

# DOCUMENTS

concerning the  
accessions to the European Communities

1987

II







# DOCUMENTS

concerning the accessions  
to the European Communities

of the Kingdom of Denmark, Ireland  
and the United Kingdom of Great Britain  
and Northern Ireland,

the Hellenic Republic,

the Kingdom of Spain  
and the Portuguese Republic

1987

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## Introductory Note

This edition of the Treaties establishing the European Communities and documents concerning Accessions to those Communities is published in two volumes. It has been brought up to date as at 1 July 1987 and 31 December 1987 <sup>(1)</sup> respectively by the services of the Community Institutions on the basis of the official texts in force on those dates and is published in the Spanish, Danish, German, Greek, English, French, Irish, Italian, Dutch and Portuguese languages <sup>(2)</sup>.

The first volume contains the Treaties establishing the European Communities, the Treaties amending those Treaties and the Single European Act. It also contains a certain number of Resolutions and Declarations.

This second volume contains the documents concerning the Accessions to the Communities of Denmark, Ireland, the United Kingdom of Great Britain and Northern Ireland, Greece, Spain and Portugal.

Throughout the texts reproduced in the two volumes, the term 'Assembly' has, where necessary, been replaced in accordance with Article 3 of the Single European Act, by the terms 'European Parliament'.

The two collections of texts have been prepared for documentation purposes and do not involve the responsibility of the Institutions.

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<sup>(1)</sup> Volume I: 1.7.1987, Volume II: 31.12.1987, except for the corrigenda published in the OJ of the EC, No L 116 of 4 May 1988 and No L 134 of 31 May 1988.

<sup>(2)</sup> Castellano, Dansk, Deutsch, Ellinika, English, Français, Gaeilge, Italiano, Nederlands, Português.

## Abbreviations used in footnotes

AA DK/IRL/UK	Act concerning the Conditions of Accession and the Adjustments to the Treaties — Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland <i>(Official Journal of the European Communities, No L 73, 27 March 1972)</i>
Adaptation Decision	Decision of the Council of the European Communities of 1 January 1973 adjusting the documents concerning the accession of new Member States to the European Communities <i>(Official Journal of the European Communities, No L 2, 1 January 1973)</i>
AA GR	Act concerning the Conditions of Accession and the Adjustments to the Treaties — Accession to the European Communities of the Hellenic Republic <i>(Official Journal of the European Communities, No L 291, 19 November 1979)</i>
Greenland Treaty	Treaty amending, with regard to Greenland, the Treaties establishing the European Communities <i>(Official Journal of the European Communities, No L 29, 1 February 1985)</i>
AA ESP/PORT	Act concerning the Conditions of Accession and the Adjustments to the Treaties — Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic <i>(Official Journal of the European Communities, No L 302, 15 November 1985)</i>
OJ of the EC	<i>Official Journal of the European Communities</i>



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## **DOCUMENTS <sup>(1)</sup>**

**concerning the accession to the European Communities**

**of the Kingdom of Denmark, Ireland, the Kingdom of Norway <sup>(2)</sup>  
and the United Kingdom of Great Britain and Northern Ireland**

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<sup>(1)</sup> *Official Journal of the European Communities*, No L 73, Special Edition, 27 March 1972.

<sup>(2)</sup> The Kingdom of Norway did not deposit instruments of accession and ratification in respect of these documents; see Adaptation Decision (*Official Journal of the European Communities*, No L 2 of 1 January 1973).



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**COMMISSION OPINION**

**of 19 January 1972**

**on the applications for accession to the European Communities by the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland**

*(TRANSLATION)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Article 98 of the Treaty establishing the European Coal and Steel Community, Article 237 of the Treaty establishing the European Economic Community and Article 205 of the Treaty establishing the European Atomic Energy Community;

Whereas the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland have applied to become members of these Communities;

Whereas in its Opinions of 29 September 1967 and 1 October 1969 the Commission has already been able to express its views on certain essential aspects of the problems arising in connection with these applications;

Whereas the terms for the admission of these States and the adjustments necessitated by their accession have been negotiated in a Conference between the Communities and the applicant States; and whereas singleness of Community representation was ensured with due regard for the institutional dialogue provided for by the Treaties;

Whereas, on the completion of these negotiations, it is apparent that the provisions so agreed are fair and proper; and whereas, this being so, the Community's

This Opinion is addressed to the Council.

