry of the period referred to in Article 188, the Council of Ministers shall decide on the allocation of any balances remaining from the overall amount referred to in this Article.

Article 52

1. Possible recourse to the means of financing available under the special facility provided for in Article 51 shall be open to the countries eligible under Article 53 when, for a product covered by Article 50 and exported to the Community, a substantial fall is recorded, or can be expected over the following months, in their capacity to produce, or to export, or in their export earnings to such an extent as to seriously affect the development policy of the ACP State concerned by seriously comprising the profitability of an otherwise viable and economic line of production, thus preventing it from renewing at a normal rate or maintaining the production plant or export capacity.

2. The possible recourse referred to above shall also be available when a substantial fall in the production or export capacity is experienced,

or is foreseen, owing to accidents and serious technical mishaps or grave political events, whether internal or external.

3. A substantial fall in production or export capacity shall be taken to mean 10%.

Article 53

1. An ACP State which, during the preceding four years, has, as a general rule, derived at least 15% of its export earnings from a product covered by Article 50 may apply for financial aid from the resources allocated to the special financing facility if the conditions laid down in Article 52 are fulfilled.

2. However, for the States listed in Article 155 (3), the figure stipulated in the first paragraph shall be 10%.

3. The application for aid shall be made to the Commission, which shall examine it in conjunction with the ACP State concerned. The fact that the conditions have been fulfilled shall be established by common accord between the Community and the ACP State. Notification thereof by the Commission to the ACP State shall entitle the latter to Community aid from the special financing facility.

Article 54

1. The aid referred to in Article 53 shall be directed to the objectives defined in Article 49.

2. The amount of this aid to finance projects or programmes shall be determined by the Commission in the light of the funds available under the special financing facility, the nature of the projects or programmes proposed by the ACP States concerned and the possibilities for co-financing. In determining the amount, account shall be taken of the scale of the reduction in production or export capacity and of the losses of earnings suffered by the ACP States and corresponding to those identified in Article 52.

3. Under no circumstances may a single ACP State be eligible for more than 50% of the funds available under an annual instalment.

4. The procedures applicable to assistance in the above circumstances and the implementing arrangements shall be as provided for under Title VII; they shall take account of the need for rapid implementation of the aid.

Article 55

1. To permit the implementation of precautionary measures to halt deterioration of production plant during the appraisal or implementation of these projects or programmes, the Community may grant an advance to any ACP State which so requests. This possibility shall not exclude recourse by the ACP State concerned to the emergency aid provided for in Article 137.

2. Since an advance is granted as a means of pre-financing projects or programmes, which it precedes or to which it is preparatory, account shall be taken of the importance and nature of those projects or programmes when the amount of advance is fixed.

3. The advance shall take the form of supplies or of the provision of services, or of cash payments if this arrangement is considered more appropriate.

4. It shall be incorporated in the amount earmarked for Community operations in the form of projects or programmes at the time when the financing agreement relating to such operations is signed.

Article 56

Aid granted from the special financing facility shall be reimbursed on the same terms and conditions as special loans, account being taken

of the provisions adopted in favour of the States listed in Article 155 (3).

Chapter 2

DEVELOPMENT OF THE MINING AND ENERGY POTENTIAL OF THE ACP STATES

Article 57

The Community shall be prepared to give its technical and financial assistance to help with the exploitation of the ACP States' mining and energy potential in accordance with the procedures peculiar to each of the instruments at its disposal and according to the provisions of this Convention.

Article 58

At the request of one or more ACP States the Community will carry out technical assistance activities to strengthen their scientific and technical capacity in the fields of geology and mining in order that they may derive greater benefit from available know-how and direct their research and exploration programmes accordingly.

Where appropriate, the Community will also give its technical and financial assistance to the establishment of national or regional exploration funds in the ACP States.

In the sphere of research and investment preparatory to the launching of mining and energy projects, the Community may give assistance in the form of risk capital, possibly in conjunction with contributions of capital from the ACP States concerned and other sources of financing in accordance with the procedures laid down in Article 105.

Article 59

The European Investment Bank, hereinafter called 'the Bank' may, in accordance with its Statute, commit its own resources on a case-by-case basis beyond the amount fixed in Article 95 in mining investment projects and energy investment projects recognized by the ACP State concerned and by the Community as being of mutual interest.

Title IV

INVESTMENTS

Article 60

The Community and the Member States shall endeavour to implement measures to encourage their economic operators to participate in the industrial development efforts of the ACP States, and shall encourage such economic operators to comply with the development objectives and priorities and the appropriate laws and regulations of the ACP States.

Article 61

Each ACP State shall take such steps as are necessary to promote effective cooperation within the framework of this Title with the Community and the Member States or with economic operators or nationals of Member States who comply with the development objectives and priorities of the host ACP State.

Article 62

Each ACP State shall endeavour to give as clear an indication as possible of its priority areas for industrial cooperation and the form it would like such cooperation to take.

Article 63

The Contracting Parties recognize the importance of investment for the promotion of their development cooperation and acknowledge in this respect the need to take such steps as would promote such investment in areas considered mutually desirable.

Article 64

The Contracting Parties agree that the treatment of investment coming from Member States to the ACP States shall be governed by the provisions of the joint declaration contained in Annex IX of the Final Act.

Title V

INDUSTRIAL COOPERATION

Article 65

The Community and the ACP States, acknowledging the pressing need to promote the industrial development of the ACP States, agree to take all measures necessary to bring about effective industrial cooperation.

Article 66

Industrial cooperation between the Community and the ACP States shall have the following objectives:

- (a) to promote new relations of dynamic complementarity in the industrial field between the Community and the ACP States, notably by establishing new industrial and trade links between the industries of the Community and those of the ACP States;

- (b) to promote development and diversification of all types of industry in the ACP States and to foster in this respect cooperation at both regional and inter-regional levels;
- (c) to promote the establishment of integral industries capable of creating links between various industrial sectors in the ACP States in order to provide those States with the basis on which the build-up of their technology will principally rely;
- (d) to encourage the complementarity between industry and other sectors of the economy, in particular agriculture, by developing agro-allied industries in order to slow down the rural exodus, stimulate food and other production activities as well as to promote the establishment of further natural resource-based industries;
- (e) to facilitate the transfer of technology and to promote the adaptation of such technology to the specific conditions and needs of the ACP States, and to help the ACP States to identify, evaluate and select technologies required for their development and to develop their efforts to increase their capacity in applied research for adaptation of technology, and for training in industrial skills at all levels;
- (f) to foster the participation of nationals of ACP States in all the types of industry that are being developed in their countries;
- (g) to contribute as far as possible to the creation of jobs for nationals of the ACP States, to the supply of national and external markets and to the procurement of foreign exchange earnings for those States;
- (h) to facilitate the overall industrial development of the ACP States, in particular their production of manufactured goods, by taking due account of their specific needs in the formulation of policies designed to adjust the industrial structures of the Community to changes occurring at the world level;

- (i) to encourage the establishment in the ACP States of joint ACP-EEC industrial ventures;
- (j) to encourage and promote the establishment and reinforcement of industrial, business and trade associations in the ACP States which would contribute to the full utilization of the internal resources of those States with a view to developing their national industries;
- (k) to assist in the establishment and operation of institutions in the ACP States for the provision of regulatory and advisory services to industry;
- (l) to strengthen the existing financial institutions and bring about conditions favourable to capital borrowing for the stimulation of the growth and development of industries in ACP States, including the promotion of the basic rural small- and medium-scale and labour-intensive industries.

Article 67

In order to attain the objectives set out in Article 66 the Community shall help to carry out, by all the means provided for in the Convention, programmes, projects and schemes submitted to it on the initiative or with the agreement of the ACP States in the fields of industrial training, small- and medium-sized industries, local processing of ACP raw materials, technology cooperation, industrial infrastructures, trade promotion, energy cooperation and industrial information and promotion.

Article 68

The Community shall provide by all the means available under financial and technical cooperation necessary assistance in the field of industrial

training including that related to industrial investments, in particular of the Community and its Member States with a view to enabling ACP States to acquire, develop and adapt technological skills that are essential to their industrial growth and to the improvement of the quality of life of their peoples.

To this end the Community shall, on the basis of requests of ACP States, provide effective assistance in the evaluation of needs and the execution of appropriate schemes such as:

- (a) the posting of nationals of ACP States in technical institutions and other appropriate institutes of higher learning;
- (b) the setting-up and operation at national or regional level of ACP training and research institutes or centres;
- (c) the establishment and implementation of programmes involving specialized industrial training for ACP nationals at all levels and the organization of practical training courses and attachments in undertakings and industries both in the Community and in the ACP States;
- (d) the establishment and promotion of activities aimed at the consolidation of appropriate indigenous technologies and the acquisition of relevant foreign technologies, in particular those of other developing countries;
- (e) the promotion of exchange and other forms of cooperation between universities and specialized institutes in the Community and in the ACP States.

Article 69

The Community shall contribute to the establishment and development of all types of small- and medium-sized industries identified by the ACP

States as important in terms of their development objectives through financial and technical cooperation schemes adapted to the specific needs of such industries in these States and through encouragement, by appropriate incentives, of the transfer of relevant resources from Community private undertakings *inter alia* through joint ventures between small- and medium-sized industries of the Community and of the ACP States. These schemes shall cover *inter alia*:

1. the evaluation of the development potential of the small- and medium-sized industries sector;
2. the setting-up and strengthening of information, promotion, advisory, supervisory and credit institutions as well as facilities for the promotion of external and internal marketing;
3. the creation of appropriate infrastructure and industrial estates;
4. the provision of basic and advanced training;
5. the setting-up of adequate structures aimed at appropriate technological transfer, adaptation and innovation;
6. the identification of possibilities for subcontracting and facilitating the implementation thereof;
7. the financing of schemes for small- and medium-sized industries.

Article 70

In the framework of overall cooperation with respect to industrial development, special emphasis will be placed on the domestic processing of ACP raw materials with a view to achieving a larger and equitable

share of processed raw materials in both production and exports of the ACP States. In this context, account will be taken, where appropriate, of specific sectoral requirements, with adequate attention being paid to the food processing sector. The Community will contribute through the various means of financial and technical cooperation to:

1. the promotion, development and financing of processing industries in the ACP States;
2. feasibility studies;
3. the evaluation of processing possibilities and the provision of information on processing technologies;
4. the promotion within the Community and other markets of the exports of ACP processed products.

Article 71

With a view to assisting the ACP States to strengthen their indigenous capacity for scientific and technological development and to facilitating the acquisition, transfer and adaptation of technology on terms that will seek to bring about the greatest possible benefits and minimize costs, the Community, through the instruments of financial and technical cooperation is prepared *inter alia* to contribute to:

- (a) the establishment and strengthening of industry-related scientific and technical infrastructures in the ACP States;
- (b) the definition and implementation of research and development programmes;
- (c) the identification and creation of possibilities of collaboration among research institutes, institutions of higher learning and undertakings of ACP States, the Community, the Member States and other countries;

- (d) the identification, evaluation and acquisition of technology including the negotiation on favourable terms and conditions of foreign technology, patents and other industrial property, in particular through financing and/or through other suitable arrangements with firms and institutions within the Community;

- (e) the provision of advisory services to ACP States for the preparation of regulations governing the transfer of technology and for the supply of available information, in particular on the terms and conditions of technology contracts, the types and sources of technology, and the experience of ACP States and other countries with the use of certain technologies;

- (f) the promotion of technology cooperation between ACP States and between them and other developing countries in order to make best use of any particularly appropriate scientific and technical facilities those States may possess.

Article 72

The Community shall contribute by all the means available under financial and technical cooperation to the setting-up and the extension in the ACP States of the infrastructure necessary for industrial development, particularly in the fields of transport and communications, energy, research and adaptation of technology, industrial training and the location of industries.

Article 73

1. The Community shall contribute to the setting-up and the extension in the ACP States of undertakings in particular in the following fields:

- (a) integral industries capable of creating linkages between the different sectors of the economy;
- (b) industries processing the ACP State's natural resources;
- (c) industries linked to the development of agriculture and the promotion of agricultural produce;
- (d) any other line of production which may increase value added locally, have a favourable effect on employment or the trade balance, facilitate the diversification or regional balance of industry or foster industrial or inter-regional cooperation.

2. Community financing shall take the form, as a matter of priority, of loans from the Bank and risk capital, which are the specific financing methods for industrial undertakings. The methods for employment of risk capital are defined in Title VII with the purpose of their adaptation to the particular difficulties inherent in the financing of industrial undertakings in the ACP States.

Article 74

In order to enable the ACP States to obtain full benefit from the trade arrangements and other provisions of this Convention, trade promotion schemes shall be carried out to encourage the marketing of industrial products of ACP States both in Community and in other external markets, and also in order to stimulate and develop trade in industrial products among the ACP States, in accordance with the provisions of Article 93.

Article 75

Programmes, projects or schemes undertaken in the field of industrial cooperation and involving Community financing shall be implemented in

accordance with Title VII, taking into account the particular characteristics of operations in the industrial sector.

Article 76

1. The Community and the ACP States recognize the mutual benefits of cooperation in the field of energy. With a view to developing the conventional and non-conventional energy potential and the self-sufficiency of the ACP States, the Community will assist *inter alia* in the following areas:

- (a) preparation of inventories on energy resources and demand, adequate attention being paid to non-commercial energy demand;
- (b) implementation of alternative energy strategies in programmes and projects that will take special account of the experience of the ACP States and cover *inter alia* wind, solar, geothermal and hydro-energy sources;
- (c) development of the investment potential for the exploration and development of national and regional energy sources as well as the development of sites of exceptional energy production enabling the establishment of energy-intensive industry;
- (d) strengthening of the management and control of the ACP States of their energy resources in terms of their development objectives by all the means provided for in this Convention;
- (e) establishment of a rural energy programme with emphasis on rural energy technologies and energy planning that meet basic needs;

- (f) promotion of research, adaptation and dissemination of appropriate technology as well as the training needed to meet energy-related manpower needs;
- (g) production in the ACP States of equipment for the production and distribution of energy as well as the application of energy-saving techniques;
- (h) implementation of measures that will minimize the negative impact of energy production on the environment as well as promote environmentally positive projects;
- (i) conservation of existing and future energy resources of the ACP States, whether conventional or non-conventional.

2. Programmes, projects or schemes undertaken in the field of energy cooperation and involving Community financing shall be implemented in accordance with Title VII.

In relation to research and experimental projects as well as exploration and development projects of mutual interest, the resources provided for under Title VII may be supplemented by:

- (a) other Community financial and technical resources;
- (b) actions aimed at the mobilization of public and private capital, notably co-financing.

Article 77

1. Industrial information and promotion activities will be undertaken so as to ensure and intensify regular information exchanges and the organization of the necessary contacts in the industrial field between the Community and the ACP States.

2. These industrial information and promotion activities could have in particular the following aims:

- (a) to gather and disseminate all relevant information concerning trends in industrial policies in the Community, the ACP States and the world at large, and on the conditions of and possibilities for industrial development in the ACP States;
- (b) to organize at the request of the Community or of the ACP States meetings to review the subjects mentioned under (a);
- (c) to organize and facilitate all other forms of contacts and meetings between industrial policy-makers, promoters and economic operators from the Community and the ACP States;
- (d) to carry out studies and appraisals aimed at pinpointing practical opportunities for industrial cooperation with the Community in order to promote the industrial development of the ACP States, and at facilitating the implementation of such schemes;
- (e) to contribute, through appropriate technical cooperation schemes, to the setting up, launching and running of the ACP States' industrial promotion bodies;
- (f) to facilitate access to and use of documentary and other data sources available in the Community.

Article 78

1. A Committee on Industrial Cooperation supervised by the Committee of Ambassadors shall:

- (a) review progress in the implementation of the overall programme of industrial cooperation resulting from this Convention and, where appropriate, submit recommendations to the Committee of Ambassadors;

- (b) examine problems and policy issues in the field of industrial cooperation submitted to it by the ACP States or by the Community, and undertake where necessary its own evaluations of these matters with a view to suggesting appropriate solutions;
- (c) organize, at the request of the Community or of the ACP States, a review of trends in industrial policies of the ACP States, and of the Member States as well as developments in the world industrial situation with a view to exchanging information necessary for improving industrial cooperation and facilitating the industrial development of the ACP States;
- (d) guide, supervise and control the activities of the Centre for Industrial Development referred to in Article 79, and report to the Committee of Ambassadors and, through it, to the Council of Ministers;
- (e) perform such other functions as may be assigned to it by the Committee of Ambassadors.

2. The composition of the Committee on Industrial Cooperation and the detailed rules for its operation shall be determined by the Council of Ministers.

Article 79

The Centre for Industrial Development, set up under Article 36 of the ACP-EEC Convention of Lomé, shall help within the framework of the provisions and principles of this Title to establish and strengthen industrial undertakings in the ACP States, particularly by encouraging initiatives by economic operators of the Community and the ACP States.

As a practical operational instrument, the Centre for this purpose shall assist in the promotion of viable industrial projects that meet the needs of ACP States and take special account of the importance of internal and external market opportunities, the processing of raw materials and the use of local materials for manufacturing. Such activity will be undertaken in close cooperation with the ACP States, the Member States, as well as the Commission and the Bank within their respective powers.

In its programme on industrial promotion, special emphasis shall be placed on the identification and exploitation of the possibilities of joint ventures and subcontracting as well as of the potential of small- and medium-sized industries. Adequate attention shall also be paid to the development and consolidation of regional industrial projects.

In its effort to help in establishing and strengthening industrial undertakings in the ACP States the Centre shall adopt appropriate measures within the limits of its resources and its functions in the field of transfer and development of technology, industrial training and information.

Article 80

1. In order to attain its objective, the Centre shall:

- (a) gather and disseminate all relevant information on the conditions and opportunities for industrial cooperation as well as organize and facilitate contacts and meetings of all kinds between Community and ACP States' industrial policy-makers, promoters and economic and financial operators;
- (b) supply information as well as specific advisory services and expertise, including feasibility studies, for the purpose of accelerating

the establishment of industrial undertakings required by the ACP States and ensuring viability of existing undertakings; the Centre will, if necessary, assist in the follow-up and implementation;

- (c) identify and evaluate, on the basis of needs indicated by ACP States, opportunities for industrial training to meet requirements of already existing as well as projected industrial undertakings in ACP States, taking into account the various facilities available for conducting and financing such training schemes and, where appropriate, assist in their implementation;
- (d) identify, evaluate and supply information and advice on the acquisition, the adaptation and development of appropriate industrial technology, including technological infrastructure, relating to concrete projects of interest to the ACP States;
- (e) identify and provide information where necessary on possible sources of finance.

2. In the implementation of its functions, the Centre will pay attention to the special problems of least-developed, land-locked and island ACP States.

Article 81

1. The Committee on Industrial Cooperation shall be the supervisory authority of the Centre.

2. The Centre shall be headed by a director assisted by a deputy director, both of whom shall be appointed by the Committee. The Committee shall adopt the arrangements applicable to the staff of the Centre.

3. An Advisory Council shall have the task of advising and assisting the Centre in the programming and development of its industrial activities. The Advisory Council shall be consulted by the director, when appropriate, on any proposed operations and on important matters arising from the activities of the Centre. It may also, on its own initiative, make any suggestion or submit to the director any question that it deems useful. It shall give its opinion on the annual programme of work, budget and general report.

4. The Advisory Council of the Centre shall be composed of persons with experience in the industrial field especially in the manufacturing sector. They shall be chosen on a personal basis on the grounds of their qualifications from nationals of the States which are party to this Convention and shall be appointed by the Committee under the conditions laid down by it.

5. The budget of the Centre, together with the opinion of the Advisory Council, shall be examined and adopted by the Committee on Industrial Cooperation. The Committee shall adopt the financial regulation of the Centre. The Community shall contribute to the financing of this budget by means of a separate allocation up to a ceiling of 25 million EUA taken from the resources earmarked under Article 133 for the financing of regional cooperation projects.

6. Two auditors shall check the financial management of the Centre.

7. The statutes and rules of the procedure of the Centre shall be adopted by the Council of Ministers on a proposal by the Committee of Ambassadors after the entry into force of this Convention.

Article 82

Within the framework of the implementation of the provisions of this Title, the Community shall meet the special needs and problems of the least-developed, land-locked and island ACP States, according to the

priorities which these States establish *inter alia* for the processing of their raw materials, the development, transfer and adaptation of technology, the development of small- and medium-sized industries, the development of their infrastructure and energy and mineral resources, and adequate training in the scientific, technological and technical fields.

Title VI

AGRICULTURAL COOPERATION

Article 83

1. The basic objective of agricultural cooperation between the Community and the ACP States must be to assist the latter in their efforts to resolve problems relating to rural development and the improvement and expansion of agricultural production for domestic consumption and export and problems they may encounter with regard to security of food supplies for their populations.

2. Accordingly, cooperation in rural development shall contribute in particular, within the general objectives of financial and technical cooperation:

- (a) to a higher standard of living for the rural population, in particular by raising incomes and creating jobs, by means of increasing agricultural production generally;
- (b) to reinforcing the security of the food supplies of the ACP States and to satisfying their nutritional requirements, particularly by improving the quantity and quality of food production:

- (c) to improving the productivity of and diversifying rural activities, in particular through the transfer of appropriate technology and rational use of crop and livestock resources while protecting the environment;
- (d) to local exploitation of agricultural produce, in particular through the processing of crops and livestock products in the countries concerned;
- (e) to the social and cultural development of the rural community, in particular through integrated health and educational schemes;
- (f) to increasing the population's capacity for self-development, notably, through greater control over their technical and economic environment.

Article 84

In order to help attain the objectives referred to in Article 83, cooperation schemes in the field of rural development shall take the form *inter alia* of:

- (a) integrated rural development projects involving in particular peasant family holdings and cooperatives and also fostering craft and trading activities in rural areas;
- (b) different kinds of hydro-agricultural improvement schemes using available water resources; village water-engineering microprojects, stabilization of water courses and land development involving partial or total water control;
- (c) projects for crop protection, preservation and storage and for marketing agricultural products designed to bring about conditions giving farmers an incentive to produce;

- (d) the establishment of agro-industrial units combining primary agricultural production, processing, and the preparation, packaging and marketing of the finished product;
- (e) stock-farming projects; protection, exploitation and improvement of livestock and the development of livestock products;
- (f) fishery and fish farming projects: exploitation of natural resources and development of new products; preservation and marketing of products;
- (g) exploitation and development of forestry resources for production or environmental protection purposes;
- (h) the implementation of measures to raise the standard of living in rural areas, for example by improving the social infrastructure, drinking water supply and communication networks;
- (i) such applied agronomic and livestock research projects as prove necessary prior to or in the course of the implementation of agricultural cooperation schemes;
- (j) training schemes at all levels for national supervisory staff who will have to take over responsibility for the planning, execution and management of rural development operations and applied agronomic and livestock research projects.

Article 85

Rural cooperation schemes as defined in Article 84 shall form part of the development policy of the ACP States in accordance with the options and priorities to be determined by the ACP States themselves. The financial and technical resources from the Community required for the execution of such schemes as stated in indicative programmes shall be additional to the ACP States' own resources and shall be put to use in accordance with the provisions of Title VII.

Article 86

For the purpose of implementing the cooperation schemes referred to in Article 84 and in order to improve the efficiency of the different departments of the ACP States, both national and inter-State, that deal with rural development, the latter may call on technical assistance in the form of individual experts or consultancy teams, in particular for the following tasks:

- the formulation of rural development policies,
- the identification and preparation of projects in that field,
- project execution, management and evaluation,
- applied research activities,
- the training of national personnel.

Technical assistance shall be provided within the framework of terms of reference specifying the tasks to be accomplished for a period determined in accordance with the provisions of Title VII. Assistance schemes must form part of national indicative programmes or of regional programmes.

Article 87

1. In order to enable the ACP States to derive greater advantage from the opportunities for inter-State action and cooperation in rural development, the Community is ready to contribute from regional cooperation appropriations to initiatives devised and put into effect by two or more ACP States, involving production, research or training projects.

2. Assistance for cooperation in this field shall be provided preferably through existing national or inter-State organizations, in accordance with the provisions and procedures relating to regional cooperation.

Article 88

1. A Technical Centre for Agricultural and Rural Cooperation shall be established.

The Centre shall be at the disposal of the ACP States' authorities responsible for agricultural development in order to provide them with better access to information, research, training and innovations in the agricultural and rural field. In matters within its powers it shall act in close cooperation with the institutions and bodies referred to in this Convention or in the declarations annexed hereto.

2. The functions of the Centre shall be:

- (a) to ensure, in particular when requested by the ACP States, the dissemination of scientific and technical information relating to particular questions of agricultural development raised by those States;
- (b) to direct to the bodies qualified to deal with them the ACP States' requests in respect of specific techniques or their adaptation in the field of agriculture;
- (c) to help make scientific publications on agricultural matters available to the ACP States' agronomic research institutions and provide them with access to data banks;
- (d) to facilitate the flow of information on the programming of agronomic research in accordance with priority development requirements;

- (e) to bring about meetings between research workers, planners and development personnel so as to improve the exchange of experience gained on matters relating to specific ecological zones and particular topics;
- (f) to foster the exchange of information and the results of field work between the bodies specializing in the various aspects of tropical agriculture and the rural community;
- (g) to help facilitate the adaptation of available information to the needs of extension work and development;
- (h) to facilitate access by the ACP States' training and extension personnel to the information they need to carry out their tasks;
- (i) to direct requests for specific training to the relevant existing bodies;
- (j) in general, to help facilitate access by the ACP States to the results of work by the national, regional and international bodies, particularly those located in the Community and in the ACP States, technically qualified in agricultural and rural development matters and to maintain contact with those bodies.

3. In order to determine appropriate solutions to the problems encountered by the ACP States, in particular for the purpose of improving their access to information, technical innovations and research in the field of rural development, the Centre shall arrange meetings of delegates from the ACP States' and Member States' organizations specializing in applied agronomic research relating in particular to tropical agriculture and/or questions of rural development, such organizations having been approved by the Committee of Ambassadors or the bodies which it has delegated.

4. (a) The Committee of Ambassadors shall be the supervising authority for the Centre.
- (b) The Centre shall be headed by a director appointed by the Committee of Ambassadors as from the entry into force of this Convention.
- (c) The director of the Centre shall report on its activities to the Committee of Ambassadors.
- (d) The detailed rules of operation and procedures for the adoption of the Centre's budget shall be laid down by the Committee of Ambassadors. The budget shall be financed in accordance with the procedures laid down in the Convention in respect of financial and technical cooperation. The director of the Centre shall be aided by a staff recruited within the limits of the budgetary establishment adopted by the Committee of Ambassadors.

Article 89

Food aid is a temporary measure and the ultimate aim of ACP States is to become self-sufficient in food production.

The Community and the ACP States will seek better ways of combining, as far as possible, any food-aid measures on behalf of any ACP State that are decided upon unilaterally by the Community in accordance with the specific rules and criteria for the allocation of this type of aid, with schemes carried out using the resources provided for in this Convention.

Article 90

In the implementation of the provisions of this Title special priority shall be accorded to the specific problems and difficulties of the least-developed ACP States, particularly in the areas of production.

processing, training, research, transport, marketing, packaging and the establishment of storage infrastructure.

Title VII

FINANCIAL AND TECHNICAL COOPERATION

Chapter 1

GENERAL PROVISIONS

Article 91

1. The objective of financial and technical cooperation shall be to promote the economic and social development of the ACP States on the basis of the priorities laid down by those States and in the mutual interest of the parties.
2. This cooperation shall complement the efforts of the ACP States and shall be in keeping with them. It shall relate to the preparation, financing and implementation of projects and programmes that contribute to the economic and social development of the ACP States and whose nature is adapted to the needs and characteristics of each of those States.
3. It should help the least-developed, land-locked and island ACP States to overcome the specific obstacles which hamper their development efforts.
4. It should encourage the regional cooperation of the ACP States.

Article 92

1. Financial and technical cooperation shall take account of the need to comply with the conditions specific to each State, especially as regards

its development policy, the strategies to be followed, the priorities it has set itself, its potential and its own resources.

2. In this context, projects and programmes shall help achieve some or all of the following effects:

- (a) to give the ACP States the means of improving and gaining more control over the conditions of their economic and social development;
- (b) to contribute to the sustained and harmonious growth of the ACP States' economies by raising the quantity and quality of their production and, hence, their national income, and by correcting structural imbalances, through the diversification and integration of their economies;
- (c) to raise the standard of living of the ACP States' population;
- (d) to enable the ACP States faced with serious economic and social difficulties of an exceptional nature resulting from natural disasters or extraordinary circumstances having comparable effects to benefit from emergency aid;
- (e) to enable thus the establishment of more balanced economic relations between the ACP States and the rest of the world and greater participation by those States in international trade.

3. The implementation of financial and technical cooperation calls for real and effective participation by the ACP States and the Community, at all levels, in the management and operation of the instruments of financial and technical cooperation and the concurrent and ex-post evaluation of the projects and programmes of such cooperation, as laid down in Article 108.

Article 93

1. Projects and programmes may involve:
 - capital projects, including the support costs and running costs defined in Articles 152 and 153,
 - technical cooperation.

2. The projects and programmes may, within the framework of the priorities adopted at the programming level as well as within the framework of regional cooperation, apply *inter alia* to:
 - (a) rural development, industrialization, craft development, energy, mining, tourism and economic and social infrastructure;
 - (b) structural improvement of the productive sectors of the economy;
 - (c) protection of the environment;
 - (d) prospecting and exploration and exploitation of natural resources;
 - (e) training, applied scientific research and applied technology, technological adaptation or innovation and the transfer of technology;
 - (f) industrial promotion and information;
 - (g) marketing and sales promotion;
 - (h) promotion of small- and medium-sized national undertakings;
 - (i) micro-projects for grassroots development.

3. The funds provided may be used to cover external costs and local expenditure required for the execution of projects and programmes.

4. Financial and technical cooperation may cover current administrative, maintenance and operating expenses which are the responsibility of the ACP States or any other recipients only on the conditions laid down in Articles 152 and 153.

5. In order to take account of the specific problems facing the land-locked ACP States because of their geographical position, the Community shall accord priority to:

(a) such studies, projects, programmes and training and technical assistance schemes presented by the land-locked States as make it possible to reduce the particular difficulties resulting from their land-locked situation, notably transport, communication and energy supply problems;

(b) the research needed for the development of energy and mining resources and, where necessary, for carrying out relevant capital projects.

6. The Community, recognizing the special problems of island ACP States and in particular their transport and communication difficulties, within their territories, among themselves, and with the Community, shall give priority attention to appropriate measures aimed at:

(a) promoting, in the field of air and sea transport, the movement of goods and persons;

(b) developing sea fishing activities;

(c) contributing, if necessary, towards exploration for development of energy resources;

- (d) reducing the adverse effects of the special difficulties of those States which are further handicapped by reason of their distant location from their overseas markets, internal fragmented physical character, and their particular susceptibility to natural disasters.

Article 94

1. The following shall be eligible for financial and technical cooperation :

- (a) ACP States;
- (b) regional or inter-state bodies to which one or more ACP States belong and which are authorized by the said States;
- (c) joint bodies set up by the Community and the ACP States and authorized by the latter to attain certain specific objectives, notably in the spheres of agricultural, industrial and trade cooperation.

2. The following shall also be eligible for financial and technical cooperation, subject to the agreement of the ACP State or States concerned, in respect of projects or programmes approved by the latter :

- (a) public or semi-public development agencies of the ACP States, and in particular their development banks;
- (b) local authorities and private bodies working in the countries concerned for their economic and social development ;
- (c) undertakings carrying out their activities in accordance with industrial and business management methods and formed as companies or firms of an ACP State within the meaning of Article 161 ;

- (d) groups of producers that are nationals of the ACP States or like bodies, and, where no such groups or bodies exist, the producers themselves;
- (e) for training purposes, award holders and trainees.

Chapter 2

FINANCIAL RESOURCES AND METHODS OF FINANCING

Article 95

For the duration of the Convention, the overall amount of the Community's financial assistance shall be 5 227 million EUA.

This amount shall comprise:

1. 4 542 million EUA from the European Development Fund, hereinafter referred to as 'the Fund', allocated as follows:
 - (a) for the purposes set out in Articles 91 and 92, 3 712 million EUA, consisting of:
 - 2 928 million EUA in the form of grants,
 - 504 million EUA in the form of special loans,
 - 280 million EUA in the form of risk capital;
 - (b) for the purposes set out in Title II, up to 550 million EUA in the form of transfers for the stabilization of export earnings;

- (c) for the purposes set out in Title III, Chapter 1, a special financing facility up to 280 million EUA;
2. for the purposes set out in Articles 91 and 92, up to 685 million EUA in the form of loans from the Bank, made from its own resources in accordance with the terms and conditions provided for in its Statute. These loans shall carry, under the conditions laid down in Article 104, a 3% interest rate subsidy, the cost of which shall be charged against the amounts of aid provided for in 1(a).

Article 96

At the request of the ACP States and by consent of the parties the financial resources of the Community may be applied to co-financing, where that permits an increase in the financial flows to the ACP States and supports their efforts to harmonize international cooperation for their development. Special consideration shall be given in particular to:

- (a) large projects which cannot be financed by any one source of financing alone;
- (b) projects in which participation by the Community and input of its project expertise might facilitate the participation of other financing institutions;
- (c) projects for which diversification of financing might be advantageous, from the point of view of the terms of financing or the cost of the investment, and particularly projects of a social nature;
- (d) projects of a regional or inter-regional nature.

Article 97

Co-financing may take the form of joint or parallel financing. Preference shall be given to the solution that is best from a cost and efficiency viewpoint.

Article 98

With the agreement of the parties concerned, and without prejudice to the particular rules of each financing institution, necessary measures shall be taken to coordinate and harmonize operations of the Community and of the other co-financing bodies during the preparation and implementation of the project or programme being co-financed in order to avoid an increase in the number of procedures to be implemented by the ACP States and to allow those procedures to be made more flexible.

Article 99

With the agreement of the ACP State concerned, the Community may provide the other co-financing bodies with administrative help, should they so desire, in order to facilitate the implementation of the project or programme being co-financed.

Article 100

At the request of the ACP State in question and with the agreement of the other parties concerned the Commission or the Bank may act as a leading or coordinating agency for projects part-financed by them.

Article 101

1. Projects or programmes may be financed by grant, or by special loan, or by risk capital, or by loans from the Bank from its own resources, or jointly by two or more of these means of financing.

The financing of productive investment projects in industry, agri-
culture, tourism, mining and energy production linked with investment in
these sectors shall be borne in the first place by loans from the Bank from its
own resources and by risk capital.

3. For resources of the Fund which are managed by the Commission the
means of financing shall be fixed jointly in accordance with the level of devel-
opment and the geographical, economic and financial situation of the ACP
State or States concerned, so as to ensure the best use of available resources.
Account may also be taken of their economic and social impact.

4. For resources managed by the Bank, the means of financing shall be fixed
in accordance with the nature of the project, the prospects for its economic
and financial return and the stage of development and economic and finan-
cial situation of the ACP State or States concerned. Account shall be taken
in addition of factors guaranteeing the servicing of repayable aid.

Article 102

Special loans shall be made for a duration of 40 years, with a grace period of
10 years. They shall bear interest at the rate of 1% per annum.

Article 103

1. Grants or special loans may be accorded to an ACP State or may be
channelled by that State to a final recipient.

2. In the latter case, the terms on which the money may be made available
by the ACP State to the final recipient shall be laid down in the financing
agreement.

3. Any profit accruing to the ACP State because it receives either a grant or a loan for which the interest rate or the repayment period is more favourable than that of the final loan shall be used by the ACP State for development purposes on the conditions laid down in the financing agreement.

4. Taking account of a request of the ACP State concerned, the Bank may, in accordance with Article 101, grant finance which it shall administer either directly to the final recipient, via a development bank, or via the ACP State concerned.

Article 104

1. Scrutiny by the Bank of eligibility of projects and the provision of loans from its own resources shall be effected in conjunction with the ACP State or States concerned in accordance with the rules, conditions and procedures provided for in the Bank's Statute and in this Convention, consideration being given to the economic and financial situation of the ACP State or States concerned and to the factors which guarantee the servicing of repayable aid.

2. The duration of loans made by the Bank from its own resources shall be governed by terms stipulated on the basis of the economic and financial characteristics of the project, but may not exceed 25 years.

3. The rate of interest shall be the rate charged by the Bank at the time of signing of each loan contract. This rate shall be reduced by 3% by means of an interest rate subsidy, except where loans are intended for investment in the oil sector.

This interest rate subsidy shall, however, be automatically adjusted so that the interest rate actually borne by the borrower will be neither less than 5% nor more than 8%.

4. The aggregate amount of interest rate subsidies, calculated in terms of its value at the time of the signature of the loan contract at a

rate and according to detailed rules to be laid down by the Community, shall be charged against the amount of grant aid specified in Article 95 and shall be paid direct to the Bank.

Article 105

1. In order to enable projects to be carried out in industry, agro-industry, mining, tourism, and, in exceptional circumstances, transport and telecommunications, and in energy production linked with investment in those sectors, the Community may grant financial assistance in the form of risk capital where they are of general interest to the economy of the ACP State or States concerned.

2. Risk capital assistance may be used *inter alia* for:

- (a) increasing directly or indirectly the own resources or resources assimilated thereto of public, semi-public or private undertakings and granting quasi-capital assistance to such undertakings;
- (b) financing specific studies for the preparation and the drawing up of projects and providing assistance to undertakings during the start-up period;
- (c) financing research and investment in preparation for the launching of projects in the mining and energy sectors.

3. To attain these objectives the Community may acquire temporary minority holdings in the capital of the undertakings concerned or in that of institutions for financing development in the ACP States. Such holdings may be acquired in conjunction with a loan from the Bank or with another form of risk-capital assistance. As soon as the conditions are met they shall be transferred, preferably to nationals or institutions of the ACP States.

4. Quasi-capital assistance may also take the form of:

- (a) subordinated loans, which shall be redeemed and in respect of which interest, if any, shall be paid only after other bank claims have been settled;
- (b) conditional loans, the repayment or duration of which shall be governed by terms laid down when the loan is made. Conditional loans may be made directly, with the agreement of the ACP State concerned, to a given firm. They may also be granted to an ACP State or to institutions in the ACP States specializing in development financing to enable them to acquire a holding in the capital of undertakings operating in the sectors referred to in paragraph 1, where such an operation comes under the financing of preparatory or new productive investments and may be supplemented by other Community financing, possibly together with other sources of financing, as a co-financing operation;
- (c) loans made to development financing institutions in the ACP States, where the characteristics of their activities and management so permit. Such loans may be used for onlending to other firms and acquiring holdings in other undertakings.

5. The terms of the quasi-capital assistance referred to in paragraph 4 shall be determined case by case by reference to the characteristics of the projects financed. However, the terms on which quasi-capital assistance is granted shall generally be more favourable than those for subsidized loans from the Bank. The interest rate shall not be greater than that on subsidized loans.

6. Where the assistance referred to in this Article is granted to consultancy firms or is used to finance research or investment in

preparation for the launching of a project, it may be incorporated in any capital assistance to which the promoting company may be entitled if the project is carried out.

Article 106

1. Special treatment shall be accorded to the least-developed ACP States when determining the volume of the financial resources which such States may expect from the Community for the purpose of their indicative programmes.

In addition, account shall be taken of the particular difficulties of the land-locked or island ACP States.

2. These financial resources shall be combined with particularly favourable terms of financing, having regard to the economic situation and the nature of the needs specific to each State. They shall consist essentially of grants and, in appropriate cases, of special loans or risk capital.

3. Special loans for the least-developed ACP States shall be made for a duration of 40 years with a grace period of 10 years. They shall bear an interest rate of 0.75% per annum.

4. The Community shall as a matter of priority facilitate access for the least-developed ACP States to risk capital assistance administered by the Bank.

5. Loans from the Bank's own resources may also be granted in the least-developed ACP States, having regard to the criteria laid down in Article 104.

Article 107

At the request of the least-developed ACP States, the Community may, under the conditions laid down in Article 139 (4), lend assistance in studying solutions to their indebtedness, debt-servicing and balance-of-payments problems.

Chapter 3

ACP AND EEC RESPONSIBILITIES

Article 108

1. Operations financed by the Community shall be implemented by the ACP States and the Community in close cooperation, the concept of equality between the partners being recognized.
2. The ACP States shall be responsible for:
 - (a) defining the objectives and priorities on which the indicative programmes drawn up by them shall be based;
 - (b) choosing the projects and programmes which they decide to put forward for Community financing;
 - (c) preparing and presenting to the Community the dossiers of projects and programmes;
 - (d) preparing, negotiating and concluding contracts;
 - (e) implementing projects and programmes financed by the Community;
 - (f) managing and maintaining operations carried out in the context of financial and technical cooperation.
3. If requested by the ACP States, the Community may provide them with technical assistance in performing the tasks referred to in

paragraph 2. It shall examine in particular specific measures for alleviating the particular difficulties encountered by the least-developed, land-locked and island ACP States in the implementation of their projects and programmes.

4. The ACP States and the Community shall bear joint responsibility for:

- (a) defining, within the joint institutions, the general policy and guidelines of financial and technical cooperation;
- (b) adopting the indicative programmes of Community aid;
- (c) appraising projects and programmes, and examining the extent to which they fit the objectives and priorities and comply with the provisions of the Convention;
- (d) taking the necessary implementing measures to ensure equality of conditions for participation in invitations to tender and contracts;
- (e) evaluating the effects and results of projects and programmes completed or under way;
- (f) ensuring that the projects and programmes financed by the Community are executed in accordance with the arrangements decided upon and with the provisions of the Convention.

5. The Community shall be responsible for preparing and taking financing decisions on projects and programmes.

6. (a) An ACP-EEC Committee shall be set up within the Council of Ministers to study, in general terms and on the basis of specific examples, suitable measures to improve the implementation of financial and technical cooperation, notably by accelerating and streamlining procedures.

- (b) The Committee shall be composed, on a basis of parity, of representatives of the ACP States and of the Community appointed by the Council of Ministers, or their authorized representatives. It shall meet every quarter and at least once a year at ministerial level.

A representative of the Bank shall be present at Committee meetings.

- (c) The Council of Ministers shall lay down the Committee's rules of procedure, in particular the conditions for representation and the number of members of the Committee, the detailed arrangements for their deliberations and the conditions for holding the chair.
- (d) Within the powers delegated to it by the Council of Ministers the Committee shall carry out the following tasks:
 - (i) it shall collect information on existing procedures relating to the implementation of financial and technical cooperation and give any necessary clarification on these procedures;
 - (ii) it shall examine, at the request of the Community or of the ACP States, any specific difficulties which may arise in the course of implementing such financial and technical cooperation;
 - (iii) it shall inform the Council of Ministers in the annual report referred to in subparagraph (f), of any comments and suggestions on the annual report referred to in Article 119;

(iv) it shall submit to the Council of Ministers any suggestions likely to lead to improvement or acceleration in the implementation of financial and technical cooperation;

(v) it shall examine any problems in connection with the implementation of the timetables of commitments, execution and payments as provided for in Article 110, with a view to facilitating the removal of any difficulties and bottlenecks discovered at different levels;

(vi) it shall carry out such other tasks entrusted to it by the Council of Ministers.

(e) With the agreement of the Committee of Ambassadors, the Committee may convene meetings of experts to study periodically the causes of any difficulties or bottlenecks which may arise in implementing financial and technical cooperation. These experts shall suggest to the Committee possible ways of removing such difficulties and bottlenecks.

(f) The Committee shall examine the annual report on the management of Community financial and technical aid, which shall be forwarded to it by the Commission pursuant to Article 119 (2). It shall draw up, for the attention of the Council of Ministers, recommendations and resolutions relating to measures directed towards attainment of the objectives of financial and technical cooperation, within the framework of the powers conferred upon it by that Council. It shall draw up an annual report giving details of progress, which shall be examined by the Council at its annual meeting on the definition of the policy and guidelines for financial and technical cooperation referred to in Article 119.

7. Where the financing of projects within the Bank's sphere of competence is concerned, the arrangements and procedures for implementing financial and technical cooperation, as set out in Chapters 4, 6,

7 and 8, may, in coordination with the ACP States concerned, be adapted to take account of the nature of the projects financed by the Bank and to permit it, within the framework of the procedures laid down by its Statute, to act in accordance with the objectives of this Convention.

Chapter 4

PROGRAMMING, APPRAISAL, IMPLEMENTATION AND EVALUATION

Article 109

1. The schemes financed by the Community, which are complementary to the ACP States' own efforts, shall be integrated into the economic and social development plans and programmes of the said States and shall tie in with the development objectives and priorities which they set both at national and regional level.
2. At the beginning of the period covered by this Convention, financial and technical cooperation shall be programmed so as to enable:
 - (a) each ACP State to have the clearest and earliest possible indication, before the indicative programme is drawn up, of the amount of the financial assistance administered by the Commission and from which it may benefit during that period and of the terms and conditions which may be attached thereto;
 - (b) the Contracting Parties to ensure that optimum use is made of the different instruments and means of cooperation provided for in this Convention, in order to attain the objectives of financial and technical cooperation;
 - (c) the Community to know the development objectives and priorities set by each ACP State and the projects and programmes which the ACP States decide to put forward for financing in the framework of their objectives and priorities.

3. An indicative programme shall be adopted by mutual agreement between the Community and each ACP State on the basis of proposals made by that State. The programme shall set out:

- (a) the guidelines and scope of financial and technical cooperation as they emerge from the exchange of views between the representatives of the ACP State and those of the Community;
- (b) the ACP State's objectives and priorities for which the Community's financial support is seen as particularly appropriate;
- (c) specific projects and programmes, where they have been clearly identified, to achieve the development objectives. These projects and programmes together with those subsequently identified in the light of the objectives and priorities written into the indicative programme, shall then be appraised in accordance with Article 112.

4. In the light of these various aspects, an optimum rate of commitment shall be determined under the conditions set out in Article 110.

5. The indicative programmes shall be sufficiently flexible to take account of any changes occurring in the economic situation of each of the ACP States, and any modifications of their initial priorities and objectives. Each programme may be revised at the request of the ACP State concerned. In any case, it shall be reviewed at least once during the period covered by this Convention.

6. These programmes shall not cover the emergency aid referred to in Article 137 or the measures for stabilizing export earnings referred to in Title II.

7. When the indicative programme of an ACP State is drawn up, its representatives and those of the Community shall hold an exchange of views on the ACP State's priorities and objectives at regional level. Note shall be taken of specific projects and programmes enabling these objectives to be attained in the context of regional cooperation.

Article 110

1. (a) When the Fund's resources administered by the Commission are programmed the optimum pace for overall commitments, year by year, shall be worked out with the ACP State concerned in the light of the various constraints on the parties and priorities to be observed by them.

(b) This optimum pace shall be determined in such a way that the overall amount of sums to be committed each year is distributed as evenly as possible throughout the period of application of this Convention.

(c) Any balance remaining from the Fund that has not been committed by the end of the last year of the application of this Convention will be utilized until it has been exhausted, in accordance with the same conditions as those laid down in this Convention.
2. Where the ACP State has presented a complete project dossier within the meaning of the second subparagraph of Article 111 (1), an advance timetable for appraisal, lasting until the stage when the financing proposal is drawn up, shall be adopted by the Commission and the ACP State concerned.
3. The financing proposal shall contain an advance timetable for the technical and financial implementation of the project, which shall be reproduced in the financing agreement and deal with the duration of the different phases of implementation.
4. A comparative account of commitments and payments shall be drawn up each year by the national authorizing officer and the Commission

delegate to determine the causes of delays recorded in the execution of the indicative timetable so that the necessary remedial measures can be proposed.

Article 111

1. (a) Preparation of the dossiers of projects or programmes proposed under the indicative programmes shall be the responsibility of the ACP States concerned or of other beneficiaries approved by them.

(b) The dossiers must contain all the information necessary for the appraisal of the project.

(c) Where so requested the Community may provide assistance for drawing up the dossiers.
2. Such dossiers shall be officially transmitted to the Community by the ACP States or the other beneficiaries specified in Article 94 (1). Where the beneficiaries specified in Article 94 (2) are concerned, the express agreement of the State or States concerned shall be required.
3. All projects or programmes transmitted officially in accordance with paragraph 2 shall be brought to the attention of the Community body responsible for taking financing decisions.

Article 112

1. (a) Project and programme appraisal shall be undertaken in close collaboration between the Community and the ACP States or any other beneficiaries,

(b) The various aspects of the projects and programmes shall be appraised, in particular economic, social, technical, financial and administrative aspects.

- (c) Appraisal should ensure that the projects and programmes really meet the criteria defined in paragraph 2.

2. The criteria used for appraising projects and programmes shall be as follows:

- (a) projects and programmes must correspond to the objectives and priorities of the ACP State. They must take account of national efforts and of other resources of external origin and dovetail with them and the provisions of this Convention;
- (b) the effectiveness of projects and programmes shall be assessed by means of an analysis comparing the means to be employed with the effects expected from the technical, social, economic and financial aspects; possible variants shall be examined;
- (c) projects and programmes shall be assessed for their viability from the viewpoint of the different economic agents involved, be they the State, an undertaking or local communities. This part of the appraisal procedure is to ascertain that the project will produce the expected effects in a period considered normal for the type of scheme concerned.

It is also to make sure that any staff and other resources, in particular financial, necessary for operating and maintaining the capital projects and for covering any incidental project costs are actually available locally.

This shall be achieved by establishing forward budgets and assessing the opportunities for adapting the project to local constraints and resources;

- (d) appraisal of the economic return shall be directed at the various effects expected of the project, notably the physical, economic, social and financial effects, if possible on the basis of a cost-benefit analysis;
- (e) appraisal must take account of the non-quantifiable effects of projects, and particular attention shall be paid to the effects of the project on the environment.

3. The specific difficulties and constraints peculiar to the least-developed ACP States which affect the effectiveness, viability and economic return of projects and programmes shall be taken into account when the said projects and programmes are appraised.

Article 113

- 1. The conclusions of the appraisal shall be summarized in a financing proposal, which shall serve as the basis for the Community's decision.
- 2. The financing proposals, drawn up by the relevant departments of the Community, shall be transmitted to the ACP States concerned.
- 3. (a) Where the Community body responsible for delivering an opinion on projects fails to deliver a favourable opinion, the relevant departments of the Community shall consult the representatives of the ACP State or States concerned on further action to be taken, in particular on the advisability of submitting the dossier afresh, possibly in a modified form, to the relevant Community body.

- (b) Before that body gives its final opinion, the representatives of the ACP State or States concerned shall, at their request, be heard by the Community representatives on that body in order to be able to state their grounds for the project.

4. Should the final opinion delivered by that body not be favourable, the competent departments of the Community shall consult afresh with the representatives of the ACP State or States concerned so as to find out whether the project should be submitted as it stands to the Community bodies or whether it should be withdrawn or modified.

5. In the event of the ACP State considering that the project should be submitted as it stands to the decision-making body of the Community, that State may communicate any facts which appear necessary to supplement the information available to that body before the final decision. It may also, before a decision is taken by that body, be heard by the President and the members of the Council of the European Communities in order to submit information additional to that mentioned above.

6. Where the Community's decision-making bodies are unable to pass a project for financing, the ACP State concerned shall be informed of the reasons for such a decision.

Article 114

1. With a view to accelerating the procedures, financing proposals may deal with multiannual programmes or overall amounts where the financing concerns:

(a) sets of training schemes;

(b) micro-project programmes;

(c) sets of technical cooperation and trade promotion schemes.

Financing decisions on individual schemes and projects shall be taken within the framework of such programmes and overall amounts.

2. In the same spirit, decisions on projects and programmes involving a limited amount may be taken by accelerated procedure.

3. Any measures required to streamline and speed up procedures shall be taken in respect of all projects and programmes implemented under this Convention.

Article 115

1. In respect of the Fund's resources administered by the Commission, for any project or programme on which a financing decision has been taken a financing agreement shall be drawn up between the Commission, acting on behalf of the Community, and the ACP State or States concerned. The agreement shall specify in particular the details of the Fund's financial commitment and the arrangements for and terms of the financing. A timetable for commitments and payments shall be annexed to the financing agreement.

2. In addition, for any project or programme financed by a special loan, a loan contract shall be drawn up between the Commission, acting on behalf of the Community, and the borrower.

Article 116

Any unexpended balance left upon closure of the accounts of projects or programmes financed from the Fund's resources administered by the Commission shall accrue to the ACP State concerned and shall be

so specified in the Fund's books. It may be used in the manner laid down in this Convention for the financing of projects and programmes.

Article 117

1. (a) Cost overruns incurred during the implementation of projects or programmes financed from the Fund's resources administered by the Commission shall be borne by the ACP State or States concerned, subject to the following provisions.

(b) However, the financing agreements for all projects shall make provision for appropriations to cover cost increases and contingencies.

(c) The ACP States may also set aside a reserve for this purpose in their indicative programmes.

2. As soon as it appears that cost overruns are likely to be incurred, the national authorizing officer shall so inform the chief authorizing through the Commission delegate. The chief authorizing officer shall on this occasion be informed of the measures the national authorizing officer intends to take in order to cover such cost overruns, whether by reducing the scale of the project or programme or by calling on national or other non-Community resources.

3. If it appears impossible to reduce the scale of the project or programme or to cover the cost overruns by drawing on national or other non-Community resources, the Community body responsible for taking the financing decisions may, in each case, take a supplementary commitment decision and finance the relevant expenditure.

4. Without prejudice to the arrangements provided for in paragraphs 2 and 3, the national authorizing officer shall, in coordination with the chief authorizing officer, use the unexpended balances referred to in Article 116 for covering cost overruns on a project or programme, within the limits of a ceiling set at 15% of the financial commitment for the project or programme concerned.

Article 118

1. (a) Evaluation may be undertaken during the implementation of projects and programmes. The ACP States concerned and the Community shall draw up a joint progress report, at agreed intervals, on the various aspects of the project and its results.

(b) Such a report may serve to re-orient the project during implementation if a joint decision is taken to this effect.

2. (a) The ACP States concerned and the Community shall organize the joint evaluation of completed projects and programmes. Evaluation shall concern the results, by comparison with the objectives, and also the administration, operation and maintenance of the schemes. The two parties shall study the results of such evaluations.

(b) The relevant authorities of the Community and of the ACP States concerned shall each take the appropriate measures called for by the results of the evaluation work.

Chapter 5

POLICY AND GUIDELINES

Article 119

1. The Council of Ministers shall examine at least once a year whether the objectives of financial and technical cooperation are being attained and shall also examine the general problems resulting from implementation of that cooperation. This examination shall also cover regional cooperation and measures in favour of the least-developed, land-locked and island ACP States.
2. To this end the Commission shall submit to the Council of Ministers an annual report on the management of Community financial and technical aid. This report, which shall be drawn up in collaboration with the Bank for the parts of the report which concern it, shall be forwarded to the ACP-EEC Committee referred to in Article 108 (6). It shall in particular show the position as to the commitment, implementation and use of the aid, broken down by type of financing and by recipient State, and the results of work done to evaluate projects and programmes.
3. This information shall be accompanied by the results of the work of the ACP-EEC Committee referred to in Article 108 (6) on the general problems of improving the implementation of financial and technical cooperation and by the reports drawn up by groups of experts whom the Council of Ministers may periodically instruct to study the causes of, and means of eliminating, any difficulties or bottlenecks on either side.
4. On the basis of the information referred to in paragraphs 2 and 3, the Council of Ministers shall define the policy and guidelines of financial and technical cooperation and shall adopt resolutions on the measures to be taken by the Community and the ACP States in order to ensure that the objectives of such cooperation are attained.

Chapter 6

EXECUTION OF FINANCIAL AND TECHNICAL COOPERATION

Article 120

The ACP States, and the other beneficiaries authorized by them in accordance with Article 94, shall implement the projects and programmes financed by the Community.

Accordingly, they shall be responsible in particular for preparing, negotiating and concluding the necessary contracts for the implementation of the operations.

Article 121

1. The Commission shall appoint the chief authorizing officer of the Fund, who shall ensure that financing decisions are carried out and shall be responsible for managing the Fund's resources. Taking account in particular of the advance timetables for commitments and payments referred to in Article 110, the chief authorizing officer shall accordingly commit, clear and authorize expenditure, and keep the accounts of commitments and authorizations.

2. In close cooperation with the national authorizing officer, the chief authorizing officer shall ensure equality of conditions for participations in invitations to tender, and see to it that there is no discrimination and that the tender selected is economically the most advantageous. In this connection the chief authorizing officer shall approve the dossiers before invitations to tender are issued, receive the result of the examination of the tenders and approve the proposal for the placing of the contract, subject to the powers exercised by the Commission delegate under Article 123.

3. Subject to the powers exercised by the national authorizing officer under Article 122 (4), the chief authorizing officer shall take any adaptation measures and commitment decisions necessary to ensure the proper execution of approved projects and programmes under the best economic and technical conditions.

Article 122

1. (a) The government of each ACP State shall appoint a national authorizing officer to represent the authorities of that officer's country in all operations financed from the Fund's resources administered by the Commission.

(b) The national authorizing officer may delegate some of these functions and shall inform the chief authorizing officer of any such delegation.

2. In addition to the functions of the national authorizing officer in connection with the preparation, submission and appraisal of projects, that officer shall:

(a) ensure, in close cooperation with the chief authorizing officer, that there is equality of conditions for participation in invitations to tender, that there is no discrimination and that the tender which is economically the most advantageous is chosen;

(b) prepare invitation to tender dossiers and submit them to the delegate for agreement before issuing invitations to tender;

(c) issue invitations to tender;

(d) receive tenders, preside over the examination of tenders, decide the outcome of the said examination and transmit it to the delegate with a proposal for the placing of the contract;

(e) sign contracts and riders thereto and estimates, and notify the Commission delegate thereof.

3. The national authorizing officer shall clear and authorize expenditure within the limits of the funds assigned, taking account, in particular, of the advance timetables for commitments and payments referred to in Article 110. The national authorizing officer shall remain responsible for the funds entrusted to him until the Commission authorizes the operations for the execution of which the funds were entrusted to him.

4. During the implementation of projects, and subject to the requirement to inform the Commission delegate, the national authorizing officer shall take any adaptation measures necessary to ensure the proper execution of approved projects or programmes under the best economic and technical conditions.

Accordingly, the national authorizing officer shall decide on:

(a) technical adjustments and alterations on matters of detail, so long as they do not affect the technical solutions adopted and remain within the limits of the provision for minor adjustments;

(b) minor alterations to estimates during implementation;

(c) transfers from item to item within estimates;

(d) changes of site for multiple-unit projects where justified on technical or economic grounds;

(e) imposition or remission of penalties for delay;

- (f) acts discharging guarantors;
- (g) purchase of goods, irrespective of their origin, on the local market;
- (h) use of construction equipment and machinery not originating in the Member States or ACP States provided there is no production of comparable equipment and machinery in the Member States or ACP States;
- (i) subcontracting;
- (j) final acceptance; however, the delegate must be present at provisional acceptances and endorse the corresponding minutes and, where appropriate, be present at the final acceptance, in particular where the extent of the reservations recorded at the provisional acceptance necessitates major additional work.

5. For contracts of less than 3.5 million EUA and in general for all contracts to which the accelerated procedure applies, decisions taken by the national authorizing officer under the powers vested in that officer shall be deemed approved by the Commission within 30 days of the notification to the Commission delegate.

Article 123

- 1. (a) The Commission shall appoint a delegate to each ACP State or group of ACP States to represent it for the purpose of facilitating the application of the Convention. The appointment of the Commission delegate shall be agreed by the ACP State or States concerned.
- (b) Where a delegate is appointed to a group of ACP States, appropriate steps shall be taken to ensure that the delegate is represented by a deputy resident in each of the States concerned in which the delegate is not resident.

2. The Commission shall give its delegate the necessary instructions and delegated power to facilitate and expedite the preparation, appraisal and implementation of projects financed from the Fund's resources administered by it. The delegate shall work in close cooperation with the national authorizing officer and deal with that officer on behalf of the Commission. In this capacity the delegate shall:

- (a) approve the invitation to tender dossier wherever invitations to tender are to be issued by accelerated procedure, or in other cases transmit it to the chief authorizing officer for that officer's agreement;
- (b) be present at the opening of tenders, and receive a copy of them and of the results of their examination;
- (c) approve within one month the national authorizing officer's proposal for the placing of the contract wherever the three following conditions are fulfilled: the tender selected is the lowest, it is economically the most advantageous and does not exceed the sum earmarked for the contract;
- (d) approve within one month the proposal for the placing of the contract in all cases where invitations to tender are issued by the accelerated procedure;
- (e) where the conditions set out in (c) are not fulfilled, forward the proposal for the placing of the contract to the chief authorizing officer for agreement, and the chief authorizing officer shall decide thereon within two months of the receipt by the Commission delegate of the final outcome of examination of the tenders and the proposal for the placing of the contract;
- (f) participate in the preparation and negotiation of service contracts.

3. (a) The delegate shall make sure, on behalf of the Commission, that the projects and programmes financed from the Fund's resources administered by the Commission are properly implemented from the financial and technical angles.

(b) Accordingly, the delegate shall endorse contracts, riders thereto and estimates, as well as payment authorizations issued by the national authorizing officer.
4. Each year the delegate shall prepare a summary of the Fund's operations in the ACP State or States to which he or she is appointed. The report shall be communicated by the Commission to the ACP State or States concerned.
5. The delegate shall cooperate with the national authorities in evaluating completed projects and programmes. Reports on the outcome of the evaluation shall be drawn up and communicated to the ACP States concerned and the Commission.
6. The delegate shall inform the national authorities of Community activities which may directly concern cooperation between the ACP States and the Community.
7. (a) The delegate shall maintain continuous contact with the national authorizing officer for the purpose of analysing and remedying specific problems encountered in the implementation of financial and technical cooperation.

(b) To that end the delegate shall in particular make regular checks to see that operations are proceeding in accordance with the schedules laid down in the advance timetables established under Article 110.

8. The delegate shall communicate to the ACP State all information and relevant documents on the procedures for implementing financial and technical cooperation.

9. The delegate shall prepare the financing proposals.

Article 124

1. For the purpose of effecting payments in the national currencies of the ACP States, accounts denominated in the currency of one of the Member States shall be opened in each ACP State in the Commission's name with a national public or semi-public financial institution, chosen by mutual agreement between the ACP State and the Commission. This institution shall exercise the functions of paying agent.

2. The accounts referred to in paragraph 1 shall be replenished by the Commission by reference to actual cash requirements, account being taken of the advance timetable for payments provided for in Article 110. Transfers shall be made in the currency of one of the Member States and shall be converted into the national currency of the ACP State as and when payments fall due.

3. The paying agent shall not be remunerated for its services; no interest shall be payable on deposited funds.

4. Within the limits of the funds available, the paying agent shall make the disbursements authorized after verifying that the supporting documents provided are substantively correct and in order, and that the discharge is valid.

5. For the purpose of effecting payments in currencies other than the national currencies of the ACP States, payment for services provided shall be made on the instructions of the Commission by drawing on its accounts.

Chapter 7

COMPETITION AND PREFERENCES

Article 125

1. As regards operations financed by the Community, participation in invitations to tender and contracts shall be open on equal terms to all natural persons and companies or firms falling within the scope of the Treaty and to all natural persons and companies or firms of the ACP States.

The companies or firms referred to in the preceding paragraph shall be those defined in Article 161 of the Convention.

2. Measures to encourage the participation of ACP States' undertakings in the execution of contracts shall be taken in order to permit optimum use of these States' natural and human resources.