Brussels, 19 January 1972

enlargement, while preserving its internal cohesion and dynamism, will enable it to take a fuller part in the development of international relations;

Whereas in joining the Communities the applicant States accept without reserve the Treaties and their political objectives, all decisions taken since their entry into force, and the action that has been agreed in respect of the development and reinforcement of the Communities;

Whereas it is an essential feature of the legal system set up by the Treaties establishing the Communities that certain of their provisions and certain acts of the Community institutions are directly applicable, that Community law takes precedence over any national provisions conflicting with it, and that procedures exist for ensuring the uniform interpretation of this law; and whereas accession to the Communities entails recognition of the binding force of these rules, observance of which is indispensable to guarantee the effectiveness and unity of Community law,

HEREBY DELIVERS A FAVOURABLE OPINION

on the accession to the European Communities of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

*For the Commission*

*The President*

Franco M. MALFATTI

**DECISION OF THE COUNCIL OF THE EUROPEAN COMMUNITIES**

**of 22 January 1972**

**concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway, and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Article 98 of the Treaty establishing the European Coal and Steel Community,

Whereas the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland have applied to accede to the European Coal and Steel Community,

Having regard to the Opinion of the Commission,

Whereas the conditions of accession to be determined by the Council have been negotiated with the aforementioned States,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. The Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland may become members of the European Coal and Steel Community by acceding, under the conditions laid down in this Decision, to the Treaty establishing that Community, as amended or supplemented.

2. The conditions of accession and the adjustments to the Treaty establishing the European Coal and Steel Community necessitated thereby are set out in the Act annexed to this Decision. The provisions of that Act concerning the European Coal and Steel Community shall form an integral part of this Decision.

3. The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Communities as set out in the Treaty referred to in paragraph 1 shall apply in respect of this Decision.

*Article 2*

The instruments of accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community will be deposited with the Government of the French Republic on 1 January 1973.

Accession will take effect on 1 January 1973, provided that all the instruments of accession have been deposited on that date and that all the instruments of ratification of the Treaty concerning Accession to the European Economic Community and the European Atomic Energy Community have been deposited before that date.

If, however, the States referred to in the first paragraph of this Article have not all deposited their instruments of accession and ratification in due time, accession shall take effect for the other acceding States. In this case, the Council of the European Communities, acting unanimously, shall decide immediately upon such

resulting adjustments as have become indispensable, to Article 3 of this Decision, and Articles 12, 13, 16, 17, 19, 20, 22, 142, 155 and 160 of the Act concerning the Conditions of Accession and the Adjustments to the Treaties; acting unanimously, it may also declare that those provisions of the aforementioned Act which refer expressly to a State which has not deposited its instruments of accession and ratification have lapsed, or it may adjust them.

The Government of the French Republic will transmit a certified copy of the instrument of accession of each acceding State to the Governments of the Member States and of the other acceding States.

Done at Brussels, 22 January 1972

*Article 3<sup>(1)</sup>*

This Decision drawn up in the Danish, Dutch, English, French, German, Irish, Italian and Norwegian languages, the Danish, Dutch, English, French, German, Irish and Italian texts all being equally authentic, shall be communicated to the Member States of the European Coal and Steel Community, the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

*For the Council*

*The President*

G. THORN

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<sup>(1)</sup> Text as amended by Article 2 of the Adaptation Decision.

**DECISION OF THE COUNCIL OF THE EUROPEAN COMMUNITIES**  
**of 22 January 1972**  
**on the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community**

*(TRANSLATION)*

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Article 237 of the Treaty establishing the European Economic Community and Article 205 of the Treaty establishing the European Atomic Energy Community,

Whereas the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland have applied to accede to the European Economic Community and to the European Atomic Energy Community,

Having obtained the Opinion of the Commission,

HAS DECIDED

to accept these applications for accession; the conditions of admission and the adjustments to the Treaties necessitated thereby are to be the subject of an agreement between the Member States and the Applicant States.