3. Paragraph 1 shall not imply that the funds provided by the Community must be used exclusively for purchases of goods or payment for services in the Member States and the ACP States.

4. Any participation by third countries in contracts financed by the Community must be of an exceptional nature and be authorized case by case, at the reasoned request of the ACP State concerned, by the competent body of the Community. Unless other appropriate factors prevail account shall be taken of a desire to avoid excessive increases in the cost of projects attributable either to the distances involved and transport difficulties or to the delivery date, notably in the case of the least-developed, land-locked and island ACP States.

5. The Commission and the ACP State concerned shall take the appropriate measures to provide the Community body with the information needed for a decision on such derogations. This body shall examine the information with particular attention in the case of ACP States whose geographical location greatly reduces the competitiveness of suppliers and contractors from the Community and the ACP States.

6. Participation by third countries in contracts financed by the Community may be authorized where the Community participates in the financing of regional or inter-regional cooperation schemes involving third countries and in the joint financing of projects with other providers of funds.

Article 126

1. The ACP States and the Commission shall take the necessary measures to ensure the widest possible participation on equal terms in invitations to tender and works and supply contracts financed by the Fund's resources managed by the Commission.

2. The purpose of these measures shall be in particular:

- (a) to ensure advance publication in reasonable time of invitations to tender in the *Official Journal of the European Communities*, the official journals of the ACP States and any other suitable information media;
- (b) to eliminate discriminatory practices or technical specifications which might stand in the way of widespread participation on equal terms;
- (c) to encourage cooperation between the undertakings of the Member States and of the ACP States, for example by means of preselection and the creation of groups.

Article 127

1. As a general rule, works and supply contracts financed by the Fund's resources managed by the Commission shall be concluded following an open invitation to tender.

2. However, for operations relating to emergency aid, and for other operations where the urgency of the situation is recognized or where the nature, minor importance or particular characteristics of the works or supplies so warrant, the ACP States may, in agreement with the Commission, exceptionally authorize:

- the placing of contracts after restricted invitations to tender,
- the conclusion of contracts by direct agreement,
- the performance of contracts through public works departments.

3. Furthermore, for operations costing under 3.5 million EUA, recourse to public works departments may be authorized where the recipient ACP State has sufficient suitable equipment and qualified staff available in its national departments.

Article 128

To promote the widest possible participation by national undertakings of the ACP States in the performance of works and supply contracts financed from the Fund's resources managed by the Commission:

- (a) an accelerated procedure for issuing invitations to tender shall be used for carrying out works estimated to cost less than 3.5 million EUA. Under this procedure, publication shall be confined to the ACP State concerned and the neighbouring ACP States and the time limits for the submission of tenders shall be fixed in accordance with the rules in force in the ACP State concerned.

The use of this accelerated procedure shall not exclude the possibility of the Commission's proposing an international invitation to tender to the ACP State concerned where the nature of the works to be undertaken or the advantages of wider participation would appear to justify inviting international competition;

- (b) for carrying out works whose value is less than 3.5 million EUA, national undertakings of the ACP States shall be accorded a 10% preference where tenders shall be fixed in accordance with the rules in force in the ACP State concerned.

This preference shall be confined to national undertakings of the ACP States within the meaning of the national laws of these States provided that their residence for tax purposes and main business are established in an ACP State and that a significant share of the capital and management staff is supplied by one or more ACP States;

- (c) for the delivery of supplies, undertakings involved in industrial or craft production of the ACP States shall be accorded a 15% preference where tenders of equivalent technical and economic quality are compared.

This preference shall be confined to national undertakings of the ACP States which provide a sufficient margin of added value.

Article 129

In order to ensure the rapid and effective implementation of projects and programmes financed by the Community in the least-developed ACP States, the Community shall give special priority to the application of specific measures in the following areas:

- (a) the award of contracts following accelerated invitations to tender on the terms specified in Article 128;
- (b) the placing of contracts following restricted invitations to tender and the conclusion of contracts by direct agreement on the terms specified in Article 127;
- (c) the performance of contracts through public works departments on the terms specified in Article 127;
- (d) the placing of service contracts by the Commission, in agreement with the ACP State concerned where the scheme is urgent, of minor importance or short duration, particularly in the case of appraisals concerned with the preparation of projects and programmes;
- (e) the arrangement of payment procedures in such a way that the States concerned do not have to bear any pre-financing costs.

Article 130

1. For each operation the criteria for selecting the tender that is economically the most advantageous shall take into account *inter alia* the qualifications of and the guarantees offered by the tenderers, the nature and conditions of implementation of the works or supplies and the price, operating costs and technical value of those works or supplies.
2. Where two tenders are acknowledged to be equivalent on the basis of the criteria stated above, preference shall be given to the tender of the undertaking which is a national of an ACP State or if no such tender is forthcoming to the one which permits the greatest possible use of the physical and human resources of the ACP States.
3. The ACP States and the Commission shall ensure that all the selection criteria are specified in the invitation to tender dossier.

Article 131

The general conditions applicable to the award and performance of works and supply contracts financed from the Fund's resources administered by the Commission are contained in the general conditions which, on a proposal from the Commission, shall be adopted by decision of the Council of Ministers at its first meeting following the entry into force of this Convention.

Article 132

1. Any dispute arising between the authorities of an ACP State and a contractor, supplier or provider of services on the occasion of the placing or performance of a contract financed by the Fund shall be settled by arbitration in accordance with rules of procedure adopted by the Council of Ministers.

2. The rules of procedure referred to above shall be adopted, on a proposal, by a decision of the Council of Ministers not later than its first meeting following the entry into force of this Convention.

Chapter 8

REGIONAL COOPERATION

Article 133

1. In the implementation of financial and technical cooperation, the Community shall provide effective assistance for attaining the objectives which the ACP States set themselves in the context of regional and inter-regional cooperation. This assistance shall aim to:

- (a) accelerate economic cooperation and development both within and between the regions of the ACP States;
- (b) accelerate diversification of the economies of the ACP States;
- (c) reduce the economic dependence of the ACP States on imports by maximizing output of those products for which the ACP States in question have real potential;
- (d) create sufficiently wide markets within the ACP States and neighbouring States by removing the obstacles which hinder the development and integration of those markets;
- (e) promote and expand trade between the ACP States and with neighbouring third countries;
- (f) maximize the use of resources and services in the ACP States;
- (g) strengthen organizations set up by the ACP States to promote regional cooperation and integration;
- (h) implement specific measures in favour of the land-locked and island countries, notably in respect of transport and communications.

2. To this end, an amount of 600 million EUA from the financial resources provided for in Article 95 for the economic and social development of the ACP States shall be reserved for financing their regional and inter-regional projects and for participation in any co-financing arrangements that may be made to implement such projects.

Article 134

1. (a) Within the meaning of the Convention, regional cooperation shall apply to relations either between two or more ACP States, or between one or more ACP States on the one hand and one or more neighbouring non-ACP countries on the other.

(b) Inter-regional cooperation shall apply to relations either between two or more regional organizations of which ACP States form part or between one or more ACP States and a regional organization.

2. Within the meaning of the Convention, regional projects are those which help directly to solve a development problem common to two or more countries through joint schemes or coordinated national schemes.

Article 135

1. The scope of regional and inter-regional cooperation shall include in particular:

(a) acceleration of industrialization in the ACP States through the setting-up of regional and inter-regional undertakings, account being taken of the establishment of back-up infrastructure;

(b) transport and communications: roads, railways, air and sea transport, inland waterways, postal services and telecommunications;

(c) the production of energy and joint exploitation of natural resources;

- (d) research and technology applied to intensifying regional and inter-regional cooperation;
- (e) agriculture, notably stock-farming, industry and the promotion of intra-ACP trade in the products of these sectors;
- (f) education and training, including the establishment of joint institutions of advanced technology, in the context of training programmes to enable nationals to participate fully in economic development;
- (g) control of major endemic diseases and, more generally, measures to improve the health of the population;
- (h) cooperation in tourism, including the establishment of tourist promotion centres or the strengthening of existing ones on a regional basis, in order to increase regional and international tourism;
- (i) technical assistance for the establishment of regional cooperation bodies or the development of new activities in existing regional bodies, including the preparation of specific programmes and projects;
- (j) assistance for action by ACP-EEC business organizations set up with the aim of improving production and the marketing of products on external markets.

2. For the purpose of promoting their regional cooperation the least-developed ACP States shall have a priority claim to the application of the relevant provisions in respect of projects concerning at least one least-developed ACP State, notably where infrastructure projects relating to transport, communications, telecommunications, energy and the development of production are concerned.

Article 136

1. An ACP State or group of ACP States participating with neighbouring non-ACP countries in a regional or inter-regional project may request the Community to finance that part of the project for which it is responsible.
2. Existing regional cooperation bodies or any such bodies which may be set up may make a request for Community financing on behalf of their ACP Member States with the latter's explicit agreement.
3. Where a project or programme is financed by the Community through a regional institution, the terms and conditions of such financing applicable to the ultimate beneficiaries shall, in agreement with the ACP State or States concerned, be agreed between the Community and the regional institution.

Chapter 9

EMERGENCY AID

Article 137

1. Emergency aid may be granted to ACP States faced with serious economic and social difficulties of an exceptional nature resulting from natural disasters or extraordinary circumstances having comparable effects.
2. For the purpose of financing the emergency aid referred to in paragraph 1, a special appropriation shall be constituted within the Fund.
3. (a) The special appropriation shall initially be fixed at 60 million EUA. At the end of each year of application of this Convention this appropriation shall be restored to its initial level.

(b) The total amount of monies which may be transferred from the Fund to the special appropriation during the period of application of this Convention may not exceed 200 million EUA.

- (c) Upon expiry of this Convention any monies transferred to the special appropriation which have not been committed for emergency aid shall be returned to the Fund proper for financing other schemes falling within the scope of financing and technical cooperation, unless the Council of Ministers decides otherwise.

- (d) In the event of the special appropriation being exhausted before the expiry of this Convention, the ACP States and the Community shall adopt, within the relevant joint bodies, appropriate measures to deal with the situations described in paragraph 1.

4. Emergency aid shall be non-reimbursable. It shall be allocated on a case by case basis.

5. (a) Emergency aid shall help finance the most suitable means of remedying as effectively and speedily as possible the serious difficulties referred to in paragraph 1.

(b) These means may consist of works, supplies or the provision of services and cash payments and, in exceptional cases, reimbursement in whole or in part of the sums already spent by the ACP State on implementing schemes included in the financing agreement relating to the emergency aid in question.

- (c) The ACP State receiving emergency aid shall obtain its supplies from the markets of the Community, ACP States or third countries under the conditions laid down in Article 125.
 - (d) Where appropriate, such aid may, with the agreement of the ACP State concerned, be implemented via specialized agencies or directly by the Commission.
6. Emergency aid shall not be used for dealing with the harmful effects of the instability of export earnings, which are the subject of Title II.
7. The detailed rules for the allocation of such aid shall be the subject of an emergency procedure. The conditions governing the payment and implementation of such aid shall be determined on a case by case basis; advances may be granted by the national authorizing officer where implementation is based on an estimate.
8. (a) Operations financed by emergency aid must be carried out as quickly as possible and, whatever the circumstances, the monies must be used within six months of the implementing arrangements being established, unless otherwise stipulated by those arrangements and provided that it is not agreed by common accord during the implementation period, to extend that time limit owing to extraordinary circumstances.
- (b) Where the monies made available have not all been used up within the time limit set, the fund commitment may be reduced to an amount corresponding to the monies used within that time limit.
- (c) The unexpended portion shall then be paid back into the special appropriation.

Chapter 10

TECHNICAL COOPERATION

Article 138

The technical cooperation referred to in Article 93 shall cover the following:

- (a) general studies, notably in the technical, economic, organizational, training or management spheres;
- (b) studies for a particular project or programme;
- (c) supervisory, advisory or administrative services or provision of technical cooperation personnel at the implementation stage of a project or programme;
- (d) technical cooperation services other than those linked to the implementation of a project or programme.

Article 139

1. Technical cooperation may be either linked with projects or programmes or of a general nature.

2. Technical cooperation linked with projects or programmes comprises *inter alia*:

- (a) development studies;
- (b) technical, economic, financial and commercial studies, and research and surveys required to prepare projects or programmes;
- (c) help with the preparation of dossiers;
- (d) help with the implementation and supervision of work;
- (e) temporarily meeting the cost of technicians and providing the resources needed for them to accomplish their assignment;

(f) technical cooperation measures which may be required temporarily to permit the establishment, launching, operation or maintenance of a specific project, including where necessary appropriate technical assistance and the training of nationals of the country or countries concerned.

3. General technical cooperation comprises *inter alia*:

(a) studies of the prospects and means for economic development and diversification in the ACP States, and of problems of interest to groups of ACP States or to the ACP States as a whole;

(b) sectoral or product studies;

(c) the provision in the ACP States of experts, advisers, technicians and instructors of the Member States or the ACP States for specific assignments and for limited periods;

(d) the supply of instructional, experimental and demonstration equipment;

(e) general information and documentation to promote the development of the ACP States and the achievement of the aims of cooperation.

4. At the request of the least-developed ACP States the Community shall give special priority to technical cooperation schemes aimed at:

(a) identifying, preparing and carrying out projects and programmes which form part of the indicative programmes;

(b) facilitating the implementation of the system for the stabilization of export earnings;

- (c) promoting technical cooperation between ACP States;
- (d) carrying out studies and research work directed towards solving specific economic and social development problems, in particular as regards technological adjustment to the special conditions and features of the least-developed ACP States.

Article 140

1. Technical cooperation shall be provided under service contracts concluded with consultancy firms or consulting engineers or experts recruited with reference in particular to their professional qualifications and practical experience of problems of the type to be dealt with. Given equal competence, preference will be given to ACP experts or consultancy firms. In exceptional cases technical cooperation may also be undertaken through public works departments.

2. In order to speed up the procedures, service contracts, including those covering the recruitment of consultants and other technical assistance specialists, may be negotiated, drawn up and concluded either by the national authorizing officer on a proposal from the Commission or with its agreement or by the Commission in agreement with the ACP State concerned, where the scheme is urgent, of minor importance or short duration, particularly in the case of appraisals concerned with the preparation of projects and programmes.

Article 141

1. Technical cooperation in training shall be based on multiannual training programmes and specific schemes.

2. The aim of the multiannual programmes shall be:

- (a) to train nationals of the ACP States in accordance with the educational and vocational training priorities expressed by the ACP States;
- (b) to train staff, notably middle management and technical staff, associated with the different development projects being financed by the Community in each ACP State so as to phase out technical assistance and to staff capital projects entirely with ACP nationals on a permanent basis.

3. The specific schemes shall deal with vocational training, technological research and innovation at State or regional organization level. Their aim shall be to provide vocational or advanced training for the staff of public services and institutions and of agricultural, industrial and commercial undertakings and services as well as training for instructors in these different fields.

4. Technical cooperation in the field of training shall be achieved through:

- (a) awards to nationals of the ACP States for studies and training courses;
- (b) the provision in the ACP States of experts and instructors who are nationals of the Member States or the ACP States, for specific assignments and for limited periods;
- (c) the organization of seminars, training and advanced training courses for nationals of the ACP States;
- (d) the supply of teaching, instructional, experimentation, demonstration and research equipment;

(e) collaboration between training or research establishments and universities in the Member States and corresponding bodies in the ACP States.

5. The above activities shall as a matter of priority be undertaken in the recipient ACP State or at regional level. They may where necessary be undertaken in another ACP State or in a Member State. In the case of specialized training particularly suited to the ACP States' requirements, training may in exceptional circumstances be provided in another developing country.

6. At the request of the least-developed ACP States, the Community shall give special priority to schemes concerned with:

(a) training for management and other staff of public administrative departments and of the technical departments responsible for economic and social development, with the aim of increasing their efficiency and thus deriving maximum benefit from the possibilities offered by this Convention;

(b) basic and further training for management and other staff in the private sector.

Article 142

1. The rules governing the placing and award of service contracts shall be determined by a decision of the Council of Ministers at its first meeting after the entry into force of this Convention.

2. However, until the entry into force of that decision, Articles 24 to 27 of Protocol 2 to the ACP-EEC Convention of Lomé and the joint declaration on Article 26 of the said Protocol, as annexed, to the Final Act of this Convention shall apply to service contracts concluded after 1 March 1980.

Article 143

1. Where an ACP State has, within its administrative and technical staff, national personnel making up a substantial part of the work force necessary for the execution by the public works department of a technical cooperation project, the Community may, in exceptional cases, contribute to the costs of the public works department by providing certain apparatus that it lacks, or supply the required additional staff in the form of experts from another State.
2. The participation of the Community shall cover only costs incurred by supplementary measures and temporary expenditure relating to execution strictly confined to the requirements of the project in question and shall exclude all current operational expenditure.

Chapter 11

TECHNICAL ASSISTANCE AND THE FINANCING OF SMALL AND MEDIUM-SIZED UNDERTAKINGS

Article 144

1. The Community shall finance schemes in favour of small and medium-sized undertakings in the ACP States. The methods of financing shall be determined by reference to the nature of the programmes presented by those States.
2. Technical cooperation from the Community shall help to reinforce the activities of bodies in the ACP States working for the development of small and medium-sized undertakings and to provide the necessary vocational training for such undertakings.
3. Community financing, undertaken in the form of reimbursable aid or possibly grants, shall as a general rule be through an intermediary.

Such financing may also be direct. Financing through an intermediary shall be given priority whenever there exists in the ACP State concerned a bank or other national body contributing to the aim in question. Finance through an intermediary may be accorded:

- by the Bank from the resources administered by it to banks or financial institutions for onlending to small- and medium-sized industrial, agro-industrial or tourist undertakings,

- by the Commission from the resources administered by it to public bodies, local authorities or cooperatives aimed at developing craft, commercial and agricultural sectors.

4. Where the financing is undertaken via an onlending body, it shall be that body's responsibility to present individual projects within the programme already approved and to administer the monies placed at its disposal. The methods, terms and conditions for financing the final recipient shall be determined by mutual agreement between the ACP State concerned, the competent Community authority and the onlending body.

5. The projects shall be appraised by the financial body. This body shall decide, on its own financial responsibility, on final loans to be granted on terms established by reference to those obtaining for this type of operation in the ACP State in question.

6. The financing terms accorded by the Community to the financing body shall take into consideration the latter's need to cover its administrative costs, exchange and financial risks and the cost of technical assistance given to the undertakings or final borrowers.

Chapter 12

MICRO-PROJECTS

Article 145

1. In order to respond concretely to the needs of local communities with regard to development, the Fund shall participate in the financing of micro-projects at the ACP States' request.

2. To this end, the requisite amounts shall be included in the indicative programme of Community aid referred to in Article 109 (3) and the corresponding funds shall be deducted from the grants provided for in the first indent of Article 95 (1)(a) and may be used to cover commitments relating to this type of scheme.

3. Special priority shall be accorded to the preparation and implementation of micro-projects in the least-developed ACP States.

Article 146

1. (a) In order to be eligible for Community financing micro-projects must:

- meet a real priority need at local level,
- ensure the active participation of the local community.

(b) The Fund's contribution to each micro-project may not exceed 150 000 EUA.

2. Programmes for micro-projects shall cover small projects making an economic and social impact on the life of the people

and the local communities in the ACP States. These projects shall normally be located in rural areas; however, the Community may also assist in the financing of micro-projects in urban areas.

3. Micro-projects shall include: dams, wells and water supply systems, silos and warehouses for storing provisions and crops, rural electrification, rural service tracks and bridges, rural landing strips, jetties, animal vaccination pens and corridors, primary schools, training colleges, craft industries such as centres and cooperatives, maternity homes, social assistance centres, community centres, market buildings, urban sanitation and land development, premises to encourage commercial activity and other projects which meet the criteria referred to in paragraph 1.

Article 147

1. Each project for which Community assistance is requested must stem from an initiative taken by the local community which will benefit therefrom. The financing of micro-projects shall in principle have a tripartite structure and shall stem from:

- the community concerned, in the form of a contribution, in cash or in kind or through the provision of services adapted to its capacity to contribute,
- the ACP State, in the form of a financial contribution, the use of public equipment or the supply of services,
- the Fund.

2. The total of the shares contributed by the ACP State and the local community concerned must normally be at least equal to the grant requested from the Fund. The three participants' contributions shall be mobilized at the same time. For each project, the local community shall undertake to maintain and run the project, in conjunction with the national authorities as appropriate.

Article 148

1. (a) The ACP State concerned shall prepare and submit to the Commission an annual programme setting forth the broad outlines of the projects planned.

(b) After examination by the Commission's departments these programmes shall be submitted to the relevant bodies of the Community for financing decisions in accordance with Article 113.

2. Within the framework of the annual programmes thus drawn up the financing decision relating to each micro-project shall be taken by the ACP State concerned, with the agreement of the Commission delegate; agreement shall be deemed to be given once a month has elapsed from notification of such decision.

Article 149

Upon completion of each micro-project programme the ACP State concerned, in consultation with the Commission delegate, shall forward a report on its implementation to the Commission.

Chapter 13

TAXATION, CUSTOMS AND OTHER PROVISIONS

Article 150

The taxation and customs arrangements applicable in the ACP States to contracts financed by the Community are covered by Protocol 6.

Article 151

In the event of an ACP State failing to ratify or denouncing this Convention in accordance with Title XI, the Contracting Parties shall be obliged to adjust the amounts of the funds provided for in the Convention. Such adjustment shall also apply on the conditions stipulated in Articles 185 and 186 upon the accession of new ACP States to the Convention.

Article 152

1. The financing of projects and programmes may cover expenditure incurred in and strictly limited to the start-up period, for example for the maintenance and operation of plant that is not yet fully productive, provided that such expenditure, identified in the financing proposal, is considered necessary for setting up, launching and operating the capital projects in question.

2. Special priority shall be accorded to the financing of support costs in the least-developed ACP States.

Article 153

1. Pursuant to Article 93 (4), running costs may be financed as specified in paragraph 2, 3 or 4 of this Article.

2. The financing of running costs may serve to cover the cost of operating, maintaining or managing capital projects implemented previously, in order to ensure that full use is made of such projects, in particular by providing maintenance equipment and/or carrying out large-scale repair work.

3. Such aid shall be provided temporarily and on a diminishing scale.

4. It must be confined to exceptional cases, account being taken of the needs and resources of each ACP State concerned.

5. Special priority shall be accorded to the financing of running costs in the least-developed ACP States.

Article 154

Upon expiry of this Convention:

- the appropriations provided for under Article 95 in the form of risk capital but not committed shall be added to those provided for in the form of special loans in the same Article,
- the appropriations provided for under Article 133 for financing regional projects but not committed shall be made available for financing, as a priority, other regional projects and programmes in the same sub-region.

Title VIII

GENERAL PROVISIONS CONCERNING THE LEAST-DEVELOPED, LAND-LOCKED AND ISLAND ACP STATES

Article 155

1. Under this Convention the least-developed ACP States are accorded special treatment and special measures are provided for the land-locked and island ACP states in order to enable them to overcome the specific difficulties and obstacles resulting from the nature of their needs in the first case and their geographical location in the second and to take full advantage of the opportunities offered by the Convention.

2. The specific provisions laid down pursuant to this Title in respect of the least-developed ACP States on the one hand and the

land-locked and island ACP States on the other are contained in Articles 15, 21, 46, 47, 53, 82, 90, 93, 106, 107, 112, 125, 129, 133, 135, 139, 141, 145, 152, 153 and Article 30 of Protocol 1.

3. In accordance with their needs and individual characteristics the ACP States referred to in the following three lists shall be eligible for the special measures referred to in this Article:

(a) *least-developed ACP States*

Benin	Mauritania
Botswana	Niger
Burundi	Rwanda
Cape Verde	Sao Tome and Principe
Central African Republic	Seychelles
Chad	Sierra Leone
Comoros	Solomon Islands
Djibouti	Somalia
Dominica	St Lucia
Ethiopia	Sudan
Gambia	Swaziland
Grenada	Tanzania
Guinea	Togo
Guinea Bissau	Tonga
Lesotho	Tuvalu
Malawi	Uganda
Mali	Upper Volta
	Western Samoa

(b) *land-locked ACP States*

Botswana	Mali
Burundi	Niger
Central African Republic	Rwanda
Chad	Swaziland
Lesotho	Uganda
Malawi	Upper Volta
	Zambia

(c) *island ACP States*

Bahamas	Papua New Guinea
Barbados	Sao Tome and Principe
Cape Verde	Seychelles
Comoros	Solomon Islands
Dominica	St Lucia
Fiji	Tonga
Grenada	Trinidad and Tobago
Jamaica	Tuvalu
Madagascar	Western Samoa
Mauritius	

4. The lists of the ACP States referred to in paragraph 3 may be amended by decision of the Council of Ministers:

- where a third State in a comparable situation accedes to this Convention,
- where the economic situation of an ACP State undergoes a significant and lasting change either so as to necessitate its inclusion in the category of least-developed ACP States or so that its inclusion in that category is no longer warranted.

Title IX

PROVISIONS RELATING TO PAYMENTS AND CAPITAL MOVEMENTS, ESTABLISHMENT AND SERVICES

Chapter 1

PROVISIONS RELATING TO CURRENT PAYMENTS AND CAPITAL MOVEMENTS

Article 156

With regard to capital movements linked with investments and to current payments, the Contracting Parties shall refrain from taking action

in the field of foreign exchange transactions which would be incompatible with their obligations under this Convention resulting from the provisions relating to trade in goods, services, establishment and industrial cooperation. These obligations shall not, however, prevent the Contracting Parties from adopting the necessary protective measures should this be justified by reasons relating to serious economic difficulties or severe balance of payments problems.

Article 157

1. In respect of foreign exchange transactions linked with investments and current payments, the ACP States on the one hand and the Member States on the other shall avoid, as far as possible, taking discriminatory measures *vis-à-vis* each other or according more favourable treatment to third States, taking full account of the evolving nature of the international monetary system, the existence of specific monetary arrangements and balance of payments problems.

2. To the extent that such measures or treatment are unavoidable they will be maintained or introduced in accordance with international monetary rules and every effort will be made to minimize any adverse effects on the Parties concerned.

Article 158

Throughout the duration of the loans and risk capital operations provided for in Article 95, each of the ACP States undertakes:

- (a) to place at the disposal of the beneficiaries referred to in Article 94 the currency necessary for the payment of interest and commission on and amortization of loans and quasi-capital aid granted for the implementation of aid measures on their territory;

(b) to make available to the Bank the foreign currency necessary for the transfer of all sums received by it in national currency which represent the net revenue and proceeds from transactions involving the acquisition by the Community of holdings in the capital of firms.

Article 159

At the request of the Community or of the ACP States, the Council of Ministers shall examine any problems raised by the application of Articles 156, 157 and 158. It shall also formulate any relevant recommendations.

Chapter 2

PROVISIONS RELATING TO ESTABLISHMENT AND SERVICES

Article 160

As regards the arrangements that may be applied in matters of establishment and provision of services, the ACP States on the one hand and the Member States on the other shall treat nationals and companies or firms of Member States and nationals and companies or firms of the ACP States respectively on a non-discriminatory basis. However, if, for a given activity, an ACP State or a Member State is unable to provide such treatment, the Member States or the ACP States, as the case may be, shall not be bound to accord such treatment for this activity to the nationals and companies or firms of the State concerned.

Article 161

For the purpose of this Convention 'companies or firms' means companies or firms constituted under civil or commercial law, including cooperative societies and other legal persons governed by public or private law, save for those which are non-profit-making.

'Companies or firms of a Member State or of an ACP State' means companies or firms formed in accordance with the law of a Member State or an ACP State and whose registered office, central administration or principal place of business is in a Member State or ACP State; however, a company or firm having only its registered office in a Member State or an ACP State must be engaged in an activity which has an effective and continuous link with the economy of that Member State or the ACP State.

Article 162

At the request of the Community or of the ACP States, the Council of Ministers shall examine any problems raised by the application of Articles 160 and 161. It shall also formulate any relevant recommendations.

Title X

INSTITUTIONS

Article 163

The institutions of this Convention are the Council of Ministers, the Committee of Ambassadors and the Consultative Assembly.

Article 164

1. The Council of Ministers 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 a member of the government of each of the ACP States.
2. Any member of the Council of Ministers unable to attend may be represented. The representative shall exercise all the rights of the accredited member.
3. The proceedings of the Council of Ministers shall be valid only if half the members of the Council of the European Communities, one member of the Commission and two-thirds of the accredited members representing the governments of the ACP States are present.

4. The Council of Ministers shall lay down its rules of procedure.

Article 165

The office of President of the Council of Ministers shall be held alternately by a member of the Council of the European Communities and a member of the government of an ACP State, the latter to be designated by the ACP States.

Article 166

1. Meetings of the Council of Ministers shall be called once a year by its President.

2. The Council of Ministers shall, in addition, meet whenever necessary, in accordance with the conditions laid down in the rules of procedure.

3. The rules of procedure of the Council of Ministers shall stipulate that the Co-Presidents assisted by advisers may have regular consultations and exchanges of views between meetings of the Council of Ministers.

Article 167

1. The Council of Ministers shall act by mutual agreement between the Community on the one hand and the ACP States on the other.

2. The Community on the one hand and the ACP States on the other shall each, by means of an internal protocol, determine the procedure for arriving at their respective positions.

Article 168

1. The Council of Ministers shall define the broad outline of the work to be undertaken in the context of the application of this Convention.

2. The Council of Ministers shall periodically review the results of the arrangements under this Convention and shall take such measures as may be necessary for the attainment of the objectives of this Convention.

The Council of Ministers may, to that end, take into consideration any resolutions or recommendations made in that respect by the Consultative Assembly.

3. Decisions taken by the Council of Ministers in the cases provided for by this Convention shall be binding on the Contracting Parties which shall take such measures as are necessary to implement those decisions.

4. The Council of Ministers may also formulate such resolutions, declarations, recommendations or opinions as it may deem necessary to attain the objectives and to ensure the smooth functioning of the Convention.

5. The Council of Ministers shall publish an annual report and such other information as it considers appropriate.

6. The Council of Ministers may make all the arrangements that are appropriate for ensuring the maintenance of effective contacts, consultations and cooperation between the economic and social sectors of the Member States and of the ACP States.

7. The Community or the ACP States may raise in the Council of Ministers any problems arising from the application of this Convention.

8. Where provided for in this Convention consultations shall take place, at the request of the Community or of the ACP States, within the Council of Ministers, in accordance with its rules of procedure.

9. The Council of Ministers may set up committees or groups or *ad hoc* working groups to undertake such activities as it may determine.

10. At the request of one of the Contracting Parties, exchanges of view may take place on questions having direct bearing on the matters covered by this Convention.

11. By agreement among the Parties, exchanges of view may take place on other economic or technical questions which are of mutual interest.

Article 169

The Council of Ministers may, where necessary, delegate to the Committee of Ambassadors any of its powers. In this event, the Committee of Ambassadors shall take its decisions in accordance with the conditions laid down in Article 167.

Article 170

The Committee of Ambassadors shall be composed, on the one hand, of one representative of each Member State and one representative of the Commission and, on the other, of one representative of each ACP State.

Article 171

1. The Committee of Ambassadors shall assist the Council of Ministers in the performance of its functions and shall carry out any mandate entrusted to it by the Council of Ministers.

2. The Committee of Ambassadors shall exercise such other duties as are assigned to it by the Council of Ministers.

3. The Committee of Ambassadors shall keep under review the functioning of this Convention and the progress towards the realization of the objectives defined by the Council of Ministers.

4. The Committee of Ambassadors shall account for its actions to the Council of Ministers particularly in matters which have been the subject of delegation of powers. It shall also submit to the Council of Ministers any proposals, resolutions, recommendations or opinions which it may deem necessary or consider appropriate.

5. The Committee of Ambassadors shall supervise the work of all the committees and all other bodies or working groups, whether standing or *ad hoc*, established or provided for under this Convention and submit periodic reports to the Council of Ministers.

6. In the discharge of its duties the Committee of Ambassadors shall meet at least every six months.

Article 172

1. The office of the Chairman of the Committee of Ambassadors shall be held alternately by a representative of a Member State designated by the Community and a representative of an ACP State designated by the ACP States.

2. The Committee of Ambassadors shall lay down its rules which shall be submitted to the Council of Ministers for approval.

Article 173

A representative of the Bank shall be present at meetings of the Council of Ministers or Committee of Ambassadors when matters from the areas which concern the Bank are on the agenda.

Article 174

The secretariat duties and other work necessary for the functioning of the Council of Ministers and the Committee of Ambassadors or other joint bodies shall be carried out on a basis of parity and in accordance with the conditions laid down in the rules of procedure of the Council of Ministers.

Article 175

1. The Consultative Assembly shall be composed on a basis of parity of members of the European Parliament on the side of the Community and of members of parliament or representatives designated by the ACP on the other.
2. The Consultative Assembly shall consider ways and means of strengthening the cooperation between the Community and the ACP States and furthering the objectives of this Convention. It may submit to the Council of Ministers any conclusions and make any recommendations it considers appropriate, in particular when examining the Council of Ministers' annual report.
3. The Consultative Assembly shall appoint its Bureau and shall adopt its own rules of procedure.
4. The Consultative Assembly shall meet at least once a year.
5. The proceedings of the Consultative Assembly shall be prepared by a Joint Committee. The Consultative Assembly may in addition set up *ad hoc* consultative committees to undertake such specific activities as it shall determine.
6. The Consultative Assembly shall consider the annual report drawn up under Article 168 (5).
7. The Consultative Assembly may, on an *ad hoc* basis, establish such contacts as it considers desirable in order to obtain the views of the economic and social circles on cooperation under this Convention.

8. The Consultative Assembly may adopt resolutions on matters concerning or covered by this Convention.

9. The secretariat duties and other work necessary to the functioning of the Consultative Assembly shall be carried out on the basis of parity and in accordance with the conditions laid down in the rules of procedure of the Consultative Assembly.

Article 176

1. Any dispute which arises between one or more Member States or the Community on the one hand, and one or more ACP States on the other, concerning the interpretation or the application of this Convention may be placed before the Council of Ministers.

2. If the Council of Ministers fails to settle the dispute, the Council may, at the request of either of the Contracting Parties concerned, establish a good offices procedure, the result of which shall be transmitted in a report of the Council at its next meeting.

3. (a) If a settlement of the dispute is not reached, the Council of Ministers shall, at the request of either of the Contracting Parties concerned, appoint an arbitrator. Two additional arbitrators shall then within two months be appointed by the Parties to the dispute, one by either side as defined in paragraph 1.

(b) The decision of the arbitrators shall be taken by majority vote within 18 months.

(c) Each Party to the dispute must take the measures required for the implementation of the arbitrator's decision.

Article 177

The operating expenses of the Institutions of this Convention shall be defrayed in accordance with the terms set out in Protocol 2.

Article 178

The privileges and immunities for the purposes of this Convention shall be as laid down in Protocol 3.

Title XI

GENERAL AND FINAL PROVISIONS

Article 179

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

Article 180

Subject to the special provisions regarding the relations between the ACP States and the French overseas departments provided for therein, this Convention shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territories of the ACP States.

Article 181

In the event of accession of a third country to the Community, the Contracting Parties agree to take, as necessary, the appropriate measures of adaptation and transition.

Article 182

1. (a) As regards the Community, this Convention 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.
 - (b) It will be ratified by the signatory States in conformity with their respective constitutional requirements.
 - (c) Ratification of this Convention shall also be deemed to constitute ratification of the Agreement on products within the province of the European Coal and Steel Community, signed this same day.
2. The instruments of ratification and the act of notification of the conclusion of this Convention shall be deposited, as concerns the ACP States, 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 183

1. This Convention 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 at least two-thirds of the ACP States, and of the act of notification of the conclusion of the Convention by the Community.
2. Any ACP State which has not completed the procedures set out in Article 182 by the date of the entry into force of this Convention as specified in paragraph 1 may do so only within the 12 months following such entry into force and shall be able to proceed with these procedures only during the 12 months following such entry into force, unless before the expiry of this period it gives notice to the Council of Ministers of its intention to complete these procedures not later than six months after this period and on the condition that it undertakes the deposit of its instrument of ratification within the same time limit.

3. As regards those ACP States which have not completed the procedures set out in Article 182 by the date of entry into force of this Convention as specified in paragraph 1, this Convention shall become applicable on the first day of the second month following the completion of the said procedures.

4. Signatory ACP States which ratify this Convention in accordance with the conditions laid down in paragraph 2 shall recognize the validity of all measures taken in implementation of this Convention between the date of its entry into force and the date when its provisions became applicable to them. Subject to any extension which may be granted to them by the Council of Ministers they shall, not later than six months following the completion of the procedures referred to in Article 182, carry out all the obligations which devolve upon them under the terms of this Convention or of implementing decisions adopted by the Council of Ministers.

5. The rules of procedure of the institutions set up under this Convention shall lay down whether and under what conditions the representatives of signatory States which, on the date of entry into force of this Convention have not yet completed the procedures referred to in Article 182, shall sit in those institutions as observers. The arrangements thus adopted shall be effective only until the date on which this Convention becomes applicable to these States; such arrangements shall in any case cease to apply on the date on which, pursuant to paragraph 2, the State concerned may no longer ratify this Convention.

Article 184

1. The Council of Ministers shall be informed of any request by any State for membership of, or association with, the Community.

2. The Council of Ministers shall be informed of any request made by any State wishing to become a member of an economic grouping composed of ACP States.

Article 185

1. Any request for accession to this Convention by a country or territory to which Part Four of the Treaty applies, and which becomes independent, shall be referred to the Council of Ministers.

2. With the approval of the Council of Ministers, the country in question shall accede to this Convention by depositing an instrument of accession with the Secretariat of the Council of the European Communities which shall transmit a certified copy to the Secretariat of the ACP States and shall give notice thereof to the signatory States.

3. That State shall then enjoy the same rights and be subject to the same obligations as the ACP States. Such accession shall not adversely affect the advantages accruing to the ACP States signatory to this Convention from the provisions on financial and technical cooperation and on the stabilization of export earnings.

Article 186

1. Any request for accession to this Convention submitted by a State whose economic structure and production are comparable with those of the ACP States shall require approval by the Council of Ministers. The State concerned may accede to this Convention by concluding an agreement with the Community.

2. That State shall then enjoy the same rights and be subject to the same obligations as the ACP States.

3. The agreement may however stipulate the date on which certain of those rights and obligations shall become applicable to that State.

4. Such accession shall not, however, adversely affect the advantages accruing to the ACP States signatory to this Convention under the provisions on financial and technical cooperation, the stabilization of export earnings and industrial cooperation.

Article 187

As from the entry into force of this Convention, the powers conferred upon the Council of Ministers by the ACP-EEC Convention of Lomé shall be exercised, in so far as is necessary and in compliance with the relevant provisions of the said Convention, by the Council of Ministers set up by this Convention.

Article 188

1. This Convention shall expire after a period of five years from the first day of March 1980, namely the 28th day of February 1985.

2. 18 months before the end of this period the Contracting Parties shall enter into negotiations in order to examine what provisions shall subsequently govern relations between the Community and the Member States on the one hand and the ACP States on the other.

3. The Council of Ministers shall adopt any transitional measures that may be required until the new Convention comes into force.

Article 189

This Convention may be denounced by the Community in respect of each ACP State and by each ACP State in respect of the Community, upon six months' notice.

Article 190

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

Article 191

This Convention, 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 General 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 konvention.

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 Convention.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas de la présente convention.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce alla presente convenzione.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Udfærdiget i Lomé, den enogtredivte oktober nitten hundrede og nioghalvfjerds.

Geschehen zu Lomé am einundreiigsten Oktober neunzehnhundertneunundsiebzig.

Done at Lomé on the thirty-first day of October in the year one thousand nine hundred and seventy-nine.

Fait à Lomé, le trente et un octobre mil neuf cent soixante-dix-neuf.

Fatto a Lomé, addì trentuno ottobre millenovecentosettantanove.

Gedaan te Lomé, de eenendertigste oktober negentienhonderd negenenzeventig.

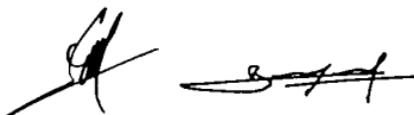
Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen

For Hendes Majestæt Dronningen af Danmark

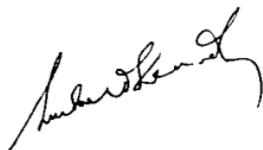
Für den Präsidenten der Bundesrepublik Deutschland



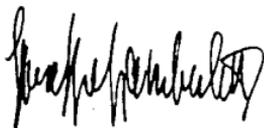
Pour le président de la République française



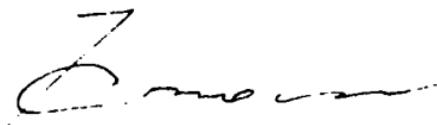
For the President of Ireland



Per il Presidente della Repubblica italiana



Pour Son Altesse royale le grand-duc de Luxembourg



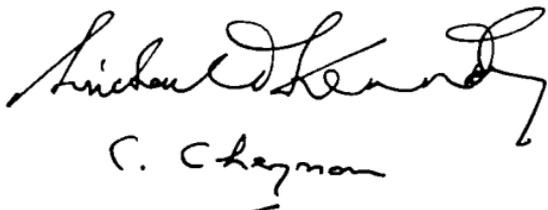
Voor Hare Majesteit de Koningin der Nederlanden



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

Douglas Hurd.

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

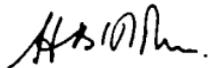


C. Chyngon

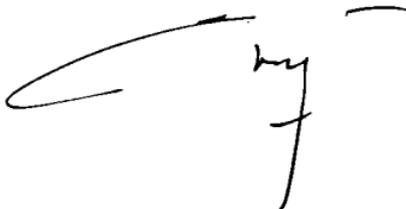
For the Head of State of Bahamas



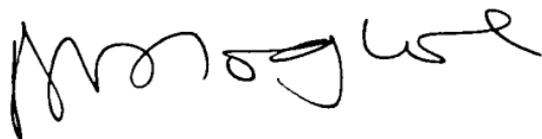
For the Head of State of Barbados



Pour le président de la république populaire du Bénin



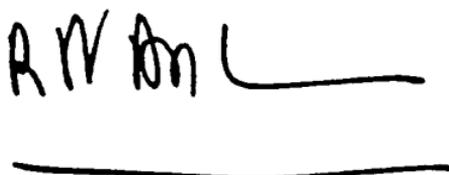
For the President of the Republic of Botswana

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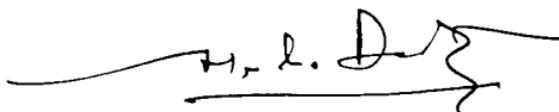
Pour le président de la république du Burundi

A handwritten signature in black ink, appearing to be 'C. Ndayishimiye', written in a cursive style.

Pour le président de la république unie du Cameroun

A handwritten signature in black ink, appearing to be 'A. N. N. N.', written in a cursive style.

For the President of the Republic of Cape Verde

A handwritten signature in black ink, appearing to be 'M. L. D. D.', written in a cursive style.

Pour le président de la République centrafricaine

A handwritten signature in black ink, appearing to be 'F. B. B.', written in a cursive style.

Pour le président de la république fédérale islamique des Comores



Pour le président de la république populaire du Congo



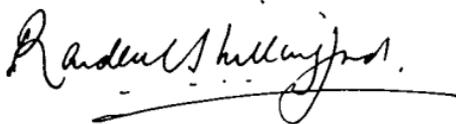
Pour le président de la république de Côte-d'Ivoire



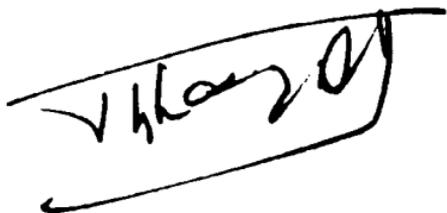
Pour le président de la république de Djibouti



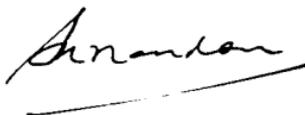
For the Prime Minister and Minister of External Affairs of the Independent State of Dominica



For the Chairman of the Provisional Military Administrative Council and
of the Council of Ministers and Commander-in-Chief of the Revolutionary
Army of Ethiopia

A handwritten signature in black ink, enclosed within a hand-drawn rectangular border. The signature is highly stylized and appears to be 'Mengistu Hailemariam'.

For Her Majesty the Queen of Fiji

A handwritten signature in black ink, consisting of a cursive name followed by a horizontal line underneath.

Pour le président de la République gabonaise

A handwritten signature in black ink, written diagonally across two parallel lines. The signature is cursive and appears to be 'Léon M'ba'.

For the President of the Republic of the Gambia

A handwritten signature in black ink, consisting of a cursive name followed by a horizontal line underneath.

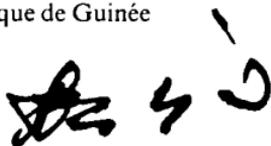
For the President of the Republic of Ghana

A handwritten signature in black ink, consisting of a cursive name followed by a horizontal line underneath.

For the Head of State of Grenada



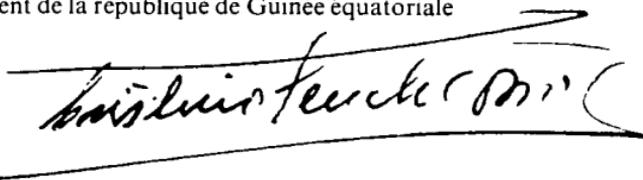
Pour le président de la république de Guinée



Pour le président du Conseil d'État de la Guinée-Bissau



Pour le président de la république de Guinée équatoriale



For the President of the Republic of Guyana



Pour le président de la république de la Haute-Volta



For the Head of State of Jamaica



For the President of the Republic of Kenya



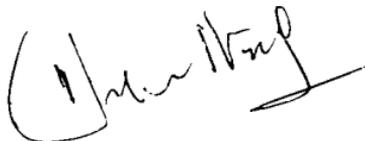
For the President of the Republic of Kiribati



For His Majesty the King of the Kingdom of Lesotho



For the President of the Republic of Liberia



Pour le président de la république démocratique de Madagascar



For the President of the Republic of Malawi



Pour le président de la république du Mali



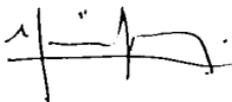
Pour le président de la république islamique de Mauritanie



Pour Sa Majesté la reine de l'île Maurice



Pour le président de la république du Niger



For the Head of the Federal Government of Nigeria



For the Head of the Independent State of Papua New Guinea



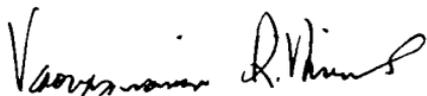
Pour le président de la République rwandaise



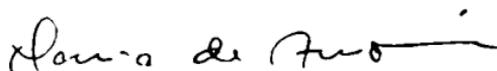
For the President of the Republic of Saint Lucia



For the Head of State of Western Samoa



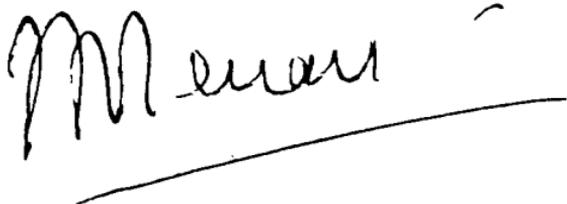
For the President of the Democratic Republic of Sao Tome and Principe



Pour le président de la république du Sénégal



Pour le président de la république des Seychelles

A handwritten signature in black ink, appearing to be 'M. Mani', written over a horizontal line.

For the President of the Republic of Sierra Leone

A handwritten signature in black ink, appearing to be 'S. S. S.', written in a cursive style.

For the President of the Independent State of Solomon Islands

A handwritten signature in black ink, appearing to be 'Douglas Huro.', written in a cursive style.

For the President of the Somali Democratic Republic
President of the Supreme Revolutionary Council

A handwritten signature in black ink, appearing to be 'S. S.', written in a cursive style.

For the President of the Democratic Republic of the Sudan

A handwritten signature in black ink, appearing to be 'Izzeldin Hammad', written in a cursive style.

For the President of the Republic of Suriname



For His Majesty the King of the Kingdom of Swaziland



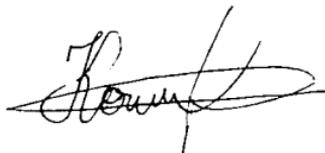
For the President of the United Republic of Tanzania



Pour le président de la république du Tchad



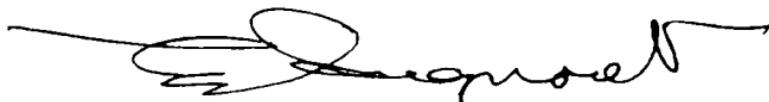
Pour le président de la République togolaise



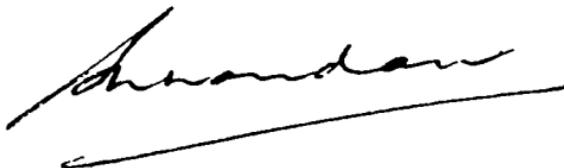
For His Majesty King Taufa'ahau Tupou IV of Tonga



For the President of the Republic of Trinidad and Tobago

A handwritten signature in black ink, appearing to read 'R. Roopnarain', written in a cursive style with a long horizontal line extending to the left.

For Her Majesty the Queen of Tuvalu

A handwritten signature in black ink, appearing to read 'A. Anderson', written in a cursive style with a long horizontal line extending to the left.

For the President of the Republic of Uganda

A handwritten signature in black ink, appearing to read 'Yoweri Museveni', written in a cursive style.

Pour le président de la république du Zaïre

A handwritten signature in black ink, appearing to read 'Mobutu Sese Seko Konde Lila Ngbendu', written in a cursive style with a long horizontal line extending to the left.

For the President of the Republic of Zambia

A handwritten signature in black ink, appearing to read 'Kenneth D. Kaunda', written in a cursive style.

PROTOCOL 1

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 purposes of implementing the Convention and without prejudice to paragraphs 3 and 4, the following products shall be considered as products originating in an ACP State, provided that they have been transported directly, within the meaning of Article 5:

- (a) products wholly obtained in one or more ACP State;
- (b) products obtained in one or more ACP State in the manufacture of which products other than those referred to in (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purposes of implementing paragraph 1, the ACP States are considered as being one territory.

3. When products wholly obtained in the Community or in the countries and territories defined in Explanatory Note 9 undergo working or processing in one or more ACP State, they shall be considered as having been wholly produced in that or those ACP States, provided that the products have been transported directly within the meaning of Article 5.

4. Working and processing carried out in the Community or in the countries and territories shall be considered as having been carried out in one or more ACP State, when the final products undergo working or processing in one or more ACP State, provided that the products have been transported directly within the meaning of Article 5.

5. For the purpose of implementing the previous paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the products obtained in two or more ACP States shall be considered as products originating in the ACP State where the last working or processing took place. For this purpose the working or processing listed in Article 3 (3)(a), (b), (c) and (d) shall not be considered as working or processing, nor shall a combination of such working or of such processing.

6. The products set out in List C of Annex IV shall be temporarily excluded from the scope of this Protocol. Nevertheless, the arrangements regarding administrative cooperation shall apply *mutatis mutandis* to these products.

Article 2

The following shall be considered as wholly obtained either in one or more ACP States, or in the Community or in the countries and territories within the meaning of Article 1 (1)(a) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products obtained by hunting or fishing conducted therein;
- (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 therein;
- (j) goods produced there exclusively from the products specified in subparagraphs (a) to (i).

Article 3

1. For the purpose of implementing Article 1 (1)(b) 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 tariff 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 'tariff headings' shall mean the sections, chapters and headings in the Customs Cooperation Council nomenclature for the classification of goods in customs tariffs.

2. When, for a given product obtained, a percentage rule limits, in List A and in List 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 tariff 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 paragraph 1(a) the following shall always be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of tariff 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 and other like distinguishing signs on products or their packaging;

- (e) (i) simple mixing of products of the same kind where one or more components of the mixtures do not meet the conditions laid down in this Protocol to enable them to be considered as originating either in an ACP State, the Community or in the countries and territories;

- (ii) simple mixing of products of different kinds unless such components of the mixture meet in the conditions laid down in this Protocol to enable them to be considered as originating either in an ACP State, in the Community, or in the countries and territories and provided that one or more components contribute in determining the essential characteristics of the finished product.
- (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 the Lists A and B referred to in Article 3 provide that goods obtained in an ACP State 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 percentage shall be:

- on the one hand, as regards products whose import can be proved, their customs value at the time of import; and 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 export.

Article 5

1. For the purpose of implementing Article 1 (1), (3) and (4), products whose transport is effected without entering into territory

other than that of the parties concerned are considered as transported directly from the ACP States to the Community or from the Community or the countries and territories to the ACP States. Goods constituting one single consignment may be transported through territory other than that of the ACP States or the Community or the countries and territories, 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 or the needs of transport and that the products have not entered into commerce or been delivered for home use and have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Interruptions or changes in the method of transport due to *force majeure* or consequent upon conditions at sea shall not affect the application of the preferential treatment laid down in this Protocol, provided that the goods have not, during these interruptions or changes, entered into commerce or been delivered for home use and have not undergone any operations other than those designed to preserve 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 by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit;
- (b) or 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. (a) Evidence of originating status, within the meaning of this Protocol, of products is given by a movement certificate EUR.1 of which a specimen appears in Annex V to this Protocol.

(b) 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 1 420 European units of account per consignment, is given by a form EUR.2, of which a specimen appears in Annex VI to this Protocol.

(c) Up to and including 30 April 1981 the European unit of account to be used in any given national currency of a Member State of the Community shall be the equivalent in that national currency of the European unit of account as at 30 June 1978. For each successive period of two years it shall be the equivalent in that national currency of the European unit of account as at the first working day in October in the year immediately preceding that two-year period.

- (d) Revised amounts replacing the amounts expressed in EUA mentioned above and in Article 16 (2) may be introduced by the Community at the beginning of any successive two-year period if necessary and shall be notified by the Community to the Customs Cooperation Committee not later than one month before they shall come into force. These amounts shall be, in any event, such as to ensure that the value of the limits as expressed in the currency of any Member State shall not decline.

- (e) If the goods are invoiced in the currency of another Community Member State the importing Member State shall recognize the amount notified by the Member State concerned.

2. 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 Customs Cooperation Council 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 import 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.

4. 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

1. A movement certificate EUR.1 shall be issued by the customs authorities of the exporting ACP State when the goods to which it relates are exported. It shall be made available to the exporter as soon as the actual export has been effected or ensured.
2. In exceptional circumstances a movement certificate EUR.1 may also be issued after export of the goods to which it relates if it was not issued at the time of export 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 appears 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 Convention.
5. Applications for movement certificates EUR.1 must be preserved for at least three years by the customs authorities of the exporting country.

Article 8

1. The movement certificate EUR.1 shall be issued by the customs authorities of the exporting ACP 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

1. Movement certificates EUR.1 shall be made out on the form of which a specimen appears in Annex V to this Protocol. This form shall be printed in one or more of the languages in which the Convention 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.

2. Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 or minus 5 mm in the length may 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.

3. 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

1. A movement certificate EUR.1 must be submitted, within 10 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.
2. When the products enter a port of an ACP State or country or territory other than the country of origin, a further period of validity of 10 months shall commence on the date on which the customs authorities in the port of transit enter the following in box 7 of the certificate EUR.1:
 - the word 'transit',
 - the name of the country of transit,
 - a date stamp.

This procedure shall enter into force after a specimen of the date stamp used has been communicated to the Commission.

The Commission shall communicate this information to the customs authorities of the Member States.

3. It shall at any time be possible to replace one or more movement certificate EUR.1 by one or more other movement certificate EUR.1 provided that this is done at the customs office where the goods are located.

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 Convention.

Article 13

1. A movement certificate EUR.1 which is submitted to the customs authorities of the importing State after the final date of 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

Form EUR.2, a specimen of which appears in Annex VI, shall be completed by the exporter. It shall be made out in one of the languages in which the Convention 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.

Form EUR.2 shall consist of a single sheet measuring 210×148 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp and weighing not less than 64 g/m^2 .

The exporting States may reserve the right to print the forms themselves or may have them printed by printers they have approved. In the latter case each form must include a reference to such approval. In addition, each form shall 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 such postal consignment. After completing and signing the form, the exporter shall, in the case of consignments by parcel post, attach the form to the dispatch note. In the case of consignment by letter post, the exporter shall insert the form inside the package.

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

Article 16

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 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. Imports 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 imports 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 90 European units of account in the case of small packages or 285 European units of account in the case of the contents of travellers' personal luggage.

Article 17

1. Goods sent from an ACP State for exhibition in a country other than an ACP State, a Member State or a 'country or territory' and sold after the exhibition for importation into the Community, shall benefit on importation from the provisions of the Convention on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in an ACP State and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from an ACP State 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 the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter 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 18

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 export of the goods to which the certificate relates,
- certify that no movement certificate EUR.1 was issued at the time of export 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', 'DELIVRE A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE'.

Article 19

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'.

Article 20

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 ACP State requested to issue the certificate for products in the manufacture of which products coming from other ACP States, the Community or 'countries or territories' are used, shall take into consideration the declaration, of which a specimen appears in Annex VII, given by the exporter in the State, country or territory 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 21 and of which a specimen appears 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 21

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 20 (2), or at the initiative of this exporter, by the competent customs office in the State, country or territory 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 three years.

Article 22

The ACP States 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 23

1. The ACP States shall send to the Commission specimens of the stamps used together with the addresses of the customs authorities competent to issue movement certificates EUR.1 and carry out the subsequent verification of movement certificates EUR.1 and forms EUR.2.

The Commission shall send this information to the Customs authorities of the Member States.

2. In order to ensure the proper application of this Title, the Member States, the countries and territories and the ACP States 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 20.

Article 24

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 25

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 doubts 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 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 certificate EUR.1 or 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 provisions of the Convention 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 within three months. These results must be such as to make it possible to determine whether the disputed movement certificate EUR.1 or form EUR.2 applied 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 28.

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 26

The subsequent verification of the information certificate referred to in Article 20 shall be carried out in the circumstances envisaged in Article 25 following a similar procedure to that envisaged in that Article.

Article 27

In accordance with the provisions of Article 11 of the Convention, the Council of Ministers shall examine annually, or whenever the ACP States or the Community so requests, the application of the provisions of this Protocol and their economic effects with a view to making any necessary amendments or adaptations.

The Council of Ministers shall take into account among other elements the effects on the rules of origin of technological developments.

The decisions taken shall be implemented as soon as possible.

Article 28

1. A Customs Cooperation Committee shall be set up and 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 meet regularly, in particular to prepare the decisions of the Council of Ministers pursuant to Article 27.
3. The Committee shall take decisions on derogations from this Protocol, under the conditions laid down in Article 30.
4. The Committee shall be composed on the one hand of experts of Member States and of officials of the Commission who are responsible for customs questions, and on the other hand of experts representing the ACP States and of officials of regional groupings of the ACP States who are responsible for customs questions.

Article 29

The Customs Cooperation Committee shall examine regularly the effect on the ACP States and in particular on the least-developed ACP States of the application of the rules of origin and shall recommend to the Council of Ministers appropriate measures.

Article 30

1. Derogations from this Protocol may be adopted by the Committee where the development of existing industries or the creation of new industries justifies them. The ACP State or States concerned shall, either before or when the ACP States submit the matter to the Committee, notify the Community of its request for a derogation together with the reasons for the request in accordance with Explanatory Note 10.

2. The examination of requests shall in particular take into account :

- (a) the level of development or the geographical situation of the ACP State or States concerned;
- (b) cases where the application of the existing rules of origin would affect significantly the ability of an existing industry in an ACP State to continue its exports to the Community, with particular reference to cases where this could lead to cessation of its activities;
- (c) specific cases where it can be clearly demonstrated that significant investment in an industry could be deterred by the rules of origin and where a derogation favouring the realization of the investment programme would enable these rules to be satisfied by stages.

3. In every case an examination shall be made to ascertain whether the rules relating to cumulation of origin do not provide a solution to the problem.

4. In addition when a request for derogation concerns a least-developed ACP State, its examination shall be carried out with a favourable bias having particular regard to:

- (a) the economic and social impact of the decision to be taken especially in respect of employment;
- (b) the need to apply the derogation for a period taking into account the particular situation of the least-developed ACP State concerned and its difficulties.

5. The examination of requests shall in particular take into account on a case-by-case basis, the possibility of conferring originating status on products which include in their composition products

originating in neighbouring countries or in developing countries with which one or more ACP States have special relationships, provided that satisfactory administrative cooperation can be established.

6. The Committee shall take steps necessary to ensure that a decision is reached as quickly as possible, and in any case not later than three months after referral to the Community. In the event of a decision not being taken by the Committee, the Committee of Ambassadors shall be called upon to decide within one month after the date on which the matter is referred to it.

7. (a) The derogations shall be valid for a period to be determined by the Committee which shall generally be of two years. This period may be extended to a maximum of three years, when the derogations concern a least-developed ACP State.

(b) The derogation decision may provide for renewals for periods of one year without a new decision of the Committee being necessary provided that the ACP State or States concerned submit, three months before the end of each period, proof that they are still unable to meet the conditions of this Protocol which have been derogated from.

(c) If any objection is made to the extension the Committee shall examine such an objection as soon as possible and decide whether to prolong the derogation. The Committee shall proceed as provided for in paragraph 6. All necessary measures shall be taken to avoid interruptions in the application of the derogation.

Article 31

The Contracting Parties undertake to examine in an appropriate institutional framework, from the date of the signature

of the Convention, any applications for derogations from this Protocol, with a view to allowing them to enter into force at the same date as the Convention.

Article 32

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

Article 33

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

ANNEX I

EXPLANATORY NOTES

Note 1: Articles 1 and 2⁽¹⁾

The terms 'one or more ACP State', 'the Community' and 'countries and territories' shall also cover their territorial waters.

Sea-going vessels, including factory ships, on which the fish caught is worked or processed shall be considered as part of the territory of the ACP States, the Community or the countries and territories to which they belong, provided that they satisfy the conditions set out in Explanatory Note 6.

Note 2: Article 1 (1)(b)

In order to determine whether goods originate in an ACP State, the Community or one of the countries or territories, it shall not be necessary to establish whether the electrical power, fuel, plant and equipment and machines and tools used to obtain such goods or whether any products used in the course of production which do not enter and which were not intended to enter into the final composition of the 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 an ACP State, 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-country products imported into the Community, the ACP States or the 'countries and territories'.

⁽¹⁾ On these rules, refer to the examination provided for in the joint declaration on the origin of fishery products (page 2127 of this volume).

Note 4: Article 3 (1) and (2) and Article 4

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

Note 5: Article 1

For the purpose of applying the rules of origin, packaging material is regarded as forming a whole with the products contained therein. This provision, however, shall not apply to packaging 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 packaging.

Note 6

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

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

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 23

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 ACP States, Member States or countries and territories concerned.

Note 9: Article 1 (3)

Within the meaning of this protocol 'countries and territories' shall mean the countries and territories referred to in Part Four of the Treaty establishing the European Economic Community.

Note 10: Article 30 (1)

In order to facilitate the examination by the Customs Cooperation Committee of requests for derogation, the ACP State making the request shall furnish in support of its request the fullest possible information covering in particular the points listed below:

- description of the finished product,

- nature and quantity of products originating in a third country,

- nature and quantity of products originating in ACP States, the Community or the overseas countries and territories or which have been processed there,
- manufacturing process,
- value added,
- number of employees in the undertaking concerned,
- anticipated volume of exports to the Community,
- other possible sources of supply for raw materials,
- reasons for the duration requested in the light of efforts made to find new sources of supply,
- other observations.

The same rules apply to any requests for extension.

The period stipulated in Article 30 (6) shall run from the date of notification to the Community.

ANNEX II

LIST A

List of working or processing operations carried out on non-originating materials which result in a change of tariff heading without conferring the status of 'originating products' on the products resulting from such operations, or conferring this status only subject to certain conditions

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
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 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
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 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
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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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	
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	

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		Manufacture from durum wheat
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 products other than: maize of the type 'Zea indurata', durum wheat, - products falling within Chapter 17, the value of which does not exceed 30% of the value of the finished product, - vitamins, mineral salts, chemicals and natural or other substances or preparations used as additives	
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	

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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	 Manufacture 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
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 the 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 headings 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

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

CCT heading No	Products obtained	Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
	Description		
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
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	
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	

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	
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, paper-board or cloth	Manufacture from products of heading No 37.02	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02	
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, flypapers)		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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
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: <p>Fusel oil and dippel's oil;</p> <p>Naphthenic acids and their water-insoluble salts; esters of naphthenic acids;</p> <p>Sulphonaphthenic acids and their water-insoluble salts; esters of sulphonaphthenic acids;</p>		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

ex 38.19
(cont'd)

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 alkyl-naphthalenes;

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

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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 husks 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)	
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
ex 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 greetings 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	

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 or 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
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

⁽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:

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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
53.10 ⁽¹⁾	Yarn of sheep's or lambs' wool or 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 headings Nos 53.01 to 53.05
53.12 ⁽²⁾	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 ⁽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
55.09 ⁽²⁾	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 ⁽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

⁽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:

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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
56.07 ⁽¹⁾	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from: products of heading No 56.01 to 56.03
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
ex 57.07 ⁽²⁾	Yarn of true hemp		Manufacture from true hemp, raw
ex 57.07 ⁽²⁾	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 ⁽¹⁾	Woven fabrics 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 57.11 ⁽¹⁾	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

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 ⁽³⁾	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

⁽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 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.

⁽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.

⁽³⁾ 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 metalized 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
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 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 amy-laceous 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

⁽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.

CCT heading No	Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
	Description			
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 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		Manufacture from yarn
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
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

- ⁽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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 ⁽¹⁾
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 ⁽¹⁾
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 ⁽¹⁾
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⁾

ex 61.01	Men's and boy's outer garments, excluding fire resistant equipment of cloth covered by foil of aluminized polyester	Manufacture from yarn ⁽¹⁾
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⁾
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⁾
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⁾
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⁾
61.04	Women's, girls' and infants' under garments	Manufacture from yarn ⁽¹⁾
ex 61.05	Handkerchiefs, not embroidered	Manufacture from unbleached single 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⁾ 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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⁾
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⁾
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⁾
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⁾
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⁾
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⁾

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⁾
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⁾
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⁾
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods	Manufacture from unbleached single yarn ⁽²⁾
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

⁽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⁾ 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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⁾
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 ⁽¹⁾

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
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	

(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.

CCT heading No	Products obtained	Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
	Description		
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	
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 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
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
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
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
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
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
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
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
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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
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
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
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
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
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
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
75.04	Tubes and pipes and blanks thereof, 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
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

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
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 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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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
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
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
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
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
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

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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

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
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 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 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

⁽¹⁾ In determining the value of the 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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 materials and parts used does not exceed 40% of the value of the finished product
85.14	Microphones and stands therefor; loud-speakers; audio-frequency electric amplifiers		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, and provided that: <ul style="list-style-type: none"> - at least 50% in value of the materials and parts ⁽¹⁾ used are originating products, and - the value of the 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 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 are originating products, and - the value of the 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, 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 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 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 (except electrically ignited photographic flashbulbs), 90.08, 90.12 and 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 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

⁽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 of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 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 but not including re-recorders or film editing apparatus; any combination of these articles		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, 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 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 thereof		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, 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 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 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

⁽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.

Products obtained		Working or processing of non-originating materials that does not confer the status of originating products	Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description		
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 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 are originating products, and - the value of the 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
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

(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%.

ANNEX III

LIST B

List of working or processing operations which when carried out on non-originating materials do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products resulting from such operations

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams	Incorporation of materials and parts in boilers, machinery, mechanical appliances, etc., of Chapter 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
ex 15.05	Refined lanolin	Working, processing or assembly in which the value of the materials and parts used does not exceed 50% of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from crude wool grease
ex 17.01	Beet sugar and cane sugar, in solid form, flavoured or coloured	Manufacture from fatty acids
ex 17.02	Lactose, glucose, maple or other sugars, 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
		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

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 25.19	Natural magnesium carbonate (magnesite), whether or not calcined, other than magnesium oxide, crushed and put into hermetically sealed containers	Crushing and putting into hermetically sealed containers of natural magnesium carbonate (magnesite), whether or not calcined, other than magnesium oxide
ex 25.24	Natural asbestos fibres	Treatment of asbestos concentrate
ex 25.26	Milled and homogenized mica waste	Milling and homogenizing of mica waste
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 terpene 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 products used does not exceed 20% of the value of the finished product

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
ex 28.13	Sulphuric anhydride	Manufacture from sulphur dioxide
ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermically	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermically
ex 32.01	Tannins (tannic acids), including water-extracted gallnut 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 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 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 metaacrylic 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	Sheep- and lamb-skins without the wool	Removing wool from sheep- and lamb-skins in the wool
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 sheep- and lamb-skin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of sheep- and lamb-skin leather, not further prepared than tanned
ex 41.04	Retanned goat- and kid-skin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of goat- and kid-skin 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 cooper's 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	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 51.04		
ex 53.11		
ex 53.12		
ex 54.05		
ex 55.07		
ex 55.08		
ex 55.09		
ex 56.07		

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
ex 59.14	Incandescent gas mantles	Manufacture from tubular gas-mantle fibre
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 gluing 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
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 73.29	Skid chains	Working or processing in which the value of the products used does not exceed 50% of the value of the finished product

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
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
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 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 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

⁽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.

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
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 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 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 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 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	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, and provided that: 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 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 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 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 ⁽³⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton 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 ⁽³⁾
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

⁽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 the 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 transistors laid down in List A for the same tariff heading.

⁽³⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other parts which are part of the composition of the final product.

Finished products		Working or processing of non-originating materials that confers the status of originating products
CCT heading No	Description	
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 97.06	Golf-club heads of wood or other materials	Manufacture from roughly shaped blocks
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

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		
3. Consignee (Name, full address, country) (Optional)	See notes overleaf before completing this form		
	2. Certificate 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	
	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.

--	--	--

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)

(?) 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 no. 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

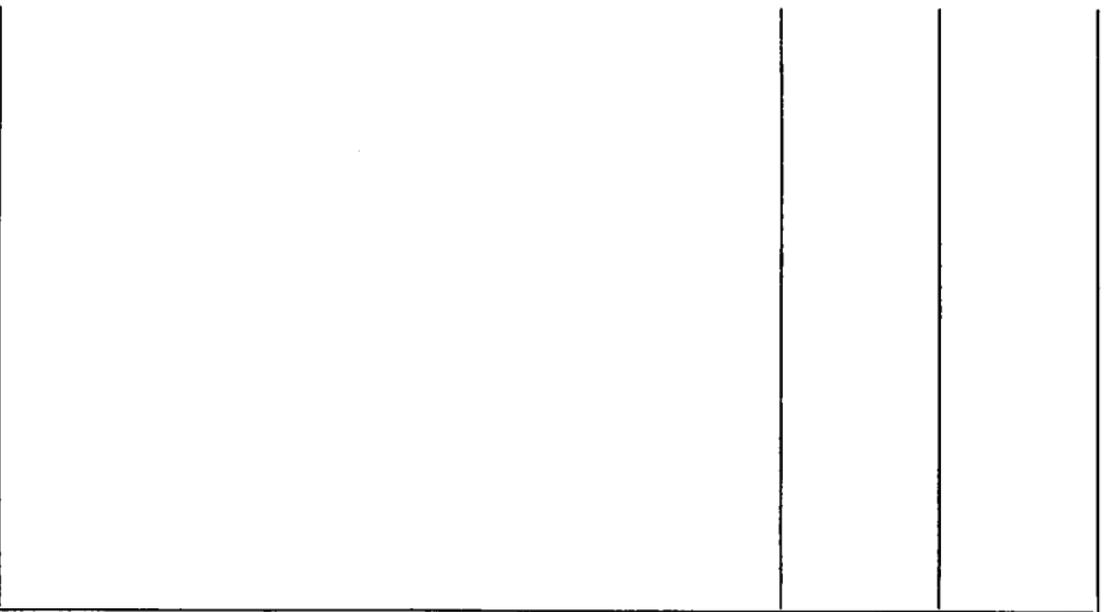
1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities 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)



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 ⁽³⁾	
11 Marks; Numbers of consignment; Description of goods		9 Country of destination ⁽⁴⁾	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>
--	--

(*) 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

.....
(indicate the State(s) partner to the Convention in which the products were obtained)

and (as appropriate):

(a) (*) satisfy the rules on the definition of the concept of 'wholly produced products'

or

(b) (*) were produced from the following products:

Description	Country of origin	Value (*)
.....
.....
.....
.....

and have undergone the following processes:

.....(indicate processings)

in

..... (indicate the State(s) partner to the Convention in which the products were obtained)

.....

(Place and date)

(Signature)

(*) To be completed as necessary.

ANNEX VIII
EUROPEAN COMMUNITIES

1. Supplier ⁽¹⁾	<p>INFORMATION CERTIFICATE</p> <p>to facilitate the issue of a</p> <p>MOVEMENT CERTIFICATE</p> <p>for preferential trade between the</p> <div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%; text-align: center;"> <p>EUROPEAN ECONOMIC COMMUNITY</p> <p>and THE ACP STATES</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 style="width: 20px; height: 15px; border: 1px solid black;" type="text"/> <input style="width: 20px; height: 15px; border: 1px solid black;" type="text"/> <input style="width: 20px; height: 15px; border: 1px solid black;" 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

14. Quantity (*)

15. Value (*) (*)

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)

2053

(*) (2) (*) (*) 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) The value must be indicated in accordance with the provisions on rules of origin.

PROTOCOL 2

on the operating expenditure of the institutions

THE HIGH CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which shall be annexed to the Convention:

Article 1

The Member States and the Community on the one hand, and the ACP States on the other, shall be responsible for such expenditure as they shall incur by reason of their participation in the meetings of the Council of Ministers and its dependent bodies, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenses.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents, and the practical arrangements for meetings (premises, equipment, messengers, etc.) shall be borne by the Community or by one of the ACP States, according to whether the meetings take place in the territory of a Member State or in that of an ACP State.

Article 2

The Community and the ACP States shall be severally responsible for the travel and subsistence expenditure of their respective participants at the meetings of the Consultative Assembly.

They shall likewise be responsible for the travel and subsistence expenditure of the personnel required for such meetings and for postal and telecommunications charges.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents, and the organization of meetings

(premises, equipment, messengers, etc.) shall be borne by the Community or by the ACP States, according to whether the meetings take place in the territory of a Member State or in that of an ACP State.

Article 3

The arbitrators appointed in accordance with Article 176 of the Convention shall be entitled to a refund of their travel and subsistence expenditure. The latter shall be determined by the Council of Ministers.

One half of travel and subsistence expenditure incurred by the arbitrators shall be borne by the Community and the other half by the ACP States.

Expenditure relating to any registry set up by the arbitrators, to preparatory inquiries into disputes, and to the organization of hearings (premises, personnel, interpreting etc.) shall be borne by the Community.

Expenditure relating to special inquiries shall be settled together with the other costs and the parties shall deposit advances as determined by an order of the arbitrators.

PROTOCOL 3

on privileges and immunities

THE HIGH CONTRACTING PARTIES,

Desiring, by the conclusion of a Protocol on privileges and immunities, to facilitate the smooth functioning of the Convention, the preparation of its work and the implementation of the measures adopted for its application;

Whereas it is therefore necessary to specify the privileges and immunities which may be claimed by persons participating in work relating to the application of the Convention and to the arrangements applicable to official communications connected with such work, without prejudice to the provisions of the Protocol on the privileges and immunities of the European Communities, signed at Brussels on 8 April 1965;

Whereas it is also necessary to lay down the treatment to be accorded to the property, funds and assets of the Council of ACP Ministers and its staff;

Whereas the Georgetown Agreement of 6 June 1975 constituted the ACP Group of States and instituted a Council of ACP Ministers, and a Committee of ACP Ambassadors; whereas the organs of the ACP Group are to be serviced by the ACP General Secretariat,

HAVE AGREED upon the following provisions, which shall be annexed to the Convention:

Chapter 1

PERSONS TAKING PART IN THE WORK OF THE CONVENTION

Article 1

The representatives of the Governments of the Member States and of the ACP States and the representatives of the institutions of the European Communities, as also their advisers and experts and the members of the staff of the Secretariat of the ACP States taking part, in the territory of the Member States or of the ACP States, in the work either of the institutions of the Convention or of the coordinating bodies, or in work connected with the application of the Convention, shall enjoy the customary privileges, immunities and facilities while carrying out their duties and while travelling to or from the place at which they are required to carry out such duties.

The preceding paragraph shall also apply to members of the Consultative Assembly of the Convention, to the arbitrators who may be appointed under the Convention, to members of the consultative bodies of the economic and social sectors which may be set up, to the officials and employees of these institutions, and also to the members of the agencies of the European Investment Bank and its staff, and also to the staff of the Centre for Industrial Development and the Technical Centre for Agricultural and Rural Cooperation.

Chapter 2

PROPERTY, FUNDS AND ASSETS OF THE COUNCIL OF ACP MINISTERS

Article 2

The premises and buildings occupied by the Council of ACP Ministers for official purposes shall be inviolable. They shall be exempt from search, requisition, confiscation or expropriation.

Except when required for the purposes of investigating an accident caused by a motor vehicle belonging to the said Council or being used on its account, or in the event of an infringement of road traffic regulations or of an accident caused by such a vehicle, the property and assets of the Council of ACP Ministers shall not be the subject of any administrative or legal measures of constraint without the authorization of the Council of Ministers set up under the Convention.

Article 3

The archives of the Council of ACP Ministers shall be inviolable.

Article 4

The Council of ACP Ministers, its assets, income and other property shall be exempt from all direct taxes.

The host State shall, wherever possible, take the appropriate measures to remit or refund the amount of indirect taxes or sales taxes included in the price of movable or immovable property, where the Council of ACP Ministers makes, strictly for its official use, substantial purchases, the price of which includes taxes of this kind.

No exemption shall be granted in respect of taxes, charges, duties or fees which represent charges for services rendered.

Article 5

The Council of ACP Ministers shall be exempt from all customs duties, prohibitions and restrictions on imports in respect of articles intended for its official use; articles so imported may not be sold or otherwise disposed of, whether or not in return for payment, in the territory of the country into which they have been imported, except under conditions approved by the government of that country.

Chapter 3

OFFICIAL COMMUNICATIONS

Article 6

For their official communications and the transmission of all their documents, the European Economic Community, the institutions of the Convention and the coordinating bodies shall enjoy in the territory of the States party to the Convention the treatment accorded to international organizations.

Official correspondence and other official communications of the European Economic Community, the institutions of the Convention and the coordinating bodies shall not be subject to censorship.

Chapter 4

STAFF OF THE SECRETARIAT OF THE ACP STATES

Article 7

The secretary (secretaries) and deputy secretary (secretaries) of the Council of ACP Ministers and the other permanent members of the staff of senior rank as designated by the ACP States, of the Council of ACP Ministers shall enjoy, in the State in which the Council of ACP Ministers is established, under the responsibility of the chairman-in-office of the Committee of ACP Ambassadors, the advantages accorded to the diplomatic staff of diplomatic missions. Their spouses and their children under age living in their household shall be entitled, under the same conditions, to the advantages accorded to the spouses and children under age of such diplomatic staff.

Article 8

The State in which the Council of ACP Ministers is established shall grant immunity from legal proceedings to permanent members of the staff of the Secretariat of the ACP States, apart from those referred to in Article 7, only in respect of acts done by them in the performance of their official duties. Such immunity shall not, however, apply to infringements of road traffic regulations by a permanent member of the staff of the Secretariat of the ACP States or to damage caused by a motor vehicle belonging to, or driven by, him or her.

Article 9

The names, positions and addresses of the chairman-in-office of the Committee of ACP Ambassadors, the secretary (secretaries) and deputy secretary (secretaries) of the Council of ACP Ministers and of the permanent members of the staff of the Secretariat of the ACP States shall be communicated periodically by the President of the Council of ACP Ministers of the government of the State in whose territory the Council of ACP Ministers is established.

Chapter 5

GENERAL PROVISIONS

Article 10

The privileges, immunities and facilities provided for in this Protocol shall be accorded to those concerned solely in the interests of the proper execution of their official duties.

Each institution or body referred to in this Protocol shall be required to waive immunity wherever it considers that the waiver of such immunity is not contrary to its own interest.

Article 11

Article 176 of the Convention shall apply to disputes relating to this Protocol.

The Council of ACP Ministers and the European Investment Bank may be party to proceedings during an *ad hoc* arbitration procedure.

PROTOCOL 4

on bananas

The Community and the ACP States agree to the following objectives for improving the conditions under which the ACP States' bananas are produced and marketed, and agree that appropriate measures will be taken for their implementation.

Article 1

As regards its exports of bananas to the markets of the Community, no ACP State will be placed, as regards access to its traditional markets and its advantages on those markets, in a less favourable situation than in the past or at present.

Article 2

Each of the ACP States concerned and the Community will confer together in order to determine the measures to be implemented to improve conditions for the production and marketing of bananas. This aim will be pursued by using all the means provided for in the context of financial and technical cooperation. The measures in question will be designed to enable the ACP States, particularly Somalia, account being taken of their individual situations, to become more competitive both on their traditional markets and on the other markets of the Community. Measures will be implemented at all stages from production to consumption and will cover the following fields in particular:

- improvement of production, harvesting, handling and internal transport conditions,
- trade promotion.

Article 3

For the purpose of attaining these objectives, the two parties agree to confer together in a permanent joint group, assisted by a group of experts whose task will be to keep under continuous review any specific problems arising from application of this Protocol in order to suggest solutions.

Article 4

Should the banana-producing ACP States decide to set up a joint organization for the purpose of attaining the objectives of this Protocol, the Community will support such an organization and will give consideration to any requests it may receive for support for the organization's activities which fall within the scope of regional schemes under the heading of financial and technical cooperation.

PROTOCOL 5

on rum

Article 1

Until the entry into force of a common organization of the market in spirits, products of tariff subheading 22.09 C I originating in the ACP States shall be imported duty free into the Community under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States.

Article 2

- (a) For the purposes of applying Article 1 and by derogation from Article 2 (1) of the Convention, the Community shall each year fix the quantities which may be imported free of customs duties on the basis of the largest annual quantities imported from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40% on the market of the United Kingdom and 18% on the other markets of the Community.
- (b) Where the application of the provisions of point (a) hampers the development of a traditional trade flow between the ACP States and a Member State, the Community shall take appropriate measures to remedy this situation.
- (c) To the extent that the consumption of rum increases significantly in the Member States, the Community commits itself to engaging in a new examination of the annual percentage increase fixed by the present Protocol.
- (d) The Community declares itself prepared to proceed to appropriate consultations before determining the measures provided for in (b).

- (e) The Community moreover declares itself willing to seek with the interested ACP States measures capable of allowing an expansion of their sales of rum in non-traditional markets.

Article 3

With a view to attaining these objectives the parties agree to confer together within a joint working party whose role will be to examine continuously any specific problems arising from application of this Protocol.

Article 4

At the request of the ACP States the Community, within the framework of the provisions of Title I, Chapter 3, shall assist the ACP States in promoting and expanding their sales in the traditional and non-traditional markets of the Community.

PROTOCOL 6

on the tax and customs arrangements applicable in the ACP States to contracts financed by the Community

Article 1

1. The ACP States shall apply to contracts, financed by the Community, tax and customs arrangements no less favourable than those applied *vis-à-vis* the most favoured State or most favoured international development organization.

For the purpose of applying the first subparagraph no account shall be taken of arrangements applied to ACP States or other developing countries.

2. Subject to paragraph 1, the ACP States shall apply to contracts financed by the Community the arrangements laid down in Articles 2 to 12.

Article 2

Contracts financed by the Community shall not be subject in the beneficiary ACP State to stamp or registration duties or fiscal charges having equivalent effect, whether such charges exist or are to be instituted.

They may, however, be subject to the formality of registration, in accordance with the laws in force in the ACP States. This formality may entail the collection of fees which correspond to payment for the service provided and which do not exceed the cost of the deed in accordance with the legal provisions in force in each ACP State concerned.

Article 3

1. Study, inspection or supervision contracts financed by the Community shall not give rise to turnover tax in the beneficiary ACP State.
2. Profits arising from carrying out works, study, inspection or supervision contracts financed by the Community shall be taxable according to the internal fiscal arrangements of the ACP State concerned, provided that the natural or legal persons who realized such profits in that State have a permanent place of business there or that the contracts take longer than six months to carry out.

Article 4

1. Imports under a supply contract financed by the Community shall cross the frontier of the beneficiary ACP State without being subject to customs duties, import duties, taxes or fiscal charges having equivalent effect.
2. Where a supply contract financed by the Community involves a product originating in the beneficiary ACP State, the contract shall be concluded on the basis of the ex-works price of the supplies in question, to which shall be added the internal fiscal charges applicable in the ACP State to those supplies.
3. The exemptions shall be expressly provided for in the text of the contract.

Article 5

Fuels, lubricants and hydrocarbon binders and, in general, all materials used in the performance of a works contract financed by the Community shall be deemed to have been purchased on the local market and shall be subject to fiscal rules applicable under the national legislation in force in the beneficiary ACP State.

Article 6

Undertakings which must import professional equipment in order to carry out works contracts shall, if they so request, benefit from the system of temporary admission as defined by the national legislation of the beneficiary ACP State in respect of the said equipment.

Article 7

Professional equipment necessary for carrying out tasks defined in a study, inspection or supervision contract shall be temporarily admitted into the beneficiary ACP State or States free of fiscal, import and customs duties and of other charges having equivalent effect where these duties and charges do not constitute remuneration for services rendered.

Article 8

1. Personal and household effects imported for personal use by natural persons, other than those recruited locally, engaged in carrying out tasks defined in a study, inspection or supervision contract shall be exempt from customs duties, import duties, taxes and other fiscal charges having equivalent effect, within the limit of the national legislation of the beneficiary ACP State.

2. These provisions shall also apply to members of the families of the persons referred to in paragraph 1.

Article 9

1. The Commission delegate and the staff appointed to the delegations, with the exception of staff recruited locally, shall be exempt from all direct taxes in the ACP State in which they are installed.
2. The staff referred to in paragraph 1 shall also be covered by Article 8.

Article 10

The ACP States shall grant exemption from all national or local duties or fiscal charges on the interest, commission and amortization due on assistance given by the Community in the form of special loans, subordinated or conditional loans through risk capital or loans from the own resources of the Bank, as referred to in Articles 101 and 105 of the Convention.

Article 11

Any matter not covered by this Protocol shall remain subject to the national legislation of the States party to the Convention.

Article 12

The above provisions shall apply to the performance of all contracts financed by the Community and concluded subsequent to the entry into force of the Convention.

PROTOCOL 7

containing the text of Protocol 3 on ACP sugar appearing in the ACP-EEC Convention of Lomé signed on 28 February 1975 and the corresponding declarations annexed to that Convention

PROTOCOL 3

on ACP sugar

Article 1

1. The Community undertakes for an indefinite period to purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, which originate in the ACP States and which these States undertake to deliver to it.

2. The safeguard clause in Article 10 of the Convention shall not apply. The implementation of this Protocol is carried out within the framework of the management of the common organization of the sugar market which, however, shall in no way prejudice the commitment of the Community under paragraph 1.

Article 2

1. Without prejudice to Article 7, no change in this Protocol may enter into force until a period of five years have elapsed from the date on which the Convention enters into force. Thereafter, such changes as may be agreed upon will come into force at a time to be agreed.

2. The conditions for implementing the guarantee referred to in Article 1 shall be re-examined before the end of the seventh year of their application.

Article 3

1. Quantities of cane sugar referred to in Article 1, expressed in tonnes of white sugar, hereinafter referred to as 'agreed quantities', for delivery in each 12-month period referred to in Article 4 (1), shall be as follows:

Barbados	49 300
Fiji	163 600
Guyana	157 700
Jamaica	118 300
Kenya	5 000
Madagascar	10 000
Malawi	20 000
Mauritius	487 200
People's Republic of the Congo	10 000
Swaziland	116 400
Tanzania	10 000
Trinidad and Tobago	69 000
Uganda	5 000

2. Subject to Article 7, these quantities cannot be reduced without the consent of the individual States concerned.

3. Nevertheless, in respect of the period up to 30 June 1975, the agreed quantities, expressed in tonnes of white sugar, shall be as follows:

Barbados	29 600
Fiji	25 600
Guyana	29 600
Jamaica	83 800
Madagascar	2 000
Mauritius	65 300
Swaziland	19 700
Trinidad and Tobago	54 200

Article 4

1. In each 12-month period from 1 July to 30 June inclusive, hereinafter referred to as the 'delivery period', the sugar-exporting ACP States undertake to deliver the quantities referred to in Article 3 (1), subject to any adjustments resulting from the application of Article 7. A similar undertaking shall apply equally to the quantities referred to in Article 3 (3) in respect of the period up to 30 June 1975, which shall also be regarded as a delivery period.
2. The quantities to be delivered up to 30 June 1975, referred to in Article 3 (3), shall include supply *en route* from port of shipment or, in the case of land-locked States across frontier.
3. Deliveries of ACP cane sugar in the period up to 30 June 1975 shall benefit from the guaranteed prices applicable in the delivery period beginning 1 July 1975. Identical arrangements may be made for subsequent delivery periods.

Article 5

1. White or raw sugar shall be marketed on the Community market at prices freely negotiated between buyers and sellers.
2. The Community shall not intervene if and when a Member State allows selling prices within its borders to exceed the Community's threshold price.
3. The Community undertakes to purchase, at the guaranteed price, quantities of white or raw sugar, within agreed quantities, which cannot be marketed in the Community at a price equivalent to or in excess of the guaranteed price.

4. The guaranteed price, expressed in units of account, shall refer to unpacked sugar, cif European ports of the Community, and shall be fixed in respect of standard quality sugar. It shall be negotiated annually, within the price range obtaining in the Community, taking into account all relevant economic factors, and shall be decided at the latest by 1 May immediately preceding the delivery period to which it will apply.

Article 6

Purchase at the guaranteed price, referred to in Article 5 (3), shall be assured through the medium of the intervention agencies or of other agents appointed by the Community.

Article 7

1. If, during any delivery period, a sugar-exporting ACP State fails to deliver its agreed quantity in full for reasons of *force majeure*, the Commission shall, at the request of the State concerned, allow the necessary additional period for delivery.

2. If a sugar-exporting ACP State informs the Commission during the course of a delivery period that it will be unable to deliver its agreed quantity in full and that it does not wish to have the additional period referred to in paragraph 1, the shortfall shall be reallocated by the Commission for delivery during the delivery period in question. Such reallocation shall be made by the Commission after consultation with the State concerned.

3. If, during any delivery period, a sugar-exporting ACP State fails to deliver its agreed quantity in full for reasons other than *force majeure*, that quantity shall be reduced in respect of each subsequent delivery period by the undelivered quantity.

4. It may be decided by the Commission that in respect of subsequent delivery periods, the undelivered quantity shall be reallocated between the other States which are referred to in Article 3. Such reallocation shall be made in consultation with the States concerned.

Article 8

1. At the request of one or more of the States supplying sugar under the terms of this Protocol, or of the Community, consultations relating to all measures necessary for the application of this Protocol shall take place within an appropriate institutional framework to be adopted by the Contracting Parties. For this purpose the institutions established by the Convention may be used during the period of application of the Convention.

2. In the event of the Convention ceasing to be operative, the sugar-supplying States referred to in paragraph 1 and the Community shall adopt the appropriate institutional provisions to ensure the continued application of the provisions of this Protocol.

3. The periodical reviews provided for under this Protocol shall take place within the agreed institutional framework.

Article 9

Special types of sugar traditionally delivered to Member States by certain sugar-exporting ACP States shall be included in, and treated on the same basis as, the quantities referred to in Article 3.

Article 10

The provisions of this Protocol shall remain in force after the date specified in Article 91 of the Convention. After that date the Protocol may be denounced by the Community with respect to each ACP State and by each ACP State with respect to the Community, subject to two years notice.

ANNEX

DECLARATIONS ON PROTOCOL 3 TO THE ACP-EEC CONVENTION OF LOMÉ

1. Joint declaration concerning possible requests for participation in the provisions of Protocol 3

Any request from an ACP State Contracting Party to the Convention not specifically referred to in Protocol 3 to participate in the provisions of that Protocol shall be examined ⁽¹⁾.

2. Declaration by the Community concerning sugar originating in Belize, St. Kitts-Nevis-Anguilla and Suriname

(a) The Community undertakes to adopt the necessary measures to ensure the same treatment as provided for in Protocol 3, for the following quantities of cane sugar, raw or white, originating in:

Belize	39 400 tonnes
St. Kitts-Nevis-Anguilla	14 800 tonnes
Suriname	4 000 tonnes

(b) Nevertheless, in respect of the period up to 30 June 1975, the quantities shall be as follows:

Belize	14 800 tonnes
St. Kitts-Nevis-Anguilla	7 900 tonnes ⁽²⁾

3. Declaration by the Community on Article 10 of Protocol 3

The Community declares that Article 10 of Protocol 3 providing for the possibility of denunciation in that Protocol, under the conditions

⁽¹⁾ Annex XIII to the Final Act of the ACP-EEC Convention of Lomé.

⁽²⁾ Annex XXI to the Final Act of the ACP-EEC Convention of Lomé.

set out in that Article, is for the purposes of juridical security and does not represent for the Community any qualification of limitation of the principles enunciated in Article 1 of that Protocol ⁽¹⁾.

⁽¹⁾ Annex XXII to the Final Act of the ACP-EEC Convention of Lomé.

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 Plenipotentiaries of

The Head of State of the Bahamas,

The Head of State of Barbados,

The President of the People's Republic of Benin,

The President of the Republic of Botswana,

The President of the Republic of Burundi,

The President of the United Republic of Cameroon,

The President of the Republic of Cape Verde,

The President of the Central African Republic,

The President of the Federal Islamic Republic of the Comoros,

The President of the People's Republic of the Congo,

The President of the Republic of the Ivory Coast,

The President of the Republic of Djibouti,

The Prime Minister and Minister of External Affairs of the Independent State of Dominica,

The Chairman of the Provisional Military Administrative Council and of the Council of Ministers and Commander-in-Chief of the Revolutionary Army of Ethiopia,

Her Majesty the Queen of Fiji,

The President of the Gabonese Republic,

The President of the Republic of the Gambia,

The President of the Republic of Ghana.

The Head of State of Grenada,

The President of the Republic of Guinea,

The President of the Council of the State of Guinea Bissau,
The President of the Republic of Equatorial Guinea,
The President of the Republic of Guyana,
The President of the Republic of Upper Volta,
The Head of State of Jamaica,
The President of the Republic of Kenya,
The President of the Republic of Kiribati,
His Majesty the King of the Kingdom of Lesotho,
The President of the Republic of Liberia,
The President of the Democratic Republic of Madagascar,
The President of the Republic of Malawi,
The President of the Republic of Mali,
The President of the Islamic Republic of Mauritania,
Her Majesty the Queen of Mauritius,
The President of the Republic of Niger,
The Head of the Federal Government of Nigeria,
The Head of the Independent State of Papua New Guinea,
The President of the Republic of Rwanda,

The President of the Republic of Saint Lucia,
The Head of State of Western Samoa,
The President of the Democratic Republic of Sao Tome and Principe,
The President of the Republic of Senegal,
The President of the Republic of Seychelles,
The President of the Republic of Sierra Leone,
The President of the Independent State of Solomon Islands,
The President of the Somali Democratic Republic, President of the Supreme
Revolutionary Council,
The President of the Democratic Republic of Sudan,
The President of the Republic of Suriname,
His Majesty the King of the Kingdom of Swaziland,
The President of the United Republic of Tanzania,
The President of the Republic of Chad,
The President of the Republic of Togo,
His Majesty King Taufa'ahau Tupou IV of Tonga,
The President of the Republic of Trinidad and Tobago,
Her Majesty the Queen of Tuvalu,
The President of the Republic of Uganda,

The President of the Republic of Zaire,

The President of the Republic of Zambia,

meeting at Lomé, this thirty-first day of October in the year one thousand nine hundred and seventy-nine for the purpose of signing the Second ACP-EEC Convention of Lomé, have adopted the following texts:

the Second ACP-EEC Convention of Lomé, and the following Protocols:

Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

Protocol 2 on the operating expenditure of the institutions

Protocol 3 on privileges and immunities

Protocol 4 on bananas

Protocol 5 on rum

Protocol 6 on the tax and customs arrangements applicable in the ACP States to contracts financed by the Community

Protocol 7 containing the text of Protocol 3 on ACP sugar appearing in the ACP-EEC Convention of Lomé signed on 28 February 1975 and the corresponding declarations annexed to that Convention

The Plenipotentiaries of the Member States and the Plenipotentiaries of the ACP States have also adopted the text of the Agreement on products within the province of the European Coal and Steel Community.

The Plenipotentiaries of the Member States and of the Community and the Plenipotentiaries of the ACP States have also adopted the texts of the declarations listed below and annexed to this Final Act:

1. Joint declaration on the presentation of the Convention to GATT (Annex I)
2. Joint declaration on the arrangements governing access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 2 (2) of the Convention (Annex II)
3. Joint declaration on Articles 9 and 11 of the Convention (Annex III)
4. Joint declaration on products covered by the common agricultural policy (Annex IV)
5. Joint declaration on trade between the European Economic Community and Botswana, Lesotho and Swaziland (Annex V)
6. Joint declaration on Article 46 (3) of the Convention (Annex VI)
7. Joint declaration on ACP/EEC consultations in the event of the establishment of a system for the stabilization of export earnings at world level (Annex VII).
8. Joint declaration on the encouragement of mining investment (Annex VIII)
9. Joint declaration on Article 64 of the Convention (Annex IX)

10. Joint declaration on complementary financing of industrial cooperation (Annex X)
11. Joint declaration on Article 82 of the Convention (Annex XI)
12. Joint declaration on Article 131 of the Convention (Annex XII)
13. Joint declaration on Article 132 of the Convention (Annex XIII)
14. Joint declaration reproducing the text of Articles 24 to 27 of Protocol 2 to the ACP-EEC Convention of Lomé referred to in Article 142 of this Convention and the joint declaration on Article 26 of the said Protocol (Annex XIV)
15. Joint declaration on workers who are nationals of one of the Contracting Parties and are residing legally in the territory of a Member State or an ACP State (Annex XV)
16. Joint declaration on representation of regional economic groupings (Annex XVI)
17. Joint declaration on Article 185 of the Convention (Annex XVII)
18. Joint declaration on sea-fishing (Annex XVIII)
19. Joint declaration on shipping (Annex XIX)
20. Joint declaration on Protocol 1 (Annex XX)
21. Joint declaration on the origin of fishery products (Annex XXI)

22. Joint declaration on Protocol 5 (Annex XXII)
23. Joint declaration on Article 1 of Protocol 5 (Annex XXIII)
24. Joint declaration on Article 4 of Protocol 5 (Annex XXIV)

The Plenipotentiaries of the ACP States have also taken note of the declarations listed below and annexed to this Final Act:

1. Community declaration on trade liberalization (Annex XXV)
2. Community declaration on Article 2 (2) of the Convention (Annex XXVI)
3. Community declaration on Article 3 of the Convention (Annex XXVII)
4. Community declaration on Article 9 (2)(a) of the Convention (Annex XXVIII)
5. Community declaration on Article 12 (3) of the Convention (Annex XXIX)
6. Community declaration on Article 21 of the Convention (Annex XXX)
7. Community declaration on Article 95 of the Convention (Annex XXXI)
8. Community declaration on Article 95 of the Convention (Annex XXXII)
9. Community declaration on Article 156 of the Convention (Annex XXXIII)

10. Declaration by the representative of the Government of the Federal Republic of Germany concerning the definition of German nationals (Annex XXXIV)
11. Declaration by the representative of the Government of the Federal Republic of Germany concerning the application to Berlin of the Convention (Annex XXXV)
12. Community declaration on Articles 30 and 31 of Protocol 1 (Annex XXXVI)
13. Community declaration relating to Protocol 1 on the extent of territorial waters (Annex XXXVII)
14. Community declaration on Protocol 2 (Annex XXXVIII)
15. Community declaration relating to Protocol 2 on the operating expenditure of the institutions (Annex XXXIX)
16. Community declaration on Protocol 3 (Annex XL)

The Plenipotentiaries of the Member States and of the Community have taken note of the declarations listed below and annexed to this Final Act:

1. Declaration of the ACP States on Article 2 of the Convention (Annex XLI)
2. Declaration of the ACP States on the scheme for mineral products (Annex XLII)
3. Declaration of the ACP States on Article 95 of the Convention (Annex XLIII)
4. Declaration of the ACP States on the origin of fishery products (Annex XLIV)

Til bekræftelse af dette har de undertegnede befuldmægtigede sat deres underskrifter under 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.

Udfærdiget i Lome, den enogtredivte oktober nitten hundrede og nioghalvfjerdts.

Geschehen zu Lome am einunddreißigsten Oktober neunzehnhundertneunundsiebzig.

Done at Lomé on the thirty-first day of October in the year one thousand nine hundred and seventy-nine.

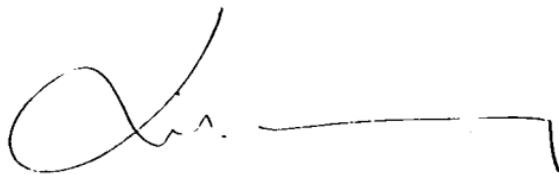
Fait à Lomé, le trente et un octobre mil neuf cent soixante-dix-neuf.

Fatto a Lomé, addì trentuno ottobre millenovecentosettantanove.

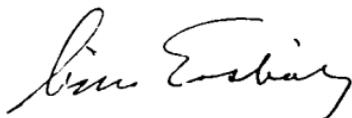
Gedaan te Lomé, de eenendertigste oktober negentienhonderd negenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen



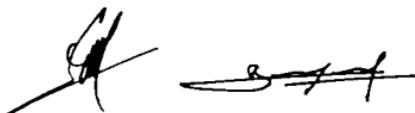
For Hendes Majestæt Dronningen af Danmark



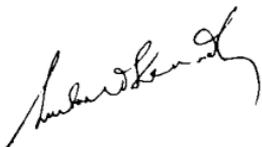
Für den Präsidenten der Bundesrepublik Deutschland



Pour le président de la République française



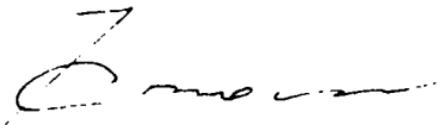
For the President of Ireland



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

Douglas Howard

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

Richard Howard
C. Chapman

For the Head of State of the Bahamas

Hubert

For the Head of State of Barbados

Herbert

Pour le président de la république populaire du Bénin

My

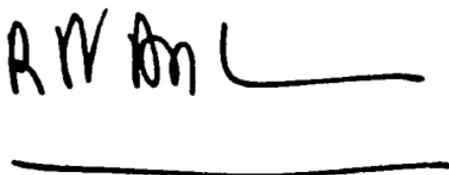
For the President of the Republic of Botswana

A handwritten signature in black ink, appearing to be 'M. Moleketi', written in a cursive style.

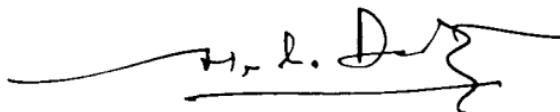
Pour le président de la république du Burundi

A handwritten signature in black ink, appearing to be 'Pierre Nkurunziza', written in a cursive style.

Pour le président de la république unie du Cameroun

A handwritten signature in black ink, appearing to be 'Ahoua Mbongo', written in a cursive style.

For the President of the Republic of Cape Verde

A handwritten signature in black ink, appearing to be 'José Mário dos Santos', written in a cursive style.

Pour le président de la République centrafricaine

A handwritten signature in black ink, appearing to be 'Faustin Archanze Touadera', written in a cursive style.

Pour le président de la république fédérale islamique des Comores



Pour le président de la république populaire du Congo



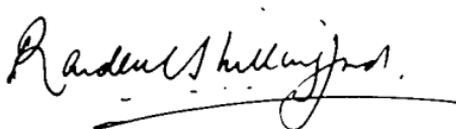
Pour le président de la république de Côte-d'Ivoire



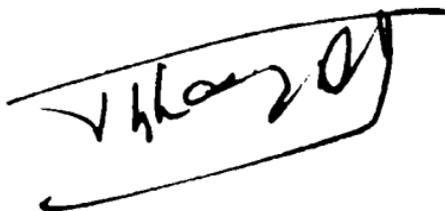
Pour le président de la république de Djibouti



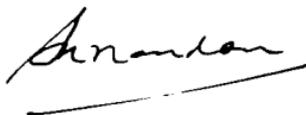
For the Prime Minister and Minister of External Affairs of the Independent State of Dominica



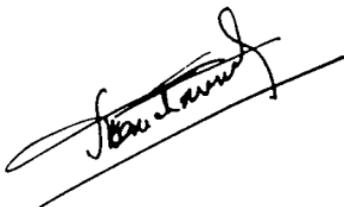
For the Chairman of the Provisional Military Administrative Council and
of the Council of Ministers and Commander-in-Chief of the Revolutionary
Army of Ethiopia

A handwritten signature in black ink, enclosed within a hand-drawn rectangular border. The signature is highly stylized and appears to be 'Mengistu Hailemariam'.

For Her Majesty the Queen of Fiji

A handwritten signature in black ink, consisting of a single, fluid, cursive line that appears to be 'Ratu Dra Tiko Tiko'.

Pour le président de la République gabonaise

A handwritten signature in black ink, written in a cursive style and underlined with two parallel lines. The signature appears to be 'Omar Bongo Ondimba'.

For the President of the Republic of the Gambia

A handwritten signature in black ink, featuring a large, stylized initial 'Y' followed by a cursive name, underlined with a single line. The signature appears to be 'Yahya Jammeh'.

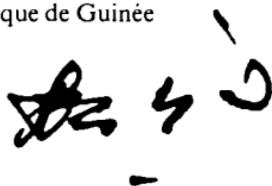
For the President of the Republic of Ghana

A handwritten signature in black ink, consisting of a cursive name that appears to be 'A. A. A.', underlined with a single line.

For the Head of State of Grenada

Handwritten signature in black ink, appearing to read "Dennis Austin".

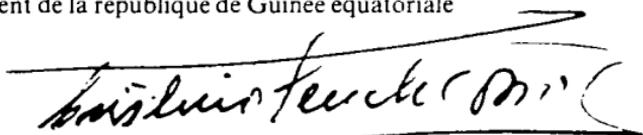
Pour le président de la république de Guinée

Handwritten signature in black ink, consisting of stylized initials and a surname.

Pour le président du conseil d'État de la Guinée-Bissau

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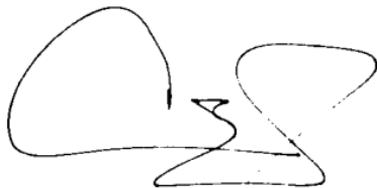
Pour le président de la république de Guinée équatoriale

Handwritten signature in black ink, appearing to read "José Luís Ferreira".

For the President of the Republic of Guyana

Handwritten signature in black ink, appearing to read "K. Ramnarayan".

Pour le président de la république de la Haute-Volta

Handwritten signature in black ink, consisting of stylized initials and a surname.

For the Head of State of Jamaica



For the President of the Republic of Kenya



For the President of the Republic of Kiribati



For His Majesty the King of the Kingdom of Lesotho



For the President of the Republic of Liberia



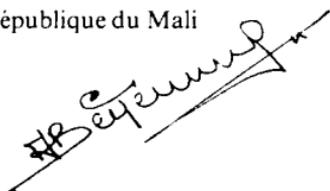
Pour le président de la république démocratique de Madagascar



For the President of the Republic of Malawi

A handwritten signature in black ink, appearing to be 'J. Banda', written in a cursive style.

Pour le président de la république du Mali

A handwritten signature in black ink, appearing to be 'I. Traoré', written in a cursive style.

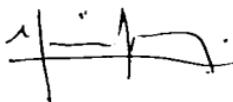
Pour le président de la république islamique de Mauritanie

A handwritten signature in black ink, appearing to be 'M. Ould Sid'Ahmed', written in a cursive style.

Pour Sa Majesté la reine de l'île Maurice

A handwritten signature in black ink, appearing to be 'S. Ramnani', written in a cursive style.

Pour le président de la république du Niger

A handwritten signature in black ink, appearing to be 'I. Traoré', written in a cursive style.

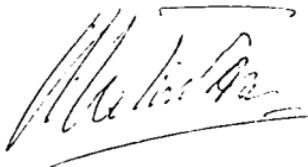
For the Head of the Federal Government of Nigeria

A handwritten signature in black ink, appearing to be 'A. Abacha', written in a cursive style.

For the Head of the Independent State of Papua New Guinea



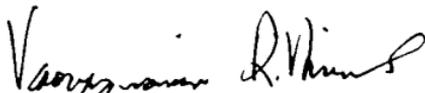
Pour le président de la République rwandaise



For the President of the Republic of Saint Lucia



For the Head of State of Western Samoa



For the President of the Democratic Republic of Sao Tome and Principe



Pour le président de la république du Sénégal



Pour le président de la république des Seychelles

A handwritten signature in black ink, appearing to be 'M. Manani', written over a horizontal line.

For the President of the Republic of Sierra Leone

A stylized handwritten signature in black ink.

For the President of the Independent State of Solomon Islands

A handwritten signature in black ink that reads 'Douglas Huru'.

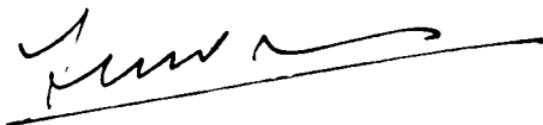
For the President of the Somali Democratic Republic, President of the Supreme Revolutionary Council

A stylized handwritten signature in black ink.

For the President of the Democratic Republic of the Sudan

A handwritten signature in black ink that reads 'Abdelrahman Elkhair'.

For the President of the Republic of Suriname

A handwritten signature in black ink, written over a horizontal line.

For His Majesty the King of the Kingdom of Swaziland



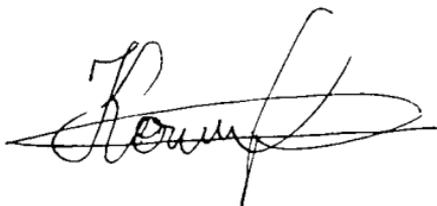
For the President of the United Republic of Tanzania



Pour le président de la république du Tchad



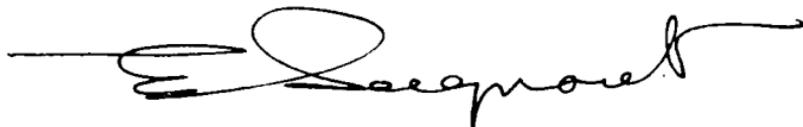
Pour le président de la République togolaise



For His Majesty King Taufa'ahau Tupou IV of Tonga



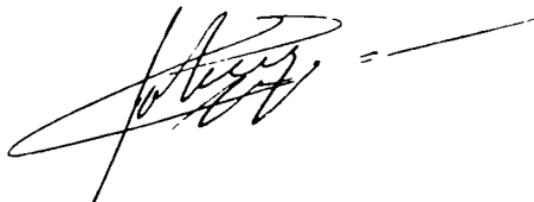
For the President of the Republic of Trinidad and Tobago



For Her Majesty the Queen of Tuvalu

A handwritten signature in black ink, appearing to be 'Arendon', written in a cursive style. The signature is underlined with a single horizontal line.

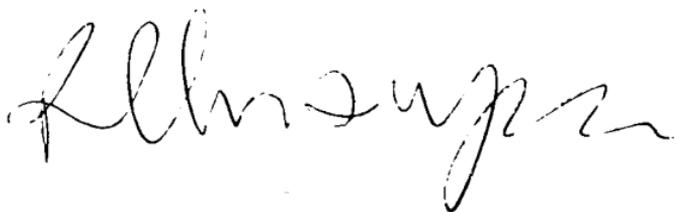
For the President of the Republic of Uganda

A handwritten signature in black ink, appearing to be 'Yoweri Museveni', written in a cursive style. The signature is underlined with a single horizontal line.

Pour le président de la république du Zaïre

A handwritten signature in black ink, appearing to be 'Mobutu Sese Seko Konde Ngbendu Ngbendu', written in a cursive style. The signature is underlined with a single horizontal line.

For the President of the Republic of Zambia

A handwritten signature in black ink, appearing to be 'Kenneth D. Kaunda', written in a cursive style. The signature is underlined with a single horizontal line.

ANNEX I

Joint declaration on the presentation of the Convention to GATT

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

ANNEX II

Joint declaration on the arrangements governing access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 2 (2) of the Convention

The Contracting Parties reaffirm that Chapters 1 and 3 of Title I of the Convention apply to the relations between the French overseas departments and the ACP States.

The Community shall have the right, during the life of the Convention, to amend, in the light of the economic development requirements of the French overseas departments, the arrangements governing access to the latter's markets for products originating in the ACP States referred to in Article 2 (2) of the Convention.

When examining the possible application of this right the Community will take into consideration the direct trade between the ACP States and the French overseas departments. Information and consultation procedures shall apply between the parties concerned in accordance with the provisions of Article 16.

ANNEX III

Joint declaration on Articles 9 and 11 of the Convention

If special tariff treatment were applied by the ACP States to imports of products originating in the Community, the provisions of Protocol 1 would apply *mutatis mutandis*. In all other cases where the treatment applied to imports by the ACP States necessitates the provision of proof of origin, those States shall accept certificates of origin drawn up in accordance with the relevant international agreements.

ANNEX IV

Joint declaration on products covered by the common agricultural policy

The Contracting Parties recognize that products covered by the common agricultural policy follow specific rules and regulations, in particular with regard to safeguard measures. The provisions of the Convention concerning the safeguard clause may be applied to these products only in so far as they are consistent with the specific nature of these rules and regulations.

ANNEX V

Joint declaration on trade between the European Economic Community and Botswana, Lesotho and Swaziland

Having regard to Part I (3) of Protocol 22 to the Act concerning the conditions of accession and the adjustments to the Treaties, the Community recognizes, and the Governments of Botswana, Lesotho and Swaziland declare:

- that the three Governments undertake to apply, at the entry into force of the Convention, the same customs tariff treatment to imports originating in the Community, as they apply to those originating in the other country of the customs union to which they adhere,
- that this undertaking should not prejudice the different methods which may exist for financing the three Governments' budgets in relation to imports originating in the Community and those originating in the other country of the customs union to which they adhere,
- that the three Governments undertake to ensure through the provisions of their customs systems, and particularly through the application of the rules of origin established under the Convention, that no trade deflection takes place to the detriment of the Community, as a result of their participation with the other country in the customs union to which they adhere.

ANNEX VI

Joint declaration on Article 46 (3) of the Convention

The Contracting Parties agree that the decisions taken pursuant to Article 17 (4) of the ACP-EEC Convention of Lomé shall continue to apply to the following ACP States: Burundi, Ethiopia, Guinea Bissau, Rwanda, Swaziland, Comoros, Lesotho, Western Samoa, Seychelles, Tonga, Cape Verde, Solomon Islands and Tuvalu.

ANNEX VII

Joint declaration on ACP-EEC consultations in the event of the establishment of a system for the stabilization of export earnings at world level

The Contracting Parties agree to concert action in the context of the Convention in order to avoid any double compensation in the event of a world system for the stabilization of export earnings being established during the period of application of the Convention.

ANNEX VIII

Joint declaration on the encouragement of mining investment

In order to encourage European investments in mining and energy development projects promoted by the ACP States, the Community and the Member States, on the one hand, and the ACP States, on the other, pursuant to the general aims of the treatment of investments referred to in Title IV, may also conclude agreements relating to individual projects where the Community and possibly European undertakings contribute towards their financing.

ANNEX IX

Joint declaration on investments relating to Article 64 of the Convention

1. Where an ACP State has entered, or enters, into an inter-governmental agreement relating to the treatment of investments with any Member States, the ACP State concerned recognizes that the right of non-discriminatory treatment of investments coming from Member States of the Community in ACP States takes effect from the entry into force of the Convention.
2. (a) The application of this right shall be based on bilateral inter-governmental investment agreements which shall serve as reference agreements.

(b) As regards such bilateral inter-governmental investment agreements concluded before the entry into force of this Convention, the application of non-discriminatory treatment shall take into account any provisions in the reference agreement. The ACP State shall have the right to modify or adapt this treatment when international obligations and/or changed *de facto* circumstances so necessitate.
3. For the purpose of applying non-discriminatory treatment on the basis of paragraph 2(a), the Contracting States shall proceed to bilateral inter-governmental exchanges of letters or other appropriate form required by law of a Contracting State.
4. Any Contracting State has the right to ask for such an agreement. The agreement when concluded shall come into effect without delay in accordance with the law of the ACP State concerned.
5. Such agreements shall cover disputes relating to investments arising only after the entry into force of the new Convention.

6. The treatment of investments made before the entry into force of this Convention shall be examined by the two parties in the light of the provisions of the agreement of reference.

ANNEX X

Joint declaration on complementary financing of industrial cooperation

1. During the negotiations of the successor arrangement to the ACP-EEC Convention of Lomé, the ACP States and the Member States recognized the need to tap additional financial resources that would make available substantial capital resources for industrial development. In this connection the ACP States and the Community agreed, given the technical quality of cooperation between the Community and the ACP States, to search for and find suitable solutions, in this direction.
2. The Community acknowledges the importance attached by the ACP States to industrial development within the context of their cooperation with the Community. It declares its intention of studying in depth in conjunction with ACP States the ways and means of tapping additional financial resources for industrial development of the ACP States.
3. The complexity and the many facets of this problem and the necessity to tap and find additional resources require detailed study and the assistance of experts.
4. Accordingly the Community and the ACP States agree to carry out a detailed joint analysis of the problem and the means of tapping additional resources to be completed in the shortest possible time, which should not exceed a period of nine months after the signing of the Convention. The report of the study so made will be submitted immediately to the Council of Ministers through the Committee of Ambassadors for consideration and appropriate action.

ANNEX XI

Joint declaration on Article 82 of the Convention

The Contracting Parties recognize that some of the least-developed, land-locked and island States suffer from certain special disadvantages which tend to render them less attractive to investment than other developing countries.

As a consequence, the Contracting Parties accept that it may be desirable to adopt extra special measures to attract investment to some of these States.

In pursuance of this objective, the Contracting Parties agree to undertake as early as possible after the coming into force of the Convention, a joint study to identify what specific measures it may be desirable to adopt in relation to these States in order to improve their attractiveness to investment.

ANNEX XII

Joint declaration on Article 131 of the Convention

Until the decision provided for in Article 131 is put into effect, the award and performance of public contracts financed by the Fund shall be governed:

- in respect of the ACP States party to the Convention signed at Yaoundé on 29 July 1969, by the legislation in force at 31 January 1975,
- in respect of the other ACP States, by their national legislation or established practices regarding international contracts.

ANNEX XIII

Joint declaration on Article 132 of the Convention

As a transitional measure pending the implementation of the decision provided for in Article 132 the final decision on all disputes shall be taken in accordance with the rules on conciliation and arbitration of the International Chamber of Commerce.

ANNEX XIV

Joint declaration reproducing the text of Articles 24 to 27 of Protocol 2 to the ACP-EEC Convention of Lomé referred to in Article 142 of this Convention and the joint declaration on Article 26 of the said Protocol

Article 24

Technical cooperation contracts shall be awarded by mutual agreement. Certain contracts may be awarded following competitive tendering, notably for important, complicated and technically difficult studies where technical, economic or financial reasons justify recourse to this procedure.

Article 25

1. For each operation of technical cooperation which will involve a mutual agreement procedure, the Commission shall compile a list of selected candidates from Member States or ACP States, selected according to criteria guaranteeing their qualifications, experience and independence and taking into account their availability for the proposed undertaking.

The ACP State concerned shall choose freely the listed candidate it wishes to deal with.

2. When competitive tendering is resorted to, the list of selected candidates shall be drawn up in close collaboration with the Commission and the ACP State concerned on the basis of the criteria set out in paragraph 1. The contract shall be awarded to the listed candidate that submits the tender judged by the Commission and the ACP State concerned to be economically the most advantageous.

3. The ACP firms which may be taken into consideration for technical cooperation actions shall be selected by mutual agreement between the Commission and the ACP State or ACP States concerned.

Article 26

In the context of the common rules provided for in Article 22 and the general conditions of payment established by agreement between the Commission and the ACP States, the technical cooperation contracts shall be prepared, negotiated and concluded by the appropriate authorities of the ACP States, in participation and agreement with the delegate of the European Commission referred to in Article 31 (hereinafter called 'the delegate').

Article 27

The Commission shall, as far as possible, encourage cooperation between consultants and experts of Member States and ACP States, temporary partnerships, subcontracting and the use of national experts in teams of consultants from Member States.

Joint declaration on Article 26 of Protocol 2

- (a) Until the implementation of the decision provided for in Article 22 of Protocol 2, the execution of technical and financial cooperation contracts financed by the Fund is covered:
- for the ACP States party to the Convention signed at Yaoundé on 29 July 1969, by the general clauses currently used in the contracts financed by the Fund,
 - for the other ACP States, by the general clauses currently used in the contracts financed by the Fund, or, if not agreed, by their national legislation or established practices regarding international contracts.
- (b) The Community and the ACP States are agreed that the Commission shall establish and submit for the agreement of the ACP States, as soon as possible after the entry into force of the Convention, the general conditions of payment applicable to the contracts.

ANNEX XV

Joint declaration on workers who are nationals of one of the Contracting Parties and are residing legally in the territory of a Member State or an ACP State

1. Each Member State shall accord to workers who are nationals of an ACP State legally employed in its territory treatment free from any discrimination based on nationality, as regards working conditions and pay, in relation to its own nationals.

Each ACP State shall accord the same treatment to workers who are nationals of the Member States legally employed on its territory.

2. Workers who are nationals of an ACP State legally employed in the territory of a Member State and members of their families living with them shall, as regards social security benefits linked to employment, in that Member State enjoy treatment free from any discrimination based on nationality in relation to nationals of that Member State.

Each ACP State shall accord to workers who are nationals of Member States and legally employed in its territory, and to members of their families, treatment similar to that laid down in paragraph 1.

3. These provisions shall not affect any rights or obligations arising from bilateral agreements binding the ACP States and the Member States where those agreements provide for more favourable treatment for nationals of the ACP States or of the Member States.

4. The Parties hereto agree that the matters referred to in this declaration shall be resolved satisfactorily and, if necessary, through bilateral negotiations with a view to concluding appropriate agreements.

ANNEX XVI

Joint declaration on representation of regional economic groupings

Arrangements shall be made by the Council of Ministers so that the East African Community and the Caribbean Community may be represented in the Council of Ministers and the Committee of Ambassadors as observers. Requests for arrangements in respect of other regional groupings between ACP States shall be examined by the Council of Ministers on a case by case basis.

ANNEX XVII

Joint declaration on Article 185 of the Convention

The Community and the ACP States are prepared to allow the countries and territories referred to in Part Four of the Treaty which have become independent to accede to the Convention, if they wish to continue their relations with the Community in this form.

ANNEX XVIII

Joint declaration on sea fishing

1. The Community and the ACP States recognize the importance of the development of fishery resources in waters within the jurisdiction of coastal ACP States as a contribution to the overall development process of these States. Such activities will take place under the policies for the conservation and use of those resources as determined by each ACP State concerned.

2. Conscious of the need for continued cooperation in the field of fisheries, the ACP States declare their willingness to negotiate with the Community bilateral fishery agreements likely to guarantee mutually satisfactory conditions for fishing activities of vessels flying the flag of one of the Member States of the Community in the sea waters within the jurisdiction of the ACP States. ACP States that conclude such agreements will not discriminate between Member States or against the Community, without prejudice to special arrangements amongst neighbouring States within a sub-region, including any reciprocal fishing arrangements.

3. The Community will act in the same spirit in cases in which ACP States, which are located in the same sub-region as territories to which the Rome Treaty applies, wish to carry out fishing activities in the corresponding fishing zone.

4. The mutually satisfactory conditions referred to in paragraph 2 bear in particular on the nature and scale of the compensation to be received by the ACP States concerned under bilateral agreements.

Such compensation may serve to encourage the development of the fishing industry of the ACP States concerned and shall be additional to any allocation relating to projects in the same sphere under the financial and technical cooperation provisions of this Convention.

5. The Contracting Parties shall cooperate directly, or on a regional basis, or through appropriate international organizations with a view to ensuring conservation and to promoting the objective of optimum use of fishery resources, including highly migratory species.

ANNEX XIX

Joint declaration on shipping

1. (a) The Contracting Parties recognize that the harmonious development of efficient and reliable shipping services on economically satisfactory terms should accompany the development and promotion of trade between the ACP States and the Community.

 - (b) They stress the importance of the Community's contribution in this context by the adoption of the Regulation on the United Nations Convention on a code of conduct for liner conferences. This Regulation is designed to ensure that developing countries which are parties to it secure the benefits of the code.

 - (c) The Community acknowledges the aspirations of the ACP States for greater participation in bulk cargo shipping.
2. To these ends, the Contracting Parties state their readiness to examine, within the Council of Ministers of the Convention, subjects of common interest relating to this field.
3. The Community recognizes the importance of shipping services as one of the engines of economic growth and development of the ACP States. It states its willingness, within the instruments of financial and technical cooperation set up by the Convention, to contribute to the development of this sector in those ACP States which so request. In particular this contribution could cover:

- (i) studies aimed at improving the shipping services so as to meet the actual and future needs of international trade, especially between ACP States and the Community, as well as between the ACP States themselves, on the best possible terms and conditions;
- (ii) the setting up and extension of shipping companies of the ACP States and the encouragement of ACP-EEC joint ventures in the field of shipping;
- (iii) provision of technical assistance in maritime training, in shipping policies, maritime law, export and import matters, documentation, marine insurance, etc.;
- (iv) provision of feasibility studies and technical assistance aimed at the improvement of the efficiency of ports of the ACP States, and the appraisal of projects for harbours and shipyards.

The Community will assist also in studying any further problems or difficulties encountered in shipping.

ANNEX XX

Joint declaration on Protocol 1

1. For the purposes of applying Article 5 (2)(c) of the Protocol, the certificate of sea transport, issued in the first port of embarkation for the Community, shall be equivalent to the through bill of lading for products covered by movement certificates issued in land-locked ACP States.

2. Products exported from land-locked ACP States which are warehoused elsewhere than in the ACP States or the countries and territories referred to in Explanatory Note 9 may be the subject of movement certificates issued under the circumstances referred to in Article 7 (2).

3. For the purpose of Article 7 (1) of the Protocol, certificates EUR.1 issued by a competent authority and endorsed by the customs authorities will be accepted.