Done at Brussels, 22 January 1972

*For the Council*  
*The President*  
G. THORN



## TREATY

between

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,  
Member States of the European Communities,  
the KINGDOM OF DENMARK,  
IRELAND,  
the KINGDOM OF NORWAY,  
and the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

**concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community**

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, His Majesty The King of Norway, Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland,

United in their desire to pursue the attainment of the objectives of the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community,

Determined in the spirit of those Treaties to construct an ever closer union among the peoples of Europe on the foundations already laid,

Considering that Article 237 of the Treaty establishing the European Economic Community and Article 205 of the Treaty establishing the European Atomic Energy Community afford European States the opportunity of becoming members of these Communities,

Considering that the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland have applied to become members of these Communities,

Considering that the Council of the European Communities, after having obtained the Opinion of the Commission, has declared itself in favour of the admission of these States,

Have decided to establish by common agreement the conditions of admission and the adjustments to be made to the Treaties establishing the European Economic Community and the European Atomic Energy Community, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS

Mr G. Eyskens, Prime Minister;  
Mr P. Harmel, Minister for Foreign Affairs;  
Mr J. van der Meulen, Ambassador,  
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK

Mr. J. O. Krag, Prime Minister;  
Mr I. Nørgaard, Minister for External Economic Affairs;  
Mr J. Christensen, Secretary General for External Economic Affairs, Ministry of Foreign Affairs;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY

Mr W. Scheel, Minister for Foreign Affairs;  
Mr H.-G. Sachs, Ambassador,  
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC

Mr M. Schumann, Minister for Foreign Affairs;  
Mr J.-M. Boegner, Ambassador,  
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND

Mr J. A. Lynch, Prime Minister;  
Mr P. J. Hillery, Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC

Mr E. Colombo, Prime Minister;  
Mr A. Moro, Minister for Foreign Affairs;  
Mr G. Bombassei Frascani de Vettor, Ambassador,  
Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG

Mr G. Thorn, Minister for Foreign Affairs;  
Mr J. Dondelinger, Ambassador,  
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS

Mr W. K. N. Schmelzer, Minister for Foreign Affairs;  
Mr T. E. Westerterp, State Secretary, Ministry of Foreign Affairs;  
Mr E. M. J. A. Sassen, Ambassador,  
Permanent Representative to the European Communities;

HIS MAJESTY THE KING OF NORWAY

Mr T. Bratteli, Prime Minister;  
Mr A. Cappelen, Minister for Foreign Affairs;  
Mr S. Chr. Sommerfelt, Ambassador Extraordinary and Plenipotentiary;

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

The Right Honourable Edward Heath, MBE, MP, Prime Minister,  
First Lord of the Treasury, Minister for the Civil Service;  
The Right Honourable Sir Alec Douglas-Home, KT, MP,  
Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs;  
The Right Honourable Geoffrey Rippon, QC, MP,  
Chancellor of the Duchy of Lancaster;

Who, having exchanged their Full Powers found in good and due form, have agreed as follows:

*Article 1*

1. The Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland hereby become members of the European Economic Community and of the European Atomic Energy Community and Parties to the Treaties establishing these Communities as amended or supplemented.

2. The conditions of admission and the adjustments to the Treaties establishing the European Economic Community and the European Atomic Energy Community necessitated thereby are set out in the Act annexed to this Treaty. The provisions of that Act concerning the European Economic Community and the European Atomic Energy Community shall form an integral part of this Treaty.

3. The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Communities as set out in the Treaties referred to in paragraph 1 shall apply in respect of this Treaty.

*Article 2*

This Treaty will be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification will be deposited with the Government of the Italian Republic by 31 December 1972 at the latest.

This Treaty will enter into force on 1 January 1973, provided that all the instruments of ratification have been deposited before that date and that all the instruments of accession to the European Coal and Steel Community are deposited on that date.