4. In order to help ACP undertakings in their efforts to find new sources of supply with a view to benefiting to the maximum extent from the provisions of the Protocol as regards cumulation of origin, steps will be taken to ensure that the Centre for Industrial Development provides assistance to ACP operators in the establishment of appropriate contacts with suppliers in the ACP States, the Community and the countries and territories, as well as to promote relations in the field of industrial cooperation among the operators concerned.

Furthermore, the Contracting Parties agree that a manual on the rules of origin shall be established for the use of the officials involved and of exporters; they also envisage supplementing the issue of this manual by information seminars.

ANNEX XXI

Joint declaration on the origin of fishery products

The Community acknowledges the right of the coastal ACP States to the development and rational exploitation of the fishery resources in all waters within their jurisdiction.

The Contracting Parties agree that the existing rules of origin have to be examined in order to determine what possible changes may have to be made in the light of the above paragraph.

Conscious of their respective concerns and interests, the ACP States and the Community agree to continue examining the problem posed by the entry on to Community markets of fishery products from catches made in zones within the national jurisdiction of the ACP States, with a view to arriving at a solution satisfactory to both sides. This examination will take place within an appropriate framework as soon as possible after the signing of the Convention and will, if need be, continue in the Customs Cooperation Committee after the entry into force of the Convention. The results of this examination shall be submitted, within the first year of application of this Convention, to the Committee of Ambassadors and, at the latest during the second year, to the Council of Ministers for their consideration with a view to arriving at a solution satisfactory to both sides.

For the time being, as regards the processing of fishery products in the ACP States, the Community declares that it is willing to examine with an open mind requests for derogations from the rules of origin for processed products in this production sector based on the existence of compulsory landing requirements provided for in fishery agreements with third countries. The examination the Community is to make will take into account in particular the fact that the third countries concerned should assure the normal market for such products, following processing, in so far as the latter are not intended for national or regional consumption.

ANNEX XXII

Joint declaration on Protocol 5

The Member States undertake that their licensing system shall not be operated by their authorities in such a way as to impede the import of the quantities of rum specified in Article 2(a).

ANNEX XXIII

Joint declaration on Article 1 of Protocol 5

In the event of the introduction of a common organization of the market in alcohol the Community undertakes to consult with the traditional exporters of rum with the aim of safeguarding their interests under changing market conditions.

ANNEX XXIV

Joint declaration on Article 4 of Protocol 5

The Contracting Parties note that the Community has agreed to the provisions of Article 4 on condition that:

- (a) any ACP State wishing to benefit from these provisions shall include appropriate trade promotion projects for rum in its national indicative programme;
- (b) the Community's acceptance does not prejudge the legislation of Member States in matters of alcohol advertising.

ANNEX XXV

Community declaration on trade liberalization

The Community is conscious of the need to ensure, in the overall application of this Convention, the maintenance of the competitive position of the ACP States where their trade advantages on the Community market are affected by measures relating to general trade liberalization.

The Community declares its willingness, whenever ACP States bring to its attention any specific case, to study jointly specific appropriate action with a view to safeguarding the interests of the latter.

ANNEX XXVI

Community declaration on Article 2 (2) of the Convention

For the purposes of applying Article 2 (2) of the Convention, the Community is prepared, for the purposes of achieving the aims set out in Article 1, to begin an examination of requests by the ACP States that other agricultural products referred to in Article 2 (2)(a) of the Convention should benefit from special treatment.

This examination will cover either new agricultural productions for which there would be real possibilities of export to the Community, or current products not covered by the provisions for implementing the treatment referred to above, in so far as these exports might assume an important position in the exports of one or more ACP States.

ANNEX XXVII

Community declaration on Article 3 of the Convention

Article 3 (1) of the Convention shall be without prejudice to the special system applicable to imports of motor vehicles and the motor vehicle assembly industry in Ireland which are the subject of Protocol 7 to the Act concerning the conditions of accession and the adjustments to the Treaties.

ANNEX XXVIII

Community declaration on Article 9 (2)(a) of the Convention

While agreeing to the reproduction of the text of Article 7 (2)(a), of the ACP-EEC Convention of Lomé in Article 9 (2) (a), the Community reaffirms the interpretation of that text, namely that the ACP States shall grant to the Community treatment no less favourable than that which they grant to developed States under trade agreements where those States do not grant the ACP States greater preferences than those granted by the Community.

ANNEX XXIX

Community declaration on Article 12 (3) of the Convention

Were the Community to adopt the strictly necessary measures referred to in this Article, it would endeavour to seek those which, by reason of their geographical scope and/or the types of products concerned, would least disturb the exports of the ACP States.

ANNEX XXX

Community declaration on Article 21 of the Convention

In respect of the payment of travel expenses and costs of transporting articles and goods that are to be exhibited on the occasion of their participation in fairs and exhibitions, the Community agreed that, in the case of least-developed ACP States, such expenses shall be directly paid at the moment of travel and shipment by the Commission delegate in the country concerned.

ANNEX XXXI

Community declaration on Article 95 of the Convention

1. The Community gives an undertaking that the operating costs of the Commission delegations in the ACP States, which were previously charged to the budget of the European Development Fund, shall be covered, from the date of entry into force of this Convention, by the general budget of the European Communities.

The estimated cost of the delegations under the new Convention is 180 million EUA.

2. The maximum amount of European Investment Bank operations financed from its own resources is laid down in Article 95 (2) of the Convention.

However, additional operations by the Bank financed from its own resources may, in accordance with Article 59, be used for financing mining investment projects and energy investment projects which are of mutual interest to the Community and to the ACP States concerned.

These additional operations, under Article 18 of the Statute of the Bank, will require the authorization of the Board of Governors of the Bank, pursuant to the second subparagraph of Article 18 (1) of this Statute.

It is the Parties' intention that this additional financing should amount to 200 million EUA during the period of application of the Convention.

3. Therefore, the overall amount of financial assistance that the European Economic Community will endeavour to make available to ACP States will be 5 607 million EUA.

Inasmuch as the amount of 180 million EUA mentioned in the second subparagraph of paragraph 1 of the existing declaration will not have been entirely spent to cover the costs of the delegations, the unexpended balance will be earmarked for European Economic Community financial aid to the ACP States.

ANNEX XXXII

Community declaration on Article 95 of the Convention

The amounts indicated in Article 95 to cover all the financial resources placed at the disposal of the ACP States by the Community are expressed in EUA, the EUA being defined by the Council Decision of 21 April 1975 on the definition and conversion of the European unit of account used for expressing the amounts of aid mentioned in Article 42 of the ACP-EEC Convention of Lomé.

By a decision of the Council of the European Communities, which will be communicated to the ACP States, the EUA may be replaced by the ECU as defined by Council Regulation (EEC) No 3180/78 of 18 December 1978.

In the event of such a decision being taken, and in order to simplify the methods of managing the various Conventions, the ECU would also be applied to operations initiated or to be initiated under the previous Conventions.

ANNEX XXXIII

Community declaration on Article 156 of the Convention

The Community confirms the declaration made during the negotiations concerning the ACP-EEC Convention of Lomé signed on 28 February 1975 by which the Community considers that the deletion of the phrase 'with due regard for Article 157', which the Community had asked to be inserted at the end of Article 156 during the negotiations, does not prejudice the legal relationship existing between Articles 156 and 157.

ANNEX XXXIV

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

Wherever the Convention refers to the nationals of the Member States, this expression shall mean, in the case of the Federal Republic of Germany, 'Germans within the meaning of the basic law for the Federal Republic of Germany'.

ANNEX XXXV

Declaration by the representative of the Government of the Federal Republic of Germany concerning the application to Berlin of the Convention

The Second ACP-EEC Convention of Lomé shall apply equally to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary to the other Contracting Parties within a period of three months from the entry into force of the Convention.

ANNEX XXXVI

Community declaration on Articles 30 and 31 of Protocol 1

The Community recognizes the special importance for the ACP States of implementing the measures for applying derogation decisions as swiftly as possible after their adoption.

It will introduce procedures which enable it to take such application measures in the shortest possible time, with a view notably to being able to deal with emergency situations, and within the context of Article 31 of the Protocol

ANNEX XXXVII

Community declaration relating to Protocol 1 on the extent of territorial waters

The Community, recalling that the relevant acknowledged principles of international law restrict the maximum extent of territorial waters to 12 nautical miles, declares that it will take account of this limit in applying the provisions of the Protocol wherever the latter refers to this concept.

ANNEX XXXVIII

Community declaration on Protocol 2

Having noted the request by the ACP States concerning a financial contribution towards the operating expenditure of their Secretariat, the Community, in the spirit of the relevant undertaking made at the second meeting of the ACP-EEC Council of Ministers in Fiji, states its readiness to examine with particular attention the specific requests to be made to it in due course with a view to enabling the Secretariat to avail itself of such personnel as may seem necessary.

ANNEX XXXIX

Community declaration relating to Protocol 2 on the operating expenses of the institutions

The Community, being aware that expenditure in connection with interpreting at meetings and the translation of documents is expenditure incurred essentially for its own requirements, is prepared to continue past practice and meet this expenditure both for meetings of the institutions of the Convention which take place in the territory of a Member State and those which take place in the territory of an ACP State.

ANNEX XL

Community declaration on Protocol 3

Protocol 3 is a multilateral act from the point of view of international law. However, any specific problems that may arise in the host State regarding the application of Protocol 3 should be settled by bilateral agreement with that State.

The Community has noted the ACP States' requests that certain provisions of Protocol 3 be modified, notably as regards the status of the staff of the ACP Secretariat.

The Community is willing to seek jointly appropriate solutions in respect of the ACP States' requests with a view to establishing a separate legal instrument as referred to above.

In this context, the host country will, without derogating from the present benefits enjoyed by the ACP Secretariat and its staff:

1. show understanding as regards the interpretation of the expression 'staff of senior rank', such an interpretation to be arrived at by mutual agreement;
2. recognize the powers delegated by the President of the Council of ACP Ministers to the chairman of the Committee of ACP Ambassadors, in order to simplify implementation of Article 9 of that Protocol;
3. agree to grant certain facilities to the staff of the ACP Secretariat to facilitate initial installation in the host country;
4. examine in an appropriate way tax-related questions concerning the ACP Secretariat and its staff.

ANNEX XLI

Declaration of the ACP States on Article 2 of the Convention

Conscious of the imbalance and the discriminatory effect resulting from the most-favoured-nation clause treatment applicable to products originating in the ACP States on the Community market under Article 2(a)(ii), the ACP States reaffirm their understanding that the consultations provided for under this Article shall ensure that the ACP States' main exportable products benefit from treatment at least as favourable as that granted by the Community to countries enjoying the most-favoured-third-State treatment.

In addition similar consultations shall take place in cases where:

- (a) one or more ACP States show potentialities for one or more specific products for which preferential third States enjoy more favourable treatment;
- (b) one or more ACP States envisage exporting to the Community one or more specific products for which preferential third States enjoy more favourable treatment.

ANNEX XLII

Declaration of the ACP States on the scheme for mineral products

1. The ACP States appreciate the introduction of a scheme for the treatment of the ACP/EEC trade in mineral products.
2. The ACP States however regret that the provisions of Title III, by not stabilizing the export earnings of the ACP States from those mineral products, do not adequately meet the problems of the ACP countries whose economies are heavily dependent on exports of mineral products.
3. The ACP States request the Community to agree to re-examine the entire scheme early in the implementation period with a view to improving it and widening its provisions to take account of the economic effects on the producing States of instability in the export earnings from mineral products.
4. Furthermore, throughout the negotiations for the new Convention of Lomé, the ACP States submitted a series of requests for the inclusion of a number of mineral products in the system applicable to this category of products.
5. The Community, however did not accept the inclusion of some of these products.
6. The ACP States stress the importance of these products for the economies of certain ACP States and emphasize the need for the Community to continue the examination of these requests with a view to having these products included in the course of the implementation of the Second Convention of Lomé.

ANNEX XLIII

Declaration by the ACP States concerning Article 95 of the Convention

While the ACP States have, in a spirit of cooperation accepted, for the purposes of this Convention, the total amount of assistance of 5 607 million EUA, the ACP States wish to record that in their opinion this amount is neither adequate nor fully reflects the understanding reached on the volume of financial assistance between the Co-Presidents of the Council of Ministers in the course of the negotiations in June 1979.

Further, it is the understanding of the ACP States that the Community's financial assistance under this Convention will not, in fact, be less than the amount mentioned above.

ANNEX XLIV

Declaration of the ACP States on the origin of fishery products

The ACP States reaffirm the point of view they expressed throughout the negotiations on the rules of origin in respect of fishery products and consequently maintain that following the exercise of their sovereign rights over fishery resources in the waters within their national jurisdiction, all catches effected in those waters and obligatorily landed in ports of the ACP States for processing should enjoy originating status.

THE PRIME MINISTER OF ST VINCENT AND THE GRENADINES,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as 'the First Convention',

Having regard to the Second ACP-EEC Convention signed in Lomé on 31 October 1979, hereinafter referred to as 'the Second Convention',

Whereas, after becoming independent on 27 October 1979, St Vincent and the Grenadines requested, by letter dated 5 November 1979, to accede to the First and Second Conventions; whereas, with the approval of the ACP-EEC Council of Ministers, it acceded to the First Convention on 27 February 1980, thus becoming an ACP State;

Whereas St Vincent and the Grenadines was not a Contracting Party to the First Convention at the time of signing of the Second Convention on 31 October 1979 and was unable to sign the latter Convention at that date;

Whereas, pursuant to Article 182 (1) of the Second Convention, this latter Convention is to be ratified by the signatory States in conformity with their respective constitutional requirements; whereas ratification of the Second Convention shall also be deemed to constitute ratification of the Agreement on products within the province of the European Coal and Steel Community; whereas therefore, for the purposes of this ratification, St Vincent and the Grenadines should proceed to sign the said Convention and Agreement,

Declares that the present paper constitutes the act of signature, by the Plenipotentiary of St Vincent and the Grenadines, of the Second ACP-EEC Convention and of the Agreement on products within the province of the European Coal and Steel Community.

Done at Kingstown, 2 July 1980.

R. MILTON CATO

*Prime Minister of
St Vincent and the Grenadines*

INTERNAL AGREEMENT

on the measures and procedures required for implementation
of the Second ACP-EEC Convention of Lomé ⁽¹⁾

(80/1154/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN ECONOMIC COMMUNITY,
MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Economic Community (hereinafter called 'the Treaty') and the Second ACP-EEC Convention of Lomé signed on 31 October 1979, (hereinafter called 'the Convention'),

Whereas the representatives of the Community will have to adopt common positions in the Council of Ministers provided for by the Convention (hereinafter called 'the Council of ACP-EEC Ministers'); whereas, moreover, implementation of the decisions, recommendations and opinions of this Council may require, where appropriate, action by the Community, joint action by the Member States or action by a Member State;

Whereas, therefore, it is necessary for the Member States to specify the conditions for determining, in the fields for which they are competent, the common positions to be adopted by the representatives of the Community within the Council of ACP-EEC Ministers; whereas, in the same fields, it will also be for them to take the measures implementing such decisions, recommendations and opinions of that Council as may require joint action by the Member States or action by a Member State;

⁽¹⁾ OJ No L 347, 22.12.1980.

Whereas provision should, likewise, be made for the Member States to communicate to one another and to the Commission any Treaty, Convention, Agreement or arrangement and any part of a Treaty, Convention, Agreement or arrangement which concerns matters dealt with in the Convention and which has been, or will be, concluded between one or more Member State and one or more ACP State:

Whereas procedures should also be laid down whereby Member States may settle any disputes which may arise between them with regard to the Convention;

After consulting the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

Article 1

1. The common position to be supported by the representatives of the Community in the Council of ACP-EEC Ministers when the latter considers matters for which the Member States are competent shall be adopted by the Council, acting unanimously after consulting the Commission.

2. Where, pursuant to Article 169 of the Convention, the Council of ACP-EEC Ministers envisages delegating to the Committee of Ambassadors provided for by the Convention the power to take decisions or put forward recommendations or opinions in the fields for which the Member States are competent, the common position shall be adopted by the Council, acting unanimously after consulting the Commission.

3. Common positions which the representatives of the Community support in the Committee of Ambassadors shall be adopted under the same conditions as those laid down in paragraph 1.

Article 2

1. Decisions and recommendations adopted by the Council of ACP-EEC Ministers in the fields for which the Member States are competent shall be implemented by acts adopted by the latter.

2. Paragraph 1 shall also apply in respect of decisions and recommendations adopted by the Committee of Ambassadors pursuant to Article 171 of the Convention.

Article 3

Any Treaty, Convention, Agreement or arrangement, or any part of a Treaty, Convention, Agreement or arrangement, of whatever form or nature, which has been, or will be, concluded between one or more Member States and one or more ACP States and which concerns matters dealt with in the Convention, shall be communicated as soon as possible by the Member State or States concerned to the other Member States and to the Commission.

At the request of a Member State or of the Commission, any texts so communicated shall be discussed by the Council.

Article 4

If a Member State considers it necessary to invoke Article 176 of the Convention on matters for which the Member States are competent, it shall first consult the other Member States.

If the Council of ACP-EEC Ministers has to reach a decision on the action by a Member State referred to in the first paragraph, the position to be taken by the Community shall be that of the Member State concerned, unless the representatives of the Governments of the Member States, meeting in the Council, decide otherwise.

Article 5

Disputes arising between Member States concerning the Convention, the Protocols annexed thereto or the Internal Agreements signed for its implementation shall, at the request of the party making the complaint, be submitted to the Court of Justice of the European Communities under the conditions laid down in the Treaty and in the Protocol on the Statute of the Court of Justice annexed to the Treaty.

Article 6

After consulting the Commission, the representatives of the Governments of the Member States, meeting in the Council, may at any time amend or supplement this Agreement.

Article 7

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The government of each Member State shall notify the Secretariat of the Council of the European Communities of the completion of the procedures required for the entry into force of the Agreement.

Provided that the conditions of the first paragraph have been complied with, this Agreement shall enter into force at the same time as the Convention. It shall remain in force for the duration of that Convention.

Article 8

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 Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Governments of the Signatory States.

Udfærdiget i Bruxelles, den tyvende november nitten hundrede og nioghalvfjerds.

Geschehen zu Brüssel am zwanzigsten November neunzehnhundertneunundsiebzig.

Done at Brussels on the twentieth day of November in the year one thousand nine hundred and seventy-nine.

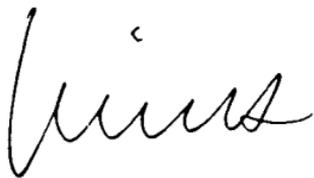
Fait à Bruxelles, le vingt novembre mil neuf cent soixante-dix-neuf.

Fatto a Bruxelles, addì venti novembre millenovecentosettantanove.

Gedaan te Brussel, de twintigste november negentienhonderdnegenenzeventig.

Pour le gouvernement du royaume de Belgique

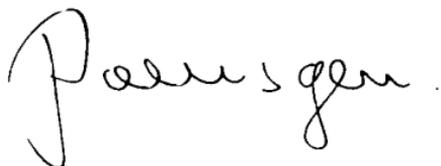
Voor de Regering van het Koninkrijk België



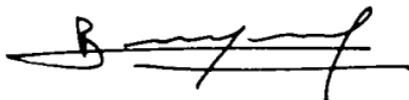
På Kongeriget Danmarks vegne

A handwritten signature in black ink, appearing to read "Kjell Jesen". The signature is written in a cursive style with a large, looping initial 'K'.

Für die Regierung der Bundesrepublik Deutschland

A handwritten signature in black ink, appearing to read "Pönnigen". The signature is written in a cursive style with a large, looping initial 'P'.

Pour le gouvernement de la République française

A handwritten signature in black ink, appearing to read "Bony". The signature is written in a cursive style with a large, looping initial 'B'.

For the Government of Ireland

A handwritten signature in black ink, appearing to read "O'Sullivan". The signature is written in a cursive style with a large, looping initial 'O'.

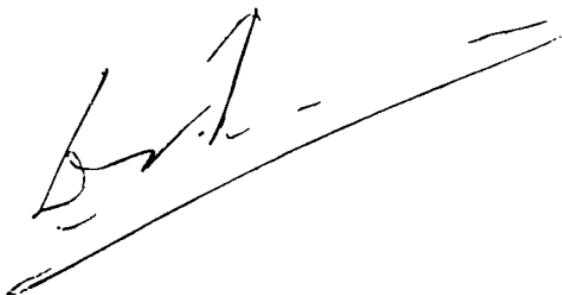
Per il Governo della Repubblica italiana

A handwritten signature in black ink, appearing to read "Giannini". The signature is written in a cursive style with a large, looping initial 'G'.

Pour le gouvernement du grand-duché de Luxembourg

A handwritten signature in black ink, consisting of a large, stylized initial 'K' followed by several horizontal strokes, all written over a horizontal line.

Voor de Regering van het Koninkrijk der Nederlanden

A handwritten signature in black ink, featuring a large, stylized initial 'B' followed by a long horizontal line that slopes downwards to the right.

For the Government of the United Kingdom of Great Britain and Northern
Ireland

A handwritten signature in black ink, reading 'Michael Butler' in a cursive script.

INTERNAL AGREEMENT

of 1979

on the financing and administration of Community aid ⁽¹⁾

(80/1155/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Economic Community (hereinafter called 'the Treaty'),

Whereas the Second ACP-EEC Convention of Lomé (hereinafter called 'the Convention') set the aggregate amount of Community aid to the ACP States at 5 227 million units of account;

Whereas the representatives of the Governments of the Member States, meeting within the Council, agreed to set at 94 million units of account the amount of aid to be borne by the European Development Fund for the benefit of the overseas countries and territories having special relations with France, the Netherlands and the United Kingdom (hereinafter called 'the countries and territories'); whereas provision is also made for loans to the amount of 15 million units of account to be granted by the European Investment Bank (hereinafter called 'the Bank') from its own resources in the countries and territories;

(1) OJ No L 347, 22.12.1980.

Whereas the unit of account used in application of this Agreement is that defined in Council Decision 75/250/EEC of 21 April 1975 ⁽¹⁾; whereas steps should be taken to allow for the possibility, by Council decision, of replacing the said unit of account by the ECU;

Whereas, in order to implement the Convention and the Decision concerning the countries and territories (hereinafter called 'the Decision'), a fifth European Development Fund should be established and a procedure should be laid down for the provision of funds and for contributions from Member States to these funds;

Whereas the rules for the management of financial cooperation should be determined, the procedure for programming, examining and approving aid should be decided and the detailed rules for supervising the use of the aid should be defined;

Whereas a Committee of Representatives of the Governments of the Member States should be set up under the auspices of the Commission and a similar committee should be set up under the auspices of the Bank;

Whereas the work done by the Commission and the Bank to apply the Convention and the corresponding provisions of the Decision should be harmonized; whereas it is therefore desirable that, as far as possible, the composition of the committees set up under the auspices of the Commission and of the Bank should be identical;

Whereas the Council adopted on 16 July 1974 a resolution on the harmonization and coordination of Member States' cooperation policies;

After consulting the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

⁽¹⁾ OJ No L 104, 24.4.1975.

Chapter I

Article 1

1. The Member States hereby set up a European Development Fund (1980) hereinafter called 'the Fund'.

2. (a) The Fund shall consist of 4 636 million European units of account (hereinafter called 'EUA'), to be financed by the Member States as follows:

Belgium	273·524 million EUA (5·9%)
Denmark	115·900 million EUA (2·5%)
Germany	1 311·988 million EUA (28·3%)
France	1 186·816 million EUA (25·6%)
Ireland	27·816 million EUA (0·6%)
Italy	533·140 million EUA (11·5%)
Luxembourg	9·272 million EUA (0·2%)
Netherlands	343·064 million EUA (7·4%)
United Kingdom	834·480 million EUA (18·0%)

(b) This schedule may be amended by Council Decision reached unanimously in the event of the accession of a new Member State to the Community.

3. The amount stated in paragraph 2 shall be allocated as follows:

(a) 4 542 million EUA for the ACP States, comprising:

2 928 million EUA in the form of grants,

504 million EUA in the form of special loans,

208 million EUA in the form of risk capital,

550 million EUA in the form of transfers pursuant to Title II, Chapter 1 of the Convention,

280 million EUA in the form of the special financing facility pursuant to Title III, Chapter I of the Convention;

(b) 85 million EUA for the countries and territories, comprising:

51 million EUA in the form of grants,

27 million EUA in the form of special loans,

7 million EUA in the form of risk capital,

for the record in the form of the special financing facility pursuant to the provisions of the Decision relating to mining products;

(c) 9 million EUA 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.

4. Where a country or territory which has become independent accedes to the Convention, the amounts indicated in paragraph 3(b) shall be reduced and those indicated in paragraph 3(a) correspondingly increased by a decision of the Council acting unanimously on a proposal from the Commission.

5. In this case, the country concerned will continue to be eligible for the funds provided for in paragraph 3 (c), subject to the management rules laid down in Title II of the Convention.

Article 2

To the amount laid down in Article 1 (2) shall be added up to 700 million EUA in the form of loans granted by the Bank from its own resources under the conditions laid down by it in accordance with its Statute.

These loans shall be allocated as follows:

- (a) up to the amount of 685 million EUA, for financing operations to be carried out in the ACP States;
- (b) up to the amount of 15 million EUA, for financing operations to be carried out in the countries and territories.

Article 3

1. For the purposes of this Agreement, the unit of account shall be that defined in Decision 75/250/EEC.
2. The unit of account may, by a Council Decision, be replaced by the ECU as defined by the Council in accordance with Regulation (EEC) No 3180/78 ⁽¹⁾.

Article 4

An amount of up to 175 million EUA shall be set aside from the grant aid specified in Article 1 (3)(a) and (b) for financing the interest rate subsidies referred to in Article 104 of the Convention and in the corresponding provisions of the Decision. Any part of this amount not committed by the end of the period during which loans are granted by the Bank shall again become available as grant aid.

The Council may decide, on a proposal from the Commission drawn up in agreement with the Bank, to raise this ceiling.

⁽¹⁾ OJ No L 379, 30.12.1978.

Article 5

With the exception of loans granted by the Bank from its own resources, all financial operations undertaken for the benefit of the ACP States or the countries and territories shall be carried out in accordance with the conditions laid down in this Agreement and shall be charged to the Fund.

Article 6

1. Within one month of the entry into force of the Convention, and subsequently before 1 September of each year, the Commission shall draw up estimates of the commitments to be entered into during the budget year, taking into account the Bank's forecasts in respect of the operations which it manages, and shall communicate these estimates to the Council.

2. In the same year, the Commission shall establish and communicate to the Council the total amount of the payments to be made in the budget year in question. On the basis of this amount and taking into account cash requirements, including those arising from expenditure incurred in implementing Title II, Chapter 1 of the Convention and the corresponding provisions of the Decision and expenditure incurred in implementing Title III, Chapter 1 of the Convention, the Commission shall draw up a schedule of calls for contributions determining the dates on which payment is due; the detailed rules for payment of such contributions by the Member States shall be determined by the Financial Regulation referred to in Article 28. This schedule shall be submitted by the Commission to the Council, which shall decide thereon by the qualified majority laid down in Article 17 (4).

If the contributions are insufficient to meet the actual requirements of the Fund in the budget year in question, proposals for supplementary payments shall be submitted by the Commission to the Council, which shall decide thereon as soon as possible by the qualified majority laid down in Article 17 (4).

3. Until used by the Commission for financing projects, programmes or transfers adopted under the conditions laid down in Articles 10 to 21,

26 and 27, the funds obtained from the calls for contributions referred to in paragraph 2 shall remain deposited in special accounts opened by each Member State with its treasury or with such bodies as it may designate, in accordance with the rules laid down by the Financial Regulation referred to in Article 28.

Article 7

1. Any remaining balance of the Fund shall be used up in accordance with the same rules as those laid down in the Convention, the Decision and this Agreement.
2. Upon expiry of this Agreement, Member States shall still be obliged to pay, as provided in Article 6, that portion of their contributions not yet called for.

Article 8

1. The Member States undertake to act as guarantor for the Bank, waiving any right to object and in proportion to their contributions to its capital, in respect of all financial commitments arising for its borrowers out of the loan contracts concluded by the Bank with its own resources in implementation both of Article 95 of the Convention and the corresponding provisions of the Decision and, where appropriate, Article 59 of the Convention.
2. This guarantee shall be restricted to 75% of the total amount of the credits opened by the Bank under all the loan contracts; it shall be applied to cover all risks.
3. Notwithstanding the overall guarantee referred to in paragraphs 1 and 2 above, the Member States may, with regard to financial commitments under Article 59 of the Convention, act as guarantor for the Bank, in specific cases and at the latter's request, in respect of a percentage greater than 75% and up to 100% of the credits opened by the Bank under the corresponding loan contracts.

4. The undertakings arising from paragraphs 1 to 3 shall be the subject of guarantee contracts between each Member State and the Bank.

Article 9

1. Payments made to the Bank in respect of special loans granted to the ACP States, the countries and territories and the French overseas departments since 1 June 1964, as well as the proceeds and income from risk capital operations undertaken since 1 February 1971 for the benefit of those States, countries, territories and departments, shall be credited to the Member States in proportion to their contributions to the Fund from which the sums are derived, unless the Council decides unanimously, on a proposal from the Commission, to place them in reserve or allocate them to other operations.

Any commission due to the Bank for managing the loans and operations referred to in the first subparagraph shall be deducted in advance from these sums.

2. The amount of the grants from the Fund, as fixed in Article 1 (3)(a) and (b), shall be supplemented by any other revenue accruing to the Fund.

Chapter II

Article 10

1. Subject to Articles 17 to 21 and without prejudice to the Bank's responsibilities for the administration of certain forms of aid, the Fund shall be administered by the Commission in accordance with the rules laid down by the Financial Regulation referred to in Article 28.

2. Subject to Articles 22 to 24, risk capital and interest rate subsidies financed from the Fund's resources shall be administered by the Bank on behalf of the Community in accordance with its Statute and the rules laid down by the Financial Regulation referred to in Article 28.

Article 11

The Commission shall be responsible for implementing the aid policy defined by the Council and the general guidelines for financial and technical cooperation defined by the ACP-EEC Council of Ministers pursuant to Article 119 of the Convention.

Article 12

1. The Commission and the Bank shall periodically provide each other with appropriate information on the requests made to them for finance and on preliminary contacts made with them by the relevant bodies of the ACP States, the countries and territories, or other recipients of aid as provided for in Article 94 of the Convention and in the corresponding provisions of the Decision, before their requests were submitted.

2. The Commission and the Bank shall keep each other informed of the progress made in appraising requests for finance.

3. The Commission shall channel the information referred to in paragraphs 1 and 2 through its liaison office. In addition, the liaison office shall collect and provide any general information which would promote the harmonization of administrative procedures and the assessment of requests.

Article 13

1. The Commission shall appraise projects which, pursuant to Article 101 of the Convention and the corresponding provisions of the Decision, could be financed by grants or special loans from the Fund's resources.

The Commission shall also appraise requests for transfers submitted pursuant to Title II, Chapter 1 of the Convention and the corresponding provisions of the Decision, together with projects and programmes eligible for the special financing facility pursuant to Title III, Chapter 1 of the Convention.

2. The Bank shall appraise projects which, pursuant to its Statute, Article 101 of the Convention and the corresponding provisions of the Decision, could be financed by loans from its own resources, with or without interest rate subsidies, or by risk capital.

3. Productive investment projects which come under the industrial, agri-industrial, mining or tourism sectors, and energy-production schemes linked to an investment in those sectors, shall be submitted to the Bank, which shall examine whether they are eligible for one of the forms of aid it administers.

4. Where, in the course of appraisal of a project or programme by the Commission or by the Bank, it is found that such project or programme could not be financed by one of the forms of aid administered by the institution in question, the latter will, having informed the potential recipient, transmit the request to the other institution.

Article 14

1. Without prejudice to special instructions which the Bank receives from the Community in respect of the recovery of principal and interest relating to special loans and operations under the special financing facility, the Commission shall undertake, on behalf of the Community, the financial execution of operations carried out with the Fund's resources in the form of grants, special loans, transfers or of the special financing facility; it shall make payments in accordance with the Financial Regulation referred to in Article 28.

2. The Bank shall undertake, on behalf of the Community, the financial execution of operations carried out with the Fund's resources in the

form of risk capital. In such cases, the Bank shall act on behalf and at the risk of the Community. Any resulting rights, and particularly rights as creditor or owner, shall be vested in the Community.

3. The Bank shall undertake the financial execution of operations carried out in the form of loans from its own resources combined with interest rate subsidies from the Fund's resources.

Article 15

1. For the purposes of Article 109 of the Convention, programming missions shall be carried out under the general responsibility of the Commission, with the participation of the Bank, in order to draw up an indicative programme which specifies in particular the sectoral, sub-sectoral and regional objectives and priorities of the ACP State concerned, naming those projects that have been clearly identified.

2. In order to prepare these missions the Commission shall provide the Member States with the information obtained from the ACP States on the content, prospects and objectives of their development plans and on clearly defined projects, which could attain those objectives, for which they would like financing. The Commission shall prepare such information in liaison with the Bank, as regards the matters which concern the latter.

At the same time the Member States shall notify the Commission of any bilateral aid which has been granted or which is envisaged.

Each Member State and the Commission shall periodically bring such information up to date, making use in particular of data gathered and collated in accordance with the customary procedures.

They shall provide each other with available data on other bilateral, regional and multilateral aid granted to or proposed for the ACP States concerned.

3. This Article shall also apply as regards the overseas countries and territories, where appropriate, in a simplified and more flexible form adjusted to the constitutional structures peculiar to each group of countries or territories.

Article 16

1. Before programming missions are sent out the Commission shall, in collaboration with the Bank, prepare a brief document on each country, containing all the information collected from the Member States and the ACP States and analysed by the Commission, with a view to evaluating future development cooperation between the ACP State concerned and the Community.

An exchange of views will take place between the representatives of the Member States, of the Commission and of the Bank, on the basis of this document, in order to evaluate the general framework of the Community's cooperation with each ACP State and to ensure, as far as possible, coherence between Community aid and aid from the Member States to the ACP States.

2. Following the programming mission undertaken in the ACP States by the Commission and the Bank, the indicative programme of Community aid for each ACP State shall be forwarded to the Member States so that an exchange of views can take place between the representatives of the Member States, of the Commission and of the Bank. This exchange of views will be held if one or more Member States so request.

3. If need be, and at least once during the period covered by the Convention, the representatives of the Member States, of the Commission and of the Bank shall examine progress in implementing the indicative programmes and any amendments to be made thereto at the request of the ACP States concerned.

Article 17

1. A Committee (hereinafter called 'the EDF Committee') consisting of representatives of the Governments of the Member States shall be set up under the auspices of the Commission.

The EDF Committee shall be chaired by a Commission representative, and its secretariat shall be provided by the Commission.

A representative of the Bank shall take part in its work.

2. The Council, acting unanimously, shall adopt the rules of procedure of the EDF Committee.

3. Within the EDF Committee, the votes of the Member States shall be weighted as follows:

Belgium	6
Denmark	3
Germany	27
France	24
Ireland	2
Italy	12
Luxembourg	1
Netherlands	8
United Kingdom	17

4. The EDF Committee shall act by a qualified majority of 69 votes.

5. The weightings laid down in paragraph 3 and the qualified majority mentioned in paragraph 4 may be amended by a decision of the Council, acting unanimously, in the event of the accession of a new Member State to the Community.

Article 18

1. The EDF Committee shall give its opinion on financing proposals, submitted to it by the Commission, for projects or programmes financed by grants, special loans or special financing facility resources.

2. The financing proposals for projects shall explain the relevance of the projects to the development prospects of the country or countries concerned; where appropriate, they shall mention the use to which such countries have put previous Community aid.

They shall include in particular measures promoting, in accordance with Title VII, Chapter 7 of the Convention and the corresponding provisions of the Decision, participation by national undertakings of the ACP States and of the countries and territories in carrying out the projects.

3. If the EDF Committee requests substantial changes in the financing proposal or in the absence of a favourable opinion on the latter, the Commission shall consult the representatives of the ACP State or ACP States concerned. In the absence of a favourable opinion the latter shall, at their request, be heard by the representatives of the Community, in accordance with Article 113 (3) of the Convention.

4. In the cases mentioned in paragraph 3, the financing proposal, after review or extension, as the case may be, shall be submitted afresh to the EDF Committee at one of its subsequent meetings.

If the Committee still refuses to deliver a favourable opinion, the Commission shall consult afresh the representatives of the ACP State or ACP States concerned, in accordance with Article 113 (4) of the Convention.

Article 19

1. The financing proposals, together with the opinion of the EDF Committee, shall be submitted to the Commission for its decision.

2. If the Commission decides to differ from the opinion expressed by the Committee, or if the Committee has not delivered a favourable opinion, the Commission shall either withdraw the financing proposal or, at the earliest opportunity, refer the proposal to the Council, which shall decide on it according to the same voting procedure as the EDF Committee.

In the latter case the ACP State concerned may, as provided in Article 113 (5) of the Convention, transmit to the Council any additional information it considers necessary before the final decision is taken and may be heard by the President and members of the Council.

Article 20

The Commission shall regularly inform the EDF Committee of all requests for financing officially submitted to it by one or more ACP State, irrespective of whether these are selected by its departments.

Article 21

The EDF Committee shall be kept informed of the results of work periodically done by the Commission on the evaluation of projects being carried out or completed, particularly in relation to development objectives set.

Article 22

1. A Committee (hereinafter called 'the Article 22 Committee') consisting of representatives of the Governments of the Member States shall be set up under the auspices of the Bank.

The Article 22 Committee shall be chaired by the representative of the Member State currently occupying the Presidency of the Board of Governors of the Bank and its secretariat shall be provided by the Bank.

A representative of the Commission shall take part in its work.

2. The Council, acting unanimously, shall adopt the rules of procedure of the Article 22 Committee.

3. Within the Article 22 Committee, the votes of the Member States shall be weighted as provided for in Article 17 (3).

4. The Article 22 Committee shall act by a qualified majority of 69 votes.

5. The weightings referred to in paragraph 3 and the qualified majority mentioned in paragraph 4 may be amended by a decision of the Council, acting unanimously, in the event of the accession of a new Member State to the Community.

Article 23

1. The Article 22 Committee shall deliver an opinion on requests for loans with interest rate subsidies and on proposals for financing by risk capital which are submitted to it by the Bank.

The Commission representative may, at meetings, submit the Commission's assessment of these proposals. This assessment shall cover the conformity of the projects with Community development aid policy, with the objectives of financial and technical cooperation laid down by the Convention and with the general guidelines adopted by the ACP-EEC Council of Ministers.

In addition, the Bank shall inform the Article 22 Committee of any loans without interest rate subsidies that it intends to grant in the oil sector.

2. The document submitted to the Article 22 Committee by the Bank shall, in particular, explain the relevance of the project to the development

prospects of the country or countries concerned and, where appropriate, indicate the situation as regards repayable loans granted by the Community and holdings acquired by it.

3. Where the Article 22 Committee does not deliver a favourable opinion on a proposal concerning an ACP State or group of ACP States, the Bank shall consult the representatives of the said State or States, and the procedure laid down in Article 113 (3), and (4) of the Convention shall apply.

4. Where the Article 22 Committee delivers a favourable opinion in respect of a request for a loan with an interest rate subsidy, the request, together with the reasoned opinion of the Committee and, where appropriate, the assessment of the Commission representative, shall be submitted for a decision to the Board of Directors of the Bank, which shall act in accordance with the provisions of the Bank's Statute.

In the absence of a favourable opinion from the Article 22 Committee, the Bank shall either withdraw the request or decide to uphold it. In the latter event this request, together with the reasoned opinion of the Committee and, where appropriate, the assessment given by the Commission representative, shall be submitted for a decision to the Board of Directors of the Bank, which shall act in accordance with the provisions of the Bank's Statute.

5. Where, in respect of a proposal for financing by risk capital, the Article 22 Committee delivers a favourable opinion, the proposal shall be submitted for a decision to the Board of Directors of the Bank which shall act in accordance with the provisions of the Bank's Statute.

In the absence of a favourable opinion from the Article 22 Committee, the Bank shall either withdraw the proposal or request that the Member State chairing the Article 22 Committee refer the matter to the Council as soon as possible.

In the latter case, the proposal shall be submitted to the Council together with the reasoned opinion of the Article 22 Committee and, where appropriate, the assessment of the Commission representative.

The Council shall act in accordance with the same voting procedure as the Article 22 Committee.

If the Council decides to confirm the Article 22 Committee's position, the Bank shall withdraw its proposal.

If, however, the Council is in agreement with the Bank's proposal, the Bank shall implement the procedures laid down in its Statute.

Article 24

1. Subject to such adjustments as are necessary to take account of the nature of the operations financed and of the procedures laid down in the Statute of the Bank, the latter shall regularly inform the Article 22 Committee of all requests for financing officially submitted to it, irrespective of whether these are selected by its departments.

2. The Article 22 Committee shall be kept informed of the results of work periodically done by the Bank on the assessment of projects being carried out or completed, particularly in relation to the development objectives set.

Article 25

1. The Commission and the Bank shall ascertain how the Community aid administered by each of them is used by the ACP States, the countries and territories or any other recipients.

2. They shall also ascertain, each for their respective parts and in close collaboration with the relevant authorities of the country or countries concerned, how projects financed with Community aid are used by the recipients.

3. When ascertaining how Community aid and projects are used, as provided for in paragraphs 1 and 2, the Commission and the Bank shall examine the extent to which the objectives referred to in Articles 91 and 92 of the Convention and in the corresponding provisions of the Decision have been attained.

4. The Commission and the Bank shall inform the Council at least once a year of their findings pursuant to paragraphs 1, 2 and 3.

The Council, acting by the qualified majority laid down in Article 17 (4), shall take the necessary measures.

Chapter III

Article 26

The amounts of the transfers referred to in Articles 39 and 40 respectively of Title II of the Convention and in the corresponding provisions of the Decision, and the contributions to the replenishment of resources mentioned in Article 42 of the Convention and in the corresponding provisions of the Decision, shall be expressed in units of account as laid down in Article 3.

Payments shall be made in the currency of one or more Member States chosen by the Commission after consultation of the ACP State or the relevant authorities of the countries and territories.

Article 27

Each year the Commission shall draw up a comprehensive report for the Member States on the operation of the system of stabilization of export earnings and the use made by the ACP States of the funds transferred.

The report shall indicate in particular the effect of the system on the economic development of the recipient countries and on the development of external trade.

This Article shall also apply as regards the countries and territories.

Chapter IV

Article 28

The provisions for implementing this Agreement shall be the subject of a Financial Regulation adopted, upon the entry into force of the Convention, by the Council, acting by the qualified majority laid down in Article 17 (4), on the basis of a Commission draft, after an opinion has been delivered by the Bank on the provisions concerning it and by the Court of Auditors established by Article 206 of the Treaty.

Article 29

1. At the close of each financial year the Commission shall adopt the revenue and expenditure account and the balance sheet of the Fund.
2. Without prejudice to paragraph 4, the Court of Auditors established by Article 206 of the Treaty shall also exercise its powers in respect of the Fund's operations. The conditions under which the Court exercises its powers shall be laid down in the Financial Regulation referred to in Article 28.
3. The discharge for the financial management of the Fund shall be given to the Commission by the European Parliament on the recommendation of the Council, which shall act by the qualified majority laid down in Article 17 (4).

4. The operations financed from the resources of the Fund and managed by the Bank shall be subject to the control and discharge procedures laid down by the Statute of the Bank for all its operations. Each year the Bank shall send the Commission and the Council a report on the execution of operations financed from the resources of the Fund and managed by the Bank.

Article 30

1. The remaining balance of the Development Fund for the overseas countries and territories established by the Implementing Convention annexed to the Treaty shall continue to be administered as provided in that Implementing Convention and in accordance with the rules and regulations in force on 31 December 1962.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed at Yaoundé on 20 July 1963 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 31 May 1969.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed at Yaoundé on 29 July 1969 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 31 January 1975.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed in Brussels on 11 July 1975 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 1 March 1980.

2. In the event of successful completion of projects financed from the Funds referred to in paragraph 1 being jeopardized by a lack of resources due to

the remaining balance being used up, proposals for additional financing may be submitted by the Commission under the conditions laid down in Article 18.

Article 31

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The government of each Member State shall notify the Secretariat of the Council of the European Communities when the procedures required for its entry into force have been completed.

This Agreement is concluded for the same duration as the Convention. However, it shall remain in force for as long as is necessary for all the operations financed under the Convention to be fully executed.

Article 32

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Governments of the Signatory States.

Udfærdiget i Bruxelles, den tyvende november nitten hundrede og nioghalvfjerds.

Geschehen zu Brüssel am zwanzigsten November neunzehnhundertneunundsiebzig.

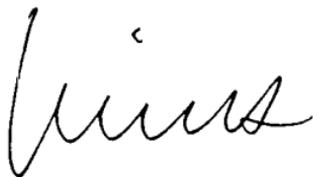
Done at Brussels on the twentieth day of November in the year one thousand nine hundred and seventy-nine.

Fait à Bruxelles, le vingt novembre mil neuf cent soixante-dix-neuf.

Fatto a Bruxelles, addi venti novembre millenovecentosettantanove.

Gedaan te Brussel, de twintigste november negentienhonderd negenenzeventig.

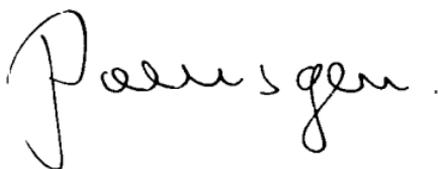
Pour le gouvernement du royaume de Belgique
Voor de Regering van het Koninkrijk België



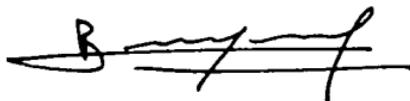
På Kongeriget Danmarks vegne



Für die Regierung der Bundesrepublik Deutschland



Pour le gouvernement de la République française



For the Government of Ireland

A handwritten signature in black ink, appearing to read "Michael O'Leary". The signature is fluid and cursive, with a long horizontal stroke at the beginning and a large loop at the end.

Per il Governo della Repubblica italiana

A handwritten signature in black ink, appearing to read "Romano Prodi". The signature is cursive and somewhat compact.

Pour le gouvernement du grand-duché de Luxembourg

A handwritten signature in black ink, appearing to read "Jean-Claude Juncker". The signature is cursive and features a prominent horizontal line at the end.

Voor de Regering van het Koninkrijk der Nederlanden

A handwritten signature in black ink, appearing to read "Mark Rutte". The signature is cursive and includes a long horizontal line at the end.

For the Government of the United Kingdom of Great Britain and Northern
Ireland

A handwritten signature in black ink, appearing to read "Richard Butler". The signature is cursive and clearly legible.

ACP-EEC REGULATIONS AND DECISIONS

COUNCIL REGULATION (EEC) No 1028/81

of 9 April 1981

concerning the application of Decision No 1/81 of the ACP-EEC Customs Cooperation Committee derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and 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 Customs Cooperation Committee set up under the Second ACP-EEC Convention signed at Lomé on 31 October 1979 adopted, pursuant to Article 28 (3) and Article 30 (1) of Protocol 1 to that Convention, Decision No 1/81 derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies);

⁽¹⁾ OJ No L 105, 16.4.1981.

Whereas it is necessary, in accordance with Article 33 of Protocol 1 of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/81 of the ACP-EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

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 January until 31 December 1981.

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

Done at Luxembourg, 9 April 1981.

For the Council
The President
D. F. van der MEI

**DECISION No 1/81 OF THE ACP-EEC CUSTOMS COOPERATION
COMMITTEE**

of 12 February 1981

**derogating from the definition of the concept of 'originating products' to take
account of the special situation of Malawi and Kenya with regard to certain
items of fishing tackle (fishing flies)**

THE CUSTOMS COOPERATION COMMITTEE,

Having regard to the Second ACP-EEC Convention signed in Lomé on 31
October 1979⁽¹⁾ (hereinafter referred to as 'the Convention'),

Whereas Article 30 of Protocol 1 to the Convention, concerning the defini-
tion of the concept of 'originating products' and methods of administrative
cooperation, makes provision for derogations to be made from the rules of
origin by the Customs Cooperation Committee, in particular to facilitate the
development of existing industries or the creation of new industries;

Whereas the African, Caribbean and Pacific States (ACP) have submitted a
request for a derogation from the definition set out in Protocol 1 for items of
fishing tackle manufactured in Malawi and Kenya until 31 December 1981;

⁽¹⁾ See page 1795 of this volume.

Whereas the possibilities, offered by the cumulation system on origin have not provided a solution to the origin problem for items of fishing tackle manufactured in Malawi and Kenya;

Whereas a derogation for 1980 has already been granted;

Whereas any deflection of trade should be avoided; whereas this 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 or Kenya, falling within CCT heading No ex 97.07 ('fishing flies') shall be considered as originating in Malawi or Kenya provided that the value of the non-originating fish-hooks used for their manufacture and falling within CCT heading No ex 97.07 does not exceed 25% of the value of the finished product.

Article 2

The competent authorities of the Republic of Malawi and the Republic of Kenya shall forward to the Commission every quarter 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 3

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 4

This Decision shall enter into force on 1 January 1981.

It shall apply until 31 December 1981.

Done at Brussels, 12 February 1981.

For the Customs Cooperation Committee

The Chairmen

F. KLEIN A. RAOUL

COUNCIL REGULATION (EEC) No 1207/81

of 28 April 1981

regarding the application of Decision No 2/81 of the ACP-EEC Customs Cooperation Committee derogating from the definition of the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna ⁽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 Customs Cooperation Committee set up under the Second ACP-EEC Convention, signed at Lomé on 31 October 1979, adopted pursuant to Article 28 (3) and Article 30 (1) of Protocol No 1 to that Convention, Decision No 2/81 derogating from the definition of the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna;

Whereas it is necessary in accordance with Article 33 of the said Protocol No 1 to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

⁽¹⁾ OJ No L 123, 7.5.1981.

Article 1

Decision No 2/81 of the ACP-EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

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 30 January 1981 until 29 January 1982.

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

Done at Luxembourg, 28 April 1981.

For the Council

The President

J. de KONING

**DECISION No 2/81 OF THE ACP-EEC CUSTOMS COOPERATION
COMMITTEE**

of 10 April 1981

**derogating from the definition of the concept of 'originating products' to take
account of the special situation of Mauritius with regard to its production of
canned tuna**

THE CUSTOMS COOPERATION COMMITTEE,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter referred to as 'the Convention',

Whereas Article 30 of Protocol No 1 to the Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation makes provision for derogations to be made from the rules of origin by the Customs Cooperation Committee, 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 Mauritius for a derogation from the definition set out in Protocol No 1 in respect of canned tuna produced by Mauritius;

Whereas Mauritius benefited from November 1977 until November 1979 from a derogation from the definition set out in Protocol No 1 for canned tuna produced by it in order to be able to maintain its existing fishery industry and to take the measures necessary for its finished products to obtain originating status there; whereas as an exceptional measure this derogation was renewed from March until August 1980;

Whereas Mauritius has proceeded to set up its own fleet of vessels with a view to supplying its canneries with sufficient tuna fish;

Whereas the fleet became operational during 1980; whereas, however, because of adverse climatic conditions the fleet was prevented from exploiting its maximum potential fishing capacity; whereas Mauritius has in addition been unable to obtain sufficient supplies of fish originating in other ACP States;

Whereas the Mauritius canning industry therefore continues to be dependent upon supplies of tuna fish from third countries in order to continue its exports of canned tuna to the Community;

Whereas in these circumstances a temporary derogation from the definition of the concept of originating products should be accorded to Mauritius,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol No 1, canned tuna manufactured in Mauritius and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Mauritius subject to the following conditions.

Article 2

The derogation provided for in Article 1 shall relate to 1 000 tonnes of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Mauritius between 30 January 1981 and 29 January 1982.

Article 3

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in

Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR. 1 have been issued on the basis of this Decision.

Article 4

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 5

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

It shall apply from 30 January 1981 until 29 January 1982.

Done at Luxembourg, 10 April 1981.

*For the ACP-EEC Customs
Cooperation Committee
The President*

COUNCIL REGULATION (EEC) No 2392/81

of 18 August 1981

regarding the application of Decision No 3/81 of the ACP-EEC Customs Cooperation Committee derogating from the definition of the concept of 'originating products' to take into account the special situation of Fiji with regard to its production of canned tuna fish ⁽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 Customs Cooperation Committee set up under the second ACP-EEC Convention, signed in Lomé on 31 October 1979 adopted pursuant to Articles 28 (3) and 30 (1) of Protocol 1 to the Convention, Decision No 3/81 derogating from the definition of the concept of 'originating products' to take into account the special situation of Fiji with regard to its production of canned tuna;

Whereas, in accordance with Article 33 of the said Protocol 1, the measures required to implement that Decision should be taken,

HAS ADOPTED THIS REGULATION:

⁽¹⁾ OJ No L 235, 21.8.1981.

Article 1

Decision No 3/81 of the ACP-EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

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 September 1981 until 31 August 1983.

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

Done at Brussels, 18 August 1981.

For the Council
The President
P. WALKER

**DECISION No 3/81 OF THE ACP-EEC CUSTOMS COOPERATION
COMMITTEE**

of 24 July 1981

**derogating from the definition of the concept of 'originating products' to take
account of the special situation of Fiji with regard to its production of canned
tuna**

THE CUSTOMS COOPERATION COMMITTEE,

Having regard to the second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter referred to as 'the Convention',

Whereas Article 30 of Protocol 1 to the Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations to be made from the rules of origin by the Customs Cooperation Committee, 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 Fiji for a derogation from the definition set out in Protocol 1 in respect of canned tuna produced by Fiji;

Whereas Fiji has a fleet of vessels in order to supply its canning industry with raw material for the production of canned tuna;

Whereas at present this fleet cannot supply sufficient quantities of tuna fish for the canneries to maintain the economic viability of its canning operations;

Whereas Fiji has made plans for the extension of its fishing fleet; whereas these plans will take several years to implement before the fleet is sufficiently large to catch the required quantities of tuna fish originating in Fiji for the canneries;

Whereas Fiji has been unable to obtain supplies of fish originating in other ACP States;

Whereas the Fijian canning industry is temporarily dependent upon supplies of tuna fish of third country origin;

Whereas in these circumstances a derogation limited to 750 tonnes per year will permit additional exports to the Community without changing the traditional patterns of trade; whereas in two years' time the extension of the Fijian fishing fleet should enable this derogation to be waived,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol 1, canned tuna manufactured in Fiji and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Fiji subject to the following conditions.

Article 2

This derogation provided for in Article 1 shall relate to 750 tonnes per year of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Fiji between 1 September 1981 and 31 August 1983.

Article 3

The competent authorities of Fiji shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and 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.

Article 4

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 5

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

It shall apply from 1 September 1981 until 31 August 1983.

Done at Brussels, 24 July 1981.

*For the ACP-EEC Customs
Cooperation Committee*

The Chairmen

F. KLEIN R. CHASLE

DECISION No 11/81 OF THE ACP-EEC COUNCIL OF MINISTERS

of 10 April 1981

amending the list of least developed ACP States and the list of island ACP States ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the second ACP-EEC Convention, signed at Lomé on 31 October 1979, and in particular Article 155 (4) thereof,

Whereas the Republic of Kiribati did not accede to the ACP-EEC Convention of Lomé, signed on 28 February 1975, until 30 October 1979;

Whereas by Decision No 5/80 of the ACP-EEC Council of Ministers of 9 May 1980 amending the list of least developed ACP States, the Republic of Kiribati was added to the list of ACP States appearing in Article 48 (2) of the ACP-EEC Convention of Lomé signed on 28 February 1975;

Whereas the Republic of Kiribati is not included in the lists in Article 155 (3) of the Second ACP-EEC Convention;

Whereas the economic and social situation in the Republic of Kiribati justifies its inclusion in the list of least developed ACP States, and its geographical position justifies its inclusion in the list of island ACP States;

Whereas, moreover its economic and social situation has suffered a significant and lasting deterioration as a result of the closure of the phosphate mines at Banaba,

HAS DECIDED AS FOLLOWS:

⁽¹⁾ Not published in the OJ.

Article 1

The Republic of Kiribati is hereby added, with effect from the date of entry into force of the Second ACP-EEC Convention, to the lists of ACP States appearing in Article 155 (3)(a) and (c) of the Convention.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

DECISION No 12/81 OF THE ACP-EEC COUNCIL OF MINISTERS

of 10 April 1981

amending the list of landlocked ACP States ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 'Convention', and in particular Article 155 (4) thereof,

Whereas the Agreement on the accession of the Republic of Zimbabwe to the Convention was signed in Luxembourg on 4 November 1980;

Whereas the Republic of Zimbabwe is a landlocked State,

HAS DECIDED AS FOLLOWS:

Article 1

The Republic of Zimbabwe is hereby added, with effect from the date of entry into force of the Agreement on the accession of the Republic of Zimbabwe to the Convention, to the list of ACP States appearing in Article 155 (3)(b) of the Convention.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

(¹) Not published in the OJ.

DECISION No 15/81 OF THE ACP-EEC COUNCIL OF MINISTERS

of 30 November 1981

amending the list of the least-developed ACP States and the list of island ACP States (Republic of Equatorial Guinea, Saint Vincent and the Grenadines, Republic of Vanuatu) ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter referred to as 'the Convention', and in particular Article 155 (4) thereof,

Having regard to Decision No 10/81 of the ACP-EEC Council of Ministers of 10 April 1981 on the delegation of certain powers to the ACP-EEC Committee of Ambassadors, and in particular Article 1 (1) thereof,

Whereas Saint Vincent and the Grenadines has been a Party to the Convention since 1 January 1981; whereas the Republic of Equatorial Guinea completed the procedures referred to in Article 182 of the Convention on 20 January 1981 and has been a Party to the Convention since 1 March 1981; whereas the Republic of Vanuatu acceded to the Convention on 18 March 1981;

Whereas the economic situation of these three States warrants their inclusion in the list of least-developed ACP States; whereas the geographical location of Saint Vincent and the Grenadines and of the Republic of Vanuatu warrants their inclusion in the list of island ACP States,

HAS DECIDED AS FOLLOWS:

⁽¹⁾ Not published in the OJ.

Article 1

1. The following States are hereby added to the lists of ACP States in Article 155 (3)(a) and (c) of the Convention:

- with effect from 1 January 1981: Saint Vincent and the Grenadines;
- with effect from 18 March 1981: Vanuatu.

2. Equatorial Guinea is hereby added to the list of ACP States in Article 155 (3)(a) of the Convention with effect from 1 March 1981.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

COUNCIL REGULATION (EEC) No 439/81

of 20 January 1981

laying down the provisional arrangements for trade between the Hellenic Republic and the ACP States ⁽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 negotiations were opened between the European Economic Community and the ACP States on 28 November 1980 with a view to concluding a Protocol adjusting the second ACP-EEC Convention in order to take account of the accession of the Hellenic Republic;

Whereas the 1979 Act of Accession provides in the first paragraph of Article 119 thereof that if such a Protocol is not concluded on 1 January 1981 the Community shall take the necessary measures to deal with this situation after accession;

Whereas it is necessary to establish in an autonomous fashion the specific conditions of application by the Hellenic Republic of the trade arrangements resulting from the Second ACP-EEC Convention, pending the result of negotiations which are taking place with the ACP States with a view to concluding a Protocol containing adjustments to and transitory measures relating to the abovementioned Convention taking into account the accession of the Hellenic Republic,

⁽¹⁾ OJ No L 53, 27.2.1981.

HAS ADOPTED THIS REGULATION:

Article 1

Until 30 April 1981, the provisional arrangements applicable to trade between the Hellenic Republic and the ACP States shall be those resulting from the Second ACP-EEC Convention and from the Annex to this Regulation.

The Council, acting on the Commission's proposal, will lay down the arrangements applicable as from 1 May 1981.

Article 2

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, 20 January 1981.

For the Council

The President

Ch. A. van der KLAAUW

ANNEX

Specific conditions of application of the Second ACP-EEC Convention to trade between the Hellenic Republic and the ACP States

Article 1

For the products listed in Annex 1, the Hellenic Republic shall progressively abolish customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981 each duty shall be reduced to 90% of the basic duty,
- on 1 January 1982, each duty shall be reduced to 80% of the basic duty,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

Article 2

1. For the products listed in Annex 1, the basic duty to which the successive reductions provided for in Article 1 are to be applied shall, for each product, be the duty actually applied by the Hellenic Republic in respect of the ACP States on 1 July 1980.

2. However, in respect of matches falling within heading No 36.06 of the Common Customs Tariff, the basic duty shall be 17.2% *ad valorem*.

Article 3

1. For the products listed in Annex 1, the Hellenic Republic shall progressively abolish charges having equivalent effect to customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981, each charge shall be reduced to 90% of the basic rate,
- on 1 January 1982, each charge shall be reduced to 80% of the basic rate,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

2. The basic rate to which the successive reductions provided for in paragraph 1 are to be applied shall, for each product, be the rate applied by the Hellenic Republic on 31 December 1980 in respect of the Community of Nine.

3. Any charge having equivalent effect to a customs duty on imports, introduced as from 1 January 1979 in trade between Greece and the ACP States, shall be abolished on 28 February 1981.

Article 4

If the Hellenic Republic suspends or reduces duties or charges having equivalent effect on products imported from the Community of Nine more quickly than under the established timetable, the Hellenic Republic shall also suspend or reduce, by the same percentage, those duties or charges having equivalent effect on products originating in the ACP States.

Article 5

1. The variable component which the Hellenic Republic may apply to products covered by Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, originating in the ACP States, shall be adjusted by the compensatory amount applied in trade between the Community of Nine and Greece.

2. For the products covered by Regulation (EEC) No 3033/80 and also listed in Annex 1 to this Annex, the Hellenic Republic shall abolish, in accordance with the timetable laid down in Article 1, the difference between:

- the fixed component of the duty to be applied by the Hellenic Republic upon accession, and
- the duty (other than the variable component) resulting from the Second ACP-EEC Convention.

Article 6

For the products listed in Annex II to the EEC Treaty, the preferential rates laid down or calculated shall be applied to the duties actually levied

⁽¹⁾ OJ No L 323, 29.11.1980.

by the Hellenic Republic in respect of third countries in accordance with Article 64 of the 1979 Act of Accession.

Under no circumstances shall Greek imports from the ACP States benefit from rates of duty more favourable than those applied to products from the Community of Nine.

Article 7

1. The Hellenic Republic may retain quantitative restrictions until 31 December 1985 on products listed in Annex 2, originating in the ACP States.

2. The restrictions referred to in paragraph 1 shall take the form of global quotas.

The global quotas for 1981 are listed in Annex 2.

During the period of application of this Regulation the quotas shall be applied on a *pro rata* basis.

3. The minimum rate of progressive increase for the quotas referred to in paragraph 2 shall be 25% at the beginning of each year for quotas expressed in European units of account (EUA) and 20% at the beginning of each year for quotas expressed in terms of volume. Such increases shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

Where a quota is expressed in terms of both volume and value, the quota relating to volume shall be raised by at least 20% a year and the quota relating to value by at least 25% a year, the succeeding quotas to be calculated each year on the basis of the preceding quota plus the increase.

However, with regard to motor coaches and buses and other vehicles falling within subheading ex 87.02 A I of the Common Customs Tariff, the volume quota shall be raised by 15% a year and the quota relating to value by 20% a year.

4. Where it is found that imports into Greece of a product listed in Annex 2 have for two consecutive years been less than 90% of the quota, the Hellenic Republic shall liberalize imports of that product originating in the ACP States, if the product in question is at that time liberalized towards the Community of Nine.

5. If the Hellenic Republic liberalizes imports of a product listed in Annex 2 coming from the Community of nine or increases a quota applicable to the Community of Nine beyond the minimum rate laid down in paragraph 3, the Hellenic Republic shall also liberalize imports of that product originating in the ACP States or increase the global quota proportionally.

6. Regarding licences for imports of products listed in Annex 2 and originating in the ACP States, the Hellenic Republic shall apply the same administrative rules and practices as applied to such imports originating in the Community of Nine, with the exception of the quota for fertilizers falling within heading Nos 31.02 and 31.03 and subheadings 31.05 A I, II and IV of the Common Customs Tariff, where the Hellenic Republic may apply the rules and practices relevant to exclusive marketing rights.

Article 8

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to imports of products originating in the ACP States shall be progressively eliminated over a period ending on 1 January 1984.

The rate of import deposits and cash payments shall be reduced in accordance with the following timetable:

– 28 February 1981: 25%,

– 1 January 1982: 25%,

- 1 January 1983: 25%,
- 1 January 1984: 25%.

2. For the products listed in Annex II to the EEC Treaty, charges having equivalent effect to customs duties and measures having equivalent effect to quantitative restrictions (import deposits, cash payments, validation of invoices, etc.) shall be abolished by the Hellenic Republic on 28 February 1981 in respect of products originating in the ACP States in accordance with Article 65 of the 1979 Act of Accession.

3. If, in respect of the Community of Nine, the Hellenic Republic reduces the rate of import deposits or cash payments more quickly than under the timetable set out in paragraph 1, the Hellenic Republic shall make the same reduction with regard to imports of products originating in the ACP States.

Annex 1

List of products referred to in Article 1

Brussels Nomenclature heading No (CCCN)	Description
Chapter 13	
ex 13.02	Incense
ex 13.03	Pectates
Chapter 14	
ex 14.05	Valonia, gall nuts
Chapter 15	
ex 15.05	Wool grease stearin
ex 15.06	Other animal oils and fats (including fats from bones and waste), excluding neat's foot oil
15.08	Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blown or polymerized by heat in vacuum or in inert gas, or otherwise modified
15.10	Fatty acids, acid oils from refining, fatty alcohols
15.11	Glycerol and glycerol lyes
ex 15.15	Beeswax and other insect waxes, whether or not coloured
15.16	Vegetable waxes, whether or not coloured
ex 15.17	Degras
Chapter 17	
17.04	Sugar confectionery, not containing cocoa
Chapter 18	Cocoa and cocoa preparations, excluding heading Nos 18.01 and 18.02
Chapter 19	
ex 19.02	Malt extract
19.03	Macaroni, spaghetti and similar products

Brussels Nomenclature heading No (CCCN)	Description
19.05	Prepared foods obtained by swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
ex 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
Chapter 21	Miscellaneous edible preparations, excluding heading Nos 21.05 and 21.07
Chapter 22	
22.01	Waters, including spa waters and aerated waters, ice and snow
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
22.03	Beer made from malt
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic spices
ex 22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80% vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength, excluding those derived from agricultural products listed in Annex II to the Treaty
ex 22.09	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of less than 80% vol, excluding ethyl alcohol derived from agricultural products listed in Annex II to the Treaty; liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages
Chapter 24	
24.02	Manufactured tobacco; tobacco extracts and essences
Chapter 25	
25.20	Gypsum; anhydrite; calcined gypsum, and plasters with a basis of calcium sulphate, whether or not coloured, but not including plasters specially prepared for use in dentistry
25.22	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
ex 25.30	Crude natural boric acid containing not more than 85% of H ₃ BO ₃ calculated on the dry weight
ex 25.32	Earth colours, whether or not calcined or mixed together; santorin, pozzolana, trass and similar earths, used in making hydraulic cements, whether or not powdered

Brussels Nomenclature heading No (CCCN)	Description
Chapter 27	
27.05 <i>bis</i>	Coal gas, water gas, producer gas and similar gases
27.06	Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
27.08	Pitch and pitch coke, obtained from coal tar or from other mineral tars
ex 27.10	Mineral oils and greases for lubricating purposes
ex 27.11	Petroleum gases and other gaseous hydrocarbons, excluding propane of a purity not less than 99% for use other than as a power or heating fuel
27.12	Petroleum jelly
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
27.15	Bitumen and asphalt, natural; bituminous shale, asphaltic rock and tar sands
27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
Chapter 28	
ex 28.01	Chlorine
ex 28.04	Hydrogen, oxygen (including ozone) and nitrogen
ex 28.06	Hydrochloric acid
28.08	Sulphuric acid; oleum
28.09	Nitric acid; sulphonitric acids
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)
28.12	Boric oxide and boric acid
28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water)
28.15	Sulphides or non-metals; phosphorus trisulphide
28.16	Ammonia, anhydrous or in aqueous solution
28.17	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium

Brussels Nomenclature heading No (CCCN)	Description
ex 28.19	Zinc oxide
ex 28.20	Artificial corundum
28.22	Manganese oxides
ex 28.23	Iron oxides, including earth colours containing 70% or more by weight of combined iron evaluated as Fe_2O_3
ex 28.27	Red lead and litharge
28.29	Fluorides; fluorosilicates, fluoroborates and other complex fluorine salts
ex 28.30	Magnesium chloride, calcium chloride
ex 28.31	Hypochlorites; commercial calcium hypochlorite; chlorites
28.35	Sulphides; polysulphides
28.36	Dithionites, including those stabilized with organic substances; sulfoxylates
28.37	Sulphites and thiosulphates
ex 28.38	Sodium, barium, iron, zinc, magnesium and aluminium sulphates; alums
ex 28.40	Phosphites, hypophosphites and phosphates, excluding bibasic lead phosphate
ex 28.42	Carbonates, including commercial ammonium carbonate containing ammonium carbamate, excluding lead hydrocarbonate (white lead)
ex 28.44	Mercury fulminate
ex 28.45	Sodium silicate and potassium silicate, including commercial grades
ex 28.46	Refined borax
ex 28.48	Arsenites and arsenates
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
ex 28.56	Silicon, boron and calcium carbides
ex 28.58	Distilled and conductivity water and water of similar purity
Chapter 29	
ex 29.01	Hydrocarbons for use as power or heating fuels; naphthalene and anthracene

Brussels Nomenclature heading No (CCCN)	Description
ex 29.04	Amyl alcohols
29.06	Phenols and phenol-alcohols
ex 29.08	Dipentyl ether (diamyl ether), diethyl ether, anethole
ex 29.14	Palmitic, stearic and oleic acids and their water soluble salts; anhydrides
ex 29.16	Tartaric, citric and gallic acids; calcium tartrate
ex 29.21	Nitroglycerine
ex 29.42	Nicotine sulphate
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
Chapter 30	
ex 30.02	Antisera
ex 30.03	<p>Medicaments (including veterinary medicaments), excluding the following products:</p> <ul style="list-style-type: none"> - Anti-asthmatic cigarettes - Quinine, cinchonine, quinidine and their salts, whether or not in the form of proprietary products - Morphine, cocaine and other narcotics, whether or not in the form of proprietary products - Antibiotics and preparations based on antibiotics - Vitamins and preparations based on vitamins - Sulphonamides, hormones and preparations based on hormones
30.04	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 to this Chapter
Chapter 31	
ex 31.03	<p>Mineral or chemical fertilizers, phosphatic, excluding:</p> <ul style="list-style-type: none"> - Basic slag - Disintegrated (calcined) calcium phosphates (thermo phosphates and fused phosphates) and calcined natural aluminium calcium phosphates - Calcium hydrogen phosphate containing not less than 0.2% of fluorine
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

Brussels Nomenclature heading No (CCCN)	Description
Chapter 32	
ex 32.01	Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin
ex 32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo, henna and chlorophyll) or of animal origin, excluding cochineal extract and kermes
ex 32.05	Synthetic organic dyestuffs (including pigment dyestuffs and excluding artificial indigo); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre
32.06	Colour lakes
ex 32.07	Other colouring matter, excluding: (a) inorganic pigments or pigments of mineral origin, whether or not containing other substances facilitating dyeing, based on cadmium salts (b) chrome colours and Prussian blue; inorganic products of a kind used as luminophores
32.08	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments dispersed in linseed oil, white spirit, spirits of turpentine, or other media of a kind used in the manufacture of paints or enamels; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined by Note 4 to this Chapter
32.11	Prepared driers
32.12	Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
32.13	Writing ink, printing ink and other inks
Chapter 33	
ex 33.01	Essential oils (terpeneless or not); concretes and absolutes, excluding essences of roses, rosemary, eucalyptus, sandalwood and cedar; resinoids; concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration

Brussels Nomenclature heading No (CCCN)	Description
ex 33.06	Eau de Cologne and other toilet waters; cosmetics and products for the care of the skin, hair and nails; toothpowders and toothpastes, products for oral hygiene; room deodorizers, prepared, whether or not perfumed
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
Chapter 35	Albuminoidal substances, excluding ovalbumin and lactalbumin; glues, enzymes
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations
Chapter 37	
37.03	Sensitized paper; paperboard and cloth, unexposed or exposed but not developed
Chapter 38	
38.03	Activated carbon; activated natural mineral products; animal black, including spent animal black
38.09	Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
ex 38.11	Disinfectants, insecticides, rat poisons, pesticides and similar products, put up in the form of articles such as sulphur-treated bands, wicks and candles, flypapers, sticks coated with hexachlorodicyclohexane (BHC) and the like; preparations consisting of an active product (such as DDT) mixed with other materials and put up in aerosol containers ready for use
38.18	Composite solvents and thinners for varnishes and similar products
ex 38.19	Preparations known as 'liquids for hydraulic transmission' (in particular for hydraulic brakes) containing less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals
Chapter 39	
ex 39.02	Polyvinyl chloride
ex 39.01 ex 39.02	Polystyrene in all its forms; other plastic materials, cellulose ethers and esters, artificial resins, excluding:

Brussels Nomenclature heading No (CCCN)	Description
ex 39.03 } ex 39.04 } ex 39.05 } ex 39.06 }	(a) those in the form of granules, flakes, powders, waste and scrap to be used as raw materials for the manufacture of the products mentioned in this Chapter (b) ion exchangers
ex 39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06, excluding fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12
Chapter 40	Rubber, synthetic rubber, factice, and articles thereof, excluding heading Nos 40.01, 40.02, 40.03 and 40.04, latex (ex 40.06), solutions and dispersions (ex 40.06), protective clothing for surgeons and radiologists and divers' suits (ex 40.13), and bulk forms or blocks, scrap, waste and powder of hardened rubber (ebonite and vulcanite) (ex 40.15)
Chapter 41	Raw hides and skins (other than furskins) and leather, excluding parchment-dressed leather and articles falling within heading Nos 41.01 and 41.09
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)
Chapter 43	Furskins and artificial fur; manufactures thereof
Chapter 44	Wood and articles of wood; wood charcoal, excluding heading No 44.07, articles of fibre building board (ex 44.21, ex 44.23, ex 44.27, ex 44.28), spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 44.26) and wood paving blocks (ex 44.28)
Chapter 45	Articles of natural cork
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork
Chapter 46	Manufacture of straw, of esparto and of other plaiting materials; basketware and wickerwork, excluding plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips (ex 46.02)
Chapter 48	Paper and paperboard (including cellulose wadding), in rolls or sheets, excluding the following products:
ex 48.01	Ordinary newsprint made from chemical and mechanical pulp, weighing not more than 60 g m ² Magazine paper

Brussels Nomenclature heading No (CCCN)	Description
ex 48.01 (cont'd)	<ul style="list-style-type: none"> - Cigarette paper - Tissue paper - Filter paper - Cellulose wadding - Hand-made paper and paperboard
48.03	Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
48.04	Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
ex 48.05	Paper and paperboard, corrugated (with or without flat surface sheets) embossed, in rolls or sheets
ex 48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49) in rolls or sheets, excluding squared paper, gold paper or silver paper and imitations thereof, transfer paper, indicator paper and unsensitized photographic paper
ex 48.13	Carbon paper
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
ex 48.15	Other paper or paperboard, cut to size or shape, excluding cigarette paper, tapes for teletype machines, perforated tapes for monotype machines and calculating machines, filter papers and filter boards (including those for cigarette filter tips) and gummed strip
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard
48.19	Paper or paperboard labels, whether or not printed or gummed
ex 48.21	Lamp shades; tablecloths and serviettes, handkerchiefs and towels; dishes, plates, cups, table-mats, bottle-mats, glass-mats

Brussels Nomenclature heading No (CCCN)	Description
Chapter 49	
ex 49.01	Printed books, booklets, brochures and leaflets in the Greek language
ex 49.03	Children's picture books and painting books, printed wholly or partly in the Greek language
ex 49.07	Stamps not intended for public service
49.09	Picture postcards, Christmas and other picture greetings cards, printed by any process, with or without trimmings
ex 49.10	Calendars of any kind, of paper or paperboard, including calendar blocks, but excluding calendars intended for publicity purposes, in other languages than Greek
ex 49.11	Other printed matter, including printed pictures and photographs, but excluding the following articles: - Theatrical and photographic studio scenery - Printed matter for publicity purposes (including travel publicity), printed in other languages than Greek
Chapter 50	Silk and waste silk
Chapter 51	Man-made fibres (continuous)
Chapter 52	Metallized textiles
Chapter 53	Wool and other animal hair, excluding raw, bleached and undyed products of heading Nos 53.01, 53.02, 53.03 and 53.04
Chapter 54	Flax and ramie, excluding heading No 54.01
Chapter 55	Cotton
Chapter 56	Man-made fibres (discontinuous)
Chapter 57	Other vegetable textile materials, excluding No 57.01; paper yarn and woven fabrics of paper yarn
Chapter 58	Carpets, mats, matting and tapestries; pile and chenille fabrics; narrow fabrics; trimmings; tulle and other net fabrics; lace; embroidery
Chapter 59	Wadding and felt; twine, cordage, ropes and cables; special fabrics; impregnated and coated fabrics; textile articles of a kind suitable for industrial use
Chapter 60	Knitted and crocheted goods

Brussels Nomenclature heading No (CCCN)	Description
Chapter 61	Articles of apparel and clothing accessories of textile fabric, other than knitted or crocheted goods
Chapter 62	Other made up textile articles, excluding fans and hand screens (ex 62.05)
Chapter 63	Old clothing and other textile articles; rags
Chapter 64	Footwear, gaiters and the like, parts of such articles
Chapter 65	Headgear and parts thereof
Chapter 66	
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
Chapter 67	
ex 67.01	Feather dusters
67.02	Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
Chapter 68	
68.04	Hand polishing stones, whetstones, oilstones, hones and the like, and millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, trueing and cutting wheels, heads, discs and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, or paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
68.09	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of wood fibre, of straw, of wood shavings or of wood waste (including sawdust), agglomerated with cement, plaster or with other mineral binding substances
68.10	Articles of plastering material
68.11	Articles of cement (including slag cement), of concrete or of artificial stone (including granulated marble agglomerated with cement), reinforced or not
68.12	Articles of asbestos-cement, of cellulose fibre-cement or the like
68.14	Friction material (segments, discs, washers, strips, sheets, plates, rolls and the like) of a kind suitable for brakes, for clutches or the like, with a basis of asbestos, other mineral substances or of cellulose, whether or not combined with textile or other materials

Brussels Nomenclature heading No (CCCN)	Description
Chapter 69	Ceramic products, excluding heading Nos 69.01, 69.02, other than bricks with a basis of magnesite and of magnesite-chromite, 69.03, 69.04 and 69.05, utensils and apparatus for laboratory and industrial use, containers for the transport of acids and other chemical products and articles, of a kind used in agriculture, of heading No 69.09, and porcelain articles of heading Nos 69.10, 69.13 and 69.14
Chapter 70	
70.04	Unworked cast or rolled glass (including flashed or wired glass) whether figured or not, in rectangles
70.05	Unworked drawn or blown glass (including flashed glass) in rectangles
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked, excluding non-wired glass for mirrors
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; leaded lights and the like
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
70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass
ex 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 for similar uses, excluding fire-resisting glassware of a kind commonly used for table or kitchen purposes, with a low coefficient of expansion, similar to Pyrex or Durex
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass
ex 70.15	Glass of a kind used for sun glasses (but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like
ex 70.16	Multi-cellular glass in blocks, slabs, plates, panels and similar forms
ex 70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated, excluding glassware for chemical laboratories; glass ampoules

Brussels Nomenclature heading No (CCCN)	Description
ex 70.21	Other articles of glass, excluding articles for industry
Chapter 71	
ex 71.12	Articles of jewellery, of silver (including silvergilt or platinum-plated silver), or rolled precious metal on base metal
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
ex 71.14	Other articles of precious metal or rolled precious metal, excluding articles and utensils for workshops and laboratories
71.16	Imitation jewellery
Chapter 73	<p>Iron and steel and articles thereof, excluding:</p> <p>(a) Products within the jurisdiction of the European Coal and Steel Community, falling within heading Nos 73.01, 73.02, 73.03, 73.05, 73.06, 73.07, 73.08, 73.09, 73.10, 73.11, 73.12, 73.13, 73.15 and 73.16</p> <p>(b) Products falling within heading Nos 73.02, 73.05, 73.07 and 73.16 which are not within the jurisdiction of the European Coal and Steel Community</p> <p>(c) Heading Nos 73.04, 73.17, 73.19, 73.30, 73.33 and 73.34 and springs and leaves for springs, of iron or steel, for railway coaches, of heading No 73.35</p>
Chapter 74	Copper and articles thereof, excluding copper alloys containing more than 10% by weight of nickel and articles falling within heading Nos 74.01, 74.02, 74.06 and 74.11
Chapter 76	Aluminium and articles thereof, excluding heading Nos 76.01 and 76.05 and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 76.16)
Chapter 78	Lead and articles thereof
Chapter 79	Zinc and articles thereof, excluding heading Nos 79.01, 79.02 and 79.03
Chapter 82	
ex 82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
ex 82.04	Portable forges; grinding wheels with frameworks (hand or pedal operated); articles for domestic use
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor

Brussels Nomenclature heading No (CCCN)	Description
ex 82.11	Safety razor blades and blanks thereof
ex 82.13	Other articles of cutlery (for example secateurs, hair clippers, butchers' cleavers, paper knives), excluding hand-operated clippers and parts thereof
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or table-ware
82.15	Handles of base metal for articles falling within heading Nos 82.09, 82.13 and 82.14
Chapter 83	Miscellaneous articles of base metal, excluding heading No 83.08, statuettes and other ornaments of a kind used indoors (ex 83.06) and beads and spangles (ex 83.09)
Chapter 84	
ex 84.06	Spark ignition engines, petrol driven of a cylinder capacity of 220 cc or more; internal combustion engines, semi-diesel type; internal combustion engines, diesel type, of 37 kW or less; engines for motor-cycles and auto-cycles
ex 84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices
ex 84.11	Air pumps and vacuum pumps (including motor and turbo-pumps); fans, blowers and the like, with integral motors, weighing less than 150 kg and fans or blowers without motor, weighing 100 kg or less
ex 84.12	Air-conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air, for domestic use
ex 84.14	Bakery ovens and parts thereof
ex 84.15	Refrigerating cabinets and other refrigerating plant, equipped with a refrigerating unit
ex 84.17	Instantaneous or storage water heaters, non-electrical
84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds
ex 84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders, for domestic use; similar hand operated appliances for agricultural use; similar appliances for agricultural use, truck mounted, weighing 60 kg or less
ex 84.24	Ploughs designed for tractor or animal draught, weighing 700 kg or less; ploughs designed for mounting on tractors, with two or three shares or discs; harrows designed for tractor or animal draught, with fixed framework and fixed teeth; disc harrows, weighing 700 kg or less
ex 84.25	Threshers; maize huskers and maize threshers; harvesting machinery, animal drawn; straw or fodder presses; fanning mills and similar machines for screening seeds and cereal graders

Brussels Nomenclature heading No (CCCN)	Description
84.27	Presses, crushers and other machinery, of a kind used in wine making, cider making, fruit juice preparation or the like
ex 84.28	Seed crushing machines; farm-type milling machines
84.29	Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
ex 84.34	Printing type
ex 84.38	Shuttles; reeds for looms
ex 84.40	Washing machines, whether or not electric, for domestic use
ex 84.47	Machine tools for sawing and planing wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
ex 84.56	Machinery for agglomerating, moulding or shaping ceramic paste, unhardened cements, plastering materials or other mineral products
ex 84.59	Oil presses and mills; machines for stearin soap manufacture
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and thermostatically-controlled valves
ex 84.63	Speed reducers
Chapter 85	
ex 85.01	Generators of 20 kVA output or less; motors of 74 kW or less; rotary converters of 37 kW or less; transformers and static converters other than for radio-broadcasting, radiotelephonic, radiotelegraphic and television receivers
85.03	Primary cells and primary batteries
85.04	Electric accumulators
ex 85.06	Room fans
85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon

Brussels Nomenclature heading No (CCCN)	Description
ex 85.17	Electric sound signalling apparatus
ex 85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lamp holders and junction boxes)
ex 85.20	Electric filament lamps and electric discharge lamps, excluding infra-red and ultra-violet lamps
ex 85.21	Cathode-ray tubes for television sets
85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors
85.25	Insulators of any material
85.26	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
85.27	Electrical conduit tubing and joints therefor, of base metal lined with insulating material
Chapter 87	
ex 87.02	Motor vehicles for the public transport of persons and motor vehicles for the transport of goods or materials (excluding chassis mentioned in Note 2 to Chapter 87)
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
ex 87.06	Chassis without engines, and parts thereof
ex 87.11	Invalid carriages (other than motorized or otherwise mechanically propelled)
ex 87.12	Parts and accessories of invalid carriages (other than motorized or otherwise mechanically propelled)
87.13	Baby carriages and parts thereof
Chapter 89	
ex 89.01	Lighters and barges; tankers designed to be towed; sailing vessels; inflatable boats of artificial plastic materials
Chapter 90	
ex 90.01	Ophthalmic lenses

Brussels Nomenclature heading No (CCCN)	Description
90.03	Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
ex 90.26	Meters for hand-operated petrol pumps and water meters (volumetric and tachometric)
Chapter 92	
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording
Chapter 93	
ex 93.04	Sporting guns and rifles
ex 93.07	Wads for shotguns; sporting cartridges, cartridges for revolvers, pistols and walking stick guns, ball or shot cartridges for target shooting guns of calibres up to 9 mm; cartridge cases for sporting guns and sporting rifles, of metal and paperboard; bullets, shot and buckshot for sporting guns and sporting rifles
Chapter 94	
Chapter 96	
Chapter 97	
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles, and pedal motor cars); dolls' prams and dolls' push chairs
97.02	Dolls
97.03	Other toys; working models of a kind used for recreational purposes
ex 97.05	Streamers and confetti
Chapter 98	

Annex 2

List of products referred to in Article 7

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
31.02	Mineral or chemical fertilizers, nitrogenous	800 tonnes
31.03	Mineral or chemical fertilizers, phosphatic	
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:	
	A. Other fertilizers:	
	I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium	
	II. Containing the two fertilizing substances: nitrogen and phosphorus	
	IV. Other	
ex 73.37	Boilers (excluding boilers of heading No 84.01) and radiators for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel:	
	Boilers for central heating	3 200 EUA
ex 84.01	Steam and other vapour-generating boilers (excluding central heating hot-water boilers capable also of producing low-pressure steam); super-heated water boilers:	
	- Of a power of 32 MW or less	6 400 EUA
84.06	Internal combustion piston engines:	
	C. Other engines:	
	ex II. Compression ignition engines:	
	- Of a power of less than 37 kW	17 700 EUA

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
84.10	<p>Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds:</p> <p>ex A. Delivery pumps fitted, or designed to be fitted, with a measuring device, other than pumps for dispensing fuel</p> <p>B. Other pumps</p> <p>C. Liquid* elevators of bucket, chain, screw, band and similar kinds</p>	86 500 EUA
84.14	<p>Industrial and laboratory furnaces and ovens, non-electric, excluding electric ovens falling under heading No 85.11:</p> <p>ex B. Other:</p> <p>- Parts of steel, for cement ovens</p>	700 EUA
ex 84.20	<p>Weighing machinery (excluding balances of a sensitivity of 5 cg or better) including weight-operated counting and checking machines; weighing machine weights of all kinds, other than:</p> <p>- Baby scales</p> <p>- Precision scales graduated in grams for domestic use</p> <p>- Weighing machine weights of all kinds</p>	20 200 EUA
85.01	<p>Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:</p> <p>A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:</p> <p>ex II. Other:</p>	2 800 EUA

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
85.01 (cont'd)	<ul style="list-style-type: none"> - Motors of an output of not less than 370 W and not more than 15 000 W <p>ex C. Parts:</p> <ul style="list-style-type: none"> - For motors of an output of not less than 370 W and not more than 15 000 W 	
85.15	<p>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:</p> <p>A. 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:</p> <p>ex III. Receivers, whether or not incorporating sound recorders or reproducers:</p> <ul style="list-style-type: none"> - Television <p>C. Parts:</p> <p>I. Cabinets and cases:</p> <p>ex a) Of wood:</p> <ul style="list-style-type: none"> - For television receivers <p>ex b) Of other materials:</p> <ul style="list-style-type: none"> - For television receivers <p>ex III. Other:</p> <ul style="list-style-type: none"> - Chassis for television receivers and their parts, assembled or mounted 	<p>400 units 10 000 EUA⁽¹⁾</p> <p>190 000 EUA</p>

⁽¹⁾ Additional limitation expressed in terms of value.

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
85.15 (cont'd)	- Printed circuit boards for television receivers	
ex 85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors: - Cables for television aerials	4 200 EUA
87.02	Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No 87.09): A. For the transport of persons, including vehicles designed for the transport of both passengers and goods: I. With either a spark ignition or a compression ignition engine: ex a) Motor vehicles and buses with either a spark ignition engine of a cylinder capacity of 2 800 cc or more or a compression ignition engine of a cylinder capacity of 2 500 cc or more: - Complete motor buses and coaches ex b) Other: - Complete, with a seating capacity of more than six	6 units 130 000 EUA ⁽¹⁾
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03: ex A. Bodies and cabs of metal for the industrial assembly of: - Agricultural walking tractors falling within subheading 87.01 A.	

⁽¹⁾ Additional limitation expressed in terms of value.

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
87.05 (cont'd)	<ul style="list-style-type: none"> - Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, with a seating capacity of more than six and less than 15, - Motor vehicles for the transport of goods or materials, with either a spark ignition engine of a cylinder capacity of less than 2 800 cc or a compression ignition engine of a cylinder capacity of less than 2 500 cc, - Special purpose motor lorries and vans of heading No 87.03 (a) <p>ex B. Other:</p> <ul style="list-style-type: none"> - Bodies and cabs of metal, other than for motor vehicles for the transport of persons, with a seating capacity of six or less 	1 000 EUA
(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.		

COUNCIL REGULATION (EEC) No 1122/81

of 28 April 1981

extending the time limit of the provisional arrangements for trade between the Hellenic Republic and the ACP States established in Regulation (EEC) No 439/81⁽¹⁾

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 439/81 of 20 January 1981 laying down the provisional arrangements for trade between the Hellenic Republic and the ACP States⁽²⁾, and in particular Article I thereof,

Having regard to the proposal from the Commission,

Whereas the time limit of the provisional arrangements for trade laid down in Regulation (EEC) No 439/81, which is due to expire on 30 April 1981, should exceptionally be extended, for a maximum of two months,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional arrangements applicable to trade between the Hellenic Republic and the ACP States laid down in Regulation (EEC) No 439/81 shall remain applicable until 30 June 1981 at the latest.

⁽¹⁾ OJ No L 118, 30.4.1981.

⁽²⁾ See page 2207 of this volume.

Article 2

This Regulation shall enter into force on the day of 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, 28 April 1981.

For the Council

The President

J. de KONING

COUNCIL REGULATION (EEC) No 1791/81

of 29 June 1981

extending the arrangements applicable to trade between Greece and the ACP States ⁽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 Additional Protocol to the Second ACP-EEC Convention following the accession of the Hellenic Republic to the European Economic Community was initialled on 24 June 1981;

Whereas, pending the entry into force of this Protocol, the Community should, in the light thereof, extend autonomously from 1 July 1981 the arrangements applicable to trade between Greece and the ACP States as established by Council Regulation (EEC) No 439/81 ⁽²⁾, as extended by Regulation (EEC) No 1122/81 ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1981 until 31 December 1981, the arrangements applicable to trade between Greece and the ACP States shall be those resulting from the Annex to Regulation (EEC) No 439/81.

⁽¹⁾ OJ No L 179, 1.7.1981.

⁽²⁾ See page 2207 of this volume.

⁽³⁾ See page 2237 of this volume.

Article 2

This Regulation shall enter into force on the day of 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, 29 June 1981.

For the Council

The President

Ch. A. van der KLAAUW

COUNCIL DECISION

of 13 July 1981

adjusting the amounts made available to the European Development Fund (1979) for the ACP States and for the overseas countries and territories (Saint Vincent and the Grenadines, Republic of Vanuatu) (1)

(81/558/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the 1979 Internal Agreement on the financing and administration of Community aid (2), hereinafter referred to as the 'Internal Agreement', and in particular Article 1 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Saint Vincent, which was associated with the Community under Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community (3), became independent on 27 October 1979 under the name of Saint Vincent and the Grenadines; whereas, pursuant to the third subparagraph of Article 1 of Council Regulation (EEC) No 3225/80 of 25 November 1980 on the conclusion of the Second ACP-EEC Convention signed at Lomé on 31 October 1979 (4), Saint Vincent and the Grenadines are considered a signatory State of the Second ACP-EEC Convention, hereinafter referred to as 'the Convention'; whereas Saint Vincent and the Grenadines have notified the Convention, which entered into force on 1 January 1981;

(1) OJ No L 203, 23.7.1981.

(2) See page 2163 of this volume.

(3) OJ No L 176, 1.12.1976.

(4) See page 1795 of this volume.

Whereas the New Hebrides, which was associated with the Community under Council Decision 76/568/EEC, became independent on 30 July 1980 under the name of the Republic of Vanuatu; whereas the ACP-EEC Council of Ministers approved, by Decision No 1/81, the request of the Republic of Vanuatu to accede to the Convention; whereas that State deposited an instrument of accession with the Secretariat of the Council of the European Communities on 18 March 1981; whereas the Republic of Vanuatu therefore acceded to the Convention, in accordance with Article 185 thereof, on 18 March 1981;

Whereas therefore in accordance with Article 1 (4) of the Internal Agreement, the amounts indicated for the overseas countries and territories in Article 1 (3) (b) of that Agreement should be reduced, and the amounts indicated for the ACP States in Article 1 (3) (a) thereof should be correspondingly increased,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3) of the Internal Agreement shall be replaced by the following:

'3. The amount stated in paragraph 2 shall be allocated as follows:

(a) 4 552 million ECU for the ACP States, comprising:

- 2 938 million ECU in the form of grants,
- 504 million ECU in the form of special loans,
- 280 million ECU in the form of risk capital,

- 550 million ECU in the form of transfers pursuant to Title II (Chapter I) of the Convention,
 - 280 million ECU in the form of the special financing facility pursuant to Title III, Chapter I of the Convention;
- (b) 75 million ECU for the countries and territories, comprising:
- 41 million ECU in the form of grants,
 - 27 million ECU in the form of special loans,
 - 7 million ECU in the form of risk capital,
 - for the record in the form of the special financing facility pursuant to the provisions of the Decision relating to mining products;
- (c) 9 million ECU 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 2

This Decision shall apply with effect from 1 May 1981.

Done at Brussels, 13 July 1981.

For the Council
The President
Lord CARRINGTON

INFORMATION CONCERNING

the SECOND ACP-EEC CONVENTION and two INTERNAL AGREEMENTS ⁽¹⁾

Depositories: Secretary-General of the Council of the European Communities } Brussels (Belgium)
 Secretariat of the ACP States }
 Date of entry into force: 1.1.1981
 Duration: until 28.2.1985

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽²⁾	Duration
		of ratification, acceptance, approval, etc.	of accession		

– the SECOND ACP-EEC CONVENTION ⁽¹⁾

EEC and Member States				
BELGIUM	} 31.10.1979	27.11.1980		} until 28.2.1985
DENMARK		14. 3.1980		
GERMANY (Fed. Rep.)		27.10.1980		
FRANCE		29. 7.1980		
IRELAND		23. 4.1980		
ITALY		29.11.1980		
LUXEMBOURG		8.10.1980		

NETHERLANDS		25.11.1980	
UNITED KINGDOM		15.10.1980	
ACP States			
BAHAMAS	} 31.10.1979	3. 2.1981	} until 28.2.1985
BARBADOS		1.10.1980	
BENIN		16. 9.1980	
BOTSWANA		26. 3.1980	
BURUNDI		11. 8.1980	
CAMEROON		28.11.1980	
CAPE VERDE		30.10.1980	
CENTRAL AFRICAN REPUBLIC		29. 5.1980	
CHAD			
COMOROS		18. 8.1980	
CONGO		18. 2.1981	
DJIBOUTI		18. 2.1981	
DOMINICA		7. 8.1980	
EQUATORIAL GUINEA		20. 1.1981	
ETHIOPIA		17. 7.1980	
FIJI	9. 9.1980		
GABON	19. 1.1981		
GAMBIA	14. 7.1980		
GHANA	23.12.1980		

(¹) OJ No L 347, 22.12.1980.

(²) This date is only given where it falls after the date of entry into force of the Convention.

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽¹⁾	Duration
		of ratification, acceptance, approval, etc.	of accession		
GRENADA	31.10.1979	15. 9.1980			until 28.2.1985
GUINEA		24.10.1980			
GUINEA BISSAU		3.12.1980			
GUYANA		26. 6.1980			
IVORY COAST		30.10.1980			
JAMAICA		9. 7.1980			
KENYA		23. 1.1981			
KIRIBATI		2. 2.1981			
LESOTHO		10. 9.1980			
LIBERIA		20. 1.1981			
MADAGASCAR		21. 8.1980			
MALAWI		2.12.1980			
MALI		22.10.1980			
MAURITANIA		24. 4.1981			
MAURITIUS		16. 6.1980			
NIGER	1. 8.1980				
NIGERIA					
PAPUA NEW GUINEA		15.10.1980			
RWANDA		22. 8.1981			
SAINT LUCIA		24.10.1980			

SAINT VINCENT AND THE GRENADINES	16. 7.1980 ⁽²⁾	6.11.1980		
SAO TOME AND PRINCIPE	}	19. 1.1981	}	
SENEGAL		13. 6.1980		
SEYCHELLES		29. 5.1980		
SIERRA LEONE		18.11.1980		
SOLOMON ISLANDS		15. 1.1981		
SOMALIA		21. 1.1981		
SUDAN		25.11.1980		
SURINAME		10. 9.1980		
SWAZILAND		23.12.1980		
TANZANIA		26. 9.1980		until 28.2.1985
TOGO		7. 3.1980		
TONGA		9. 6.1980		
TRINIDAD AND TOBAGO		31.10.1979		23. 1.1981
TUVALU				12. 5.1980
UGANDA				15.10.1980
UPPER VOLTA		13.10.1980		
WESTERN SAMOA				
ZAIRE		30.10.1980		
ZAMBIA		8. 9.1980		

⁽¹⁾ This date is only given where it falls after the date of entry into force of the Convention.

⁽²⁾ St Vincent and the Grenadines acceded to the ACP-EEC Convention of Lomé on 27.2.1980. Having become an ACP State, it signed the Second ACP-EEC Convention on 16.7.1980.

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽¹⁾	Duration
		of ratification, acceptance, approval, etc.	of accession		

- the accession of VANUATU⁽²⁾ to the SECOND ACP-EEC CONVENTION

VANUATU			18.3.1981 (³)	18.3.1981 (³)	until 28.2.1985
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- the INTERNAL AGREEMENT on the measures and procedures required for implementation of the SECOND ACP-EEC CONVENTION⁽⁴⁾

Member States of the EEC	20.11.1979			1.1.1981 (⁵)	until 28.2.1985
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- the INTERNAL AGREEMENT of 1979 on the financing and administration of Community aid⁽⁴⁾

Member States of the EEC	20.11.1979			1.1.1981 (⁵)	until 28.2.1985
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⁽¹⁾ This date is only given where it falls after the date of entry into force of the Convention.

⁽²⁾ Formerly the Anglo-French Condominium of the New Hebrides.

⁽³⁾ See Article 185 of the Convention. OJ No L 102, 14.4.1981.

⁽⁴⁾ OJ No L 347, 22.12.1980.

⁽⁵⁾ OJ No L 349, 23.12.1980.

Commodity agreements

Fifth International Tin Agreement
(3rd updating supplement)

INFORMATION CONCERNING
the Fifth International Tin AGREEMENT ⁽¹⁾ – 3rd updating supplement

Duration: until 30.6.1982 ⁽²⁾

⁽¹⁾ This Agreement appears in Volume 6, page 1258, the first updating supplement in Volume 7, page 1312, and the second updating supplement in Volume 8, page 3100.

⁽²⁾ Under Article 57 (b), the Agreement was extended for twelve months from 1.7.1981.

International Cocoa Agreement 1980

INTERNATIONAL COCOA AGREEMENT 1980 ⁽¹⁾

COUNCIL DECISION

of 30 June 1981

on the notification of the provisional application by the European Economic Community of the International Cocoa Agreement 1980

(81/850/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 International Cocoa Agreement 1980 is an instrument for regulating international trade, the main purpose of which is to achieve a balance between supply and demand for cocoa with the aim of stabilizing the price of this product around the long-term market trend;

Whereas on 31 March 1981, in accordance with the Council Decision of 30 March 1981, the Community signed the said Agreement subject to approval at a later date:

⁽¹⁾ OJ No L 313, 31.10.1981.

Whereas the Community should give notification that it will apply the Agreement provisionally, pending completion of the internal procedures required in order for it to be concluded,

HAS DECIDED AS FOLLOWS:

Article 1

In accordance with Article 65 of the International Cocoa Agreement 1980, the Community shall deposit with the Secretary-General of the United Nations Organization, before 31 May 1981, the notification annexed to this Decision according to which it will apply the Agreement provisionally, as an importing member, when the Agreement comes into force in accordance with Article 66.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to deposit this notification.

Done at Luxembourg, 30 June 1981.

For the Council
The President
G. BRAKS

INTERNATIONAL COCOA AGREEMENT 1980

Chapter I

OBJECTIVES

Article 1

Objectives

The objectives of the International Cocoa Agreement 1980, (hereinafter referred to as this Agreement) taking into account Resolutions 93 (IV) and 124 (V) on the Integrated Programme for Commodities adopted by the United Nations Conference on Trade and Development, are:

- (a) to alleviate serious economic difficulties which would persist if adjustment between the production and consumption of cocoa cannot be effected by normal market forces alone as rapidly as circumstances require;
- (b) to prevent excessive fluctuations in the price of cocoa which affect adversely the long-term interests of both producers and consumers;
- (c) to make arrangements which will help stabilize and increase the earnings from the exports of cocoa of producing member countries, thereby helping to provide the necessary incentive for a dynamic and rising rate of production and to provide such countries with resources for accelerated economic growth and social development, while at the same time taking into account the interests of consumers in importing member countries, in particular the need to increase consumption;

- (d) to assure adequate supplies at reasonable prices, equitable to producers and consumers; and
- (e) to facilitate expansion of consumption and, if necessary, and in so far as possible, an adjustment of production, so as to secure an equilibrium in the long term between supply and demand.

Chapter II

DEFINITIONS

Article 2

Definitions

For the purpose of this Agreement:

- (a) *Cocoa* means cocoa beans and cocoa products;
- (b) *Cocoa products* means products made exclusively from cocoa beans, such as cocoa paste, cocoa butter, unsweetened cocoa powder, cocoa cake and cocoa nibs as well as such other products containing cocoa as the Council may determine if necessary;
- (c) *Fine or flavour cocoa* means cocoa produced in the countries listed in Annex C to the extent specified therein;
- (d) *Tonne* means the metric ton of 1 000 kilograms or 2 204.6 pounds; and pound means 453.597 grams;
- (e) *Cocoa year* means the period of 12 months from 1 October to 30 September inclusive;

- (f) *Export of cocoa* means any cocoa which leaves the customs territory of any country; and *import of cocoa* means any cocoa which enters the customs territory of any country; provided that, for the purposes of these definitions, customs territory shall, in the case of a member which comprises more than one customs territory, be deemed to refer to the combined customs territories of that member;
- (g) *Organization* means the International Cocoa Organization referred to in Article 5;
- (h) *Council* means the International Cocoa Council referred to in Article 6;
- (i) *Contracting Party* means a government, or an intergovernmental organization as provided for in Article 4, which has consented to be bound by this Agreement provisionally or definitively;
- (j) *Member* means a Contracting Party as defined above;
- (k) *Exporting country* or *exporting member* means a country or a member respectively whose exports of cocoa expressed in terms of beans exceed its imports. However, a country whose imports of cocoa expressed in terms of beans exceed its exports but whose production exceeds its imports may, if it so chooses, be an exporting member;
- (l) *Importing country* or *importing member* means a country or a member respectively whose imports of cocoa expressed in terms of beans exceed its exports;
- (m) *Producing country* or *producing member* means a country or a member respectively which grows cocoa in commercially significant quantities;
- (n) *Simple distributed majority vote* means a majority of the votes cast by exporting members and a majority of the votes cast by importing members, counted separately;

- (o) *Special vote* means two-thirds of the votes cast by exporting members and two-thirds of the votes cast by importing members, counted separately, on condition that the number of votes thus expressed represents at least half the present and voting members;
- (p) *Entry into force* means, except when qualified, the date on which this Agreement first enters into force, whether provisionally or definitively.

Chapter III

MEMBERSHIP

Article 3

Membership in the Organization

1. Each Contracting Party shall constitute a single member of the Organization.
2. A member may change its category of membership on such conditions as the Council may establish.

Article 4

Membership by intergovernmental organizations

1. Any reference in this Agreement to 'Governments' shall be construed as including the European Economic Community and any intergovernmental organization having responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements. Accordingly any reference in this Agreement to signature or to deposit of instruments of ratification, acceptance or approval or to notification of provisional application or to accession shall, in the case of such intergovernmental organizations, be construed as including a reference to signature, or to deposit of instruments of ratification, acceptance or approval, or to notification of provisional application, or to accession, by such intergovernmental organizations.

2. In the case of voting on matters within their competence, such organizations shall vote with a number of votes equal to the total number of votes attributable to their member States in accordance with Article 10.

3. Such organizations may participate in the Executive Committee on matters within their competence.

Chapter IV

ORGANIZATION AND ADMINISTRATION

Article 5

Establishment, headquarters and structure of the International Cocoa Organization

1. The International Cocoa Organization established by the International Cocoa Agreement 1972 shall continue in being and shall administer the provisions and supervise the operation of this Agreement.

2. The Organization shall function through:

(a) the International Cocoa Council and the Executive Committee;

(b) the executive director and the staff.

3. The headquarters of the Organization shall be in London unless the Council, by special vote, decides otherwise.

Article 6

Composition of the International Cocoa Council

1. The highest authority of the Organization shall be the International Cocoa Council, which shall consist of all the members of the Organization.
2. Each member shall be represented on the Council by a representative and, if it so desires, by one or more alternates. Each member may also appoint one or more advisers to its representative or alternates.

Article 7

Powers and functions of the Council

1. The Council shall exercise all such powers and perform or arrange for the performance of all such functions as are necessary to carry out the express provisions of this Agreement.
2. The Council shall, by special vote, adopt such rules and regulations as are necessary to carry out the provisions of this Agreement and are consistent therewith, including its rules of procedure and those of its committees, the financial and staff regulations of the Organization and rules for the administration and operation of the buffer stock. The Council may, in its rules of procedure, provide for a procedure whereby it may, without meeting, decide specific questions.
3. The Council shall keep such records as are required for the performance of its functions under this Agreement, and such other records as it considers appropriate.

Article 8

Chairman and vice-chairmen of the Council

1. The Council shall elect a chairman and a first and a second vice-chairman for each cocoa year, who shall not be paid by the Organization.
2. Both the chairman and the first vice-chairman shall be elected from among the representatives of the exporting members or from among the representatives of the other category. These offices shall alternate each cocoa year between the two categories.
3. In the temporary absence of both the chairman and the two vice-chairmen or the permanent absence of one or more of them, the Council may elect new officers from among the representatives of the exporting members or from among the representatives of the importing members, as appropriate, on a temporary or permanent basis as may be required.
4. Neither the chairman nor any other officer presiding at meetings of the Council shall vote. His alternate may exercise the voting rights of the member which he represents.

Article 9

Sessions of the Council

1. As a general rule, the Council shall hold one regular session in each half of the cocoa year.
2. In addition to meeting in the other circumstances specifically provided for in this Agreement, the Council shall meet in special session whenever it so desires or at the request of:

- (a) any five members;
- (b) a member or members having at least 200 votes;
- (c) the Executive Committee; or
- (d) the executive director, for the purposes of Articles 27, 31, 36 and 37.

3. Notice of sessions shall be given at least 30 days in advance, except in case of emergency or where the provisions of this Agreement require otherwise.

4. Sessions shall be held at the headquarters of the Organization unless the Council, by special vote, decides otherwise. If on the invitation of any member the Council meets elsewhere than at the headquarters of the Organization, that member shall pay the additional costs involved.

Article 10

Votes

1. The exporting members shall together hold 1 000 votes and the importing members shall together hold 1 000 votes, distributed within each category of members – that is, exporting and importing members, respectively – in accordance with the following paragraphs of this Article.

2. For each cocoa year, the votes of exporting members shall be distributed as follows: 100 shall be divided equally among all exporting members to the nearest whole vote for each member; the remaining votes shall be distributed among the exporting members listed in Annex A on the basis of the percentage which the average of each exporting

member's annual exports in the preceding four cocoa years for which final figures are available in the Organization represents in the total of the averages for all the exporting members listed in the said Annex. For this purpose, exports shall be calculated as gross exports of cocoa beans plus gross exports of cocoa products, converted to beans equivalent using the conversion factors as specified in Article 28. The Council shall revise the lists in Annexes A and B, if the development of exports of an exporting member so requires.

3. For each cocoa year, the votes of importing members shall be distributed as follows: 100 shall be divided equally among all importing members to the nearest whole vote for each member; the remaining votes shall be distributed among the importing members on the basis of the percentage which the average of each importing member's annual imports in the preceding three cocoa years for which final figures are available in the Organization represents in the total of the averages for all the importing members. For this purpose, imports shall be calculated as net imports of cocoa beans plus gross imports of cocoa products, converted to beans equivalent using the conversion factors as specified in Article 28.

4. No member shall have more than 300 votes. Any votes above this figure arising from the calculations in paragraphs 2 and 3 of this Article shall be redistributed among the other members on the basis of those paragraphs.

5. When the membership in the Organization changes or when the voting rights of a member are suspended or restored under any provision of this Agreement, the Council shall provide for the redistribution of votes in accordance with this Article.

6. There shall be no fractional votes.

Article 11

Voting procedure of the Council

1. Each member shall be entitled to cast the number of votes it holds and no member shall be entitled to divide its votes. A member may, however, cast differently from such votes any votes which it is authorized to cast under paragraph 2 of this Article.
2. By written notification to the Chairman of the Council, any exporting member may authorize any other exporting member, and any importing member may authorize any other importing member, to represent its interests and to cast its votes at any meeting of the Council. In this case the limitation provided for in paragraph 4 of Article 10 shall not apply.
3. A member authorized by another member to cast the votes held by the authorizing member under Article 10 shall cast such votes in accordance with the instructions of the authorizing member.
4. Exporting members producing exclusively fine or flavour cocoa shall not take part in voting on matters relating to the administration and operation of the buffer stock.

Article 12

Decisions of the Council

1. All decisions of the Council shall be taken, and all recommendations shall be made, by a simple distributed majority vote unless this Agreement provides for a special vote.
2. In arriving at the number of votes necessary for any of the decisions or recommendations of the Council, votes of members abstaining shall not be taken into consideration.

3. The following procedure shall apply with respect to any action by the Council which under this Agreement requires a special vote:

- (a) if the required majority is not obtained because of the negative vote of three or less exporting or three or less importing members, the proposal shall, if the Council so decides by a simple distributed majority vote, be put to a vote again within 48 hours;
- (b) if the required majority is again not obtained because of the negative vote of two or less exporting or two or less importing members, the proposal shall if the Council so decides by a simple distributed majority vote, be put to a vote again within 24 hours;
- (c) if the required majority is not obtained in the third vote because of the negative vote cast by one exporting or one importing member, the proposal shall be considered adopted;
- (d) if the Council fails to put a proposal to a further vote, it shall be considered rejected.

4. Members undertake to accept as binding all decisions of the Council under the provisions of this Agreement.

Article 13

Cooperation with other organizations

1. The Council shall 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, and with the Food and Agriculture Organization of the United Nations and such other specialized agencies of the United Nations and intergovernmental organizations as appropriate.

2. The Council, bearing in mind the particular role of the United Nations Conference on Trade and Development in international commodity trade, shall, as appropriate, keep that organization informed of its activities and programmes of work.

3. The Council may also make whatever arrangements are appropriate for maintaining effective contact with international organizations of cocoa producers, traders and manufacturers.

Article 14

Admission of observers

1. The Council may invite any non-member State to attend any of its meetings as an observer.

2. The Council may also invite any of the organizations referred to in Article 13 to attend any of its meetings as an observer.

Article 15

Composition of the Executive Committee

1. The Executive Committee shall consist of eight exporting members and eight importing members, provided that if either the number of exporting members or the number of importing members in the Organization is 10 or less the Council may, while maintaining parity between the two categories of members, decide by special vote the total number on the Executive Committee. Members of the Executive Committee shall be elected for each cocoa year in accordance with Article 16 and may be re-elected.

2. Each elected member shall be represented on the Executive Committee by a representative and, if it so desires, by one or more alternates. Each such member may also appoint one or more advisers to its representatives or alternates.

3. The chairman and vice-chairman of the Executive Committee, elected for each cocoa year by the Council, shall both be chosen from among the delegations of the exporting members or from among the delegations of the importing members. These offices shall alternate each cocoa year between the two categories of members. In the temporary or permanent absence of the chairman and the vice-chairman, the Executive Committee may elect new officers from among the representatives of the exporting members or from among the representatives of the importing members, as appropriate, on a temporary or permanent basis as may be required. Neither the chairman nor any other officer presiding at meetings of the Executive Committee may vote. His alternate may exercise the voting rights of the member which he represents.

4. The Executive Committee shall meet at the headquarters of the Organization unless, by special vote, it decides otherwise. If on the invitation of any member the Executive Committee meets elsewhere than at the headquarters of the Organization, that member shall pay the additional costs involved.

Article 16

Election of the Executive Committee

1. The exporting and importing members of the Executive Committee shall be elected in the Council by the exporting and importing members respectively. The election within each category shall be held in accordance with paragraphs 2 and 3 of this Article.

2. Each member shall cast all the votes to which it is entitled under Article 10 for a single candidate. A member may cast for another candidate any votes which it is authorized to cast under paragraph 2 of Article 11.

3. The candidates receiving the largest number of votes shall be elected.

Article 17

Competence of the Executive Committee

1. The Executive Committee shall be responsible to, and work under the general direction of, the Council.
2. The Executive Committee shall keep the market under continuous review and recommend to the Council such measures as it may consider advisable.
3. Without prejudice to the right of the Council to exercise any of its powers, the Council may, by a simple distributed majority vote or a special vote depending on whether a decision by the Council on the subject requires a simple distributed majority vote or a special vote, delegate to the Executive Committee the exercise of any of its powers, except the following:
 - (a) redistribution of votes under Article 10;
 - (b) approval of the administrative budget and assessment of contributions under Article 23;
 - (c) revision of prices under Articles 27, 36, 37 or 38;
 - (d) revision of Annex C under paragraph 3 of Article 29;
 - (e) action relating to supplementary measures under Article 40;

- (f) relief from obligations under Article 55;
- (g) decision of disputes under Article 58;
- (h) suspension of rights under paragraph 3 of Article 59;
- (i) establishment of conditions for accession under Article 64;
- (j) exclusion of a member under Article 69;
- (k) extension or termination of this Agreement under Article 71;
- (l) recommendation of amendments to members under Article 72.

4. The Council may at any time, by a simple distributed majority vote, revoke any delegation of powers to the Executive Committee.

Article 18

Voting procedure and decisions of the Executive Committee

1. Each member of the Executive Committee shall be entitled to cast the number of votes received by it under the provisions of Article 16, and no member of the Executive Committee shall be entitled to divide its votes.
2. Without prejudice to the provisions of paragraph 1 of this Article and by written notification to the chairman, any exporting or importing member which is not a member of the Executive Committee and which has not cast its votes under paragraph 2 of Article 16 for any of the members elected may authorize any exporting or importing member of the Executive Committee, as appropriate, to represent its interests and to cast its votes in the Executive Committee.

3. In the course of any cocoa year a member may, after consultation with the member of the Executive Committee for which it voted under Article 16, withdraw its votes from that member. The votes thus withdrawn may be reassigned to another member of the Executive Committee but may not be withdrawn from that member for the remainder of that cocoa year. The member of the Executive Committee from which the votes have been withdrawn shall nevertheless retain its seat on the Executive Committee for the remainder of that cocoa year. Any action taken pursuant to the provisions of this paragraph shall become effective after the chairman has been informed in writing thereof.

4. Any decision taken by the Executive Committee shall require the same majority as that decision would require if taken by the Council.

5. Any member shall have the right of appeal to the Council against any decision of the Executive Committee. The Council shall prescribe, in its rules of procedure, the conditions under which such appeal may be made.

Article 19

Quorum for the Council and the Executive Committee

1. The quorum for the opening meeting of any session of the Council shall be constituted by the presence of a majority of exporting members and a majority of importing members, provided that such members together hold in each category at least two-thirds of the total votes of the members in that category.

2. If there is no quorum in accordance with paragraph 1 of this Article on the day appointed for the opening meeting of any session and on the following day, the quorum on the third day and throughout the remainder of the session shall be constituted by the presence of a majority of exporting members and a majority of importing members, provided that such members together hold in each category a simple majority of the total votes of the members in that category.

3. The quorum for meetings subsequent to the opening meeting of any session pursuant to paragraph 1 of this Article shall be that prescribed in paragraph 2 of this Article.

4. Representation in accordance with paragraph 2 of Article 11 shall be considered as presence.

5. The Quorum for any meeting of the Executive Committee shall be prescribed by the Council in the Rules of Procedure of the Executive Committee.

Article 20

The staff of the Organization

1. The Council, after consulting the Executive Committee, shall appoint the executive director by special vote. The terms of the appointment of the executive director shall be fixed by the Council in the light of those applying to corresponding officials of similar intergovernmental organizations.

2. The executive director shall be the chief administrative officer of the Organization and shall be responsible to the Council for the administration and operation of this Agreement in accordance with the decision of the Council.

3. The Council, after consulting the Executive Committee, shall appoint the buffer stock manager by special vote. The terms of appointment of the manager shall be fixed by the Council.

4. The manager shall be responsible to the Council for the functions conferred upon him by this Agreement as well as for such additional functions as the Council may determine. The responsibility for these functions shall be exercised in consultation with the executive director.

5. Without prejudice to the provisions of paragraph 4, the staff of the Organization shall be responsible to the executive director, who in turn shall be responsible to the Council.

6. The executive director shall appoint the staff in accordance with regulations to be established by the Council. In drawing up such regulations, the Council shall have regard to those applying to officials of similar intergovernmental organizations. Staff appointments shall be made in so far as is practicable from nationals of exporting and importing members.

7. Neither the executive director nor the manager, nor any other member of the staff, shall have any financial interest in the cocoa industry, the cocoa trade, cocoa transportation or cocoa publicity.

8. In the performance of their duties, the executive director, the manager and the other members of the staff shall not seek or receive instructions from any member or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each member undertakes to respect the exclusively international character of the responsibilities of the executive director, the manager and the staff and not to seek to influence them in the discharge of their responsibilities.

9. No information concerning the operation or administration of this Agreement shall be revealed by the executive director, the manager or the other staff of the Organization, except as may be authorized by the Council or as is necessary for the proper discharge of their duties under this Agreement.

Chapter V

PRIVILEGES AND IMMUNITIES

Article 21

Privileges and immunities

1. The Organization shall have legal personality. It shall in particular have the capacity to contract, to acquire and dispose of movable and immovable property and to institute legal proceedings.

2. The status, privileges and immunities of the Organization, of its executive director, its staff and experts and of representatives of members whilst in the territory of the United Kingdom of Great Britain and Northern Ireland for the purpose of exercising their functions, shall continue to be governed by the Headquarters Agreement concluded between the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the host government) and the International Cocoa Organization in London on 26 March 1975.

3. The Headquarters Agreement referred to in paragraph 2 of this Article shall be independent of this Agreement. It shall, however, terminate:

- (a) by agreement between the host government and the Organization;
- (b) in the event of the headquarters of the Organization being moved from the territory of the host government; or
- (c) in the event of the Organization ceasing to exist.

4. The Organization may conclude with one or more other members agreements to be approved by the Council relating to such privileges and immunities as may be necessary for the proper functioning of this Agreement.

Chapter VI

FINANCE

Article 22

Finance

1. There shall be kept two accounts – the administrative account and the buffer stock account – for the administration and operation of this Agreement.

2. The expenses necessary for the administration and operation of this Agreement, excluding those attributable to the operation and maintenance of the buffer stock instituted under Article 30 shall be brought into the administrative account and shall be met by annual contributions from members assessed in accordance with Article 23. If, however, a member requests special services, the Council may require that member to pay for them.

3. Any expenditure which is attributable to the operation and maintenance of the buffer stock under Article 33 shall be brought into the buffer stock account. The liability of the buffer stock account for any expenditure other than that specified in Article 33 shall be decided by the Council.

4. The financial year of the Organization shall be the same as the cocoa year.

5. The expenses of delegations to the Council, to the Executive Committee and to any of the committees of the Council or of the Executive Committee, shall be met by the members concerned.

Article 23

Approval of the administrative budget and assessment of contributions

1. During the second half of each financial year, the Council shall approve the administrative budget of the Organization for the following financial year, and shall assess the contribution of each member to that budget.

2. The contribution of each member to the administrative budget for each financial year shall be in the proportion which the number of its votes at the time the administrative budget for that financial year is approved bears to the total votes of all the members. For the purpose of assessing contributions, the votes of each member shall be calculated without regard to the suspension of any member's voting rights and any redistribution of votes resulting therefrom.

3. The initial contribution of any member joining the Organization after the entry into force of this Agreement shall be assessed by the Council on the basis of the number of votes to be held by that member and the period remaining in the current financial year, but the assessment made upon other members for the current financial year shall not be altered.

4. If this Agreement enters into force before the beginning of the first full financial year, the Council shall, at its first session, approve an administrative budget covering the period up to the commencement of the first full financial year.

Article 24

Payment of contributions to the administrative budget

1. Contributions to the administrative budget for each financial year shall be payable in freely convertible currencies, shall be exempt from foreign exchange restrictions and shall become due on the first day of that financial year. Contributions of members in respect of the financial year in which they join the Organization shall be due on the date on which they become members.

2. Contributions to the administrative budget approved under paragraph 4 of Article 23 shall be payable within three months of the date of assessment.

3. If, at the end of five months after the beginning of the financial year or, in the case of a new member, five months after the Council has assessed its contribution, a member has not paid its full contribution to the administrative budget, the executive director shall request that member to make payment as quickly as possible. If, at the expiration of two months after the request of the executive director, that member has still not paid its contribution, the voting rights of that member in the Council and Executive Committee shall be suspended until such time as it has made full payment of the contribution.

4. A member whose voting rights have been suspended under paragraph 3 of this Article shall not be deprived of any of its other rights or relieved of any of its obligations under this Agreement unless the Council, by special vote, decides otherwise. It shall remain liable to pay its contribution and to meet any other financial obligations under this Agreement.

Article 25

Audit and publication of accounts

1. As soon as possible, but not later than six months after the close of each financial year, the statement of the Organization's accounts for that financial year and the balance sheet at the close of that financial year under each of the accounts referred to in paragraph 1 of Article 22 shall be audited. The audit shall be carried out by an independent auditor of recognized standing in cooperation with two qualified auditors from member governments, one from exporting members and one from importing members, to be elected by the Council for each financial year. The auditors from member governments shall not be paid by the Organization.

2. The terms of appointment of the independent auditor of recognized standing, as well as the intentions and objectives of the audit, shall be laid down in the financial regulations of the Organization. The audited statement of the Organization's accounts and the audited balance sheet shall be presented to the Council at its next regular session for approval.

3. A summary of the audited accounts and balance sheet shall be published.

Chapter VII

PRICES, BUFFER STOCK AND SUPPLEMENTARY MEASURES

Article 26

Daily price and indicator price

1. For the purposes of this Agreement, the price of cocoa beans shall be determined by reference to a daily price and an indicator price.
2. The daily price shall, subject to paragraph 4 of this Article, be the average taken daily of the quotations for cocoa beans of the nearest three active future trading months on the New York cocoa exchange at noon and on the London cocoa terminal market at closing time. The London prices shall be converted to United States cents per pound by using the current six months forward rate of exchange published in London at closing time. The Council shall decide the method of calculation to be used when the quotations on only one of these cocoa markets are available or when the London exchange market is closed. The time for shift to the next three-month period shall be the fifteenth of the month immediately preceding the nearest active maturing month.
3. The indicator price shall be the average of the daily prices over a period of five consecutive market days. Any reference in this Agreement to the indicator price being at, below or above any figure means that the average of the daily prices of the previous five consecutive market days was at, below or above that figure. The Council shall adopt rules to implement the provisions of this paragraph.
4. The Council may, by special vote, decide on any other methods of determining the daily price and the indicator price if it considers such

methods to be more satisfactory than those set out in paragraphs 2 and 3 of this Article.

Article 27

Prices

1. For the purposes of this Agreement, there shall be established: a minimum price of 110 United States cents per pound, a maximum price of 160 United States cents per pound, a lower intervention price of 100 United States cents per pound and an upper intervention price of 150 United States cents per pound.

2. (a) Each cocoa year, at its second regular session, the Council shall review and may, by special vote, revise the prices established under paragraph 1 of this Article.

(b) In conducting this review, the Council shall take into consideration the trend of cocoa prices, consumption, production, stocks, the influence on cocoa prices of changes in the world economic situation or monetary system and any other factors which might affect the achievement of the objectives set out in this Agreement. The executive director shall supply the data necessary for the appropriate consideration of the foregoing elements.

3. (a) If net buffer stock purchases exceeding 100 000 tonnes have taken place within any period not exceeding 12 consecutive months since the date of entry into force of this Agreement or, if prices have been revised, the date of the last revision, the Council shall meet in special session within 10 working days. Unless the Council, by special vote, decides otherwise, the intervention prices shall be reduced by four United States cents per pound.