If, however, the States referred to in Article 1(1) have not all deposited their instruments of ratification and accession in due time, the Treaty shall enter into force for those States which have deposited their instruments. In this case, the Council of the European Communities, acting unanimously, shall decide immediately upon such resulting adjustments as have become indispensable, to Article 3 of this Treaty, and to Articles 14, 16, 17, 19, 20, 23, 129, 142, 143, 155 and 160 of the Act concerning the Conditions of Accession and the Adjustments to the Treaties, to the provisions of Annex I to that Act concerning the composition and functioning of various committees, and to Articles 5 and 8 of the Protocol on the Statute of the European Investment Bank; acting unanimously, it may also declare that those provisions of the aforementioned Act which refer expressly to a State which has not deposited its instruments of ratification and accession have lapsed, or it may adjust them.

*Article 3(1)*

This Treaty, drawn up in a single original in the Danish, Dutch, English, French, German, Irish, Italian and Norwegian languages, the Danish, Dutch, English, French, German, Irish and Italian texts all being equally authentic, will be deposited in the archives of the Government of the Italian Republic, which will transmit a certified copy to each of the Governments of the other signatory States.

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(1) Text as amended by Article 1 of the Adaptation Decision.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Traktat.  
Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diesen Vertrag gesetzt.  
In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Treaty.  
En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent traité.  
Dá fhianú sin, chuir na Lánchumhachtaigh thíos-sínithe a lámh leis an gConradh seo.  
In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente trattato.  
Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Verdrag hebben gesteld.  
Til bekræftelse herav har nedenstående befuldmægtigede undertegnet denne Traktat.

Udfærdiget i Bruxelles, den toogtyvende januar nitten hundrede og tooghalvfjerds.  
Geschehen zu Brüssel am zweiundzwanzigsten Januar neunzehnhundertzweiundsiebzig.  
Done at Brussels on this twenty-second day of January in the year one thousand nine hundred and seventy-two.  
Fait à Bruxelles, le vingt-deux janvier mil neuf cent soixante-douze.  
Arna dhéanamh sa Bhruiséil, an dóú lá is fiche d'Eanáir, míle naoi gcéad seachtó a dó.  
Fatto a Bruxelles, addì ventidue gennaio millenovecentosettantadue.  
Gedaan te Brussel, de tweeëntwintigste januari negentienhonderdtweeënzeventig.  
Utferdiget i Brussel den tjueandre januar nitten hundre og syttito.

G. EYSKENS  
P. HARMEL  
J. VAN DER MEULEN

Jens Otto KRAG  
Ivar NØRGAARD  
Jens CHRISTENSEN

Walter SCHEEL  
H.-G. SACHS

Maurice SCHUMANN  
J.-M. BOEGNER

Seán Ó LOINSIGH  
Pádraig Ó HÍRIGHILE

COLOMBO  
Aldo MORO  
BOMBASSEI DE VETTOR

Gaston THORN  
J. DONDELINGER

N. SCHMELZER  
T. WESTERTERP  
SASSEN

Trygve BRATTELI  
Andreas CAPPELEN  
S. Chr. SOMMERFELT

Edward HEATH  
Alex DOUGLAS-HOME  
Geoffrey RIPON

## ACT

### concerning the conditions of accession and the adjustments to the Treaties

#### PART ONE

#### PRINCIPLES

##### *Article 1*

For the purposes of this Act:

- the expression 'original Treaties' means the Treaty establishing the European Coal and Steel Community, the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community, as supplemented or amended by treaties or other acts which entered into force before accession; the expressions 'ECSC Treaty', 'EEC Treaty' and 'Euratom Treaty' mean the relevant original Treaties thus supplemented or amended;
- the expression 'original Member States' means the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;
- the expression 'new Member States' means the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland<sup>(1)</sup>.

##### *Article 2*

From the date of accession, the provisions of the original Treaties and the acts adopted by the institutions of the Communities shall be binding on the new Member States and shall apply in those States under the conditions laid down in those Treaties and in this Act.