- (b) If, subsequently, additional net buffer stock purchases exceeding 75 000 tonnes have taken place within any period not exceeding 12 consecutive months, the Council shall meet in special session within 10 working days. Unless the Council, by special vote, decides otherwise, the intervention prices shall be reduced by four United States cents per pound.
4. (a) If net buffer stock sales exceeding 100 000 tonnes have taken place within any period not exceeding 12 consecutive months since the date of entry into force of this Agreement or, if prices have been revised, the date of the last revision, the Council shall meet in special session within 10 working days. Unless the Council, by special vote, decides otherwise, the intervention prices shall be raised by four United States cents per pound.
- (b) If, subsequently, additional net buffer stock sales exceeding 75 000 tonnes have taken place within any period not exceeding 12 consecutive months, the Council shall meet in special session within 10 working days. Unless the Council, by special vote, decides otherwise, the intervention prices shall be raised by four United States cents per pound.
- (c) If the quantity of cocoa in the buffer stock is such as to render inoperative the provisions of subparagraphs (a) and (b) above, the following provision shall apply: if, on the day of the commencement of any regular session of the Council, the indicator price is at or above the upper intervention price and has on average been so for 60 consecutive market days, the intervention prices shall be raised by four United States cents per pound, unless the Council, by special vote, decides otherwise.

5. There shall be no more than two consecutive price revisions in the same direction under paragraph 3 or paragraph 4 of this Article during the first three years of this Agreement.

6. In exceptional circumstances, such as those referred to in Article 38, the Council shall review and may, by special vote, revise the prices stated in paragraph 1 of this Article. In conducting this review, the Council shall also take into consideration the elements mentioned in paragraph 2 (b) of this Article.

7. The provisions of Article 72 shall not be applicable to the revision of prices under this Article.

Article 28

Conversion factors

1. For the purpose of determining the beans equivalent of cocoa products, the following shall be the conversion factor: cocoa butter 1:33; cocoa cake and powder 1:18; cocoa paste and nibs 1:25. The Council may determine if necessary that other products containing cocoa are cocoa products. The conversion factors for cocoa products other than those for which conversion factors are set out in this paragraph shall be fixed by the Council.

2. The Council may, by special vote, revise the conversion factors in paragraph 1 of this Article.

Article 29

Fine or flavour cocoa

1. Notwithstanding Article 35, the provisions of this Agreement concerning contributions for financing the buffer stock shall not apply to fine or flavour cocoa from any exporting member listed in paragraph 1 of Annex C whose production is exclusively of fine or flavour cocoa.

2. Paragraph 1 of this Article shall also apply in the case of any exporting member listed in paragraph 2 of Annex C, part of whose production consists of fine or flavour cocoa, to the extent of the proportion of their production stated in paragraph 2 of Annex C. With regard to the remaining proportion, the provisions of this Agreement concerning contributions for financing the buffer stock and other limitations of this Agreement shall apply.

3. The Council may, by special vote, revise Annex C.

4. If the Council finds that the production of, or export from, countries listed in Annex C has risen sharply, it shall take appropriate steps to ensure that no abuse or evasion of this Agreement is taking place.

5. Each member undertakes to require the presentation of an authorized Council control document before permitting the export of fine or flavour cocoa from its territory. Each member undertakes to require the presentation of an authorized Council control document before permitting the import of fine or flavour cocoa into its territory. The Council may, by special vote, suspend all or part of the provisions of this paragraph.

Article 30

Institution of the buffer stock

1. A buffer stock arrangement is hereby instituted. The capacity of the buffer stock shall be 250 000 tonnes of cocoa beans equivalent. If, under the provisions of Article 71, the Council decides to extend this Agreement for two years, the capacity of the buffer stock may be increased by special vote of the Council, provided that such an increase shall not exceed a total of 100 000 tonnes of cocoa beans equivalent.

2. The buffer stock manager shall purchase and hold cocoa beans but, under conditions to be determined by the Council, may also purchase and hold up to 10 000 tonnes of cocoa paste. If problems of trading or storage of this cocoa paste should arise in this experiment, the provisions of this paragraph shall be suspended by the Council for further examination at its next regular session.

3. The manager shall, in accordance with rules established by the Council, be responsible for the operation of the buffer stock and for buying cocoa, selling and maintaining in good condition stocks of cocoa and without incurring market risks, replacing lots of cocoa in accordance with the relevant provisions of this Agreement.

Article 31

Financing of the buffer stock

1. In order to finance its operations, the buffer stock account shall receive regular income in the form of contributions charged on cocoa in accordance with the provisions of Article 35.

2. The buffer stock manager shall keep the executive director and the Council informed of the financial position of the buffer stock :

(a) if the financial position of the buffer stock is, or appears likely to be, insufficient to finance its operations, the manager shall so inform the executive director. The executive director shall call a special session of the Council within 14 days unless the Council is otherwise scheduled to meet within 30 days. The Council may authorize the manager to borrow funds commercially in freely convertible currency from appropriate sources. The manager may secure such loans through warehouse warrants issued on cocoa held by the buffer stock. Any such loans shall be repaid out of the proceeds of contributions and of the sale of cocoa by the buffer stock, and out of miscellaneous income of the buffer stock, if any. Individual members shall not be responsible for the repayment of such loans;

- (b) within approximately twelve months after entry into force of this Agreement, the Council shall, by special vote, decide on recommendations to members for possible arrangements for any additional financing required, other than that provided for under subparagraph (a) above. Any such recommendations by the Council shall take into account the limitations of the constitutional and/or legislative procedures of members.

Article 32

Relationship with the Common Fund for Commodities

When the Common Fund for Commodities becomes operational, the Council shall have the authority to negotiate the modalities and, upon decision taken by special vote, implement the required measures for association with the Fund according to the principles set out therein, with a view to making full use of the financial possibilities offered by the Fund.

Article 33

Cost of operating and maintaining the buffer stock

The cost of operating and maintaining the buffer stock, including:

- (a) the remuneration of the buffer stock manager and members of the staff who operate and maintain the buffer stock, the cost to the Organization of administering and controlling the collection of contributions and interest or capital charges due on sums borrowed by the Council; and

- (b) other costs such as the cost of transportation and insurance from the fob point into the buffer stock storage point, storage including fumigation, handling charges, insurance, management and inspection and any expenditure incurred in replacing lots of cocoa to maintain their condition and value;

shall be met out of the regular source of income from contributions as provided for in Article 35 or loans or the proceeds of resale.

Article 34

Investment of surplus buffer stock funds

1. Part of the funds of the buffer stock as are temporarily surplus to that required to finance its operations may be suitably deposited in importing and exporting member countries in accordance with rules established by the Council.
2. These rules shall take into account, *inter alia*, the liquidity necessary for the full operation of the buffer stock and the desirability of maintaining the real value of the funds.

Article 35

Contributions for financing the buffer stock

1. The contribution charged on cocoa either on first export by a member or on first import by a member shall be one United States cent per pound of cocoa beans and proportionately on cocoa products in accordance with Article 28. In any case the contribution shall be charged only once. For this purpose, imports of cocoa by a member from a non-member country shall be deemed to have originated from that non-member unless satisfactory evidence is given that such cocoa originated from a member. The Council shall review annually the buffer stock contribution and, notwithstanding the provisions of the first sentence of this paragraph may, by special vote, determine a different rate of contribution or decide to suspend the contribution in the light of the financial resources and obligations of the Organization in relation to the buffer stock.

2. Certificates of contribution shall be issued by the Council in accordance with the rules which it shall establish. Such rules shall take into account the interests of the cocoa trade and shall cover, *inter alia*, the possible use of agents and the payment of contributions within a given time limit.

3. Contributions under this Article shall be payable in freely convertible currencies and shall be exempt from foreign exchange restrictions.

4. Nothing contained in this Article shall affect the right of any buyer or seller to regulate the terms of payment for supplies of cocoa by agreement between them.

Article 36

Buffer stock purchases

1. When the indicator price is above the lower intervention price, the buffer stock manager shall only purchase cocoa in so far as it is necessary to rotate cocoa, already held in the buffer stock, in order to preserve quality. The rotation programme shall be submitted by the manager for approval by the Council.

2. When the indicator price is at or below the lower intervention price, the manager shall purchase, in accordance with rules established by the Council, such quantities of cocoa as are necessary so that the indicator price rises above the lower intervention price.

3. If, 20 market days after the commencement of purchases under paragraph 2 of this Article, the indicator price is not above the lower intervention price, the Council shall meet in special session to review the operations of the buffer stock and to give further instructions to the manager as to the necessary action to be taken to ensure that the indicator price does rise above the lower intervention price.

4. When the manager has made net purchases of cocoa up to 80% of the full capacity of the buffer stock, the Council shall meet in special session within 10 working days to review the market situation and to decide, by special vote, on appropriate corrective measures: these may include a possible downward revision of prices which shall come into effect when purchases into the buffer stock reach 250 000 tonnes.

5. The manager may purchase in origin and secondhand markets. The manager shall give first refusal to sellers in exporting member countries.

6. The manager shall purchase only cocoa of recognized standard marketable grades and in quantities of not less than 100 tonnes. Such cocoa shall be the property of the Organization and under its control.

7. The manager shall purchase cocoa at prevailing market prices in accordance with rules established by the Council.

8. The manager shall maintain appropriate records to enable him to fulfil his functions under this Agreement.

9. The buffer stock shall be stored in such locations as will facilitate immediate ex-store delivery to buyers referred to in paragraph 6 of Article 37.

Article 37

Buffer stock sales

1. When the indicator price is below the upper intervention price, the buffer stock manager shall only sell cocoa in so far as it is necessary to rotate cocoa, already held in the buffer stock, in order to preserve quality. The rotation programme shall be submitted by the manager for approval by the Council.
2. When the indicator price is at or above the upper intervention price, the manager shall sell, in accordance with rules established by the Council, such quantities of cocoa as are necessary so that the indicator price falls below the upper intervention price.
3. If, 20 market days after the commencement of sales under paragraph 2 of this Article, the indicator price is not below the upper intervention price, the Council shall meet in special session to review the operations of the buffer stock and to give further instructions to the manager as to the necessary action to be taken to ensure that the indicator price does fall below the upper intervention price.
4. When the manager has sold all the supplies of cocoa at his disposal, the Council shall meet in special session within 10 working days to review the market situation and to decide, by special vote, on appropriate corrective measures; these may include a possible upward revision of prices.
5. The manager shall sell cocoa at prevailing market prices.
6. In making sales in accordance with paragraphs 2 and 3 of this Article, the manager shall, in accordance with rules established by the Council, sell through normal trade channels to firms and organizations in member countries, but mainly in importing member countries, engaged in the trade in or processing of cocoa.

Article 38

Changes in the exchange rates of currencies

1. A special session of the Council shall be called by the executive director either on his own initiative or at the request of members in accordance with paragraph 2 of Article 9, if conditions on the foreign exchange markets are such as to have important implications for the price provisions of this Agreement. Special sessions of the Council under this paragraph shall be convened within four working days.
2. After calling such a special session and pending its outcome, the executive director and the buffer stock manager may take such minimum interim measures as they consider necessary to avoid serious disruption of the effective functioning of this Agreement on account of conditions on the foreign exchange markets. In particular they may, after consultation with the chairman of the Council, temporarily restrict or suspend operations of the buffer stock.
3. After consideration of the circumstances, including a review of the interim measures that may have been taken by the executive director and the manager and of the potential effect that conditions on the foreign exchange markets mentioned above may have on the effective operation of this Agreement, the Council may, by special vote, take any necessary corrective measures.

Article 39

Liquidation of the buffer stock

1. If this Agreement is to be replaced by a new agreement which includes provisions relating to the buffer stock, the Council shall make such arrangements as it considers appropriate regarding the continued functioning of the buffer stock.

2. If this Agreement terminates without being replaced by a new agreement which includes provisions relating to the buffer stock, the following provisions shall apply:

(a) no further contracts shall be made for the purchase of cocoa for the buffer stock. The buffer stock manager shall, in the light of current market conditions, dispose of the buffer stock in accordance with the rules laid down by the Council by special vote on the entry into force of this Agreement, unless, prior to the termination of this Agreement, the Council revises these rules by special vote. The manager shall retain the right to sell cocoa at any time during liquidation to meet the costs thereof.

(b) the proceeds of sales and moneys standing to the account of the buffer stock shall be used to pay, in the following order:

(i) the costs of liquidation;

(ii) any outstanding balance of, plus interest on, any loan incurred by or on behalf of the Organization in respect of the buffer stock;

(c) any moneys remaining after payments have been made under subparagraph (b) above shall be paid to the exporting members concerned in proportion to the contribution-paid exports of each exporting member; except that the proportion of moneys attributable to contributions paid on imports under this Agreement in relation to other funds shall be identified and distributed under rules established by the Council.

Article 40

Supplementary measures to defend the minimum and maximum prices

1. In the event that the buffer stock arrangement established under this Agreement, after the full utilization of its initial capacity of 250 000 tonnes, proves to be inadequate to maintain the price of cocoa beans between the minimum and maximum prices of this Agreement, the Council may, by special vote, institute supplementary measures.
2. The Council shall establish rules for the implementation of the supplementary measures referred to in paragraph 1 of this Article.

Article 41

Consultation and cooperation within the cocoa economy

1. The Council shall encourage members to seek the views of experts in cocoa matters.
2. In fulfilling their obligations under this Agreement, members shall conduct their activities in a manner consonant with the established channels of trade and shall take due account of the legitimate interests of all sectors of the cocoa economy.
3. Members shall not interfere with the arbitration of commercial disputes between cocoa buyers and sellers if contracts cannot be fulfilled because of regulations established in order to implement this Agreement, nor place impediments in the way of the conclusion of arbitration proceedings. The requirement that members comply with the provisions of this Agreement shall not be accepted as grounds for non-fulfilment of contract or as a defence in such cases.

Chapter VIII

REPORTING OF EXPORTS AND IMPORTS, AND CONTROL MEASURES

Article 42

Reporting of exports and imports

1. The executive director shall, in accordance with rules established by the Council, maintain a record of members' exports and imports of cocoa.
2. For this purpose, each member shall report to the executive director the quantities of its exports of cocoa by country of destination and the quantities of its imports of cocoa by country of origin, at such intervals as the Council may determine, together with such other data as the Council may prescribe.

Article 43

Control measures

1. Each member exporting cocoa shall require the presentation of an authorized Council control document and, if applicable, a valid certificate of contribution, before permitting the shipment of cocoa from its customs territory. Each member importing cocoa shall require the presentation of an authorized Council control document and, if applicable, a valid certificate of contribution, before permitting the import of any cocoa into its customs territory whether from a member or a non-member.
2. Certificates of contribution shall not be required for exports by exporting members for humanitarian or other non-commercial purposes in so far as the Council is satisfied that the cocoa has been exported for those purposes. The Council shall arrange to issue appropriate control documents to cover such shipments.

3. The Council shall, by special vote, establish such rules as it considers necessary in respect of certificates of contribution and other authorized Council control documents.

4. For fine or flavour cocoa, the Council shall establish such rules as it considers necessary in respect of the simplification of the procedure for authorized Council control documents, taking into account all relevant factors.

5. The Council may, by special vote, suspend all or part of the provisions of this Article.

Chapter IX

SUPPLY AND DEMAND

Article 44

Cooperation among members

1. Members recognize the importance of ensuring the greatest possible growth of the cocoa economy and therefore of coordinating their efforts to encourage the dynamic expansion of production and consumption so as to secure the best equilibrium between supply and demand. They shall cooperate fully with the Council in the attainment of this objective.

2. The Council shall identify the obstacles to the harmonious development and the dynamic expansion of the cocoa economy and shall seek mutually acceptable practical measures designed to overcome these obstacles. Members shall endeavour to apply the measures elaborated and recommended by the Council.

3. The Organization shall collect and keep up to date the available information needed to establish, in the most reliable way, the world's current and potential consumption and production capacity. Members shall cooperate fully with the Organization in the preparation of these studies.

Article 45

Production and stocks

1. Each exporting member may develop a programme to adjust its production, in order that the objective set forth in Article 44 may be attained. Each exporting member concerned shall be responsible for the policies and procedures it applies to attain this objective and shall endeavour to inform the Council of such measures on as regular a basis as possible.

2. On the basis of a detailed report presented by the executive director at least once a year, the Council shall review the general situation regarding cocoa production, evaluating particularly the development of global supply in the light of the provisions of this Article. The Council may make recommendations to members based on this evaluation. The Council may establish a committee to assist it in respect of this Article.

3. The Council shall review annually the level of stocks held throughout the world and make any necessary recommendations based on this review.

Article 46

Assurance of supplies and access to markets

1. Members shall conduct their trade policies so that the objectives of this Agreement may be attained. In particular, they recognize that regular

supplies of cocoa and regular access to their markets for cocoa are essential for both importing and exporting members.

2. Exporting members shall endeavour, within the limits of the constraints of their development, to pursue sales and export policies, in accordance with the provisions of this Agreement, which will not artificially restrict offer for sale of available cocoa and which will ensure the regular supply of cocoa to importers in importing member countries.

3. Importing members shall make every effort, within the limits of their international commitments, to pursue policies, in accordance with the provisions of this Agreement, which will not artificially restrict demand for cocoa and which will ensure to exporters the regular access to their markets for cocoa.

4. Members shall inform the Council of all measures adopted with a view to implementing the provisions of this Article.

5. The Council may, in order to further the purposes of this Article, make any recommendations to members and shall examine periodically the results achieved.

Article 47

Consumption

1. All members shall endeavour to promote the expansion of cocoa consumption in accordance with their own means and methods.

2. All members shall endeavour to inform the Council on as regular a basis as possible of pertinent domestic regulations and information concerning cocoa consumption.

3. On the basis of a detailed report presented by the executive director, the Council shall review the general situation regarding cocoa consumption, evaluating particularly the development of global demand in the light of the provisions of this Article. The Council may make recommendations to members based on this evaluation.

4. The Council may establish a committee whose aim shall be to stimulate the expansion of consumption of cocoa in both exporting and importing member countries. Membership of the committee shall be limited to members contributing to the promotion programme. Costs of such promotion programmes shall be met by contributions from exporting members. Importing members may also contribute financially. The committee shall seek the approval of a member before conducting a campaign in the territory of that member.

Article 48

Cocoa substitutes

1. Members recognize that the use of substitutes may prejudice the expansion of cocoa consumption. In this regard, they agree to establish regulations on cocoa products and chocolate or to adapt existing regulations, if necessary, so that the said regulations shall prohibit materials of non-cocoa origin from being used in place of cocoa to mislead the consumer.

2. In preparing or reviewing regulations based on the principles in paragraph 1 of this Article, members shall take fully into account the recommendations and decisions of competent international bodies such as the Council and the Codex Committee on Cocoa Products and Chocolate.

3. The Council may recommend to a member that it take any measures which the Council considers advisable for assuring the observance of the provisions of this Article.

4. The executive director shall present an annual report to the Council on the development of the situation in this respect and on the manner in which the provisions of this Article are being observed.

Article 49

Scientific research and development

The Council may encourage and promote scientific research and development in areas of cocoa production, manufacture and consumption as well as the dissemination and practical application of the results obtained in this field. To this end, the Council may cooperate with international organizations and research institutions.

Chapter X

PROCESSED COCOA

Article 50

Processed cocoa

1. The needs of developing countries to broaden the base of their economies through, *inter alia*, industrialization and the export of manufactured products – including cocoa processing and the export of cocoa products and chocolate – are recognized. In this connection, the need to avoid serious injury to the cocoa economy of importing and exporting members is also recognized.

2. If any member considers that there is a danger of injury to its interest in any of the above respects, that member may consult with the other member

concerned with a view to reaching an understanding satisfactory to the parties concerned, failing which the member may report to the Council, which shall use its good offices in the matter to reach such understanding.

Chapter XI

RELATIONS BETWEEN MEMBERS AND NON-MEMBERS

Article 51

Commercial transactions with non-members

1. Exporting members undertake not to sell cocoa to non-members on terms commercially more favourable than those which they are prepared to offer at the same time to importing members, taking into account normal trade practices.
2. Importing members undertake not to buy cocoa from non-members on terms commercially more favourable than those which they are prepared to accept at the same time from exporting members, taking into account normal trade practices.
3. The Council shall periodically review the operation of paragraphs 1 and 2 of this Article and may require members to supply appropriate information in accordance with Article 52.
4. Any member which has reason to believe that another member has not fulfilled the obligation under paragraph 1 or 2 of this Article may so inform the executive director and call for consultations under Article 57, or refer the matter to the Council under Article 59.

Chapter XII

INFORMATION AND STUDIES

Article 52

Information

1. The Organization shall act as a centre for the collection, exchange and publication of:

(a) statistical information on world production, sales, prices, exports and imports, consumption and stocks of cocoa; and

(b) in so far as is considered appropriate, technical information on the cultivation, processing and utilization of cocoa.

2. In addition to information which members are required to furnish under other articles of this Agreement, the Council may require members to furnish such information as it considers necessary for its operations, including regular reports on policies for production and consumption, sales, prices, exports and imports, stocks and taxation.

3. If a member fails to supply, or finds difficulty in supplying, within a reasonable time, statistical and other information required by the Council for the proper functioning of the Organization, the Council may require the member concerned to explain the reasons therefor. If it is found that technical assistance is needed in the matter, the Council may take any necessary measures.

4. The Council shall at appropriate times but not less than twice a year publish estimates of production of cocoa beans and grindings for the current cocoa year.

Article 53

Studies

The Council shall, to the extent it considers necessary, promote studies of the economics of cocoa production and distribution, including trends and projections, the impact of governmental measures in exporting and importing countries on the production and consumption of cocoa, the opportunities for expansion of cocoa consumption for traditional and possible new uses, and the effects of the operation of this Agreement on exporters and importers of cocoa, including their terms of trade, and may submit recommendations to members on the subject of these studies. In the promotion of these studies, the Council may cooperate with international organizations and other appropriate institutions.

Article 54

Annual review and annual report

1. The Council shall, as soon as practicable after the end of each cocoa year, review the operation of this Agreement and the performance of members in conforming to the principles and promoting the objectives thereof. It may then make recommendations to members regarding ways and means of improving the functioning of this Agreement.
2. The Council shall publish an annual report. This report shall include a section on the annual review for which provision is made in paragraph 1 of this Article.
3. The Council may also publish such other information as it considers appropriate.

Chapter XIII

RELIEF FROM OBLIGATIONS, AND DIFFERENTIAL AND REMEDIAL MEASURES

Article 55

Relief from obligations in exceptional circumstances

1. The Council may, by special vote, relieve a member of an obligation on account of exceptional or emergency circumstances, *force majeure*, or international obligations under the charter of the United Nations for territories administered under the trusteeship system.
2. The Council, in granting relief to a member under paragraph 1 of this Article, shall state explicitly the terms and conditions on which and the period for which the member is relieved of the obligation and the reasons for which the relief is granted.
3. Notwithstanding the foregoing provisions of this Article, the Council shall not grant relief to a member in respect of:
 - (a) the obligation under Article 24 to pay contributions, or the consequences of a failure to pay them;
 - (b) the obligation to require payment of any contribution charged under Article 35.

Article 56

Differential and remedial measures

Developing importing members, and least-developed countries which are members, whose interests are adversely affected by measures taken under

this Agreement may apply to the Council for appropriate differential and remedial measures. The Council shall consider taking such appropriate measures in accordance with paragraph 3 of Section III of Resolution 93 (IV) adopted by the United Nations Conference on Trade and Development.

Chapter XIV

CONSULTATIONS, DISPUTES AND COMPLAINTS

Article 57

Consultations

Each member shall accord sympathetic consideration to any representations made to it by another member concerning the interpretation or application of this Agreement and shall afford adequate opportunity for consultations. In the course of such consultations, on the request of either party and with the consent of the other, the executive director shall establish an appropriate conciliation procedure. The costs of such procedure shall not be chargeable to the Organization. If such procedure leads to a solution, this shall be reported to the executive director. If no solution is reached, the matter may, at the request of either party, be referred to the Council in accordance with Article 58.

Article 58

Disputes

1. Any dispute concerning the interpretation or application of this Agreement which is not settled by the parties to the dispute shall, at the request of either party to the dispute, be referred to the Council for decision.

2. When a dispute has been referred to the Council under paragraph 1 of this Article, and has been discussed, a majority of members, or members holding not less than one-third of the total votes, may require the Council, before giving its decision, to seek the opinion on the issues in dispute of an *ad hoc* advisory panel to be constituted as described in paragraph 3 of this Article.

3. (a) Unless the Council unanimously decides otherwise, the *ad hoc* advisory panel shall consist of:

(i) two persons, one having wide experience in matters of the kind in dispute and the other having legal standing and experience, nominated by the exporting members;

(ii) two such persons nominated by the importing members;

(iii) a chairman selected unanimously by the four persons nominated under (i) and (ii) above or, if they fail to agree, by the chairman of the Council.

(b) Nationals of members shall not be ineligible to serve on the *ad hoc* advisory panel.

(c) Persons appointed to the *ad hoc* advisory panel shall act in their personal capacities and without instructions from any government.

(d) The costs of the *ad hoc* advisory panel shall be paid by the Organization.

4. The opinion of the *ad hoc* advisory panel and the reasons therefor shall be submitted to the Council which, after considering all the relevant information, shall decide the dispute.

Article 59

Complaints and action by the Council

1. Any complaint that any member has failed to fulfil its obligations under this Agreement shall, at the request of the member making the complaint, be referred to the Council, which shall consider it and take a decision on the matter.

2. Any finding by the Council that a member is in breach of its obligations under this Agreement shall be made by a simple distributed majority vote and shall specify the nature of the breach.

3. Whenever the Council, whether as a result of a complaint or otherwise, finds that a member is in breach of its obligations under this Agreement, it may, without prejudice to such other measures as are specifically provided for in other Articles of this Agreement, including Article 69, by special vote:

(a) suspend that member's voting rights in the Council and in the Executive Committee; and

(b) if it considers necessary, suspend additional rights of such member, including that of being eligible for, or of holding, office in the Council or in any of its committees until it has fulfilled its obligations.

4. A member whose voting rights are suspended under paragraph 3 of this Article shall remain liable for its financial and other obligations under this Agreement.

Chapter XV

FAIR LABOUR STANDARDS

Article 60

Fair labour standards

Members declare that, in order to raise the levels of living of populations and provide full employment, they will endeavour to maintain fair labour standards and working conditions in the various branches of cocoa production in the countries concerned, consistent with their stage of development, as regards both agricultural and industrial workers employed therein.

Chapter XVI

FINAL PROVISIONS

Article 61

Signature

This Agreement shall be open for signature at United Nations headquarters from 5 January 1981 until and including 31 March 1981 by parties to the International Cocoa Agreement 1975 and governments invited to the United Nations Cocoa Conference 1980.

Article 62

Depositary

The Secretary-General of the United Nations shall be the depositary of this Agreement.

Article 63

Ratification, acceptance, approval

1. This Agreement shall be subject to ratification, acceptance or approval by the signatory governments in accordance with their respective constitutional procedures.
2. Instruments of ratification, acceptance, or approval shall be deposited with the depositary not later than 31 May 1981. The Council under the International Cocoa Agreement 1975 or the Council under this Agreement may, however, grant extensions of time to signatory governments which are unable to deposit their instruments by that date.
3. Each government depositing an instrument of ratification, acceptance or approval shall, at the time of such deposit, indicate whether it is an exporting member or an importing member.

Article 64

Accession

1. This Agreement shall be open to accession by the government of any State upon conditions to be established by the Council.
2. The Council of the International Cocoa Agreement 1975 may, pending the entry into force of this Agreement, establish the conditions referred to in paragraph 1 of this Article, subject to confirmation by the Council of this Agreement.
3. In establishing the conditions referred to in paragraph 1 of this Article, the Council shall determine under which of the annexes to this Agreement the acceding State is to be deemed to be listed, if such State is not listed in any of these annexes.

4. Accession shall be effected by deposit of an instrument of accession with the depositary.

Article 65

Notification of provisional application

1. A signatory government which intends to ratify, accept or approve this Agreement or a government for which the Council has established conditions for accession, but which has not yet been able to deposit its instrument may, at any time, notify the depositary that it will apply this Agreement provisionally either when it enters into force in accordance with Article 66 or, if it is already in force, at a specified date. Each government giving such notification shall at that time state whether it will be an exporting member or an importing member.

2. A government which has notified under paragraph 1 of this Article that it will apply this Agreement either when it enters into force or at a specified date shall, from that time, be a provisional member. It shall remain a provisional member until the date of deposit of its instrument of ratification, acceptance, approval or accession.

Article 66

Entry into force

1. This Agreement shall enter into force definitively on 1 April 1981, or on any date within two months thereafter, if by such date governments representing at least five exporting countries accounting for at least 80% of the total exports of countries listed in Annex D and governments representing importing countries having at least 70% of total imports as set out in Annex E have deposited their instruments of ratification, acceptance, approval or accession with the depositary. It shall also enter into force definitively once it has entered into force provisionally and these percentage requirements are satisfied by the deposit of instruments of ratification, acceptance, approval or accession.

2. If this Agreement has not entered into force definitively in accordance with paragraph 1 of this Article, it shall enter into force provisionally on 1 April 1981, or on any date within two months thereafter, if by such date governments representing at least five exporting countries accounting for at least 80% of the total exports of countries listed in Annex D and governments representing importing countries having at least 70% of total imports as set out in Annex E have deposited their instruments of ratification, acceptance, approval or accession, or have notified the depositary that they will apply this Agreement provisionally when it enters into force. Such governments shall be provisional members.

3. If the requirements for entry into force under paragraph 1 or 2 of this Article have not been met by 31 May 1981, the Secretary-General of the United Nations shall, at the earliest time practicable, convene a meeting of those governments which have deposited instruments of ratification, acceptance, approval or accession, or have notified the depositary that they will apply this Agreement provisionally. These governments may decide to put this Agreement into force provisionally or definitively among themselves in whole or in part. While this Agreement is in force provisionally under this paragraph, those governments which have decided to put this Agreement into force provisionally among themselves in whole or in part shall be provisional members. Such governments may meet to review the situation and decide whether this Agreement shall enter into force definitively among themselves, or continue, in force provisionally, or terminate.

Article 67

Reservations

Reservations may not be made with respect to any of the provisions of this Agreement.

Article 68

Withdrawal

1. At any time after the entry into force of this Agreement, any member may withdraw from this Agreement by giving written notice of withdrawal to the depositary. The member shall immediately inform the Council of the action it has taken.
2. Withdrawal shall become effective 90 days after the notice is received by the depositary.

Article 69

Exclusion

If the Council finds, under paragraph 3 of Article 59, that any member is in breach of its obligations under this Agreement and decides further that such breach significantly impairs the operation of this Agreement, it may, by special vote, exclude such member from the Organization. The Council shall immediately notify the depositary of any such exclusion. Ninety days after the date of the Council's decision, that member shall cease to be a member of the Organization.

Article 70

Settlement of accounts with withdrawing or excluded members

1. The Council shall determine any settlement of accounts with a withdrawing or excluded member. The Organization shall retain any amounts already paid by a withdrawing or excluded member, and such member shall remain bound to pay any amounts due from it to the Organization at the time the withdrawal or the exclusion becomes effective, except that, in the case of a Contracting Party which is unable to accept an amendment and consequently ceases to participate in this Agreement under the provisions of paragraph 2 of Article 72, the Council may determine any settlement of accounts which it finds equitable.

2. Subject to paragraph 1 of this Article, a member which withdraws or is excluded from, or otherwise ceases to participate in, this Agreement shall not be entitled to any share of the proceeds of liquidation of the buffer stock under the provisions of Article 39 or the other assets of the Organization; nor shall it be burdened with any part of the deficit, if any, of the buffer stock or of the Organization upon termination of this Agreement, except in the case of an exporting member whose exports are subject to the provisions of paragraph 1 of Article 35. In such a case, the exporting member shall be entitled to its share of the funds of the buffer stock when it is liquidated under the provisions of Article 39 or when this Agreement expires, whichever is earlier, provided that at least 12 months notice of withdrawal is given to the depositary by such exporting member, not earlier than one year after the entry into force of this Agreement.

Article 71

Duration, extension and termination

1. This Agreement shall remain in force until the end of the third full cocoa year after its entry into force, unless extended under paragraph 3 of this Article, or terminated earlier under paragraph 4 of this Article.

2. While this Agreement is in force, the Council may, by special vote, decide to renegotiate it with a view to having the renegotiated Agreement enter into force at the end of the third cocoa year referred to in paragraph 1 of this Article, or at the end of any period of extension decided upon by the Council under paragraph 3 of this Article.

3. Before the end of the third cocoa year referred to in paragraph 1 of this Article, the Council may, by special vote, extend this Agreement in whole or in part for a period or periods not exceeding two cocoa years in all. The Council shall notify the depositary of any such extension or extensions.

4. The Council may at any time, by special vote, decide to terminate this Agreement. Such termination shall take effect on such date as the Council shall decide, provided that the obligations of members under Article 35 shall continue until the financial liabilities relating to the buffer stock have been discharged. The Council shall notify the depositary of any such decision.

5. Notwithstanding the termination of this Agreement, the Council shall remain in being for as long as necessary to carry out the liquidation of the Organization, settlement of its accounts, and disposal of its assets, and shall have during that period such powers and functions as may be necessary for these purposes.

6. Notwithstanding the provisions of paragraph 2 of Article 68, a member which does not wish to participate in this Agreement as extended under this Article shall so inform the Council. Such member shall cease to be a member at the end of the third full cocoa year.

Article 72

Amendments

1. The Council may, by special vote, recommend an amendment of this Agreement to the Contracting Parties. The amendment shall become effective 100 days after the depositary has received notifications of acceptance from Contracting Parties representing at least 75% of the exporting members holding at least 85% of the votes of the exporting members, and from Contracting Parties representing at least 75% of the importing members holding at least 85% of the votes of the importing members, or on such later date as the Council may, by special vote, have determined. The Council may fix a time within which each Contracting Party shall notify the depositary of its acceptance of the amendment, and, if the amendment has not become effective by such time, it shall be considered withdrawn.

2. Any member on behalf of which notification of acceptance of an amendment has not been made by the date on which such amendment becomes effective shall as of that date cease to participate in this Agreement, unless any such member satisfies the Council at its first meeting following the effective date of the amendment that acceptance could not be secured in time owing to difficulties in completing its constitutional procedures, and the Council decides to extend for such member the period fixed for acceptance until these difficulties have been overcome. Such member shall not be bound by the amendment before it has notified its acceptance thereof.

3. Immediately upon adoption of a recommendation for an amendment the Council shall communicate to the depositary copies of the text of the amendments. The Council shall provide the depositary with the information necessary to determine whether the notifications of acceptance received are sufficient to make the amendment effective.

Article 73

Supplementary and transitional provisions

1. This Agreement shall be considered as a replacement of the International Cocoa Agreement 1975.

2. All acts by or on behalf of the Organization or any of its organs under the International Cocoa Agreement 1975 which are in effect on the date of entry into force of this Agreement and the terms of which do not provide for expiry on that date shall remain in effect unless changed under the provisions of this Agreement.

3. Buffer stock funds accumulated under the International Cocoa Agreement 1972 and the International Cocoa Agreement 1975 shall be transferred to the buffer stock account under this Agreement.

In witness whereof the undersigned, being duly authorized thereto, have affixed their signatures under this Agreement on the dates indicated.

Done at Geneva on this nineteenth day of November, one thousand nine hundred and eighty, in one original in the English, French, Russian and Spanish languages, all texts being equally authentic.

ANNEX A

Producing countries exporting 10 000 tonnes or more of bulk cocoa annually

Brazil	Mexico
Dominican Republic	Nigeria
Ghana	Togo
Ivory Coast	United Republic of Cameroon
Malaysia	

ANNEX B

Producing countries exporting less than 10 000 tonnes of bulk cocoa annually

Angola	Liberia
Benin	New Hebrides
Bolivia	Nicaragua
Colombia	Papua New Guinea
Congo	Peru
Costa Rica	Philippines
Cuba	Sao Tome and Principe
Equatorial Guinea	Sierra Leone
Fiji	Solomon Islands
Gabon	Uganda
Guatemala	United Republic of Tanzania
Haiti	Zaire
Honduras	

ANNEX C

Fine or flavour cocoa producers

1. *Producing countries exporting exclusively fine or flavour cocoa*

Dominica	Saint Lucia
Ecuador	Saint Vincent and the Grenadines
Grenada	Samoa
Indonesia	Sri Lanka
Jamaica	Suriname
Madagascar	Trinidad and Tobago
Panama	Venezuela

2. *Producing countries exporting fine or flavour cocoa, but not exclusively*

Costa Rica (25%)
Sao Tome and Principe (50%)
Papua New Guinea (75%)

ANNEX D

Exports of cocoa calculated for the purposes of Article 66 ⁽¹⁾

(thousand tonnes)

Country ⁽²⁾	1975/76	1976/77	1977/78	1978/79	Average	%
Brazil	221.5	201.2	220.5	277.8	230.25	19.93
Dominican Republic	22.5	29.6	25.9	30.6	27.15	2.35
Ghana	404.3	320.7	252.5	240.4	304.48	26.35
Ivory Coast	213.6	236.0	266.3	325.1	260.25	22.52
Malaysia	13.9	15.9	22.2	27.2	19.80	1.71
Mexico	13.1	8.9	10.1	9.1	10.30	0.89
Nigeria	243.0	185.4	212.2	139.1	194.93	16.87
Togo	17.7	15.4	15.9	13.9	15.73	1.36
United Republic of Cameroon	99.4	80.5	96.8	93.9	92.65	8.02
Total	1 249.0	1 093.6	1 122.4	1 157.1	1 155.54	100.00

Source: Derived from data in ICCO *Quarterly Bulletin of Cocoa Statistics* (London), Vol. VI, No 4 (September 1980).

⁽¹⁾ Four-year average, 1975/76 - 1978/79, of gross exports of cocoa beans plus gross exports of cocoa products, converted to beans equivalent using the conversion factors as stipulated in Article 28.

⁽²⁾ List restricted to those producing countries exporting 10 000 tonnes or more of bulk cocoa annually.

ANNEX E

Imports of cocoa calculated for the purposes of Article 66 ⁽¹⁾

(thousand tonnes)

Country	1976/77	1977/78	1978/79	Average	%
United States of America	328.0	344.1	353.5	341.9	22.54
Federal Republic of Germany	191.7	198.7	200.0	196.8	12.97
Netherlands	154.7	157.6	159.5	157.3	10.37
United Kingdom of Great Britain and Northern Ireland	125.6	134.1	122.3	127.3	8.39
Union of Soviet Socialist Republics	118.4	88.8	147.4	118.2	7.79
France	98.4	100.5	107.0	102.0	6.72
Italy	38.1	40.4	44.4	41.0	2.70
Japan	50.1	36.0	34.3	40.1	2.64
Belgium/Luxembourg	37.9	37.2	36.1	37.1	2.45
Poland	35.2	35.5	36.6	35.8	2.36
Canada	33.2	27.5	28.0	29.6	1.95
Switzerland	27.3	31.0	27.8	28.7	1.89
Spain	28.3	23.6	20.5	24.1	1.59
German Democratic Republic	25.8	21.2	21.7	22.9	1.51
Australia	19.5	18.8	19.8	19.4	1.28
Yugoslavia	21.9	12.5	20.9	18.4	1.21
Czechoslovakia	18.8	18.4	13.3	16.8	1.11
Austria	16.0	16.2	17.4	16.5	1.09
Hungary	13.8	17.5	15.4	15.6	1.03
Sweden	14.8	13.6	14.1	14.2	0.93
Bulgaria	14.3	11.2	9.3	11.6	0.76
China	6.0	10.0	15.0	10.3	0.68
Romania	10.1	10.0	8.7	9.6	0.63
Ireland	8.3	8.5	8.4	8.4	0.55
Norway	7.8	8.2	8.5	8.2	0.54
Greece	6.6	6.7	8.5	7.3	0.48
Denmark	7.3	6.8	7.2	7.1	0.47
Argentina	7.7	5.6	7.2	6.8	0.45
South Africa	7.7	5.1	6.9	6.6	0.43
Finland	5.6	5.4	6.1	5.7	0.38
New Zealand	6.0	2.6	6.4	5.0	0.33
Israel	6.0	4.4	4.3	4.9	0.32
Singapore	2.7	3.4	6.5	4.2	0.28
Philippines	3.0	2.8	4.0	3.3	0.22
Portugal	3.8	2.6	2.6	3.0	0.20
Chile	1.9	1.8	1.7	1.8	0.12
Turkey	2.1	1.6	1.5	1.7	0.11
Egypt	1.0	1.7	1.7	1.5	0.10
Republic of Korea	0.7	1.1	2.0	1.2	0.08
Uruguay	0.9	0.9	0.9	0.9	0.06
El Salvador	0.9	0.6	0.6	0.7	0.05
Tunisia	0.7	0.7	0.7	0.7	0.05

⁽¹⁾ Three-year average, 1976/77 - 1978/79, of net imports of cocoa beans plus gross imports of cocoa products, converted to beans equivalent using the conversion factors as specified in Article 28.

Country	1976/77	1977/78	1978/79	Average	%
Algeria	0.9	0.8	0.8	0.8	0.05
Iran	0.8	0.6	0.5	0.6	0.04
Iceland	0.4	0.4	0.4	0.4	0.03
Syrian Arab Republic	0.5	0.2	0.2	0.3	0.02
Iraq	0.3	0.3	0.3	0.3	0.02
Morocco	0.3	0.2	0.2	0.2	0.01
Lebanon	0.2	0.2	0.1	0.2	0.01
India	0.2	0.1	0.1	0.1	0.01
Total	1 512.2	1 477.7	1 561.3	1 517.1	100.00

Source: ICCO Secretariat. Based mainly on data contained in *Quarterly Bulletin of Cocoa Statistics* (London), Vol. VI, No 4 (September 1980).

DECLARATIONS OR RESERVATIONS

GERMAN DEMOCRATIC REPUBLIC

'The signing of the International Cocoa Agreement, 1980, by the German Democratic Republic does not imply a change in its position towards various international organizations'.

USSR ⁽¹⁾

In signing this Agreement, the Government of the Union of Soviet Socialist Republics made the following declaration:

'Should the European Economic Community become party to this Agreement, the participation of the Union of Soviet Socialist Republics in the Agreement will not create any obligation on its part towards the Community'.

⁽¹⁾ Translated by the translation departments of the Communities from the French text forwarded by the depositary.

INFORMATION CONCERNING

the International Cocoa AGREEMENT 1980⁽¹⁾

Open for signature: from 5.1.1981 to 31.3.1981

Depository: Secretary-General of the United Nations, New York (United States of America)

Date of provisional entry into force: 1.8.1981⁽¹⁾

Duration:⁽²⁾

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⁾	Declarations or reservations ⁽⁴⁾
			of ratification acceptance, approval, etc.	of accession		
<i>Exporting members</i>						
BRAZIL		8.5.1981				
CAMEROON		31.3.1981				
DOMINICA				28.5.1981		
ECUADOR		14.5.1981				
GHANA		14.5.1981				
GRENADA				2.11.1981	2.11.1981	
HAITI		1.6.1981				
JAMAICA				13.7.1981		
NIGERIA		29.5.1981				
PAPUA NEW GUINEA			14.4.1981			

PERU				21.12.1981	21.12.1981	
SAINT VINCENT AND THE GRENADINES				29.5.1981		
SAMOA				9.7.1981		
SAO TOME AND PRINCIPE		16.10.1981				
TRINIDAD AND TOBAGO				29.5.1981		
VENEZUELA		19.5.1981				
<i>Importing members</i>						
EEC	31.3.1981	29.6.1981				
BELGIUM	31.3.1981	29.5.1981				
DENMARK	31.3.1981	29.5.1981				
GERMANY (Fed. Rep.)	31.3.1981	26.6.1981				
GREECE	31.3.1981	29.5.1981				
FRANCE	31.3.1981	29.5.1981				
IRELAND	31.3.1981	27.5.1981				
ITALY	31.3.1981	31.3.1981				
LUXEMBOURG	31.3.1981	29.5.1981				
NETHERLANDS	31.3.1981	31.3.1981				
UNITED KINGDOM	31.3.1981	29.5.1981				

(¹) OJ No L 313, 31.10.1981.

(²) Article 71 (1) states that 'This Agreement shall remain in force until the end of the third full cocoa year after its entry into force ...'.

(³) This date is only given where it falls after the date of provisional entry into force of the Agreement.

(*) The texts of these declarations or reservations will be found on page 2321 of this volume.

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		
ARGENTINA		26.6.1981				
BULGARIA			9.9.1981		9.9.1981	
CZECHOSLOVAKIA			29.5.1981			
FINLAND		18.6.1981				
GERMANY (Dem. Rep.)			29.5.1981			yes
HUNGARY				10.6.1981		
NORWAY		27.5.1981				
SPAIN		23.9.1981				
SWEDEN			20.3.1981			
SWITZERLAND		19.3.1981				
UNION OF SOVIET SOCIALIST REPUBLICS			13.5.1981			yes
YUGOSLAVIA		29.5.1981				

⁽¹⁾ This date is only given where it falls after the date of provisional entry into force of the Agreement.

⁽²⁾ The texts of these declarations or reservations will be found on page 2321 of this volume.

International Coffee Agreement, 1976
(3rd updating supplement)

INFORMATION CONCERNING

the International Coffee AGREEMENT, 1976 ⁽¹⁾ – 3rd updating supplement

Contracting Parties	Date of signature by the Contracting Parties	Date of notification of intention to participate in the Agreement for the remaining three years of its duration	Date of deposit of instruments		Date of entry into force
			of ratification, acceptance, approval, etc.	of accession	
GREECE				15.9.1981	15.9.1981
SINGAPORE				28.8.1981	28.8.1981
SRI LANKA				24.6.1981	24.6.1981
THAILAND				7.7.1981	7.7.1981
ZIMBABWE				22.1.1981	22.1.1981

⁽¹⁾ This Agreement appears in Volume 6, page 1411. The first updating supplement appears in Volume 9, page 611, and the second in Volume 10, page 1191.

1981 Protocols

for the sixth extension of the Wheat Trade Convention, 1971, and the first extension of the Food Aid Convention, 1980, constituting the International Wheat Agreement, 1971

1981 PROTOCOLS ⁽¹⁾

for the sixth extension of the Wheat Trade Convention, 1971, and the first extension of the Food Aid Convention, 1980, constituting the International Wheat Agreement, 1971 ⁽²⁾

COUNCIL DECISION

of 12 May 1981

on the signing of the Protocols, 1981, for the sixth extension of the Wheat Trade Convention, 1971, and for the first extension of the Food Aid Convention, 1980, constituting the International Wheat Agreement, 1971, and the deposit of a declaration of provisional application of the said Protocols

(81/407/EEC)

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 155, 13.6.1981.

⁽²⁾ The Wheat Trade Convention of 1971 appears in Volume 5, page 749 *et seq.* and the Food Aid Convention of 1980 in Volume 10, page 1339.

Having regard to the recommendation from the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

The President of the Council is hereby authorized to designate the person empowered to sign, subject to their being concluded subsequently, the Protocols, 1981, for the sixth extension of the Wheat Trade Convention, 1971, and for the first extension of the Food Aid Convention, 1980, constituting the International Wheat Agreement, 1971.

Article 2

The President of the Council is hereby also authorized to designate the person empowered to sign the declaration of provisional application of the Protocols referred to in Article 1 and to deposit the said declaration with the Government of the United States of America.

The texts of the Protocols and of the declaration of provisional application are attached to this Decision.

Done at Brussels, 12 May 1981.

For the Council

The President

G. BRAKS

1981 PROTOCOLS

for the sixth extension of the Wheat Trade Convention, 1971, and the first extension of the Food Aid Convention, 1980, constituting the International Wheat Agreement, 1971

PREAMBLE

The Conference to establish the texts of the 1981 Protocols for the sixth extension of the Wheat Trade Convention, 1971, and the first extension of the Food Aid Convention, 1980, constituting the International Wheat Agreement, 1971,

Considering that the International Wheat Agreement of 1949 was revised, renewed or extended in 1953, 1956, 1959, 1962, 1965, 1966, 1967, 1968, 1971, 1974, 1975, 1976, 1978 and 1979,

Considering that the International Wheat Agreement, 1971, consisting of two separate legal instruments – the Wheat Trade Convention, 1971, which was further extended by Protocol in 1979; and the Food Aid Convention, 1980 – will expire on 30 June 1981,

Has established the texts of the 1981 Protocols for the sixth extension of the Wheat Trade Convention, 1971, and for the first extension of the Food Aid Convention, 1980.

1981 PROTOCOL FOR THE SIXTH EXTENSION OF THE WHEAT TRADE CONVENTION, 1971

THE GOVERNMENTS PARTY TO THIS PROTOCOL,

Considering that the Wheat Trade Convention, 1971 (hereinafter referred to as 'the Convention') of the International Wheat Agreement, 1971, which was further extended by Protocol in 1979, expires on 30 June 1981,

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 1983 provided that, if a new international agreement covering wheat enters into force before 30 June 1983, 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 1981:

- (a) paragraph (4) of Article 19;
- (b) Articles 22 to 26 inclusive;
- (c) paragraph (1) of Article 27;
- (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 or approval' 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 an exporting or importing member acceding to this Protocol under paragraph (1) (b) of Article 7 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 24 March 1981 until and including 15 May 1981 by Governments of countries party to the Convention, as further extended by the 1979 Protocol, or which are provisionally regarded as party to the Convention, as further extended by the 1979 Protocol, on 6 March 1981, 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 or approval

This Protocol shall be subject to ratification, acceptance or approval by each signatory Government in accordance with its respective constitutional procedures. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America not later than 30 June 1981, 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 or approval by that date.

Article 7

Accession

1. This Protocol shall be open for accession :
 - (a) until 30 June 1981 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 30 June 1981 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 on 1 July 1981 if, by 30 June 1981, 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 on 30 June 1981 if they had been Parties to the Convention on that date, have deposited instruments of ratification, acceptance, approval or accession, or declarations of provisional application, in accordance with Articles 6, 7 and 8 of this Protocol.

2. 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 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 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, 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 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 Preamble to Protocol

This Protocol includes the Preamble to the 1981 Protocols for the sixth extension of the Wheat Trade Convention, 1971, and for the first extension of the Food Aid Convention, 1980, constituting 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.

1981 PROTOCOL FOR THE FIRST EXTENSION OF THE FOOD AID CONVENTION, 1980

THE PARTIES TO THIS PROTOCOL,

Considering that the Food Aid Convention, 1980 (hereinafter referred to as 'the Convention') of the International Wheat Agreement, 1971, expires on 30 June 1981.

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 1983

provided that, if a new agreement covering food aid enters into force before 30 June 1983, 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 following provisions of the Convention shall be deemed to be inoperative with effect from 1 July 1981:

- (a) Article XII;
- (b) Article XVII;
- (c) paragraph (1) of Article XVIII.

Article III

International food aid

For the purposes of the operation of the Convention as extended by this Protocol, any member which has acceded to this Protocol pursuant to paragraph (2) of Article VIII of this Protocol shall be deemed to be listed in paragraph (3) of Article III of the Convention, together with its minimum contribution as determined under the relevant provisions of Article VIII of this Protocol.

Article IV

Signature

This Protocol shall be open for signature in Washington from 24 March 1981 until and including 15 May 1981 by the Governments referred to in paragraph (3) of Article III of the Convention.

Article V

Depositary

The Government of the United States of America shall be the depositary of this Protocol.

Article VI

Ratification, acceptance or approval

This Protocol shall be subject to ratification, acceptance or approval by each signatory Government in accordance with its constitutional procedures. Instruments of ratification, acceptance or approval shall be deposited with the depositary not later than 30 June 1981, except that the Food Aid Committee under the Convention (hereinafter referred to as 'the Committee') may grant one or more extensions of time to any signatory Government that has not deposited its instrument of ratification, acceptance or approval by that date.

Article VII

Provisional application

Any signatory Government may deposit with the depositary a declaration of provisional application of this Protocol. Any such Government shall provisionally apply this Protocol and be provisionally regarded as a Party thereto.

Article VIII

Accession

1. This Protocol shall be open for accession by any Government referred to in paragraph (3) of Article III of the Convention that has not signed this Protocol. Instruments of accession shall be deposited with the depositary not later than 30 June 1981, except that the Committee may grant one or more

extensions of time to any Government that has not deposited its instrument of accession by that date.

2. Once this Protocol has entered into force in accordance with Article IX of this Protocol, it shall be open for accession by any Government other than those referred to in paragraph (3) of Article III of the Convention, upon such conditions as the Committee considers appropriate. Instruments of accession shall be deposited with the depositary.

3. Any Government acceding to this Protocol under paragraph (1) or (2) of this Article may deposit with the depositary a declaration of provisional application of this Protocol pending the deposit of its instrument of accession. Any such Government 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 on 1 July 1981, if by 30 June 1981 the Governments referred to in paragraph (3) of Article III of the Convention have deposited instruments of ratification, acceptance, approval or accession, or declarations of provisional application, and provided that the 1981 Protocol for the sixth extension of the Wheat Trade Convention, 1971, or a new Wheat Trade Convention replacing it, is in force.

2. 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 or accession, or declarations of provisional application, may decide by unanimous consent that it shall enter into force among themselves provided that the 1981 Protocol for the sixth extension of the Wheat Trade Convention, 1971, or a new Wheat Trade Convention replacing it, is in force, or may take whatever other action they consider the situation requires.

Article X

Duration

This Protocol shall remain in force until and including 30 June 1983, provided that the 1981 Protocol for the sixth extension of the Wheat Trade Convention, 1971, or a new Wheat Trade Convention replacing it, remains in force until and including that date.

Article XI

Authentic texts

The texts of this Protocol in the English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the depositary, which shall transmit certified copies thereof to each signatory and acceding Government.

Article XII

Relationship of Preamble to Protocol

This Protocol includes the Preamble to the 1981 Protocols for the sixth 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.

DECLARATION OF PROVISIONAL APPLICATION

of the Protocols, 1981, for the sixth extension of the Wheat Trade Convention, 1971, and for the first extension of the Food Aid Convention, 1980, constituting the International Wheat Agreement, 1971

It will not be possible for the European Economic Community to complete before 30 June 1981 the institutional accession procedures laid down in Article 6 of the Protocol for the sixth extension of the Wheat Trade Convention, 1971, and in Article VI of the Protocol for the first extension of the Food Aid Convention, 1980.

In accordance with Articles 8 and VII of the said Protocols, the Community therefore makes this declaration of provisional application. By depositing such a declaration, the Community regards itself to be provisionally a party to the Protocols concerned, with all the rights and obligations which result therefrom, until such time as the Council of the European Communities has taken a final decision on the matter.

*On behalf of the Council
of the European Communities*

DECLARATIONS OR RESERVATIONS

EUROPEAN ECONOMIC COMMUNITY

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by Cuba on 8 May 1981'.

EUROPEAN ECONOMIC COMMUNITY

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981'.

Washington, 30 December 1981

UNITED KINGDOM

In depositing the instrument of ratification of the Protocol for the sixth extension of the International Wheat Trade Convention, 1971, I am instructed to declare that the Government of the United Kingdom does not accept the declaration relating to the European Economic Community made by the Government of the Union of Soviet Socialist Republics on signature of the said Protocol on 15 May 1981 and repeated on the deposit of its instrument of acceptance on 15 June 1981. I am further to inform you that the Government of the United Kingdom does not accept the declaration relating to the European Economic Community accompanying the signature of the Protocol by the Republic of Cuba on 8 May 1981, repeated on the deposit of its instrument of ratification on 30 June 1981.

Washington, 30 December 1981

IRELAND

The Government of Ireland does not accept the reservation accompanying the signature of the Union of Soviet Socialist Republics of the Protocol on 15 May 1981 relating to the European Economic Community and repeated at the deposit of the instrument of acceptance on 15 June 1981 with the Government of the United States of America.

The Government of Ireland does not accept either, the reservation relating to the European Economic Community, accompanying the signature of the said Protocol by Cuba on 8 May 1981 and repeated in its instruments of ratification deposited on 30 June 1981 with the Government of the United States of America.

Washington, 30 July 1981

FEDERAL REPUBLIC OF GERMANY

The Government of the Federal Republic of Germany does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981 and repeated at the deposit of its instrument of acceptance on 15 June 1981 with the Government of the United States of America.

The Government of the Federal Republic of Germany does not accept either the reservation relating to the European Economic Community accompanying the signature of the said Protocol by the Republic of Cuba on 8 May 1981 and repeated at the deposit of its instrument of ratification on 30 June 1981 with the Government of the United States of America.

Washington, 30 July 1981

FEDERAL REPUBLIC OF GERMANY⁽¹⁾

In connection with the deposit today of the instrument of ratification of the 1981 Protocols for the sixth extension of the Wheat Trade Convention, 1971, and the first extension of the Food Aid Convention, 1980, I have the honour to declare on behalf of the Government of the Federal Republic of Germany that the said Protocols shall also apply to Berlin (West) with effect from the date on which they have entered into force for the Federal Republic of Germany.

LUXEMBOURG

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by Cuba on 8 May 1981'.

LUXEMBOURG

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981'.

⁽¹⁾ Translated by the translation departments of the Communities from the German text forwarded by the depositary.

FRANCE

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by Cuba on 8 May 1981'.

FRANCE

Declares 'that it does not accept the reservation relating to then European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981'.

ITALY

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by Cuba on 8 May 1981'.

ITALY

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981'.

Washington DC, 15 May 1981

SPAIN⁽¹⁾

As regards the first extension of the Food Aid Convention, the Embassy of Spain hereby forwards to the Department of State, in its capacity as

⁽¹⁾ Translated by the translation departments of the Communities from the Spanish text forwarded by the depositary.

depository of the Convention, the declaration of the Government of Spain that it will apply provisionally, for the first year, the 1981 Protocol for the first extension of the Food Aid Convention, 1980. With regard to subsequent years, application of the aforementioned Protocol will be subject to the approval by the Cortes Generales of the corresponding budget appropriations to finance the Spanish contribution to that Convention.

USSR

'The Government of the Union of Soviet Socialist Republics declares that the participation of the Union of Soviet Socialist Republics in the Protocol creates no obligations for the USSR with regard to the European Economic Community, and that the provisions of the Protocol limiting a possibility of participation therein of certain States are in contradiction with the universally recognized principles of sovereign equality of States'.

DENMARK

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by Cuba on 8 May 1981'.

DENMARK

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981'.

THE NETHERLANDS

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by Cuba on 8 May 1981'.

THE NETHERLANDS

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981'.

Washington DC, 18 December 1981

BELGIUM⁽¹⁾

The Embassy of Belgium presents its compliments to the Department of State and, with reference to the Protocol for the sixth extension of the Wheat Trade Convention, 1971, has the honour to inform it that the Belgian Government cannot accept the declaration made by the Government of Cuba with regard to the European Economic Community.

Washington DC, 18 December 1981

BELGIUM⁽¹⁾

The Embassy of Belgium presents its compliments to the Department of State and, with reference to the Protocol for the sixth extension of the Wheat Trade Convention, 1971, has the honour to inform it that the Belgian Government cannot accept the declaration made by the Government of the Union of Soviet Socialist Republics with regard to the European Economic Community.

⁽¹⁾ Translated by the translation departments of the Communities from the French text forwarded by the depositary.

GREECE

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by Cuba on 8 May 1981'.

GREECE

Declares 'that it does not accept the reservation relating to the European Economic Community accompanying the signature of the Protocol by the Union of Soviet Socialist Republics on 15 May 1981'.

CUBA ⁽¹⁾

'The Republic of Cuba declares that signing the 1981 Protocol for the sixth extension of the Wheat Trade Convention, 1971, 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 Republic of Cuba wishes to reiterate that the provisions of Article 28 of the Wheat Trade Convention, 1971, 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'.

⁽¹⁾ Translated by the translation departments of the Communities from the Spanish text forwarded by the depositary.

'The Republic of Cuba declares with respect to Article 3 of the 1981 Protocol for the sixth extension of the Wheat Trade Convention, 1971, that the participation of the European Economic Community therein does not signify the acceptance of legal obligations by the Republic of Cuba'.

'The Republic of Cuba declares that it will provisionally apply the 1981 Protocol for the sixth extension of the Wheat Trade Convention, 1971 and that it should therefore be considered a provisional party to the aforesaid Protocol'.

'Signature by the Republic of Cuba of the 1981 Protocol for the sixth extension of the Wheat Trade Convention, 1971, 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'.

INFORMATION CONCERNING

the 1981 PROTOCOLS ⁽¹⁾ for the sixth extension of the Wheat Trade Convention, 1971, and the first extension of the Food Aid Convention, 1980, constituting the International Wheat AGREEMENT, 1971 ⁽²⁾

Open for signature: 24.3.1981 to 15.5.1981

Depository: Government of the United States of America, Washington (USA)

Date of entry into force: 1.7.1981

Duration: until 30.6.1983

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⁾	Declarations or reservations ⁽⁴⁾
			of ratification acceptance, approval, etc.	of accession		

(a) Wheat Trade Convention, 1971 (extension)

<i>Exporting and importing members</i>						
EEC	14.5.1981	14.5.1981				yes
BELGIUM	14.5.1981	14.5.1981	22.12.1981		22.12.1981	yes

⁽¹⁾ OJ No L 155, 13.6.1981.

⁽²⁾ The Wheat Trade Convention, 1971, appears in Volume 5, page 749 *et seq.*, and the Food Aid Convention, 1980, in Volume 10, page 1339.

⁽³⁾ This date is only given where it falls after the date of entry into force of the Protocols.

⁽⁴⁾ The texts of these declarations or reservations will be found on page 2343 *et seq.* of this volume.

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 of reservations ⁽²⁾
			of ratification acceptance, approval, etc.	of accession		
DENMARK	14.5.1981		29.6.1981			yes
GERMANY (Fed. Rep.)	14.5.1981	14.5.1981	30.7.1981		30.7.1981	yes
GREECE	14.5.1981	14.5.1981				yes
FRANCE	14.5.1981	29.6.1981				yes
IRELAND	14.5.1981	14.5.1981	30.12.1981		30.12.1981	yes
ITALY	14.5.1981	14.5.1981				yes
LUXEMBOURG	14.5.1981	14.5.1981				yes
NETHERLANDS ⁽³⁾	14.5.1981	14.5.1981				yes
UNITED KINGDOM ⁽⁴⁾	14.5.1981	14.5.1981	31.12.1981		31.12.1981	yes
<i>Exporting members</i>						
ARGENTINA	14.5.1981	10.6.1981				
AUSTRALIA	12.5.1981		4. 6.1981			
CANADA				29.6.1981		
KENYA	16.4.1981					
SPAIN	15.5.1981	15.5.1981	7.12.1981		7.12.1981	yes
SWEDEN	6.4.1981		9.6.1981			
USSR	15.5.1981		15.6.1981			yes
UNITED STATES ⁽⁵⁾	8.5.1981	23.6.1981				

<i>Importing members</i>					
ALGERIA	15.5.1981	1.6.1981	26.6.1981		
AUSTRIA	7.5.1981		29.12.1981		29.12.1981
BARBADOS				24.7.1981	24.7.1981
BOLIVIA		25.6.1981		23.12.1981	23.12.1981
BRAZIL	28.4.1981	23.6.1981			
CUBA	8.5.1981	8.5.1981	30.6.1981		
EGYPT	24.4.1981	22.6.1981	27.7.1981		27.7.1981
EL SALVADOR		10.7.1981		29.7.1981	29.7.1981
FINLAND	12.5.1981	12.5.1981			
GUATEMALA	15.5.1981	17.6.1981			
INDIA				29.6.1981	
IRAQ	11.5.1981		8.9.1981		8.9.1981
ISRAEL				18.11.1981	18.11.1981
JAPAN ⁽⁶⁾	12.5.1981	29.6.1981			
KOREA (Rep. of)	7.5.1981		29.5.1981		
MALTA				7.7.1981	7.7.1981
MAURITIUS	7.5.1981		9.6.1981		
MOROCCO		2.7.1981			
NIGERIA		29.9.1981			

yes

(1) This date is only given where it falls after the date of entry into force of the Protocols.