##### *Article 3*

1. The new Member States accede by this Act to the decisions and agreements adopted by the Representatives of the Governments of the Member States meeting in Council. They undertake to accede from the date of accession to all other agreements concluded by the original Member States relating to the functioning of the Communities or connected with their activities.

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<sup>(1)</sup> Third indent as amended by Article 3 of the Adaptation Decision.

2. The new Member States undertake to accede to the conventions provided for in Article 220 of the EEC Treaty, and to the protocols on the interpretation of those conventions by the Court of Justice, signed by the original Member States and to this end they undertake to enter into negotiations with the original Member States in order to make the necessary adjustments thereto.

3. The new Member States are in the same situation as the original Member States in respect of declarations or resolutions of, or other positions taken up by, the Council and in respect of those concerning the European Communities adopted by common agreement of the Member States; they will accordingly observe the principles and guidelines deriving from those declarations, resolutions or other positions and will take such measures as may be necessary to ensure their implementation.

##### *Article 4*

1. The agreements or conventions entered into by any of the Communities with one or more third States, with an international organization or with a national of a third State, shall, under the conditions laid down in the original Treaties and in this Act, be binding on the new Member States.

2. The new Member States undertake to accede, under the conditions laid down in this Act, to agreements or conventions concluded by the original Member States and any of the Communities, acting jointly, and to agreements concluded by the original Member States which are related to those agreements or conventions. The Community and the original Member States shall assist the new Member States in this respect.

3. The new Member States accede by this Act and under the conditions laid down therein to the internal agreements concluded by the original Member States for the purpose of implementing the agreements or conventions referred to in paragraph 2.

4. The new Member States shall take appropriate measures, where necessary, to adjust their positions in relation to international organizations and international agreements to which one of the Communities or to which other Member States are also parties, to the rights and obligations arising from their accession to the Communities.

*Article 5*

Articles 234 of the EEC Treaty and Articles 105 and 106 of the Euratom Treaty shall apply, for the new Member States, to agreements or conventions concluded before accession.

*Article 6*

The provisions of this Act may not, unless otherwise provided herein, be suspended, amended or repealed other than by means of the procedure laid down in the original Treaties enabling those Treaties to be revised.

*Article 7*

Acts adopted by the institutions of the Communities to which the transitional provisions laid down in this Act

relate shall retain their status in law; in particular, the procedures for amending those acts shall continue to apply.

*Article 8*

Provisions of this Act the purpose or effect of which is to repeal or amend acts adopted by the institutions of the Communities, otherwise than as a transitional measure, shall have the same status in law as the provisions which they repeal or amend and shall be subject to the same rules as those provisions.

*Article 9*

1. In order to facilitate the adjustment of the new Member States to the rules in force within the Communities, the application of the original Treaties and acts adopted by the institutions shall, as a transitional measure, be subject to the derogations provided for in this Act.

2. Subject to the dates, time limits and special provisions provided for in this Act, the application of the transitional measures shall terminate at the end of 1977.

**PART TWO**

**ADJUSTMENTS TO THE TREATIES**

**TITLE I**

**PROVISIONS GOVERNING THE INSTITUTIONS**

**CHAPTER 1**

**The European Parliament**

*Article 10<sup>(1)</sup>*

The following shall be substituted for Article 21 (2) of

(1) Text as amended by Article 4 of the Adaptation Decision.

the ECSC Treaty, Article 138 (2) of the EEC Treaty and Article 108 (2) of the Euratom Treaty:

‘The number of these delegates shall be as follows:

Belgium	14
Denmark	10
Germany	36
France	36
Ireland	10
Italy	36
Luxembourg	6
Netherlands	14
United Kingdom	36.

## CHAPTER 2

### The Council

#### *Article 11*<sup>(1)</sup>

The following shall be substituted for the second paragraph of Article 2 of the Treaty establishing a Single Council and a Single Commission of the European Communities:

'The office of President shall be held for a term of six months by each member of the Council in turn, in the following order of Member States: Belgium, Denmark, Germany, France, Ireland, Italy, Luxembourg, Netherlands, United Kingdom.'

#### *Article 12*<sup>(2)</sup>

The following shall be substituted for Article 28 of the ECSC Treaty:

##### *Article 28*

When the Council is consulted by the High Authority, it shall consider the matter without necessarily taking a vote. The minutes of its proceedings shall be forwarded to the High Authority.

Wherever this Treaty requires that the assent of the Council be given, that assent shall be considered to have been given if the proposal submitted by the High Authority receives the approval:

- of an absolute majority of the representatives of the Member States, including the votes of the representatives of two Member States which each produce at least one-eighth of the total value of the coal and steel output of the Community; or
- in the event of an equal division of votes and if the High Authority maintains its proposal after a second discussion, of the representatives of three Member States which each produce at least one-eighth of the total value of the coal and steel output of the Community.

Wherever this Treaty requires a unanimous decision or unanimous assent, such decision or assent shall have been duly given if all the members of the Council vote in favour. However, for the purposes of applying Articles 21, 32, 32a, 78d and 78f of this

Treaty, and Article 16, the third paragraph of Article 20, the fifth paragraph of Article 28 and Article 44 of the Protocol on the Statue of the Court of Justice, abstention by members present in person or represented shall not prevent the adoption by the Council of acts which require unanimity.

Decisions of the Council, other than those for which a qualified majority or unanimity is required, shall be taken by a vote of the majority of its members; this majority shall be considered to be attained if it represents an absolute majority of the representatives of the Member States, including the votes of the representatives of two Member States which each produce at least one-eighth of the total value of the coal and steel output of the Community. However, for the purpose of applying those provisions of Articles 78, 78b and 78d of this Treaty which require a qualified majority, the votes of the members of the Council shall be weighted as follows: Belgium 5, Denmark 3, Germany 10, France 10, Ireland 3, Italy 10, Luxembourg 2, Netherlands 5, United Kingdom 10. For their adoption, acts shall require at least 41 votes in favour, cast by not less than six members.

Where a vote is taken, any member of the Council may act on behalf of not more than one other member.

The Council shall deal with the Member States through its President.

The acts of the Council shall be published in such a manner as it may decide.'

#### *Article 13*<sup>(3)</sup>

The following shall be substituted for the fourth paragraph of Article 95 of the ECSC Treaty:

'These amendments shall be proposed jointly by the High Authority and the Council, acting by an eight-ninths majority of its members, and shall be submitted to the Court for its opinion. In considering them, the Court shall have full power to assess all points of fact and of law. If as a result of such consideration it finds the proposals compatible with the provisions of the preceding paragraph, they shall be forwarded to the European Parliament and shall enter into force if approved by a majority of three-quarters of the votes cast and two-thirds of the members of the European Parliament.'

<sup>(1)</sup> Text as amended by Article 5 of the Adaptation Decision.

<sup>(2)</sup> Text as amended by Article 6 of the Adaptation Decision.

<sup>(3)</sup> Text as amended by Article 7 of the Adaptation Decision.

*Article 14(1)*

The following shall be substituted for Article 148 (2) of the EEC Treaty and Article 118(2) of the Euratom Treaty:

'Where the Council is required to act by a qualified majority, the votes of its members shall be weighted as follows:

Belgium .....	5
Denmark .....	3
Germany .....	10
France .....	10
Ireland .....	3
Italy .....	10
Luxembourg .....	2
Netherlands .....	5
United Kingdom .....	10

For their adoption, acts of the Council shall require at least:

- forty-one votes in favour where this Treaty requires them to be adopted on a proposal from the Commission,
- forty-one votes in favour, cast by at least six members, in other cases.'

**CHAPTER 3**

**The Commission**

*Article 15(2)*

The following shall be substituted for the first subparagraph of Article 10 (1) of the Treaty establishing a Single Council and a Single Commission of the European Communities:

'The Commission shall consist of 14 members, who shall be chosen on the grounds of their general competence and whose independence is beyond doubt.'