(2) The texts of these declarations or reservations will be found on page 2343 *et seq.* of this volume.

(3) For the European territory of the Netherlands.

(4) In accordance with Article 28 (3) of the Wheat Trade Convention, 1971, the territorial application of the Convention has been extended by the United Kingdom to include Belize, Bermuda, the British Virgin Islands, Gibraltar, the Bailiwick of Guernsey, Hong Kong, the Isle of Man, Montserrat and St Helena and Dependencies (see Volume 5, page 772).

(5) Within the limits set by United States legislation and budgetary procedure.

(6) Within the limits set by its internal legislation and budgetary procedure.

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 of reservations ⁽²⁾
			of ratification acceptance, approval, etc.	of accession		
NORWAY	25.3.1981		26.6.1981	29.6.1981 11.6.1981		
PAKISTAN						
PANAMA						
PERU	15.5.1981	22.6.1981	18.8.1981		18.8.1981	
PORTUGAL			13.5.1981			
SAUDI ARABIA	30.4.1981		16.6.1981		16.11.1981	
SOUTH AFRICA						
(Rep. of)	15.5.1981		26.6.1981			
SWITZERLAND	6.5.1981		6.5.1981			
TRINIDAD and TOBAGO	15.5.1981		16.6.1981			
TUNISIA	22.4.1981	29.4.1981	20.10.1981		20.10.1981	
VATICAN CITY	12.5.1981		25.6.1981			
VENEZUELA	5.5.1981					

(b) *Food Aid Convention, 1980 (extension)*

EEC	14.5.1981	14.5.1981				
BELGIUM	14.5.1981	14.5.1981				
DENMARK	14.5.1981		29.6.1981			
GERMANY (Fed. Rep.)	14.5.1981	14.5.1981	30.7.1981		30.7.1981	
GREECE	14.5.1981	14.5.1981				

FRANCE	14.5.1981	29.6.1981			
IRELAND	14.5.1981	14.5.1981	30.12.1981		30.12.1981
ITALY	14.5.1981	14.5.1981			
LUXEMBOURG	14.5.1981	14.5.1981			
NETHERLANDS ⁽³⁾	14.5.1981	14.5.1981			
UNITED KINGDOM ⁽⁴⁾	14.5.1981	14.5.1981	31.12.1981		31.12.1981
ARGENTINA	14.5.1981	10.6.1981			
AUSTRALIA	12.5.1981		4.6.1981		
AUSTRIA	7.5.1981		29.12.1981		29.12.1981
CANADA				29.6.1981	
FINLAND	12.5.1981	12.5.1981			
JAPAN ⁽⁵⁾	12.5.1981	29.6.1981			
NORWAY	25.3.1981		26.6.1981		
SPAIN	15.5.1981	15.5.1981			
SWEDEN	6.4.1981		9.6.1981		
SWITZERLAND	6.5.1981		6.5.1981		
UNITED STATES ⁽⁶⁾	8.5.1981	23.6.1981			

⁽¹⁾ This date is only given where it falls after the date of entry into force of the Protocols.

⁽²⁾ The texts of these declarations or reservations will be found on page 2343 *et seq.* of this volume.

⁽³⁾ For the European territory of the Netherlands.

⁽⁴⁾ In accordance with Article 28(3) of the Wheat Trade Convention, 1971, the territorial application of the Convention has been extended by the United Kingdom to include Belize, Bermuda, the British Virgin Islands, Gibraltar, the Bailiwick of Guernsey, Hong Kong, the Isle of Man, Montserrat and St Helena and Dependencies (see Volume 5, page 772).

⁽⁵⁾ Within the limits set by its internal legislation and budgetary procedure.

⁽⁶⁾ Within the limits set by United States legislation and budgetary procedure.

International Olive Oil Agreement, 1979
(Updating supplement)

INFORMATION CONCERNING
the International Olive Oil AGREEMENT, 1979⁽¹⁾ – updating supplement

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	
ALGERIA LIBYA	15.11.1979	29.12.1979	16.2.1981	9.3.1981	16.2.1981 9.3.1981

⁽¹⁾ This Agreement appears in Volume 10, page 1197, and entered into force definitively on 1.1.1981.

International Rubber Agreement, 1979
(Updating supplement)

DECLARATIONS OR RESERVATIONS

UNITED KINGDOM

The Government of the United Kingdom does not accept the declaration concerning the European Economic Community accompanying the signature of the Agreement by the Government of the Union of Soviet Socialist Republics on 27 June 1980, confirmed in that country's notification of provisional application of the Agreement on 5 November 1980⁽¹⁾.

⁽¹⁾ See Volume 10, page 1299.

INFORMATION CONCERNING
The International Natural Rubber AGREEMENT, 1979 ⁽¹⁾⁽²⁾ – updating supplement

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⁾	Declarations or reservations ⁽⁴⁾
			of ratification, acceptance, approval, etc.	of accession		
<i>Exporting members</i>						
IVORY COAST NIGERIA				23.11.1981 18.6.1981		
<i>Importing members</i>						
EEC	30.5.1980					
DENMARK			30.9.1980			
GERMANY (Fed. Rep.)	27.6.1980	30.9.1980	30.9.1981			
FRANCE	8.1.1980	30.9.1980	8.12.1981			
IRELAND	25.6.1980		29.9.1980			
UNITED KINGDOM ⁽⁵⁾	27.6.1980	26.9.1980	31.12.1981			
CANADA	30.6.1980	7.11.1980	31.12.1981			
IRAQ				1.7.1981		yes

⁽¹⁾ This Agreement appears in Volume 10, page 1239.

⁽²⁾ This Agreement entered into force definitively on 15.4.1982. OJ No L 153, 3.6.1982.

⁽³⁾ This date is only given 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 2360 of this volume.

⁽⁵⁾ The United Kingdom has extended the territorial application of the Agreement to the Bailiwick of Jersey.

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		
MEXICO	25.6.1980		24.2.1981			
NORWAY	16.6.1980		4.2.1981			
PERU	30.6.1980		30.6.1981			
TURKEY				17. 9.1981		
UNITED STATES	8.1.1980		28.5.1981			

⁽¹⁾ This date is only given where it falls after the date of entry into force of the Agreement.

⁽²⁾ The texts of these declarations or reservations will be found on page 2360 of this volume.

Other agreements

International Convention
on the Simplification and Harmonization of
Customs Procedures
(6th updating supplement)

INTERNATIONAL CONVENTION
on the Simplification and Harmonization of Customs
Procedures ⁽¹⁾

(6th updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX A.1

**concerning customs formalities prior to the lodgement of the goods
declaration ⁽¹⁾**

(3rd updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX A.2

concerning the temporary storage of goods ⁽¹⁾

(3rd updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX B.3

concerning reimportation in the same state ⁽¹⁾

COUNCIL DECISION

of 17 March 1980

accepting on behalf of the Community an Annex to the International Convention on the Simplification and Harmonization of Customs Procedures

(80/391/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 Decision 75/199/EEC ⁽²⁾, the Community is a party to the International Convention on the Simplification and Harmonization of Customs Procedures;

Whereas the Annex to the said Convention concerning reimportation in the same state can be accepted by the Community;

Whereas it is nevertheless advisable to make such acceptance subject to certain reservations in order to take account of the special requirements of the customs union,

⁽¹⁾ OJ No L 100, 17.4.1980.

⁽²⁾ This Convention appears in Volume 5, page 825.

HAS DECIDED AS FOLLOWS:

Article 1

Annex B.3 concerning reimportation in the same state to the International Convention on the Simplification and Harmonization of Customs Procedures is hereby accepted on behalf of the Community, with reservations on standard 2 and the recommended practices 8, 11, 12 and 24.

The text of the said Annex is annexed to this Decision.

Article 2

The President of the Council shall designate the person entitled to notify the Secretary-General of the Customs Cooperation Council of the acceptance by the Community, subject to the reservations referred to in Article 1, of the Annex concerning reimportation in the same state.

Done at Brussels, 17 March 1980.

For the Council
The President
J. SANTER

ANNEX B.3

ANNEX CONCERNING REIMPORTATION IN THE SAME STATE

INTRODUCTION

Goods are often reimported into the country whence they were exported in the same state as they were before exportation. In many cases, this reimportation was foreseeable at the time of exportation, in which case the goods may have been exported with notification of intended return. However, in certain cases, goods are reimported owing to circumstances which arise after their exportation.

The national legislation of most States includes provisions enabling such reimported goods to enter free of import duties and taxes and provides for the repayment of any export duties and taxes paid on exportation. The customs procedure which provides for such duty-free importation and repayment is that of reimportation in the same state. This procedure is granted subject to the condition that the identity of the goods can be established. Any sums chargeable as a result of repayment or remission of or conditional relief from duties and taxes or of any subsidies or other amounts granted at exportation, must be paid.

This Annex does not apply to the reimportation of travellers' personal effects or of means of transport for private use.

DEFINITIONS

For the purposes of this Annex:

- (a) the term 'reimportation in the same state' means the customs procedure under which goods which were exported and were in free circulation or were compensating products may be taken into home use free of import duties and taxes, provided that they have not undergone any manufacturing, processing or repairs abroad. Any sums chargeable as a result of repayment or remission of or conditional relief from duties and taxes or of any subsidies or other amounts granted at exportation, must be paid;
- (b) the term 'clearance for home use' means the customs procedure which provides that imported goods may remain permanently in the customs territory. This procedure implies the payment of any import duties and taxes chargeable and the accomplishment of all the necessary customs formalities;
- (c) the term 'import duties and taxes' means the 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;
- (d) the term 'export duties and taxes' means customs duties and all other duties, taxes, fees or other charges which are collected on or in connection with the exportation of goods, but not including fees and charges which are limited in amount to the approximate cost of services rendered;
- (e) the term 'goods exported with notification of intended return' means goods specified by the declarant as intended for reimportation, in respect of which identification measures may be taken by the customs to facilitate reimportation in the same state;

Note:

Goods exported with notification of intended return may be regarded as placed under a customs procedure described as 'temporary exportation';

- (f) the term 'goods in free circulation' means goods which may be disposed of without customs restriction;
- (g) the term 'compensating products' means the products obtained during or as a result of the manufacturing, processing or repair of the goods temporarily admitted for inward processing;
- (h) 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 require to be declared for the application of that procedure;
- (i) the term 'person' means both natural and legal persons, unless the context otherwise requires.

PRINCIPLES

1. **Standard**
Reimportation in the same state shall be governed by the provisions of this Annex.
2. **Standard**
National legislation shall specify the conditions to be fulfilled and the customs formalities to be accomplished for reimportation in the same state.

Note:

Reimportation in the same state is subject to identification of the goods as the exported goods to the satisfaction of the customs authorities.

GENERAL PROVISIONS

3. **Standard**

Reimportation in the same state shall be allowed even if only a part of the exported goods is reimported.

4. **Recommended practice**

When circumstances so justify, reimportation in the same state should be allowed even if the goods are reimported by a person other than the person who exported them.

5. **Standard**

Reimportation in the same state shall not be refused on the grounds that the goods have been used or damaged, or have deteriorated during their stay abroad.

6. **Standard**

Reimportation in the same state shall not be refused on the grounds that, during their stay abroad, the goods have undergone operations necessary for their preservation or maintenance provided, however, that their value at the time of exportation has not been enhanced by such operations.

7. **Standard**

Reimportation in the same state shall not be limited to goods imported directly from abroad but shall also be authorized for goods which are under another customs procedure.

8. **Recommended practice**

Economic prohibitions and restrictions on importation should not be applied to goods reimported in the same state which were in free circulation when exported.

9. **Recommended practice**

Reimportation in the same state should not be refused on the grounds of the country whence the goods were consigned.

10. **Standard**

Reimportation in the same state shall not be refused on the grounds that the goods were exported without notification of intended return.

TIME LIMIT FOR REIMPORTATION IN THE SAME STATE

11. **Recommended practice**

Where time limits are fixed in national legislation beyond which reimportation in the same state will not be granted, such limits should be of sufficient duration to take account of the differing circumstances pertaining to each type of case in which reimportation in the same state may be granted and should not be less than one year.

REPAYMENT OF EXPORT DUTIES AND TAXES

12. **Recommended practice**

Any export duties and taxes paid should be repaid as soon as possible after the goods have been reimported in the same state.

COMPETENT CUSTOMS OFFICES

13. **Standard**
Customs offices at which goods may be declared for home use shall also be competent to grant reimportation in the same state.

14. **Standard**
Provision shall be made to permit goods reimported in the same state to be declared at a customs office other than that through which they were exported.

GOODS DECLARATION

15. **Recommended practice**
Goods declaration forms used for reimportation in the same state should be harmonized with those used for clearance for home use.

Notes:

1. In some countries the goods declaration for exportation with notification of intended return may also be used for reimportation in the same state.
2. Where goods have been exported under cover of an ATA Carnet in accordance with the Customs Convention on the ATA Carnet for the Temporary Admission of Goods, done at Brussels on 6 December 1961, reimportation in the same state takes place under cover of that carnet.

16. **Recommended practice**
No written goods declaration should be required for the reimportation in the same state of packings, containers, pallets and

commercial road vehicles which are in use for the international transport of goods, subject to the satisfaction of the customs authorities that they were in free circulation at the time of exportation.

DOCUMENTATION TO BE PRESENTED IN SUPPORT OF THE DECLARATION FOR REIMPORTATION IN THE SAME STATE

17.

Standard

In support of the declaration for reimportation in the same state the customs authorities shall require the production of only such documents as are considered necessary to ensure that the conditions laid down for the application of the procedure are fulfilled.

Note:

The customs authorities may require production of the export declaration, other export documents, invoices, contracts, etc. relating to the exported goods, and correspondence exchanged in respect of the return of the goods.

18.

Recommended practice

Where goods to be reimported in the same state were exported with notification of intended return, the customs authorities should normally not require in support of the declaration of reimportation in the same state any document other than the goods declaration or the identification document issued at exportation.

Notes:

1. In certain countries the declaration for exportation with notification of intended return is the only document required for reimportation in the same state.

2. The identity of the goods may be established by the customs authorities on the basis of the identification measures taken on exportation.

GOODS EXPORTED WITH NOTIFICATION OF INTENDED RETURN

(a) **Goods to be exported with notification of intended return**

19. **Recommended practice**

The customs authorities should, at the request of the declarant, allow goods to be exported with notification of intended return, and should take any necessary steps to facilitate reimportation in the same state.

(b) **Customs offices competent for exportation with notification of intended return**

20. **Standard**

Customs offices at which goods may be exported outright shall also be competent to authorize exportation with notification of intended return.

(c) **Goods declaration for exportation with notification of intended return**

21. **Recommended practice**

The goods declaration forms used for exporting goods with notification of intended return should be harmonized with those used for outright exportation.

Note:

Exportation with notification of intended return may also be authorized under cover of an ATA carnet in lieu of a national customs document.

(d) Documentation to be presented in support of the declaration for exportation with notification of intended return

22. Standard

In support of the declaration for exportation with notification of intended return the customs authorities shall require only those documents considered necessary by them to permit control of the operation and to ensure compliance with all requirements relating to the application of relevant restrictions or other regulations.

(e) Identification of goods exported with notification of intended return

23. Standard

When determining the nature of the identification measures to be taken with respect to goods exported with notification of intended return, the customs authorities shall take account in particular of the nature of the goods and the revenue interests involved.

Note:

For the identification of goods to be exported with notification of intended return, 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.

(f) Facilities granted to goods exported with notification of intended return

24. Recommended practice

Goods exported with notification of intended return should be granted conditional relief from any export duties and taxes applicable.

Note:

The declarant may be required to provide security for recovery of the sums that would be chargeable if the goods were not reimported within any time limit specified.

25. **Standard**

At the request of the person concerned, the customs authorities shall allow exportation with notification of intended return to be converted to definitive exportation, subject to compliance with the relevant conditions and formalities.

Notes:

1. Any export duties and taxes not paid become chargeable.
2. Normally, any repayment of or exemption from duties and taxes which could not be obtained because the goods were exported without notification of intended return is allowed.

26. **Recommended price**

Where the same goods are to be exported with notification of intended return and reimported in the same state several times, the customs authorities should, at the request of the declarant, allow the declaration for exportation with notification of intended return lodged on the first exportation to cover the subsequent reimportations and exportations of the goods during a specified period.

Note:

The subsequent reimportations and exportations may be recorded on the goods declaration by the customs authorities, by stamping or by appropriate endorsement.

INFORMATION CONCERNING REIMPORTATION IN THE SAME
STATE

27.

Standard

The customs authorities shall ensure that all relevant information regarding reimportation in the same state is readily available to any person interested.

ANNEX D.1

concerning rules of origin ⁽¹⁾

(4th updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX D.2

concerning documentary evidence of origin ⁽¹⁾

(4th updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX E.1
concerning customs transit ⁽¹⁾
(4th updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX E.3
concerning customs warehouses ⁽¹⁾
(6th updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX E.6

concerning temporary admission for inward processing ⁽¹⁾

(4th updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX E.8

concerning temporary exportation for outward processing ⁽¹⁾

(3rd updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

ANNEX F.1
concerning free zones ⁽¹⁾
(2nd updating supplement)

⁽¹⁾ See summary table on page 2406 of this volume.

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.

UNITED KINGDOM

Standards 11 and 21

The reservations entered by the European Economic Community.

The abovementioned communication specifies that the application of this Annex extends, with the same reservations, to the Channel Islands and the Isle of Man.

IRELAND

Standards 11 and 21

The reservations entered by the European Economic Community.

LUXEMBOURG

Standards 11 and 21

The reservations entered by the European Economic Community.

BELGIUM

Standards 11 and 21

The reservations entered by the European Economic Community.

SOUTH AFRICA

Standard 21

Notes (b), (c) and (d)

The South African Customs Administration does not undertake to grant permission that remnants of damaged goods be re-exported or rendered commercially valueless in all instances nor does South African Customs legislation provide for the acceptance of abandonment of goods prior to the lodgement of the goods declaration.

A.2

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.

UNITED KINGDOM

Recommended Practices 10, 13 and 21

The reservations entered by the European Economic Community.

The abovementioned communication specifies that the application of this Annex extends, with the same reservations, to the Channel Islands and the Isle of Man.

IRELAND

Recommended Practices 10, 13 and 21

The reservations entered by the European Economic Community.

LUXEMBOURG

Recommended Practices 10, 13 and 21

The reservations entered by the European Economic Community.

BELGIUM

Recommended Practices 10, 13 and 21

The reservations entered by the European Economic Community.

B.3

EUROPEAN ECONOMIC COMMUNITY

Standard 2

Community regulations clearly stipulate the conditions and Customs formalities which have to be fulfilled for goods to qualify for reimportation in the same state.

In principle, these regulations apply to all goods.

However, agricultural products which have received an export refund are excluded from being reimported in the same state, unless they are in one of the situations listed in Article 2 (2) of Regulation (EEC) No 754/76 which is worded as follows:

'2. Notwithstanding paragraph 1(b), provided it is established that the amounts granted have been repaid or that all measures have been taken by the competent authorities for such sums to be withheld, goods referred to in the said paragraph shall be considered to be returned goods if they:

- (a) could not be entered for home use in the country to which they were sent on account of any laws in force in that country;
- (b) were returned by the consignee as being defective or not in accordance with the provisions of the contract relating to them;
- (c) were reimported into the Customs territory of the Community because they could not be used for the purposes intended owing to other circumstances not brought about by the exporter.

It must be proved to the satisfaction of the competent authorities referred to in Article 10 that the goods are in one of the situations described in (a), (b) or (c) above.'

Recommended Practice 8

In accordance with the Community regulation governing commercial policy, economic prohibitions or restrictions may in certain exceptional circumstances be applied at the time of reimportation into the Community to goods originating in third countries which have been exported from the Community after having been put into free circulation there.

Recommended Practice 11

Generally speaking, Community regulations lay down a limit of three years. However, the regulations fix a limit of six months for agricultural products which gave rise at the time of exportation outside the Community to the grant of refunds or other amounts granted on exportation under the common agricultural policy and for certain products which gave rise to the levying of an export duty.

Recommended Practice 12

Community regulations correspond to the principles set out in this Recommended Practice.

However, in accordance with Article 5 (2) of Regulation (EEC) No 754/76, the refund of the duties which, in certain exceptional circumstances, are charged at the time of export of certain agricultural products may take place only if the goods are in one of the situations indicated with regard to Standard 2.

Recommended Practice 24

The rules in force under the common agricultural policy do not permit provisional relief, in exceptional cases where such exist, from the application of duties on the export of certain agricultural products even if such products are exported with notification of intended return.

Community provisions on the refund of export duties levied of course apply upon reimportation of these products in the same state.

FEDERAL REPUBLIC OF GERMANY

Standard 2

Recommended Practices 8, 11, 12 and 24

The reasons for these reservations are the same as those given by the European Economic Community.

Note: See reservations entered by EEC.

AUSTRIA

Recommended Practice 4

The exemption from import duties and taxes is granted only if the goods are imported by the same person who exported them.

FRANCE

Standard 2

Recommended Practices 8, 11, 12 and 24

The reservations entered by the European Economic Community.

Note: See reservations entered by EEC.

ITALY

Standard 2

Recommended Practices 8, 11, 12 and 24

The reservations entered by the European Economic Community.

Note: See reservations entered by EEC.

DENMARK

Standard 2

Recommended Practices 8, 11, 12 and 24

The reservations entered by the European Economic Community.

Note: See reservations entered by EEC.

NETHERLANDS

Standard 2

Recommended Practices 8, 11, 12 and 24

The reservations entered by the European Economic Community.

BELGIUM

Standard 2

Recommended Practices 8, 11, 12 and 24

The reservations entered by the European Economic Community.

CANADA

Recommended Practice 16

In Canada, completion of a special form is required to control the number of pallets and certain other packings reimported in the same state.

NEW ZEALAND

Recommended Practice 16

New Zealand legislation requires entries to be made of all goods unshipped at any port.

EUROPEAN ECONOMIC COMMUNITY

Standard 7

The relevant Community provisions are based on the notion that the origin of the accessories, spare parts, etc., is determined not by considering the accessories, spare parts, etc., in isolation but by considering the entity formed by the machine, appliance, etc., and its accessories, spare parts, etc.

It follows that when the percentage rule is applied, it is necessary to determine the aggregate value of all non-originating parts (including any accessories or parts thereof), and that this value must not exceed the allowable percentage of the value of the entity formed by the machine, appliance, etc., and its accessories, spare parts, etc.

Standard 8

The preferential agreements concluded by the Community contain the following provision:

'... where, at the request of the person declaring the goods at Customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the CCC 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'.

The Community's own rules do not contain any provisions of this kind.

Recommended Practice 10

There is no provision of this kind in Community legislation.

IRELAND

Standards 7 and 8

Recommended Practice 10

The reservations entered by the European Economic Community.

D.2

EUROPEAN ECONOMIC COMMUNITY

Recommended Practice 3

In the context of the preferential systems, Community legislation permits the waiver of the documentary evidence requirement only in the case of goods sent as small packages to private persons or forming part of travellers' personal luggage, provided that such goods are not imported by way of trade and have been declared as meeting the conditions required for consideration as originating goods, and where there is no doubt as to the veracity of such declaration.

'Goods not imported by way of trade' are defined as importations which are occasional and consist solely of goods for the personal use of the recipients or travellers or their families, it being evident from the nature and quantity of the goods that no commercial purpose is in view. Furthermore, the total value of the goods must not exceed 60 units of account in the case of small packages or 200 ⁽¹⁾ units of account in the case of the contents of travellers' personal luggage.

In non-preferential trade with third countries, Community legislation contains no provision of this kind.

⁽¹⁾ 300 in the case of the EFTA countries.

Recommended Practice 10

In the preferential systems, certificates of origin (or movement certificates) must be issued in the country of origin of the goods. Certificates may be issued in third countries only under the conditions specified in certain systems of cumulative origin of the type existing in trade with the EFTA countries or with certain regional groupings of countries qualifying for generalized preferences.

Recommended Practice 12

In connection with the preferential systems, Community legislation provides for a declaration of origin only if that declaration is made out on a standard form of the type EUR.2 or APR (generalized preferences) and the products form the subject of postal consignments (including parcels), provided that the consignments consist only of originating products and that the value does not exceed 1 000⁽¹⁾ units of account per consignment.

In non-preferential trade with third parties, there is no provision of this kind.

UNITED KINGDOM

Standard 9

Some 100 Chambers of Commerce having the necessary resources and providing a good geographical coverage of the United Kingdom are authorized by the United Kingdom Department of Trade to issue certain forms of certificates of origin.

IRELAND

Recommended Practices 3, 10 and 12

The reservations entered by the European Economic Community.

⁽¹⁾ 1 500 in the case of the EFTA countries.

Standard 9

The authorities and bodies empowered to issue certificates of origin are:

1. The competent Customs authorities in respect of preferential trade;
2. Authorized Chambers of Commerce in respect of non-preferential trade.

E.3

PAKISTAN

1. Recommended Practice 9

Security in the form of a bond is required for the goods deposited in the Customs warehouse.

2. Recommended Practice 11

Goods subject to prohibition or restrictions are allowed for import or warehousing only if covered by an import permit or import licence.

3. Recommended Practice 13

Exemption from and repayment of import duties and taxes in accordance with national legislation cannot be made until the goods are actually exported.

4. Recommended Practice 15

Repayment of import duties and taxes, termination of the temporary admission procedure and exemption from or repayment of internal duties and taxes cannot be allowed until the goods are actually exported.

E.6

EUROPEAN ECONOMIC COMMUNITY

Recommended Practice 5

The Community reserves the right not to apply this Recommended Practice

if, and to the extent that, it is or may be incompatible with Community trade policy.

Recommended Practices 16 and 18

The Community rules provide that 'the competent authorities may require security to be given in such form and of such amount as they shall determine' (Directive 69/73, Article 3 (3)). This provision allows Member States to apply these Recommended Practices but does not prevent them from requiring security in forms and of amounts different from those specified in the Recommended Practices concerned.

Accordingly, the Community is not at present in a position to ensure application of these Recommended Practices over the whole of its territory.

Standard 19

There is no provision of this kind in Community legislation. Furthermore, the right to provide general security in accordance with this Standard might, in view of the existence of a common Customs territory, lead to practical difficulties at the time of collection of the Customs charges in cases where the goods entered into free circulation in a Member State other than that in which the temporary admission formalities took place.

Recommended Practice 27

There is no provision of this kind in Community legislation.

Standard 34

This Standard does not rule upon the subsequent disposal of compensating products placed in free ports or free zones, whereas Article 13 of the 'inward processing' Directive specifies that 'Processing under inward processing arrangements shall be considered as completed when, in accordance with the terms of the authorization, the compensating products are either exported outside the Customs territory of the Community or placed in a bonded warehouse, in a free zone or under the Community transit procedure (external procedure) with a view to their being subsequently exported'.

Hence this Standard might lead to abuse of tariff protection, for example, in the case of compensating products incurring smaller charges than those applicable to the raw materials utilized.

IRELAND

Recommended Practices 5, 16, 18 and 27

Standards 19 and 34

The reservations entered by the European Economic Community.

E.8

EUROPEAN ECONOMIC COMMUNITY

Recommended Practice 3

The Community reserves the right not to apply this Recommended Practice if and in so far 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 in so far as it conflicts or may conflict with the implementation of Community agricultural policy.

IRELAND

Recommended Practices 3, 9 and 10

Standard 20

The reservations entered by the European Economic Community.

F.1

EUROPEAN ECONOMIC COMMUNITY

General

Community regulations leave it to Members whether or not to establish free zones on their territory provided that, where such zones are established, they conform to Community provisions. There are no free zones in Belgium, France, Luxembourg or the United Kingdom.

Standard 21

This Standard does not provide for the possibility of limiting the periods for which goods may remain in a free zone.

Community rules on the other hand do allow for such a possibility.

IRELAND

Standard 21

The reservation entered by the European Economic Community.

LUXEMBOURG

Standard 21

The reservation entered by the European Economic Community.

BELGIUM

Standard 21

The reservation entered by the European Economic Community.

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 ⁽¹⁾ – 6th updating supplement

HUNGARY		18.12.1981		⁽⁴⁾	
PAKISTAN		9.1.1981		9.4.1981	
RWANDA		22.4.1981		22.7.1981	
SOUTH AFRICA		19.5.1981		19.8.1981	

– *Annex A.1 concerning customs formalities prior to the lodgement of the goods declaration* ⁽⁵⁾ – 3rd updating supplement

BELGIUM		4.5.1981		4.8.1981	yes
IRELAND		22.4.1981		22.7.1981	yes

LUXEMBOURG		9.7.1981		9.10.1981	yes
UNITED KINGDOM		30.4.1981		30.7.1981	yes
AUSTRALIA		22.10.1981		(⁴)	
HUNGARY		18.12.1981		(⁴)	
PAKISTAN		9.1.1981		9.4.1981	
RWANDA		22.4.1981		22.7.1981	
SOUTH AFRICA		19.5.1981		19.8.1981	yes

– Annex A.2 concerning the temporary storage of goods ⁽⁶⁾(⁷) – 3rd updating supplement

BELGIUM		4.5.1981		4.8.1981	yes
IRELAND		22.4.1981		22.7.1981	yes
LUXEMBOURG		9.7.1981		9.10.1981	yes

(¹) This Convention appears in Volume 5, page 825. The 1st updating supplement appears in Volume 6, page 1508, the 2nd in Volume 7, page 1406, the 3rd in Volume 8, page 3219, the 4th in Volume 9, page 717, and the 5th in Volume 10, page 1309.

(²) This date is only given where it falls after the date of entry into force of the Convention or the Annex.

(³) The texts of these declarations or reservations will be found on page 2390 *et seq.* of this volume.

(⁴) As at 31.12.1981, the act had not entered into force for these Contracting Parties.

(⁵) Annex A.1 appears in Volume 8, page 3221. The 1st updating supplement appears in Volume 9, page 719, and the 2nd in Volume 10, page 1310.

(⁶) Annex A.2 appears in Volume 8, page 3231. The 1st updating supplement appears in Volume 9, page 720, and the 2nd in Volume 10, page 1311.

(⁷) With effect from 30.7.1981 the United Kingdom extended the application of the Convention to the Channel Islands and the Isle of Man, with the same reservations as those entered by the European Economic Community.

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		
UNITED KINGDOM		30. 4.1981		30. 7.1981	yes
AUSTRALIA		22.10.1981		(³)	
HUNGARY		18.12.1981		(³)	

– *Annex B.3 concerning reimportation in the same state* ⁽⁴⁾

Open for acceptance: 14.6.1978

Depositary: same as Convention

Date of entry into force: 13.2.1981

Duration: same as Convention

EEC		21. 4.1980		21. 7.1980	yes
BELGIUM		16.10.1981		(³)	yes
DENMARK		27. 5.1980		27. 8.1980	yes
GERMANY (Fed. Rep.)		5. 8.1980		5.11.1980	yes
FRANCE		6.10.1980		6. 1.1981	yes
ITALY		20. 1.1981		20. 4.1981	yes

NETHERLANDS		17.12.1981		(³)	yes
AUSTRIA		16. 2.1981		16. 5.1981	yes
CANADA		13.11.1980		13. 2.1981	yes
HUNGARY		18.12.1981		(³)	
NEW ZEALAND		13. 4.1981		13. 7.1981	yes

- Annex D.1 concerning rules of origin (⁵)(⁶) - 4th updating supplement

IRELAND		22. 4.1981		22. 7.1981	yes
HUNGARY		18.12.1981		(³)	

- Annex D.2 concerning documentary evidence of origin (⁵)(⁷) - 4th updating supplement

IRELAND		22. 4.1981		22. 7.1981	yes
UNITED KINGDOM					yes
HUNGARY		13.12.1981		(³)	

(¹) This date is only given where it falls after the date of entry into force of the Convention or the Annex.

(²) The texts of these declarations or reservations will be found on page 2390 *et seq.* of this volume.

(³) As at 31.12.1981, the act had not entered into force for these Contracting Parties.

(⁴) OJ No L 100, 17.4.1980.

(⁵) With effect from 30.7.1981 the United Kingdom extended the application of the Convention to the Channel Islands and the Isle of Man, with the same reservations as those entered by the European Economic Community.

(⁶) Annex D.1 appears in Volume 7, page 1336. The 1st updating supplement appears in Volume 8, page 3239, the 2nd in Volume 9, page 721, and the 3rd in Volume 10, page 1312.

(⁷) Annex D.2 appears in Volume 7, page 1347. The 1st updating supplement appears in Volume 8, page 3240, the 2nd in Volume 9, page 722, and the 3rd in Volume 10, page 1313.

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.1 concerning customs transit ⁽³⁾(⁴) - 4th updating supplement*

IRELAND		22.4.1981		22.7.1981	
HUNGARY		18.12.1981		⁽⁵⁾	
RWANDA		22.4.1981		22.7.1981	

- *Annex E.3 concerning customs warehousing ⁽⁶⁾ - 6th updating supplement*

PAKISTAN		25.9.1981		25.12.1981	yes
RWANDA		22.4.1981		22.7.1981	

- *Annex E.6 concerning temporary admission for inward processing ⁽³⁾(⁷) - 4th updating supplement*

IRELAND		22.4.1981		22.7.1981	yes
POLAND		28.9.1981		28.12.1981	

– Annex E.8 concerning temporary exportation for outward processing ⁽³⁾(⁸) – 3rd updating supplement

IRELAND		22.4.1981		22.7.1981	yes
HUNGARY		18.12.1981		(⁵)	
POLAND		28.9.1981		28.12.1981	

– Annex F.1 concerning free zones ⁽⁹⁾ – 2nd updating supplement

BELGIUM		4. 5.1981		4. 8.1981	yes
IRELAND		22.4.1981		22.7.1981	yes
LUXEMBOURG		9.7.1981		9.10.1981	yes
HUNGARY		18.12.1981		(⁵)	

(¹) This date is only given where it falls after the date of entry into force of the Convention or the Annex.

(²) The texts of these declarations or reservations will be found on page 2390 *et seq.* of this volume.

(³) With effect from 30.7.1981 the United Kingdom extended the application of the Convention to the Channel Islands and the Isle of Man, with the same reservations as those entered by the European Economic Community.

(⁴) Annex E.1 appears in Volume 7, page 1360. The 1st updating supplement appears in Volume 8, page 3241, the 2nd in Volume 9, page 723, and the 3rd in Volume 10, page 1314.

(⁵) As at 31.12.1981, the act had not entered into force for these Contracting Parties.

(⁶) Annex E.3 appears in Volume 5, page 839. The 1st updating supplement appears in Volume 6, page 1508, the 2nd in Volume 7, page 1406, the 3rd in Volume 8, page 3242, the 4th in Volume 9, page 724, and the 5th in Volume 10, page 1315.

(⁷) Annex E.6 appears in Volume 7, page 1387. The 1st updating supplement appears in Volume 8, page 3243, the 2nd in Volume 9, page 725, and the 3rd in Volume 10, page 1316.

(⁸) Annex E.8 appears in Volume 8, page 3244. The 1st updating supplement appears in Volume 9, page 726, and the 2nd in Volume 10, page 1317.

(⁹) Annex F.1 appears in Volume 9, page 727. The 1st updating supplement appears in Volume 10, page 1318.

Food Aid Convention, 1980
(updating supplement)

INFORMATION CONCERNING

the Food Aid CONVENTION, 1980⁽¹⁾ – updating supplement

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	
LUXEMBOURG	30.4.1980	30.6.1980	29.7.1981		29.7.1981
UNITED KINGDOM	30.4.1980	30.6.1981	30.6.1981		30.6.1981

⁽¹⁾ This Convention appears in Volume 10, page 1339.

Convention
for the Protection of the Mediterranean Sea
against Pollution
(3rd updating supplement)

PROTOCOL

concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency ⁽¹⁾ ⁽²⁾

COUNCIL DECISION

of 19 May 1981

on the conclusion of the Protocol concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency

(81/420/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 ⁽³⁾,

⁽¹⁾ OJ No L 162, 19.6.1981.

⁽²⁾ The Barcelona Convention appears in Volume 8, page 3329.

⁽³⁾ OJ No C 28, 9.2.1981.

Whereas, at its meeting in Copenhagen on 7 and 8 April 1978, the European Council decided that the Community should make the prevention and control of marine pollution, particularly by hydrocarbons, one of its main objectives, and asked the Council, acting on a proposal from the Commission, and the Member States to introduce appropriate measures without delay within the Community and to adopt a common stand in the international bodies concerned, particularly as regards research and the implementation of effective pollution control measures;

Whereas the programmes of action of the European Communities on the environment ⁽¹⁾ emphasize how important it is for the Community to combat marine pollution in general, provide for *inter alia* Community action to combat pollution caused by transport and shipping and specify that the protection of sea-water with a view to preserving vital ecological balances is a priority task;

Whereas the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution of 16 February 1976 provides *inter alia* that the necessary measures are to be taken to ensure cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency;

Whereas Article 24 of the Barcelona Convention states that the Convention and its Protocols shall be open for signing by the European Economic Community; whereas the latter has already concluded 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;

Whereas the Protocol concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emer-

(1) OJ No C 112, 20.12.1973 and No C 139, 13.6.1977.

gency provides for the Parties to cooperate in drawing up emergency plans, promoting methods of controlling marine pollution by hydrocarbons, disseminating information on the organization of resources and on new methods to prevent and control pollution and developing relevant research programmes;

Whereas it is necessary that the Community accede to the Protocol in accordance with Article 26 of the Barcelona Convention if the common market machinery is to be used to achieve one of the Community's objectives in the protection of the environment and the quality of life; whereas the Treaty makes no provision for powers to take such action;

Whereas it is necessary for the Community to accede to the said Protocol, in order to take part in the information exchange and common research and thus achieve the above objective, alongside Member States and without prejudice to the role hitherto played by them within the framework of the Barcelona Convention; whereas future Community acts are not hereby prejudiced;

Whereas the said Protocol provides for exchange of information, common research and cooperation at sea, which of their nature do not constitute common rules which might be affected by agreements which the Member States might wish to conclude within this area;

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency is hereby approved on behalf of the European Economic Community.

The text of the Protocol is annexed to this Decision.

Article 2

The President of the Council shall deposit the instruments of accession as provided for in Article 26 of the Barcelona Convention.

Done at Brussels, 19 May 1981.

For the Council
The President
D. F. van der MEI

PROTOCOL

concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency

THE CONTRACTING PARTIES TO THE PRESENT PROTOCOL,

BEING PARTIES to the Convention for the Protection of the Mediterranean Sea against Pollution,

RECOGNIZING that grave pollution of the sea by oil and other harmful substances in the Mediterranean Sea area involves a danger for the coastal States and the marine ecosystem,

CONSIDERING that the cooperation of all the coastal States of the Mediterranean is called for to combat this pollution,

BEARING IN MIND the International Convention for the Prevention of Pollution from Ships, 1973, the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969, as well as the Protocol relating to Intervention on the High Seas in Cases of Marine Pollution by Substances Other than Oil, 1973,

FURTHER TAKING INTO ACCOUNT the International Convention on Civil Liability for Oil Pollution Damage, 1969,

HAVE AGREED AS FOLLOWS:

Article 1

The Contracting Parties to this Protocol (hereinafter referred to as 'the Parties') shall cooperate in taking the necessary measures in cases of

grave and imminent danger to the marine environment, the coast or related interests of one or more of the Parties due to the presence of massive quantities of oil or other harmful substances resulting from accidental causes or an accumulation of small discharges which are polluting or threatening to pollute the sea within the area defined in Article 1 of the Convention for the Protection of the Mediterranean Sea against Pollution (hereinafter referred to as 'the Convention').

Article 2

For the purpose of this Protocol, the term 'related interests' means the interests of a coastal State directly affected or threatened and concerning, among others:

- (a) activities in coastal waters, in ports or estuaries, including fishing activities;
- (b) the historical and tourist appeal of the area in question, including water sports and recreation;
- (c) the health of the coastal population;
- (d) the preservation of living resources.

Article 3

The Parties shall endeavour to maintain and promote, either individually or through bilateral or multilateral cooperation, their contingency plans and means for combating pollution of the sea by oil and other harmful substances. These means shall include, in particular, equipment, ships, aircraft and manpower prepared for operations in cases of emergency.

Article 4

The Parties shall develop and apply, either individually or through bilateral or multilateral cooperation, monitoring activities covering the Mediterranean Sea area in order to have as precise information as possible on the situations referred to in Article 1 of this Protocol.

Article 5

In the case of release or loss overboard of harmful substances in packages, freight containers, portable tanks or road and rail tank wagons, the Parties shall cooperate as far as practicable in the salvage and recovery of such substances so as to reduce the danger of pollution of the marine environment.

Article 6

1. Each Party undertakes to disseminate to the other Parties information concerning:

- (a) the competent national organization or authorities responsible for combating pollution of the sea by oil and other harmful substances;
- (b) the competent national authorities responsible for receiving reports of pollution of the sea by oil and other harmful substances and for dealing with matters concerning measures of assistance between Parties;
- (c) new ways in which pollution of the sea by oil and other harmful substances may be avoided, new measures for combating pollution and the development of related research programmes.

2. Parties which have agreed to exchange information directly between themselves shall nevertheless communicate such information to the regional

centre. The latter shall communicate this information to the other Parties and, on a basis of reciprocity, to coastal States of the Mediterranean Sea area which are not parties to this Protocol.

Article 7

The Parties undertake to coordinate the utilization of the means of communication at their disposal in order to ensure, with the necessary speed and reliability, the reception, transmission and dissemination of all reports and urgent information which relate to the occurrences and situations referred to in Article 1. The regional centre shall have the necessary means of communication to enable it to participate in this coordinated effort and, in particular, to fulfil the functions assigned to it by paragraph 3 of Article 10.

Article 8

1. Each Party shall issue instructions to the masters of ships flying its flag and to the pilots of aircraft registered in its territory requiring them to report by the most rapid and adequate channels in the circumstances, and in accordance with Annex I to this Protocol, either to a Party or to the regional centre:

- (a) all accidents causing or likely to cause pollution of the sea by oil or other harmful substances;
- (b) the presence, characteristics and extent of spillages of oil or other harmful substances observed at sea which are likely to present a serious and imminent threat to the marine environment or to the coast or related interests of one or more of the Parties.

2. The information collected in accordance with paragraph 1 shall be communicated to the other Parties likely to be affected by the pollution:

- (a) by the Party which has received the information, either directly or, preferably, through the regional centre; or
- (b) by the regional centre.

In case of direct communication between Parties, the regional centre shall be informed of the measures taken by these Parties.

3. In consequence of the application of the provisions of paragraph 2, the Parties are not bound by the obligation laid down in Article 9, paragraph 2, of the Convention.

Article 9

1. Any Party faced with a situation of the kind defined in Article 1 of this Protocol shall:

- (a) make the necessary assessments of the nature and extent of the casualty or emergency or, as the case may be, of the type and approximate quantity of oil or other harmful substances and the direction and speed of drift of the spillage;
- (b) take every practicable measure to avoid or reduce the effects of pollution;
- (c) immediately inform all other Parties, either directly or through the regional centre, of these assessments and of any action which it has taken or which it intends to take to combat the pollution;
- (d) continue to observe the situation for as long as possible and report thereon in accordance with Article 8.

2. Where action is taken to combat pollution originating from a ship, all possible measures shall be taken to safeguard the persons present on board and, to the extent possible, the ship itself. Any Party which takes such action shall inform the Inter-Governmental Marine Consultative Organization.

Article 10

1. Any Party requiring assistance for combating pollution by oil or other harmful substances polluting or threatening to pollute its coasts may call for assistance from other Parties, either directly or through the regional centre referred to in Article 6, starting with the Parties which appear likely to be affected by the pollution. This assistance may comprise, in particular, expert advice and the supply to, or placing at the disposal of, the Party concerned of products, equipment and nautical facilities. Parties so requested shall use their best endeavours to render this assistance.

2. Where the Parties engaged in an operation to combat pollution cannot agree on the organization of the operation, the regional centre may, with their approval, coordinate the activity of the facilities put into operation by these Parties.

Article 11

The application of the relevant provisions of Articles 6, 7, 8, 9 and 10 of this Protocol relating to the regional centre shall be extended, as appropriate, to sub-regional centres in the event of their establishment, taking into account their objectives and functions and their relationship with the said regional centre.

Article 12

1. Ordinary meetings of the Parties to this Protocol shall be held in conjunction with ordinary meetings of the Contracting Parties of the Convention, held pursuant to Article 14 of the Convention. The Parties to this Protocol may also hold extraordinary meetings as provided in Article 14 of the Convention.

2. It shall be the function of the meetings of the Parties to this Protocol, in particular:

- (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 review and amend as required any Annex to this Protocol;
- (c) To discharge such other functions as may be appropriate for implementation of this Protocol.

Article 13

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

Contents of the report to be made pursuant to Article 8 to this Protocol

1. Each report shall, as far as possible, contain, in general:
 - (a) the identification of the source of pollution (identity of the ship, where appropriate);
 - (b) the geographic position, time and date of the occurrence of the incident or of the observation;
 - (c) the wind and sea conditions prevailing in the area;
 - (d) where the pollution originates from a ship, relevant details respecting the conditions of the ship.
2. Each report shall contain, whenever possible, in particular:
 - (a) a clear indication or description of the harmful substances involved, including the correct technical names of such substances (trade names should not be used in place of the correct technical names);
 - (b) a statement or estimate of the quantities, concentrations and likely conditions of harmful substances discharged or likely to be discharged into the sea;
 - (c) where relevant, a description of the packaging and identifying marks:
and
 - (d) the name of the consignor, consignee or manufacturer.

3. Each report shall clearly indicate, whenever possible, whether the harmful substance discharged or likely to be discharged is oil or a noxious liquid, solid or gaseous substance and whether such substance was or is carried in bulk or contained in packaged form, freight containers, portable tanks, or road and rail tank wagons.
4. Each report shall be supplemented, as necessary, by any relevant information requested by a recipient of the report or deemed appropriate by the person sending the report.
5. Any of the persons referred to in Article 8, paragraph 1, of this Protocol shall:
 - (a) supplement, as far as possible, the initial report, as necessary, with information concerning further developments; and
 - (b) comply as fully as possible with requests from affected States for additional information.

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⁾ – 3rd updating supplement

TURKEY	16. 2.1976	6. 4.1981		6. 5.1981	
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– the PROTOCOL for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft⁽⁴⁾ – 2nd updating supplement

ALGERIA TURKEY	16. 2.1976	6. 4.1981	16. 3.1981	15. 4.1981 6. 5.1981	
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⁽¹⁾ This date only given where it falls after the date of entry into force of the Convention or Protocol.

⁽²⁾ The texts of these declarations or reservations will be found on page 2430 of this volume.

⁽³⁾ This Convention appears in Volume 8, page 3329. The 1st updating supplement appears in Volume 9, page 761, and the 2nd in Volume 10, page 1359.

⁽⁴⁾ This Protocol appears in Volume 8, page 3351. The first updating supplement appears in Volume 9, page 764.

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 PROTOCOL concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency⁽³⁾

Open for signature:

Depositary:

Date of entry into force:

Duration:

See CONVENTION for the Protection of the Mediterranean Sea against Pollution⁽⁴⁾(⁵)

EEC	13.9.1976	12.8.1981		11.9.1981	yes
GREECE	16.2.1976	3.1.1979		2.2.1979	
FRANCE	16.2.1976	11.3.1978		10.4.1978	
ITALY	16.2.1976	3.2.1979		5.3.1979	
ALGERIA	16.2.1976		16.3.1981	15.4.1981	
CYPRUS	16.2.1976	19.11.1979		19.12.1979	
EGYPT	16.2.1976	24.8.1978		23.9.1978	
ISRAEL	16.2.1976	3.3.1978		2.4.1978	
LEBANON	16.2.1976 ⁽⁶⁾		8.11.1977		
LIBYA	31.1.1977 ⁽⁶⁾	31.1.1979		2.3.1979	
MALTA	16.2.1976	30.12.1977			
MONACO	16.2.1976	20.9.1977			
MOROCCO	16.2.1976	15.1.1980		14.2.1980	

SPAIN	16.2.1976 ⁽⁶⁾	17.12.1976			
SYRIA			26.12.1978	25.1.1979	yes
TUNISIA	25.5.1976	30.7.1977			
TURKEY	16.2.1976 ⁽⁷⁾	6.4.1981		6.5.1981	
YUGOSLAVIA	15.9.1976	13.1.1978			

⁽¹⁾ This date is only given where it falls after the date of entry into force of the Convention or Protocol.

⁽²⁾ The texts of these declarations or reservations will be found on page 2430 of this volume.

⁽³⁾ OJ No L 162, 19.6.1981.

⁽⁴⁾ This Convention appears in Volume 8, page 3329. The 1st updating supplement appears in Volume 9, page 761, and the 2nd in Volume 10, page 1359.

⁽⁵⁾ See in particular Articles 24 to 29 of the Convention.

⁽⁶⁾ Signed subject to confirmation.

⁽⁷⁾ Signed subject to declaration.

Convention
on Future Multilateral Cooperation in the
Northwest Atlantic Fisheries
(2nd updating supplement)

CONVENTION
on Future Multilateral Cooperation in the Northwest
Atlantic Fisheries (¹)
(2nd updating supplement)

COUNCIL REGULATION (EEC) No 654/81

of 10 March 1981

amending Regulation (EEC) No 3179/78 concerning the conclusion by the
European Economic Community of the Convention on Future Multilateral
Cooperation in the Northwest Atlantic Fisheries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

(¹) OJ No L 69, 14.3.1981.

(²) OJ No C 346, 31.12.1980.

Whereas the Community, by Council Regulation (EEC) No 3179/78, approved the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries ⁽¹⁾;

Whereas on 7 June 1979 the General Council of the Northwest Atlantic Fisheries Organization adopted with effect from 1 January 1980 amendments to Annex III to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, pursuant to Article XX, paragraph 2, of the same Convention, which concern the delimitation of the boundary between the statistical sub-areas covering the waters between the west coast of Greenland and the coast of Canada;

Whereas the text of the Convention has consequently been amended by Regulation (EEC) No 653/80 ⁽²⁾, the application of which was, however, limited to 31 December 1980, since it was adopted as an interim measure on the basis of Article 103 of the Treaty;

Whereas it is therefore necessary to provide for the definitive amendment of Regulation (EEC) No 3179/78,

HAS ADOPTED THIS REGULATION:

Article 1

Paragraphs 1(a) and 2(a) of Annex III to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, published in the Annex to Regulation (EEC) No 3179/78, shall be amended in conformity with the Annex to this Regulation.

Article 2

Regulation (EEC) No 653/80 is hereby repealed.

⁽¹⁾ This Convention appears in Volume 9, page 767.

⁽²⁾ OJ No L 74, 20.3.1980.

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, 10 March 1981.

For the Council
The President
G. BRAKS

ANNEX

1. Paragraph 1(a) of Annex III to the Convention shall be replaced by the following:

1. (a) Sub-area 0 – that portion of the Convention Area bounded on the south by a line extending due east from a point at 61°00' north latitude and 65°00' west longitude to a point at 61°00' north latitude and 59°00' west longitude, thence in a south-easterly direction along a rhumb line to a point at 60°12' north latitude and 57°13' west longitude; thence bounded on the east by a series of geodesic lines joining the following points:

<i>Point No</i>	<i>Latitude</i>	<i>Longitude</i>
1	60°12'0	57°13'0
2	61°00'0	57°13'1
3	62°00'5	57°21'1
4	62°02'3	57°21'8
5	62°03'5	57°22'2
6	62°11'5	57°25'4
7	62°47'2	57°41'0
8	63°22'8	57°57'4
9	63°28'6	57°59'7
10	63°35'0	58°02'0
11	63°37'2	58°01'2
12	63°44'1	57°58'8
13	63°50'1	57°57'2
14	63°52'6	57°56'6
15	63°57'4	57°53'5
16	64°04'3	57°49'1
17	64°12'2	57°48'2
18	65°06'0	57°44'1

<i>Point No</i>	<i>Latitude</i>	<i>Longitude</i>
19	65° 08'9	57° 43'9
20	65° 11'6	57° 44'4
21	65° 14'5	57° 45'1
22	65° 18'1	57° 45'8
23	65° 23'3	57° 44'9
24	65° 34'8	57° 42'3
25	65° 37'7	57° 41'9
26	65° 50'9	57° 40'7
27	65° 51'7	57° 40'6
28	65° 57'6	57° 40'1
29	66° 03'5	57° 39'6
30	66° 12'9	57° 38'2
31	66° 18'8	57° 37'8
32	66° 24'6	57° 37'8
33	66° 30'3	57° 38'3
34	66° 36'1	57° 39'2
35	66° 37'9	57° 39'6
36	66° 41'8	57° 40'6
37	66° 49'5	57° 43'0
38	67° 21'6	57° 52'7
39	67° 27'3	57° 54'9
40	67° 28'3	57° 55'3
41	67° 29'1	57° 56'1
42	67° 30'7	57° 57'8
43	67° 35'3	58° 02'2
44	67° 39'7	58° 06'2
45	67° 44'2	58° 09'9
46	67° 56'9	58° 19'8
47	68° 01'8	58° 23'3
48	68° 04'3	58° 25'0
49	68° 06'8	58° 26'7
50	68° 07'5	58° 27'2
51	68° 16'1	58° 34'1
52	68° 21'7	58° 39'0

<i>Point No</i>	<i>Latitude</i>	<i>Longitude</i>
53	68° 25'3	58° 42'4
54	68° 32'9	59° 01'8
55	68° 34'0	59° 04'6
56	68° 37'9	59° 14'3
57	68° 38'0	59° 14'6
58	68° 56'8	60° 02'4
59	69° 00'8	60° 09'0
60	69° 06'8	60° 18'5
61	69° 10'3	60° 23'8
62	69° 12'8	60° 27'5
63	69° 29'4	60° 51'6
64	69° 49'8	60° 58'2
65	69° 55'3	60° 59'6
66	69° 55'8	61° 00'0
67	70° 01'6	61° 04'2
68	70° 07'5	61° 08'1
69	70° 08'8	61° 08'8
70	70° 13'4	61° 10'6
71	70° 33'1	61° 17'4
72	70° 35'6	61° 20'6
73	70° 48'2	61° 37'9
74	70° 51'8	61° 42'7
75	71° 12'1	62° 09'1
76	71° 18'9	62° 17'5
77	71° 25'9	62° 25'5
78	71° 29'4	62° 29'3
79	71° 31'8	62° 32'0
80	71° 32'9	62° 33'5
81	71° 44'7	62° 49'6
82	71° 47'3	62° 53'1
83	71° 52'9	63° 03'9
84	72° 01'7	63° 21'1
85	72° 06'4	63° 30'9
86	72° 11'0	63° 41'0

<i>Point No</i>	<i>Latitude</i>	<i>Longitude</i>
87	72°24'8	64°13'2
88	72°30'5	64°26'1
89	72°36'3	64°38'8
90	72°43'7	64°54'3
91	72°45'7	64°58'4
92	72°47'7	65°00'9
93	72°50'8	65°07'6
94	73°18'5	66°08'3
95	73°25'9	66°25'3
96	73°31'1	67°15'1
97	73°36'5	68°05'5
98	73°37'9	68°12'3
99	73°41'7	68°29'4
100	73°46'1	68°48'5
101	73°46'7	68°51'1
102	73°52'3	69°11'3
103	73°57'6	69°31'5
104	74°02'2	69°50'3
105	74°02'6	69°52'0
106	74°06'1	70°06'6
107	74°07'5	70°12'5
108	74°10'0	70°23'1
109	74°12'5	70°33'7
110	74°24'0	71°25'7
111	74°28'6	71°45'8
112	74°44'2	72°53'0
113	74°50'6	73°02'8
114	75°00'0	73°16'3
115	75°05'	73°30'

and thence due north to the parallel of 78°10' north latitude; and bounded on the west by a line beginning at 61°00' north latitude and 65°00' west longitude and extending in a north-

westerly direction along a rhumb line to the coast of Baffin Island at East Bluff (61°55' north latitude and 66°20' west longitude), and thence in a northerly direction along the coast of Baffin Island, Bylot Island, Devon Island and Ellesmere Island and following the meridian of 80° west longitude in the waters between those islands to 78°10' north latitude; and bounded on the north by the parallel of 78°10' north latitude.'

2. Paragraph 2(a) of Annex III to the Convention shall be replaced by the following:

'2. (a) Sub-area 1 – that portion of the Convention Area lying to the east of Sub-area 0 and to the north and east of a rhumb line joining a point at 60°12' north latitude and 57°13' west longitude with a point at 52°15' north latitude and 42°00' west longitude.'

INFORMATION CONCERNING

the CONVENTION on Future Multilateral Cooperation in the Northwest Atlantic Fisheries – 2nd updating supplement ⁽¹⁾

Council Regulation (EEC) No 654/81 of 10.3.1981 ⁽²⁾ amends Regulation (EEC) No 3179/78 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries ⁽³⁾

⁽¹⁾ This Convention appears in Volume 9, page 767, and the first updating supplement in Volume 10, page 1361.

⁽²⁾ OJ No L 69, 14.3.1981.

⁽³⁾ This Regulation appears in Volume 9, page 767.

Trilateral Protocol

on the purport of the Agreements for data
network cooperation concluded by the EEC with,
on the one hand, the Swiss Confederation
and, on the other hand, the Kingdom of Sweden

TRILATERAL PROTOCOL

on the purport of the Agreements for data network cooperation concluded by the European Economic Community with, on the one hand, the Swiss Confederation and, on the other hand, the Kingdom of Sweden ⁽¹⁾

Whereas on 28 September 1979 the European Economic Community and the Swiss Confederation concluded an Agreement in the form of an exchange of letters on the extension of the Community network for data transmission (Euronet) to Switzerland, hereinafter referred to as 'the exchange of letters';

Whereas the European Economic Community and the Kingdom of Sweden have today concluded a Cooperation Agreement on the interconnection of the Community network for data transmission (Euronet) and the Swedish data network for information-retrieval purposes, hereinafter referred to as 'the Cooperation Agreement';

(¹) OJ No L 385, 31.12.1981.

Whereas, by virtue of Point 10 of the exchange of letters, the Swiss Confederation has given its consent to the interconnection of Euronet and the Swedish data network,

The Signatories to this Protocol have come to the understanding that the Cooperation Agreement shall apply to Euronet as extended to Switzerland and to the Swedish data network.

Done at Brussels, on

For the Swiss Federal Council

For the Government of the Kingdom of Sweden

For the Council of the European Communities

INFORMATION CONCERNING

the TRILATERAL PROTOCOL on the purport of the Agreements for data network cooperation concluded by the European Economic Community with, on the one hand, the Swiss Confederation and, on the other hand, the Kingdom of Sweden ⁽¹⁾

Depositary: General Secretariat of the Council of the European Communities, Brussels (Belgium)

Date of entry into force: 18.2.1981

Duration: until 31.12.1983

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force
		of ratification, acceptance, approval, etc.	of accession	
EEC	18.12.1981			
SWEDEN ⁽²⁾	18.12.1981			
SWITZERLAND ⁽²⁾	18.12.1981			

⁽¹⁾ OJ No L 385, 31.12.1981.

⁽²⁾ The bilateral EEC-Switzerland and EEC-Sweden Agreements will be found on page 147 of Volume 9 and page 619 of this volume respectively.

Community-COST Concertation Agreement
on a concerted action project in the field of
teleinformatics
(COST project 11 bis)

COMMUNITY-COST CONCERTATION AGREEMENT
on a concerted action project in the field of teleinformatics
(COST project 11 bis) ⁽¹⁾

COUNCIL DECISION

of 4 December 1980

concerning the conclusion of the Community-COST Concertation Agreement
on a concerted action project in the field of teleinformatics
(COST project 11 bis)

(80/1182/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 79/783/EEC of 11 September 1979 adopting a multiannual programme (1979 to 1983) in the field of data processing ⁽²⁾, and in particular Article 5 (1) thereof,

Having regard to the draft Decision submitted by the Commission,

⁽¹⁾ OJ No L 350, 23.12.1980.

⁽²⁾ OJ No L 231, 13.9.1979.

Whereas, pursuant to Article 5 (2) of Decision 79/783/EEC, the Commission has negotiated an Agreement with certain non-member States participating in European cooperation in the field of scientific and technical research (COST) with a view to ensuring that the Community project and the corresponding programmes of such States are harmonized;

Whereas, therefore, this Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Community-COST Concertation Agreement on a concerted action project in the field of teleinformatics (COST project 11 bis) is hereby approved on behalf of the Community.

The text of the Agreement is attached 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, 4 December 1980.

For the Council
The President
J. BARTHEL

COMMUNITY-COST CONCERTATION AGREEMENT

**on a concerted action project in the field of teleinformatics
(COST project 11 bis)**

THE EUROPEAN ECONOMIC COMMUNITY,

hereinafter referred to as 'the Community',

FINLAND AND SWEDEN,

hereinafter referred to as the 'participating non-member States',

Whereas a research project on a European informatics network, carried out pursuant to an Agreement concluded on 23 November 1971 in the framework of European cooperation in the field of scientific and technical research (COST project 11), produced very encouraging results;

Whereas a European concerted research project in the abovementioned field will contribute effectively in particular to:

- the study of the specification of the new services which can be offered by the combination of computation and data communication with a view to maximizing their potential for the user;
- the study of the influence of the new technical developments from the point of view of the user of distributed services and networks;
- the promotion of international standardization in developing and testing common solutions;

Whereas by its Decision of 11 September 1979 the Council of the European Communities adopted a four-year programme for the development of data processing in the Community which includes support for the concertation of the research activities of the Member States in the field of network technology;

Whereas by its Decision of 13 March 1980 the Council of the European Communities adopted a research programme which includes activities in the field of teleinformatics;

Whereas the Member States of the Community, the participating non-member States, hereinafter referred to as 'the States', and the Community intend, subject to the rules and procedures applicable to their national programmes, to carry out the research described in Annex A and are prepared to integrate such research into a process of concertation which they consider will be of mutual benefit;

Whereas the implementation of the research covered by the concerted action project will require a financial contribution of some 15 million European units of account from the States and the Community,

HAVE AGREED AS FOLLOWS:

Article 1

The Community and the participating non-member States, hereinafter referred to as 'the Contracting Parties', shall participate for a period extending until 11 September 1983 in a concerted action project in the field of teleinformatics.

The main purpose of the project is to create an environment and a structure for promoting concertation between the Community concerted action programme and the corresponding programmes of the participating non-member States.

The project is described in greater detail in Annex A.

The States remain entirely responsible for the research executed by their national institutions or bodies except research under contract with the Commission of the European Communities, hereinafter referred to as 'the Commission'.

Article 2

The concertation between the Contracting Parties shall be effected through a Community-COST Concertation Committee, hereinafter referred to as 'the Committee'. The Committee shall draw up its rules of procedure; its secretariat will be provided by the Commission. The terms of reference and the composition of this Committee are defined in Annex B.

Article 3

In order to ensure optimum efficiency in the execution of this concerted action project, a technical secretariat headed by a project leader and composed of three to five technical experts shall be set up. The project leader shall be appointed by the Commission in agreement with the delegates of the participating non-member States on the Committee.

Article 4

The maximum financial contribution by the Contracting Parties to the coordination costs shall be:

- 1 200 000 European units of account from the Community,
- 38 888 European units of account from each participating non-member State for the period referred to in the first paragraph of Article 1.

In addition, each participating non-member State shall pay an amount calculated by applying to a basic amount of 850 000 European units of account, representing a part of the Community contribution, the ratio between the gross domestic product of each participating non-member State for 1976 and the gross domestic product of the Community for 1976.

The European unit of account is as defined by the Financial Regulation in force applicable to the general budget of the European Communities and by the financing arrangements adopted pursuant thereto.

The rules governing the financing of the Agreement are set out in Annex C.

Article 5

1. Through the Committee, the States and the Community shall exchange regularly all useful information concerning the execution of the research covered by the concerted action project. They shall also endeavour to provide information on similar research planned or carried out by other bodies. Any information shall be treated as confidential if the State which provides it so requests.

2. In agreement with the Committee the Commission shall prepare yearly progress reports on the basis of the information supplied and shall forward them to the States.

3. At the end of the concertation period, the Commission shall, in agreement with the Committee, forward to the States a general report on the execution and results of the project. This report shall be published by the Commission six months after it has been forwarded, unless a State objects. In that case the report shall be confidential and shall be forwarded, on request and with the agreement of the Committee, solely to the institutions and undertakings whose research or production activities justify access to knowledge resulting from the performance of the research covered by the concerted action project.

Article 6

1. Each of the Contracting Parties shall, after signing this Agreement, notify the Secretary-General of the Council of the European Communities as soon as possible of the completion of the procedures necessary under its internal provisions for the implementation of this Agreement.

2. For the Contracting Parties which have transmitted the notification provided for in paragraph 1, this Agreement shall enter into force on the first day of the month following that in which the Community and at least one of the participating non-member States transmitted these notifications.

For those Contracting Parties which transmit the notification after the entry into force of this Agreement, it shall come into force on the first day of the second month following the month in which the notification was transmitted.

Contracting Parties 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 following the entry into force of this Agreement.

3. For a period of six months following its entry into force, the Agreement shall be open for accession by the other European States which took part in the Ministerial Conference held in Brussels on 22 and 23 November 1971. The instruments of accession shall be deposited with the General Secretariat of the Council of the European Communities. A State which accedes to this Agreement shall become a contracting party within the meaning of Article 1 on the date of deposit of the instrument of accession.

4. The Secretary-General of the Council of the European Communities shall notify each of the Contracting Parties of the deposit of the notifications provided for in paragraph 1, of the date of entry into force of this Agreement and of the deposit of the instruments of accession provided for in paragraph 3.

Article 7

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, each text 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 each of the Contracting Parties.

ANNEX A

PURPOSE OF THE PROJECT

The main purpose of the project is to create an environment and a structure in order:

- to promote collaboration, the exchange of results and the pooling of resources between research teams working in the teleinformatics field;
- to facilitate the exchange of ideas, the identification of problems and the definition of common strategies where this seems desirable and to make recommendations to the relevant authorities in participating countries;
- to promote standardization in developing and testing solutions to problems of a transnational character in contact with the official standardization bodies;
- to transfer the results of the research activities to European industry, users, standardization bodies and other interested parties;
- to assist industry or other outside organizations in testing some of their ideas.

In order to assist in achieving these objectives, the following actions in particular should be pursued:

- promoting pilot projects;
- promoting the development of tools which could also serve as models for collaborative work in other areas.

The project shall finance activities necessary to reach its objectives, such as:

- exchange of researchers;
- sponsoring work of common interest carried out under contractual arrangements with industry, research institutes, consultants, etc.

The project should whenever possible use Euronet and other data transmission networks provided by the authorized telecommunications agencies. This will facilitate the linking up of a very large number of teams interested in these developments.

A description of a few activities which can be undertaken immediately is given below.

1. Computer message system

The purpose of this activity will be in part to assess the impact of distributed processing on computer message systems (that is, mailbox and teleconferencing systems), and in part to act as a tool to support the general work of the project.

It will be based on results which are expected to be available by the end of 1980, namely the specification of separate centralized systems that will already have been implemented and used for some months. A specification should be developed for a decentralized system, amongst other objectives, to reduce the extent to which messages need to be transmitted between centres. The user, however, should be able to operate the system in the same way whether his correspondents are local or remote.

This improved specification should then be subjected to practical tests, and the Committee should determine how the work is to continue.

2. Testing of protocols

The purpose of this activity is to test protocols on such matters as transport stations, virtual terminals, etc., that have been implemented by project participants. It will be based on results which are expected to be available by the end of 1980 on the testing of implementations of X 25 interfaces. The Committee should determine, at the start of the project, what protocols the participants have implemented, or are intending to implement, and what are their requirements for testing them.

3. Interconnection of local networks

The purpose of this project will be, within the framework of the ISO architectural model for open systems, and taking account of CCITT specifications, to study the design of local networks and especially the means for interconnecting them via the new public data networks.

The work will start with a survey of the methods that have been implemented, or can be envisaged, to connect local networks that exist already or are otherwise well defined. This survey should be completed within six months, and the work could if desired be entrusted to a specialized firm.

Based on the results of this survey, protocols will be proposed for future local networks which simplify and harmonize their architecture, and improve the level of service to users.

A classified list of possible further topics is given below.

This list of topics will be revised from time to time as the project is progressing, taking into account the technological evolution and the capacity of the research teams involved.

1. *Distributed applications; distributed computing*

- 1.1. Distributed data bases
- 1.2. High level protocols and HLP based on X 25
 - 1.2.1. Network job control; network operating system
 - 1.2.1.1. File handling services
 - 1.2.1.2. Terminal handling services
 - 1.2.2. Theory of protocols

2. *User-level applications*

- 2.1. Applications in everyday life
- 2.2. Office-orientated applications
 - 2.2.1. Computer message services: (distributed) mailbox; (distributed) teleconferencing
 - 2.2.2. Text processing or editing

3. *Popularization*

- 3.1. User-friendly interfaces
- 3.2. Simple end-to-end protocol
- 3.3. Protocols for easy internetwork connections: local networks
- 3.4. Directory and information services

4. *Technical aspects*

- 4.1. Universal X 25 interface
- 4.2. Security systems for data in transit and in data bases
- 4.3. Add-on services, e.g. message store-and-forward, message broadcast, virtual terminal
- 4.4. Unconventional interfaces
- 4.5. Use of microcomputers in interfacing and networking
- 4.6. Transborder traffic flow, third party traffic switching
- 4.7. Network implementation language; design of networks

5. *Generic aspects*

- 5.1. Simulation and modelling for reliability and availability analysis
- 5.2. Testing of services; protocol monitoring and measurement
- 5.3. Evaluation and dissemination of project experience and results

ANNEX B

TERMS OF REFERENCE AND COMPOSITION OF THE COMMUNITY-COST CONCERNATION COMMITTEE ON TELE- INFORMATICS

1. The Committee shall:
 - 1.1. contribute to the optimum execution of the concerted action project giving its opinion on all its aspects, including in particular:
 - promoting and coordinating activities at national level within the concerted actions;
 - defining subjects of particular importance or of common interest;
 - allocating financial support from the coordination fund;
 - selecting contractors for specific tasks;
 - appointing the technical secretariat and determining its location;
 - giving guidance to the project leader;
 - 1.2. evaluate the results of the project and draw conclusions as to their application;
 - 1.3. be responsible for the exchange of information referred to in Article 5 (1) of the Agreement.
2. The Committee's reports and opinions shall be forwarded to the States.
3. The Committee shall be composed of two delegates from the Commission representing the Community programmes, one delegate from each participating non-member State, one delegate from each Member State representing its national programme, and the project leader. Each delegate may be accompanied by experts.

The Committee may invite representatives of users, of CEPT and of European bodies supporting standardization activities, to give their views.

ANNEX C

FINANCING RULES

Article 1

These provisions lay down the financing rules referred to in Article 4 of the Agreement.

Article 2

At the beginning of each financial year, the Commission shall send to each of the participating non-member States a call for funds corresponding to its share of the annual coordination costs under the Agreement, calculated in proportion to the maximum amounts laid down in Article 4 of the Agreement.

This contribution shall be expressed both in European units of account and the currency of the State concerned, the value of the European unit of account being defined in the Financial Regulation applicable to the general budget of the European Communities and determined on the date of the call for funds.

The total contributions shall cover the travel and subsistence costs of the delegates to the Committee, in addition to the coordination costs proper.

Each participating non-member State shall pay its annual contribution to the coordination costs under the Agreement at the beginning of each year, and by 31 March at the latest. Any delay in the payment of the annual contribution shall give rise to the payment of interest by the participating non-member State concerned at a rate equal to the highest discount rate obtaining in the States on the due date. The rate shall be increased by 0.25 of a percentage point for each month of delay. The increased rate shall be applied to the entire period of delay.

Article 3

The funds paid by participating non-member States shall be credited to the concerted action project as budget receipts allocated to a heading in the statement of revenue of the budget of the Commission.

Article 4

The provisional schedule for the coordination costs referred to in Article 4 of the Agreement is annexed.

Article 5

The Financial Regulation in force applicable to the general budget of the European Communities shall apply to the management of the appropriations.

Article 6

At the end of each financial year, a statement of appropriations for the concerted action project shall be prepared and transmitted to the participating non-member States for information.

Annex

**Provisional schedule for the concerted action project: Teleinformatics
(COST project 11 bis)**

Budget Item 3702: Implementation of Community projects for the development of data processing

(EUA)

	1980		1981		1982		1983		Total	
	AC	AP	AC	AP	AC	AP	AC	AP	AC	AP
I. Initial estimate of overall requirements										
Administrative operating expenditure and contracts	200 000	200 000	400 000	400 000	400 000	400 000	200 000	200 000	1 200 000	1 200 000
Total (to be covered by Item 3702)	200 000	200 000	400 000	400 000	400 000	400 000	200 000	200 000	1 200 000	1 200 000
II. Revised estimate of expenditure taking into account additional requirements arising from the accession of participating non-member States										
Administrative operating expenditure and contracts	200 000	200 000	400 000	400 000	400 000	400 000	200 000	200 000	1 200 000	1 200 000
Supplementary contracts	10 000	10 000	50 000	50 000	50 000	50 000	30 000	30 000	140 000	140 000
New total	210 000	210 000	450 000	450 000	450 000	450 000	230 000	230 000	1 340 000	1 340 000

III. Difference between I and II to be covered by contributions from participating non-member States	10 000	10 000	50 000	50 000	50 000	50 000	30 000	30 000	140 000	140 000
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AC: Account credited.

AP: Account paid.

INFORMATION CONCERNING

the Community-COST CONCERTATION AGREEMENT on a concerted action project in the field of tele-informatics (COST Project 11 bis)⁽¹⁾

Depository: General Secretariat of the Council of the European Communities, Brussels (Belgium)

Date of entry into force: 1.2.1982

Duration: until 11.9.1983

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽²⁾
		of ratification, acceptance, approval, etc.	of accession	
EEC	22.1.1981			
FINLAND	22.1.1981	30.4.1981		1.6.1981
NORWAY			30.7.1981	30.7.1981
SPAIN			23.7.1981	23.7.1981
SWEDEN	22.1.1981	22.1.1981		
YUGOSLAVIA			6.7.1981	6.7.1981

⁽¹⁾ OJ No L 350, 23.12.1980.

⁽²⁾ This date is only given where it falls after the date of entry into force of the Agreement.

Community–COST Concertation Agreement
on a concerted action project on the
effects of thermal processing and
distribution on the quality and nutritive
value of food
(COST project 91)

COMMUNITY-COST CONCERTATION AGREEMENT

on a concerted action project on the effects of thermal processing and distribution on the quality and nutritive value of food (COST project 91) ⁽¹⁾

COUNCIL DECISION

of 4 December 1980

concerning the conclusion of the Community-COST Concertation Agreement on a concerted action project on the effects of thermal processing and distribution on the quality and nutritive value of food (COST project 91)

(80/1183/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 79/878/EEC of 22 October 1979 adopting a European Economic Community concerted research project on the effects of thermal processing and distribution on the quality and nutritive value of food ⁽²⁾, and in particular Article 6 (1) thereof,

Having regard to the draft Decision submitted by the Commission,

⁽¹⁾ OJ No L 350, 23.12.1980.

⁽²⁾ OJ No L 270, 27.10.1979.

Whereas, pursuant to Article 6 (2) of Decision 79/878/EEC, the Commission has negotiated an Agreement with certain non-member States involved in European cooperation in the field of scientific and technical research (COST) with a view to ensuring that the Community project and the corresponding programmes of such States are harmonized;

Whereas, therefore, this Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Community-COST Concertation Agreement on a concerted action project on the effects of thermal processing and distribution on the quality and nutritive value of food (COST project 91) is hereby approved on behalf of the Community.

The text of the Agreement is attached 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, 4 December 1980.

For the Council
The President
J. BARTHEL

COMMUNITY-COST CONCERTATION AGREEMENT

on a concerted action project on the effects of thermal processing and distribution on the quality and nutritive value of food (COST project 91)

THE EUROPEAN ECONOMIC COMMUNITY,

hereinafter referred to as 'the Community',

SWEDEN AND SWITZERLAND,

hereinafter referred to as the 'participating non-member States',

Whereas a European concerted research project in the field of food technology is likely to contribute effectively to a more economic use of natural resources;

Whereas a programme of research in the field of food technology has been proposed by the Swedish delegation within the framework of European cooperation in the field of scientific and technical research (COST);

Whereas by its Decision of 22 October 1979 the Council of the European Communities adopted a Community concerted action project on the effects of thermal processing and distribution on the quality and nutritive value of food;

Whereas the Member States of the Community and the participating non-member States, hereinafter referred to as 'the States', intend, subject to the rules and procedures applicable to their national programmes, to carry out the research described in Annex A and are prepared to integrate such research into a process of concertation which they consider will be of mutual benefit;

Whereas the implementation of the research covered by the concerted action project will require a financial contribution of some nine million European units of account from the States,

HAVE AGREED AS FOLLOWS:

Article 1

The Community and the participating non-member States, hereinafter referred to as 'the Contracting Parties', shall participate for a period extending until 26 October 1982 in a concerted action project on the effects of thermal processing distribution on the quality and nutritive value of food.

This project shall consist in concertation between the Community concerted action programme and the corresponding programmes of the participating non-member States. The programmes covered by this Agreement are listed in Annex A.

The States remain entirely responsible for the research executed by their national institutions or bodies.

Article 2

The concertation between the Contracting Parties shall be effected through a Community-COST Concertation Committee, hereinafter referred to as 'the Committee'.

The Committee shall draw up its rules of procedure. Its Secretariat will be provided by the Commission of the European Communities, hereinafter referred to as 'the Commission'.

The terms of reference and the composition of this Committee are defined in Annex B.

Article 3

In order to ensure optimum efficiency in the execution of this concerted action project, a project leader shall be appointed by the Commission in agreement with the delegates of the participating non-member States on the Committee.

Article 4

The maximum financial contributions by the Contracting Parties to the coordination shall be:

- 287 000 European units of account from the Community for a three-year period beginning on 27 October 1979,
- 24 000 European units of account from each participating non-member State for the period referred to in the first paragraph of Article 1.

The European unit of account is as defined by the Financial Regulation in force applicable to the general budget of the European Communities and by the financial arrangements adopted pursuant thereto.

The rules governing the financing of the Agreement are set out in Annex C.

Article 5

1. Through the Committee, the States shall exchange regularly all useful information concerning the execution of the research covered by the concerted action project. They shall also endeavour to provide information on similar research planned or carried out by other bodies. Any information shall be treated as confidential if the State which provides it so requests.

2. In agreement with the Committee the Commission shall prepare yearly progress reports on the basis of the information supplied and shall forward them to the States.

3. At the end of the concertation period, the Commission shall, in agreement with the Committee, forward to the States a general report on the execution and results of the project. This report shall be published by the Commission six months after it has been forwarded, unless a State objects. In that case the report shall be confidential and shall be forwarded, on request and with the agreement of the Committee, solely to the institutions and undertakings whose research or production activities justify access to knowledge resulting from the performance of the research covered by the concerted action project.

Article 6

1. Each of the Contracting Parties shall, after signing this Agreement, notify the Secretary-General of the Council of the European Communities as soon as possible of the completion of the procedures necessary under its internal provisions for the implementation of this Agreement.

2. For the Contracting Parties which have transmitted the notification provided for in paragraph 1, this Agreement shall enter into force on the first day of the month following that in which the Community and at least one of the participating non-member States transmitted these notifications.

For those Contracting Parties which transmit the notification after the entry into force of this Agreement, it shall come into force on the first day of the second month following the month in which the notification was transmitted.

Contracting Parties 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 following the entry into force of this Agreement.

3. For a period of six months following its entry into force, this Agreement shall be open for accession by the other European States which took part in the Ministerial Conference held in Brussels on 22 and 23 November 1971. The instruments of accession shall be deposited with the General Secretariat of the Council of the European Communities. A State which accedes to this Agreement shall become a contracting party within the meaning of Article 1 on the date of deposit of the instrument of accession.

4. The Secretary-General of the Council of the European Communities shall notify each of the Contracting Parties of the deposit of the notifications provided for in paragraph 1, of the date of entry into force of this Agreement and of the deposit of the instruments of accession provided for in paragraph 3.

Article 7

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, each text 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 each of the Contracting Parties.

ANNEX A

Programmes covered by the Agreement

1. Milk products
 - 1.1. Refrigeration
 - 1.2. Coagulation of milk proteins by heat treatment
 - 1.3. Analytical methodology including predictive tests

2. Fruit and vegetables
 - 2.1. Effects of heat treatment

3. Cereals
 - 3.1. Non-traditional heat treatment
 - 3.2. Effects of heat treatment on the biopolymers of cereals, especially with respect to lipid, starch and protein inter-reaction
 - 3.3. Effects of freezing and thawing on the quality of cereal-based foods

4. Fish
 - 4.1. Heat treatment in relation to unused or under-used species and utilization of waste material
 - 4.2. Heat treatment and microbiological safety

5. Meat
 - 5.1. Curing ingredients and their interaction in pasteurized and canned products
 - 5.2. Chilling and freezing of meat
 - 5.3. Heat-treatment processes and interactions with vegetable matter
 - 5.4. Thawing of meat

6. Nutrition
 - 6.1. Heat-treatment processes and protein quality

- 6.2. Heat treatment and polyunsaturated fat
- 6.3. Nutritional consequences of the cooking of food

ANNEX B

Terms of reference and composition of the Community–COST Concertation Committee on the effects of thermal processing and distribution on the quality and nutritive value of food

1. The Committee shall:
 - 1.1. contribute to the optimum execution of the project by giving its opinion on all aspects of its progress;
 - 1.2. evaluate the results of the project and draw conclusions regarding their application;
 - 1.3. be responsible for the exchange of information referred to in Article 5 (1) of the Agreement;
 - 1.4. suggest guidelines to the project leader;
 - 1.5. have the right to set up a sub-committee in respect of each of the topics covered, as given in Annex A, to ensure that the project is properly implemented.
2. The Committee's reports and opinions shall be forwarded to the States.
3. The Committee shall be composed of one delegate from the Commission, as coordinator of the Community concerted action project, one delegate from each participating non-member State, one delegate from each Member State representing its national programme, and the project leader. Each delegate may be accompanied by experts.

ANNEX C

Financing rules

Article 1

These provisions lay down the financing rules referred to in Article 4 of the Agreement.

Article 2

At the beginning of each financial year, the Commission shall send to each of the participating non-member States a call for funds corresponding to its share of the annual coordination costs under the Agreement, calculated in proportion to the maximum amounts laid down in Article 4 of the Agreement.

This contribution shall be expressed both in European units of account and in the currency of the State concerned, the value of the European unit of account being defined in the Financial Regulation applicable to the general budget of the European Communities and determined on the date of the call for funds.

Each participating non-member State shall pay its annual contribution to the coordination costs under the Agreement at the beginning of each year, and by 31 March at the latest. Any delay in the payment of the annual contribution shall give rise to the payment of interest by the participating non-member State concerned at a rate equal to the highest discount rate obtaining in the States on the due date. The rate shall be increased by 0.25 of a percentage point for each month of delay. The increased rate shall be applied to the entire period of delay.

Article 3

The funds paid by participating non-member States shall be credited to the concerted action project as budget receipts allocated to a heading in the statement of revenue of the budget of the Commission.

Article 4

The provisional schedule for the coordination costs referred to in Article 4 of the Agreement is annexed.

Article 5

The Financial Regulation in force applicable to the general budget of the European Communities shall apply to the management of the appropriations.

Article 6

At the end of each financial year, a statement of appropriations for the concerted action project shall be prepared and transmitted to the participating non-member States for information.

Annex

Multiannual schedule for the concerted action project: Effects of thermal processing and distribution on the quality and nutritive value of food (COST project 91)

Budget Item 3371: Implementation of concerted action projects

(EUA)

	1980		1981		1982		Total	
	AC	AP	AC	AP	AC	AP	AC	AP
I. Initial estimate of overall requirements (figures appearing in the schedule of commitments and payments and in the table of equivalence given in Annex II to the Commission budget)								
	Staff	25 000	25 000					
	Administrative operating expenditure	39 000	39 000	} 96 000	} 96 000	} 96 000	} 96 000	} 287 000
	Contracts	31 000	31 000					
Total (to be covered by appropriations entered in Item 3371)	95 000	95 000	96 000	96 000	96 000	96 000	287 000	287 000

AC: Account credited.
AP: Account paid.

	1980		1981		1982		Total	
	AC	AP	AC	AP	AC	AP	AC	AP
II. Revised estimate of expenditure taking into account additional requirements arising from the accession of participating non-member States								
- Staff	25 000	25 000						
- Administrative operating expenditure	39 000	39 000	96 000 +	96 000 +	96 000 +	96 000 +	287 000 +	278 000 +
- Contracts	31 000 + 2 × 8 000	31 000 + 2 × 8 000	2 × 8 000	2 × 8 000	2 × 8 000	2 × 8 000	2 × 24 000	2 × 24 000
New total	95 000 + 2 × 8 000	95 000 + 2 × 8 000	96 000 + 2 × 8 000	287 000 + 2 × 24 000	287 000 + 2 × 24 000			
III. Difference between I and II to be covered by contributions from participating non-member States	2 × 8 000	2 × 8 000	2 × 8 000	2 × 8 000	2 × 8 000	2 × 8 000	2 × 24 000	2 × 24 000

AC: Account credited.

AP: Account paid.

INFORMATION CONCERNING

the Community-COST CONCERTATION AGREEMENT on a concerted action project on the effects of thermal processing and distribution on the quality and nutritive value of food (COST project 91) ⁽¹⁾

Depositary: General Secretariat of the Council of the European Communities, Brussels (Belgium)

Date of entry into force: 1.2.1981

Duration: until 26.10.1982

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Date of entry into force ⁽²⁾
		of ratification, acceptance, approval, etc.	of accession	
EEC	22.1.1981			
FINLAND	18.5.1981		18.5.1981	18.5.1981
SPAIN	23.7.1981		23.7.1981	23.7.1981
SWEDEN	22.1.1981			
SWITZERLAND	22.1.1981			
YUGOSLAVIA	25.7.1981		25.7.1981	25.7.1981

⁽¹⁾ OJ No L 350, 23.12.1980.

⁽²⁾ This date is only given where it falls after the date of entry into force of the Agreement.

CHAPTER II

**Multilateral agreements
concluded by the European
Atomic Energy Community**

Agreement
between France, EAEC and IAEA

AGREEMENT

between France, the European Atomic Energy Community and the International Atomic Energy Agency for the application of safeguards in France ⁽¹⁾

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;

Whereas in order to encourage the acceptance of such safeguards by an ever greater number of States, France is prepared to enable the Agency to apply its safeguards in French territory by concluding an Agreement with it for that purpose;

Whereas the aim of such an Agreement is necessarily different from the aims of the Safeguards Agreements concluded by the Agency with non-nuclear-weapon States;

Whereas it is in the interests of the Members of the Agency that, without prejudicing the principles and integrity of the Agency's safeguards system, the financial and other resources used by the Agency to implement an agreement of this kind should not exceed those which are necessary to achieve the aim of the present Agreement;

⁽¹⁾ Not published in the OJ.

Whereas France 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, in particular, 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 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 France has declared its readiness to negotiate with the Agency provisions adapted to its circumstances for the application of safeguards in French territory;

Whereas the Community has welcomed this declaration 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 the application of safeguards, and has associated itself with France in these negotiations;

Considering the nature of the Agreement of 6 September 1976 and of the Protocol thereto between the United Kingdom, the Community and the Agency,

FRANCE, THE COMMUNITY AND THE AGENCY HAVE AGREED AS FOLLOWS:

Part I

GENERAL UNDERTAKINGS

Article 1

- (a) France shall accept the application of safeguards, in accordance with the terms of this Agreement, on source or special fissionable material which it has designated, in facilities or parts thereof within France, 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) France 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. France shall keep the Facilities List up to date and may at any time make deletions from it. France shall give the Community and the Agency advance notice of any additions or deletions.

- (c) Whenever France withdraws nuclear material referred to in paragraph (a) of this Article from the scope of this Agreement 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 described in paragraph (a) of this Article 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 described in Article 1 (a) of this Agreement in those facilities or parts of facilities within France 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 FRANCE, THE COMMUNITY AND THE AGENCY

Article 4

France, 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.

IMPLEMENTATION OF SAFEGUARDS

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 France 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 France 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 connection 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 fulfill 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 France and, where appropriate, the Community agree 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 minimization 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 France regards as being of particular sensitivity, the Agency shall conduct the examination on premises of the Community or of France, if the latter so requests. 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 France and the Community to the designation of Agency inspectors to France.

- (ii) If France 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 France and the Community an alternative designation or designations.

 - (iii) If, as a result of the repeated refusal of France 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) France 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 France 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

France 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 is no longer possible.

TRANSFER OF NUCLEAR MATERIAL OUT OF FRANCE

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 France, in accordance with Article 91. The Agency shall keep records of each such transfer and, where applicable, of the reapplication of safeguards to the transferred nuclear material.

PROVISIONS RELATING TO NUCLEAR MATERIAL TO BE USED IN NON-NUCLEAR ACTIVITIES

Article 13

If France 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.

WITHDRAWAL OF MATERIAL FROM THE SCOPE OF THE AGREEMENT

Article 14

If France intends to withdraw nuclear material from the scope of this Agreement in accordance with Article 1 (c), it shall give the Community and the Agency advance notice of such withdrawal. If any nuclear material can be reincluded in the scope of this Agreement, France 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 France, 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

France 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 France.

INTERNATIONAL RESPONSIBILITY

Article 17

Any claim by France or the Community against the Agency or by the Agency against France 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 France 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 France 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 France or the Community, in so far as either party is individually concerned, to remedy the situation forthwith. If France 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 France, the Community or the Agency, there shall be consultation about any question arising out of the interpretation or application of this Agreement.

Article 21

France 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 France 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 France, the Community and the Agency shall, at the request of any one of them, be submitted to an arbitral tribunal composed of five arbitrators. France 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 30 days of the request for arbitration, France, the Community or the Agency have failed to make such a designation, France, the Community or the Agency may request the Secretary-General of the United Nations to make the designation. The same procedure shall apply if, within 30 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 France, the Community and the Agency.

Article 23

- (a) France and the Agency shall institute steps to suspend the application of Agency safeguards in France under other safeguards agreements with the Agency while this Agreement is in force. However, France 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 France 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 France notifies the Community and the Agency of the existence of further agreements relating to the application of safeguards in connection with the supply of nuclear material to France, France, the Community and the Agency shall consult together in order to arrange for the extension, in such circumstances, of the scope of the arrangements described in paragraph (a).
- (c) If nuclear material subject to Agency safeguards under this Agreement is processed, produced or used in combination with other nuclear material, and material must be lost or produced as a result, the safeguards procedures provided for in this Agreement shall apply to the whole of the mixture for as long as the mixture exists. To calculate the quantities of nuclear material which must remain subject to the provisions of this Agreement after separation of the mixture, material lost or produced shall be subtracted from or added to the material subject or not subject to the provisions of this Agreement, according to its original proportion in the mixture.

AMENDMENT OF THE AGREEMENT

Article 24

- (a) France, 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 France, 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 France and the Community that their respective internal requirements for entry into force have been met, and the Director-General shall promptly notify France 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 indefinitely. Any party to this Agreement may, upon giving six months' notice to the other parties, terminate the 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 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, shall 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 physical inventories;
- (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 France 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 cases referred to in Article 13, provided that France, the Community and the Agency agree that the recovery of such material is impossible.

EXEMPTIONS FROM SAFEGUARDS

Article 36

At the request of the Community, who shall make such a request if so required by France, 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 France, the Agency shall exempt from safeguards under this Agreement nuclear material that would otherwise be subject to such safe-

guards, provided that the total quantity of nuclear material which has been exempted 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) 10 tonnes in total of natural uranium and depleted uranium with an enrichment above 0.005 (0.5%);
- (c) 20 tonnes of depleted uranium with an enrichment of 0.005 (0.5%) or below; and
- (d) 20 tonnes 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 a delegation comprising representatives of France and the European Community 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 France.
- (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 France 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 France 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, where appropriate, in respect of each facility or part thereof containing or to contain nuclear material subject to safeguards under this Agreement :

- (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. France 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 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 France 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 France and 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 France 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

France 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 identification, 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 data 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 drawn up 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 French.

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 30 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 30 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 on the day on which the List is thus amended.

- (c) When any nuclear material becomes subject to safeguards under this Agreement as provided for 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 France 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 leads 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.

Amplifications and clarifications

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 France, 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 that 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 France, including explanations from the Community and France, 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.

Scope of inspections

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 France 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 France 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 France or the Community concluding that any unusual circumstances require extended limitations on access by the Agency, France, 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, France, 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 France 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; should action by France or the Community, in so far as either party is individually concerned, be 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 France, the Agency shall from time to time select from the Facilities List and designate to the Community and France 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, France and the Community shall 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 5 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 5 effective kilograms shall be determined in such a way that the inspection regime is 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 inspections per year shall be determined by allowing one sixth of a man-year of inspection for each 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 inspections per year shall be determined by allowing for each 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 inspections per year shall be determined by allowing for each 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 and 80 the criteria used to determine the actual number, intensity, duration, timing and mode of routine inspections in respect of 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 by 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 France'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 France 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;

- (f) *quantity of material subject to safeguards* actually present in the facility.

Article 82

France, the Community and the Agency shall consult if France 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 France 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 France, 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 these 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 periods during which they will be visited. If the Agency inspectors are to arrive from outside France, the Agency shall also give advance notice of the place and time of their arrival in France.

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 France and the Community periodically of its general programme of announced and unannounced inspections, specifying the general periods when inspections are planned. In carrying out any unannounced inspections the Agency shall make every effort to minimize any practical difficulties for the Community, for France and for facility operators bearing in mind the relevant provisions of Articles 44 and 89. Similarly France 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 France 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 France;
- (b) France and the Community shall inform the Director-General within 30 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 France and the Community as one of the Agency inspectors for France, and shall inform France and the Community of such designations; and

- (d) the Director-General, acting in response to a request by France or the Community or on his own initiative, shall immediately inform France and the Community of the withdrawal of the designation of any official as an Agency inspector for France.

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 30 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

France 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 France, including the use of equipment, in connection with the performance of inspections, France and the Community shall facilitate the procurement of such services and the use of such equipment by Agency inspectors, subject to the provisions of Article 15.

Article 89

The Community and France shall have the right to have Agency inspectors accompanied during their inspections by Community inspectors and by representatives of France 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 France 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 FRANCE

Article 91

- (a) The Community shall provide the Agency with the following information in respect of international transfers of nuclear material in quantities of more than 1 effective kilogram from or to facilities or parts thereof on the Facilities List:
- (i) the name of the body or company which will prepare the nuclear material for export or which will receive it;
 - (ii) the description and, if possible, composition and probable quantity of the nuclear material to be exported or imported;
 - (iii) the name of the country and of the body or company to which the nuclear material is to be exported or from which it is to be imported and, where applicable (i.e. where the nuclear material is further processed in a second country before being transferred to a third country), the name of the country and of the body or company which will be the final recipients.
- (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 France;
 - (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 provided for in Article 68 if any unusual circumstances lead the Community to believe that there is or may have been loss of nuclear material or if a significant delay occurs 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: receipt within France from another material balance area; 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: shipment within France to another material balance area 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 within 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 France 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

France and 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 any rules and

methods which may have been set forth in the subsidiary arrangements or which may have been used for the calculation of the inspection efforts in respect of specific examples attached to the subsidiary arrangements. Such 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

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 shall 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).

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 laid down 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 specific 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 France, 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 Subcommittee referred to in paragraph (c).
- (c) The Committee may appoint a Subcommittee 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 Subcommittee 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 between France, the European Atomic Energy Community and the International Atomic Energy Agency for the application of safeguards in France⁽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
EAEC FRANCE IAEA	20.7.1978 27.7.1978 27.7.1978	—	12.9.1981	indefinite ⁽²⁾

⁽¹⁾ Not published in the Official Journal.

⁽²⁾ Article 25(b) stipulates that: 'This Agreement shall remain in force indefinitely. 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.'

CHAPTER III

**Multilateral agreements
concluded by the
European Coal and Steel
Community**

Agreement
between the ECSC and the ACP States

AGREEMENT

on products within the province of the European Coal and
Steel Community ⁽¹⁾ ⁽²⁾

(80/1153/ECSC)

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 Coal and Steel
Community signed in Paris on 17 April 1951, whose States are hereinafter
referred to as 'Member States'.

⁽¹⁾ OJ No L 347, 22.12.1980.

⁽²⁾ The First Agreement appears in Volume 6, page 1523.

of the one part, and

THE HEAD OF STATE OF THE BAHAMAS,

THE HEAD OF STATE OF BARBADOS,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN,

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON,

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE
COMOROS.

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO.

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST.

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS
OF THE INDEPENDENT STATE OF DOMINICA,

THE CHAIRMAN OF THE PROVISIONAL MILITARY ADMINIS-
TRATIVE COUNCIL AND OF THE COUNCIL OF MINISTERS AND
COMMANDER-IN-CHIEF OF THE REVOLUTIONARY ARMY OF
ETHIOPIA.

HER MAJESTY THE QUEEN OF FIJI.

THE PRESIDENT OF THE GABONESE REPUBLIC.

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA,
THE PRESIDENT OF THE REPUBLIC OF GHANA,
THE HEAD OF STATE OF GRENADA,
THE PRESIDENT OF THE REPUBLIC OF GUINEA,
THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA
BISSAU,
THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA,
THE PRESIDENT OF THE REPUBLIC OF GUYANA,
THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA,
THE HEAD OF STATE OF JAMAICA,
THE PRESIDENT OF THE REPUBLIC OF KENYA,
THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,
HIS MAJESTY THE KING OF THE REPUBLIC OF LESOTHO,
THE PRESIDENT OF THE REPUBLIC OF LIBERIA,
THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF MADA-
GASCAR,
THE PRESIDENT OF THE REPUBLIC OF MALAWI,
THE PRESIDENT OF THE REPUBLIC OF MALI,
THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,

HER MAJESTY THE QUEEN OF MAURITIUS,

THE PRESIDENT OF THE REPUBLIC OF NIGER,

THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA,

THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW
GUINEA,

THE PRESIDENT OF THE REPUBLIC OF RWANDA,

THE PRESIDENT OF THE REPUBLIC OF SAINT LUCIA,

THE HEAD OF STATE OF WESTERN SAMOA,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO
TOME AND PRINCIPE,

THE PRESIDENT OF THE REPUBLIC OF SENEGAL,

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES.

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,

THE PRESIDENT OF THE INDEPENDENT STATE OF SOLOMON
ISLANDS,

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SUDAN,

THE PRESIDENT OF THE REPUBLIC OF SURINAME,

HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND,

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,

THE PRESIDENT OF THE REPUBLIC OF CHAD,

THE PRESIDENT OF THE REPUBLIC OF TOGO,

HIS MAJESTY KING TAUFU'AHAU TUPOU IV OF TONGA,

THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND
TOBAGO,

HER MAJESTY THE QUEEN OF TUVALU,

THE PRESIDENT OF THE REPUBLIC OF UGANDA,

THE PRESIDENT OF THE REPUBLIC OF ZAIRE,

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,

whose States are hereinafter called 'the ACP States',

of the other part.

HAVING REGARD to the Treaty establishing the European Coal and
Steel Community,

HAVING REGARD to the Treaty establishing the European Economic
Community, and in particular Article 232 thereof,

WHEREAS the Second ACP-EEC Convention of Lomé, signed this day,
does not apply to products falling within the province of the European Coal
and Steel Community,

DESIROUS, however, of developing trade in these products between the
Member States and the ACP States,

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

HIS MAJESTY THE KING OF THE BELGIANS:

Mr Paul NOTERDAEME,
Ambassador,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Mr Niels ERSBØLL,
State Secretary,
Ambassador,
Ministry of Foreign Affairs;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Mr Klaus von DOHNANYI,
Minister of State,
Ministry of Foreign Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Mr Robert GALLEY,
Minister for Cooperation,

Mr Pierre BERNARD-REYMOND,
State Secretary,
Ministry of Foreign Affairs;

THE PRESIDENT OF IRELAND:

Mr Michael O'KENNEDY,
Minister for Foreign Affairs of Ireland;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

The Honourable Giuseppe ZAMBERLETTI,
Under-Secretary of State for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Mr Jean DONDELINGER,
Ambassador,
Permanent Representative of Luxembourg to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Mr D. F. VAN DER MEI,
Secretary of State,
Ministry of Foreign Affairs;

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

The Honourable Douglas Richard HURD, CBE,
Member of Parliament,
Minister of State for Foreign and Commonwealth Affairs;

THE HEAD OF STATE OF THE COMMONWEALTH OF THE BAHAMAS:

H.E. Mr R. F. Anthony ROBERTS,
High Commissioner for the Commonwealth of the Bahamas in London;

THE HEAD OF STATE OF BARBADOS:

The Honourable Harold Bernard St JOHN, QC, MP,
Deputy Prime Minister and Minister of Trade, Tourism and Industry;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN:

Mr André ATCHADE,
Minister for Trade and Tourism;

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA:

Mr Archibald MOOKETSA MOGWE,
Minister of External Affairs;

THE PRESIDENT OF THE REPUBLIC OF BURUNDI:

Mr Donatien BIHUTE,
Minister for Planning;

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON:

Mr Robert NAAH,
Deputy Minister for Economic Affairs and Planning;

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE:

Mr Abilio Augusto MONTERO DUARTE,
Minister for Foreign Affairs;

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC:

Mr Jean-Pierre LE BOUDER,
Minister for Cooperation, Planning, General Statistics, Companies and
Consultancy Bureaux on Projects relating *inter alia* to the Organization
and Promotion of Agro-Industrial Operations;

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE COMOROS:

Mr Ali MROUDJAE,
Minister for Foreign Affairs and Cooperation;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO:

Mr Elenga NGAPORO,
Minister for Trade;

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST:

Mr Abdoulaye KONE,
Minister for Economic Affairs, Financing and Planning;

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI:

H.E. Mr Ahmed Ibrahim ABDI,
Ambassador Extraordinary and Plenipotentiary of the Republic of Djibouti to the French Government and to the European Economic Community;

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS OF THE COMMONWEALTH OF DOMINICA:

Mr Arden SHILLINGFORD,
High Commissioner of Dominica in London;

THE CHAIRMAN OF THE PROVISIONAL MILITARY ADMINISTRATIVE COUNCIL AND OF THE COUNCIL OF MINISTERS AND COMMANDER-IN-CHIEF OF THE REVOLUTIONARY ARMY OF ETHIOPIA:

Mr Teferra WOLDE-SEMAIT,
Minister of Finance;

HER MAJESTY THE QUEEN OF FIJI:

Mr Satya Nand NANDAN,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Fiji to the European Communities;

THE PRESIDENT OF THE GABONESE REPUBLIC:

Mr Michel ANCHOUEY,
Minister for Planning, Development, Regional Planning and Tourism;

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA:

Mr Mohamadu CADI CHAM,
Minister of Finance and Trade;

THE PRESIDENT OF THE REPUBLIC OF GHANA:

H.E. Mr Amon NIKOI,
Minister of Finance and Economic Planning;

THE HEAD OF STATE OF GRENADA:

Mr Fennis AUGUSTINE,
High Commissioner for Grenada in London;

THE PRESIDENT OF THE REPUBLIC OF GUINEA:

Mr N'Faly SANGARE,
Minister Delegate to the European Communities;

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA
BISSAU:

H.E. Dr VASCO CABRAL,
State Commissioner for Economic Coordination and Planning;

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA:

Lieut. Cristino Seriche MALABO BICO,
Member of the Supreme Military Council;

THE PRESIDENT OF THE REPUBLIC OF GUYANA:

Mr Samuel Rudolph INSANALLY,
Guyana's Permanent Representative to the European Economic Community;

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA:

Mr Georges SANOGO,
Minister for Planning and Cooperation;

THE HEAD OF STATE OF JAMAICA:

H.E. Mr Donald RAINFORD,
Ambassador Extraordinary and Plenipotentiary of Jamaica to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF KENYA:

Mr Joseph MULIRO,
Permanent Secretary,
Ministry of Agriculture;

THE PRESIDENT OF THE REPUBLIC OF KIRIBATI:

The Honourable Douglas Richard HURD, CBE, MP,
Minister of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland;

HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO:

The Honourable Morena MAKHAOLA LEROTHOLI;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA:

The Honourable D. Franklin NEAL,
Minister of Planning and Economic Affairs;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR:

H.E. Mr Justin RARIVOSON,
Minister for Economic Affairs and Trade;

THE PRESIDENT OF THE REPUBLIC OF MALAWI:

The Honourable Stott Zondwayo JERE. MP,
Minister for Trade, Industry and Tourism;

THE PRESIDENT OF THE REPUBLIC OF MALI:

H.E. Mr Alioune Blondin BEYE,
Minister for Foreign Affairs and International Cooperation;

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA:

Mr Abdellah OULD DADDAH,
Ambassador Extraordinary and Plenipotentiary,
Representative of the Islamic Republic of Mauritania to the European
Communities;

HER MAJESTY THE QUEEN OF MAURITIUS:

The Honourable Sir Sateam BOOLELL, Knight,
Minister for Agriculture, Natural Resources and the Environment;

THE PRESIDENT OF THE REPUBLIC OF NIGER:

Mr Mai MAIGENA,
Minister for Economic Affairs, Trade and Industry;

THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA:

H.E. Mr P. Ayodele AFOLABI,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of the Federal Republic of Nigeria to the European
Communities;

**THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW
GUINEA:**

Mr Frederick Bernard Carl REIHER,
Ambassador to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF RWANDA:

Mr Ambroise MULINDANGABO,
Minister for Planning;

THE PRESIDENT OF THE REPUBLIC OF SAINT LUCIA:

Mr George William ODLUM,
Deputy Prime Minister,
Minister for Foreign Affairs and Trade;

THE HEAD OF STATE OF WESTERN SAMOA:

The Honourable Filipo VAOVASAMANAIA,
Minister for Finance;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO
TOME AND PRINCIPE:

Mrs Maria de AMORIM,
Minister for Foreign Affairs and Cooperation;

THE PRESIDENT OF THE REPUBLIC OF SENEGAL:

Mr Ousmane SECK,
Minister for Finance and Economic Affairs;

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES:

Mr Maxime FERRARI,
Minister for Planning and Development;

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE:

The Honourable Dr I. M. FOFANA,
Minister for Trade and Industry;

THE PRESIDENT OF THE INDEPENDENT STATE OF SOLOMON
ISLANDS:

The Honourable Douglas Richard HURD, CBE, MP,
Minister of State,
Ministry of Foreign and Commonwealth Affairs of the United Kingdom
of Great Britain and Northern Ireland

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL:

H.E. Mr Omar Salah AHMED,
Ambassador Extraordinary and Plenipotentiary,
Representative of the Somali Democratic Republic to the European Com-
munities;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE
SUDAN:

Mr IZZ EL DIN HAMID,
Minister of State in the Council of Ministers;

THE PRESIDENT OF THE REPUBLIC OF SURINAME:

Mr Ludwig C. ZUIVERLOON,
Minister of Economic Affairs;

HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND:

Mr DZABULUMJIVA H. S. NHLABATSI,
Deputy Minister for Works, Power and Communications;

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:

Mr Alphonse M. RULEGURA,
Minister for Trade;

THE PRESIDENT OF THE REPUBLIC OF CHAD:

Mr Issaka Ramat AL HAMDOUN,
Chargé d'affaires a.i.
Brussels Embassy of the Republic of Chad;

THE PRESIDENT OF THE REPUBLIC OF TOGO:

Mr Koudjolou DOGO,
Minister for Planning, Industrial Development and Administrative
Reform;

HIS MAJESTY KING TAUFU'AHAU TUPOU IV OF TONGA:

H.R.H. Crown Prince TUPOUTO'A,

THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND
TOBAGO:

H.E. Mr Eustache SEIGNORET,
High Commissioner (London);

HER MAJESTY THE QUEEN OF TUVALU:

Mr Satya Nand NANDAN,
Ambassador Extraordinary and Plenipotentiary, Head of the Mission of
Fiji to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF UGANDA:

The Honourable Ateker EJALU,
Minister of Regional Cooperation;

THE PRESIDENT OF THE REPUBLIC OF ZAIRE:

Mr KIAKWAMA Kia KIZIKI,
State Commissioner for the Economy, Industry and Trade;

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA:

Mr Remi CHISUPA, MP,
Minister of Commerce and Industry;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Products within the province of the European Coal and Steel Community shall, when they originate in the ACP States, on import into the Community be admitted free of customs duties and charges having equivalent effect.

Article 2

Products referred to in Article 1 originating in the Member States shall, on import into the ACP States, be admitted in accordance with the provisions of Title I, Chapter 1, of the Second ACP-EEC Convention of Lomé signed this day.

Article 3

If the offers made by firms of the ACP States 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, such as withdrawing the concessions referred to in Article 1.

Article 4

Consultations shall take place between the parties concerned in all cases where, in the opinion of one of them, the implementation of the above provisions calls for such consultations.

Article 5

The provisions laying down the rules of origin for the application of the Second ACP-EEC Convention of Lomé shall also apply to this Agreement.

Article 6

This Agreement shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, or the powers of jurisdiction conferred by that Treaty.

Article 7

This Agreement shall be ratified by the Signatory States under the conditions provided for in Article 182 of the Second ACP-EEC Convention of Lomé signed this day.

It shall enter into force at the same time as the said Convention.

Article 8

This Agreement shall expire after a period of five years from the first day of March 1980, namely the 28th day of February 1985. It shall cease to apply to any Signatory State which, under Article 189 of the Second ACP-EEC Convention of Lomé is no longer a party to that Convention.

Article 9

This Agreement, drawn up in two originals, 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 with 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 signed 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 Lome, den enogtredivte oktober nitten hundrede og nioghalvfjerds.

Geschehen zu Lome am einunddreißigsten Oktober neunzehnhundertneunundsiebzig.

Done at Lomé on the thirty-first day of October in the year one thousand nine hundred and seventy-nine.

Fait à Lomé, le trente et un octobre mil neuf cent soixante-dix-neuf.

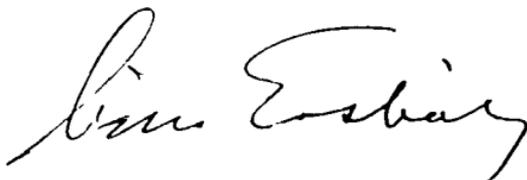
Fatto a Lomé, addi trentuno ottobre millenovecentosettantanove.

Gedaan te Lomé, de eenendertigste oktober negentienhonderd negenenzeventig.

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

A large, elegant handwritten signature in black ink, likely belonging to the King of Belgium, positioned below the text.

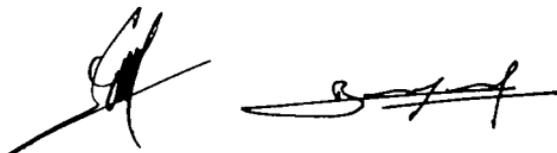
For Hendes Majestæt Dronningen af Danmark

A large, elegant handwritten signature in black ink, likely belonging to the Queen of Denmark, positioned below the text.

Für den Präsidenten der Bundesrepublik Deutschland



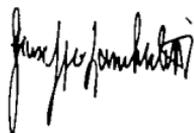
Pour le président de la République française



For the President of Ireland



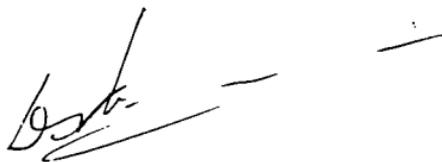
Per il Presidente della Repubblica italiana



Pour Son Altesse royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



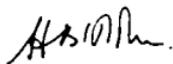
For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

Douglas Hurd.

For the Head of State of the Bahamas



For the Head of State of Barbados



Pour le président de la république populaire du Bénin



For the President of the Republic of Botswana



Pour le président de la république du Burundi



Pour le président de la république unie du Cameroun

RV M L

For the President of the Republic of Cape Verde

M. L. D. S.

Pour le président de la République centrafricaine

J. S. Bourda

Pour le président de la république fédérale islamique des Comores

A. S. F.

Pour le président de la république populaire du Congo

P. S. B.

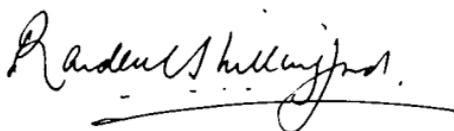
Pour le président de la république de Côte-d'Ivoire

[Signature]

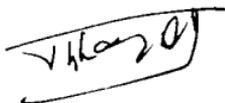
Pour le président de la république de Djibouti



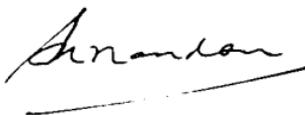
For the Prime Minister and Minister of External Affairs of the Independent State of Dominica



For the Chairman of the Provisional Military Administrative Council and of the Council of Ministers and Commander-in-Chief of the Revolutionary Army of Ethiopia



For Her Majesty the Queen of Fiji



Pour le président de la République gabonaise



For the President of the Republic of the Gambia



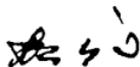
For the President of the Republic of Ghana



For the Head of State of Grenada



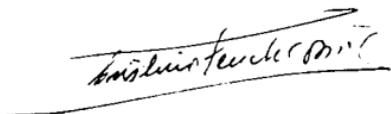
Pour le président de la république du Guinée



Pour le président du conseil d'État de la Guinée-Bissau



Pour le président de la république de Guinée équatoriale



For the President of the Republic of Guyana



Pour le président de la république de la Haute-Volta



For the Head of State of Jamaica



For the President of the Republic of Kenya



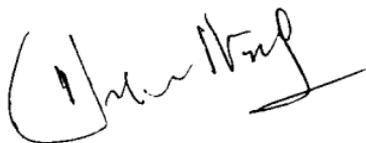
For the President of the Republic of Kiribati



For His Majesty the King of the Kingdom of Lesotho



For the President of the Republic of Liberia

A handwritten signature in black ink, appearing to read 'Charles Taylor', with a long horizontal stroke extending to the right.

Pour le président de la république démocratique de Madagascar

A handwritten signature in black ink, appearing to read 'Andriamananjato', with a long horizontal stroke extending to the right.

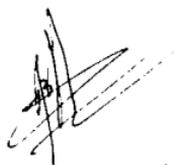
For the President of the Republic of Malawi

A handwritten signature in black ink, appearing to read 'Bingu wa Mutharika', with a long horizontal stroke extending to the right.

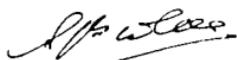
Pour le président de la république du Mali

A handwritten signature in black ink, appearing to read 'Alpha Oumar Konaré', with a long horizontal stroke extending to the right.

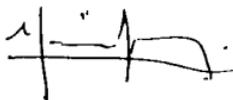
Pour le président de la république islamique de Mauritanie

A handwritten signature in black ink, appearing to read 'Mohamed Ould Ghazwan', with a long horizontal stroke extending to the right.

Pour Sa Majesté la reine de l'île Maurice



Pour le président de la république du Niger



For the Head of the Federal Government of Nigeria



For the Head of the Independent State of Papua New Guinea



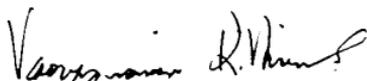
Pour le président de la République rwandaise



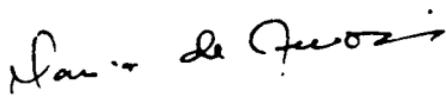
For the President of the Republic of Saint Lucia



For the Head of State of Western Samoa



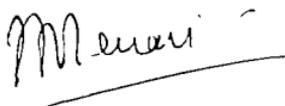
For the President of the Democratic Republic of Sao Tome and Principe



Pour le président de la république du Sénégal



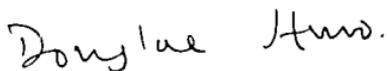
Pour le président de la république des Seychelles



For the President of the Republic of Sierra Leone



For the President of the Independent State of the Solomon Islands



For the President of the Somali Democratic Republic,
President of the Supreme Revolutionary Council



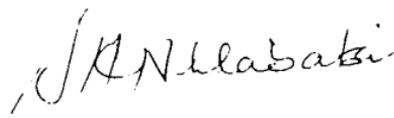
For the President of the Democratic Republic of the Sudan



For the President of the Republic of Suriname



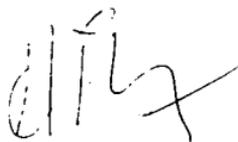
For His Majesty the King of the Kingdom of Swaziland



For the President of the United Republic of Tanzania



Pour le président de la république du Tchad



Pour le président de la République togolaise



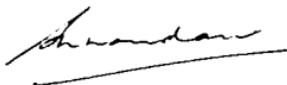
For His Majesty King Taufa'ahau Tupou IV of Tonga



For the President of the Republic of Trinidad and Tobago



For Her Majesty the Queen of Tuvalu



For the President of the Republic of Uganda



Pour le président de la République du Zaïre



For the President of the Republic of Zambia



ACP-ECSC DECISIONS

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL

of 20 January 1981

laying down the provisional arrangements applicable to trade between the Hellenic Republic and the ACP States in products covered by that Community ⁽¹⁾

(81/57/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COM-
MUNITY, MEETING WITHIN THE COUNCIL,

Whereas the Member States have concluded among themselves the Treaty establishing the European Coal and Steel Community;

Whereas negotiations were opened between the Community and the ACP States on 28 November 1980 with a view to concluding a Protocol adjusting the Second ACP-EEC Convention in order to take account of the accession of the Hellenic Republic;

Whereas the 1979 Act of Accession provides in the first paragraph of Article 119 thereof that if such a Protocol is not concluded on 1 January 1981 the Community shall take the necessary measures to deal with this situation after accession;

⁽¹⁾ OJ No L 53, 27.2.1981.

Whereas it is necessary to establish unilaterally the specific conditions of application by the Hellenic Republic, of the trade arrangements resulting from the Agreement on products within the province of the European Coal and Steel Community, signed at Lomé on 31 October 1979 pending the result of negotiations which are taking place with the ACP States with a view to concluding a Protocol containing adjustments to and transitory measures relating to the abovementioned Agreement to take account of the accession of the Hellenic Republic;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

From 28 February 1981 until 30 April 1981, the provisional arrangements applicable to trade between the Hellenic Republic and the ACP States shall be those resulting from the Agreement on ECSC products and the Annex to this Decision.

The arrangements applicable to trade to enter into force as from 1 May 1981 will be established later on.

Article 2

Member States shall take the measures necessary to implement this Decision.

Done at Brussels, 20 January 1981.

The President

Ch. A. van der KLAAUW

ANNEX

Specific conditions of application of the Agreement between the Member States of the European Coal and Steel Community and the ACP States to take account of the accession of the Hellenic Republic

Article 1

For the products covered by the Agreement, the Hellenic Republic shall progressively abolish customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981, each duty shall be reduced to 90% of the basic duty,
- on 1 January 1982, each duty shall be reduced to 80% of the the basic duty,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

Article 2

The basic duty to which the successive reductions as provided for in Article 1 are to be applied shall, for each product, be the duty actually applied on 1 July 1980 by the Hellenic Republic in respect of the ACP States.

Article 3

1. The Hellenic Republic shall progressively abolish charges having an equivalent effect to customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981, each charge shall be reduced to 90% of the basic rate,
- on 1 January 1982, each charge shall be reduced to 80% of the basic rate,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

2. The basic rate to which the successive reductions as provided for in paragraph 1 are to be applied, shall, for each product be the rate applied by the Hellenic Republic on 31 December 1980 in respect of the Community of Nine.

3. Any charge having an equivalent effect to a customs duty on imports introduced as from 1 January 1979 in trade between Greece and the ACP States shall be abolished on 28 February 1981.

Article 4

If the Hellenic Republic suspends or reduces, more quickly than envisaged in the established timetable, customs duties or charges having an equivalent effect on products imported from the Community of Nine, the Hellenic Republic shall also suspend or reduce, to the same level, these duties or charges having an equivalent effect on products originating in the ACP States.

Article 5

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to imports of products originating in the ACP States shall be progressively eliminated over a period of three years from 28 February 1981.

The rate of import deposits and cash payments shall be reduced in accordance with the following timetable:

- 28 February 1981: 25%,
- 1 January 1982: 25%,
- 1 January 1983: 25%,
- 1 January 1984: 25%.

2. If the Hellenic Republic reduces towards the Community of Nine the rate of import deposits or cash payments more quickly than as provided under the timetable set out in paragraph 1, the Hellenic Republic shall make the same reduction with regard to imports originating in the ACP States.

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL**

of 28 April 1981

**extending the time limit of the provisional arrangements applicable to trade
between the Hellenic Republic and the ACP States for products covered by
that Community ⁽¹⁾**

(81/249 ECSC)

**THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COM-
MUNITY, MEETING WITHIN THE COUNCIL,**

Whereas the Member States have concluded among themselves the Treaty
establishing the European Coal and Steel Community:

Whereas it is appropriate to extend exceptionally for a maximum of two
months the time limit of the provisional arrangements for trade between the
Hellenic Republic and the ACP States laid down in Decision 81/57 ECSC ⁽²⁾
for products covered by the ECSC:

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

⁽¹⁾ OJ No L 113, 27.2.1981.

⁽²⁾ See page 2597 of this volume.

Article 1

The provisional arrangements applicable to trade between the Hellenic Republic and the ACP States laid down in Decision 81/57/ECSC shall remain applicable until 30 June 1981 at the latest.

Article 2

Member States will take the necessary measures to implement this Decision.

Done at Luxembourg, 28 April 1981.

The President
J. de KONING

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL**

of 29 June 1981

**extending the time limit of the provisional arrangements applicable to trade
between Greece and the ACP States for products covered by that
Community ⁽¹⁾**

(81/475 ECSC)

**THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COM-
MUNITY, MEETING WITHIN THE COUNCIL,**

Whereas the Member States have concluded among themselves the Treaty
establishing the European Coal and Steel Community;

Whereas it is appropriate to extend until 31 December 1981 the time limit of
the provisional arrangements for trade between Greece and the ACP States
laid down in Decision 81 57 ECSC ⁽²⁾ for products covered by the ECSC, as
extended by Decision 81 249 ECSC ⁽³⁾;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

⁽¹⁾ OJ No L 179, 1.7.1981.

⁽²⁾ See page 2597 of this volume.

⁽³⁾ See page 2602 of this volume.

Article 1

The provisional arrangements laid down in Decision 81/57/ECSC for trade between Greece and the ACP States shall remain applicable until 31 December 1981.

Article 2

Member States will take the necessary measures to implement this Decision.

Done at Brussels, 29 June 1981.

For the Council

The President

Ch. A. van der KLAAUW

INFORMATION CONCERNING

the AGREEMENT on products within the province of the European Coal and Steel Community (1)

Depositaries: Secretariat of the Council of the European Communities }
 Secretariat of the ACP States } Brussels (Belgium)

Date of entry into force: 1.1.1981

Duration: until 28.2.1985

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Duration
		of ratification, acceptance, approval, etc.	of accession	
<i>ECSC and Member States</i>	} 31.10.1979			} until 28.2.1985
BELGIUM		27.11.1980		
DENMARK		14. 3.1980		
GERMANY (Fed. Rep.)		27.10.1980		
FRANCE		29. 7.1980		
IRELAND		23. 4.1980		
ITALY		29.11.1980		
LUXEMBOURG	8.10.1980			

NETHERLANDS		25.11.1980	
UNITED KINGDOM		15.10.1980	
<i>The ACP States</i>			
BAHAMAS		3. 2.1981	
BARBADOS		1.10.1980	
BENIN		16. 9.1980	
BOTSWANA		26. 3.1980	
BURUNDI		11. 8.1980	
CAMEROON		28.11.1980	
CAPE VERDE		30.10.1980	
CENTRAL AFRICAN REPUBLIC	31.10.1979	29. 5.1980	} until 28.2.1985
CHAD		2. 4.1981	
COMOROS		18. 8.1980	
CONGO		18. 2.1981	
DJIBOUTI		18. 2.1981	
DOMINICA		7. 8.1980	
EQUATORIAL GUINEA		20. 1.1981	
ETHIOPIA		17. 7.1980	
FIJI		9. 9.1980	
GABON		19. 1.1981	
GAMBIA		14. 7.1980	
GHANA		23.12.1980	

(¹) OJ No L 347, 22.12.1980.

Contracting Parties	Date of signature by the Contracting Parties	Date of deposit of instruments		Duration
		of ratification, acceptance, approval, etc.	of accession	
GRENADA	}	15. 9.1980	}	}
GUINEA		24.10.1980		
GUINEA BISSAU		3.12.1980		
GUYANA		26. 6.1980		
IVORY COAST		30.10.1980		
JAMAICA		9. 7.1980		
KENYA		23. 1.1981		
KIRIBATI		2. 2.1981		
LESOTHO		10. 9.1980		
LIBERIA		20. 1.1981		
MADAGASCAR		21. 8.1980		
MALAWI		2.12.1980		
MALI		22.10.1980		
MAURITANIA		24. 4.1981		
MAURITIUS		16. 6.1980		
NIGER		1. 8.1980		
NIGERIA				
PAPUA NEW GUINEA	15.10.1980			
RWANDA	22. 8.1981			
SAINT LUCIA	24.10.1980			
SAINT VINCENT AND THE GRENADINES	16. 7.1980 ⁽¹⁾	6.11.1980		until 28.2.1985

SAO TOME AND PRINCIPE	}	19. 1.1981	}
SENEGAL		13. 6.1980	
SEYCHELLES		29. 5.1980	
SIERRA LEONE		18.11.1980	
SOLOMON ISLANDS		15. 1.1981	
SOMALIA		21. 1.1981	
SUDAN		25.11.1980	
SURINAME		10. 9.1980	
SWAZILAND		23.12.1980	
TANZANIA		26. 9.1980	
TOGO		7. 3.1980	
TONGA		9. 6.1980	
TRINIDAD AND TOBAGO		23. 1.1981	
TUVALU		12. 5.1980	
UGANDA		15.10.1980	
UPPER VOLTA		13.10.1980	
WESTERN SAMOA			
ZAIRE	30.10.1980		
ZAMBIA	8. 9.1980		
	31.10.1979		until 28.2.1985

(¹) Saint Vincent and the Grenadines acceded to the ACP-EEC Convention of Lomé on 27.2.1980. Having become an ACP State, it signed the second ACP-EEC Convention of Lomé on 16.7.1980.

Notice to the reader

This volume includes a cumulative index to all the texts published in Volumes I to II; the titles and chief subject matter of the Agreements concluded and the names of the Contracting Parties are listed analytically.

The abbreviations and conventional signs used are explained at the beginning of this volume.

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