*Article 16*

The following shall be substituted for the first paragraph of Article 14 of the Treaty establishing a Single

(1) Text as amended by Article 8 of the Adaptation Decision.  
(2) Article 10 (1) first subparagraph of the Treaty establishing a Single Council and a Single Commission of the European Communities, modified by the Council Decision of 1 January 1973 altering the number of members of the Commission (*Official Journal of the European Communities*, No L 2, 1 January 1973, p. 28), states: 'The Commission shall consist of 13 members, who shall be chosen on the grounds of their general competence and whose independence is beyond doubt.'

Council and a Single Commission of the European Communities:

'The President and the five Vice-Presidents of the Commission shall be appointed from among its members for a term of two years in accordance with the same procedure as that laid down for the appointment of members of the Commission. Their appointments may be renewed.'

**CHAPTER 4**

**The Court of Justice**

*Article 17(3)*

The following shall be substituted for the first paragraph of Article 32 of the ECSC Treaty, the first paragraph of Article 165 of the EEC Treaty and the first paragraph of Article 137 of the Euratom Treaty:

'The Court of Justice shall consist of nine Judges.'

*Article 18(4)*

The following shall be substituted for the first paragraph of Article 32 a of the ECSC Treaty, the first paragraph of Article 166 of the EEC Treaty and the first paragraph of Article 138 of the Euratom Treaty:

'The Court of Justice shall be assisted by three Advocates-General.'

*Article 19(5) (6)*

The following shall be substituted for the second and third paragraphs of Article 32 b of the ECSC Treaty, the second and third paragraphs of Article 167 of the EEC Treaty and the second and third paragraphs of Article 139 of the Euratom Treaty:

'Every three years there shall be a partial replacement of the Judges. Five and four Judges shall be replaced alternately.

Every three years there shall be a partial replacement of the Advocates-General. One and two Advocates-General shall be replaced alternately.'

(3) Text as amended by Article 9 of the Adaptation Decision.  
(4) Article 32a, first paragraph, of the ECSC Treaty, Article 166, first paragraph, of the EEC Treaty and Article 138, first paragraph, of the Euratom Treaty, modified by Article 1 of the Council Decision of 1 January 1973 increasing the number of Advocates-General (*Official Journal of the European Communities*, No L 2, 1 January 1973, p. 29), state: 'The Court of Justice shall be assisted by four Advocates-General.'  
(5) Text as amended by Article 10 of the Adaptation Decision.  
(6) Article 32b, third paragraph, of the ECSC Treaty, Article 167, third paragraph, of the EEC Treaty and Article 139, third paragraph, of the Euratom Treaty, modified by Article 2 of the Council Decision of 1 January 1973 increasing the number of Advocates-General (*Official Journal of the European Communities*, No L 2, 1 January 1973, p. 29), state: 'Every three years there shall be a partial replacement of the Advocates-General. Two Advocates-General shall be replaced on each occasion.'



The following shall be substituted for the second paragraph of Article 18 of the Protocol on the Statute of the Court of Justice of the European Coal and Steel Community, Article 15 of the Protocol on the Statute of the Court of Justice of the European Economic Community and Article 15 of the Protocol on the Statute of the Court of Justice of the European Atomic Energy Community:

'Decisions of the Court shall be valid only when an uneven number of its members is sitting in the deliberations. Decisions of the full Court shall be valid if seven members are sitting. Decisions of the Chambers shall be valid only if three Judges are sitting; in the event of one of the Judges of a Chamber being prevented from attending, a Judge of another Chamber may be called upon to sit in accordance with conditions laid down in the rules of procedure.'

CHAPTER 5

**The Economic and Social Committee**

*Article 21* <sup>(1)</sup>

The following shall be substituted for the first paragraph of Article 194 of the EEC Treaty and the first paragraph of Article 166 of the Euratom Treaty:

'The number of members of the Committee shall be as follows:

Belgium	12
Denmark	9
Germany	24
France	24
Ireland	9
Italy	24
Luxembourg	6
Netherlands	12
United Kingdom	24.'

CHAPTER 6

**The ECSC Consultative Committee**

*Article 22*

The following shall be substituted for the first paragraph of Article 18 of the ECSC Treaty:

'A Consultative Committee shall be attached to the High Authority. It shall consist of not less than 60 and not more than 84 members and shall comprise equal numbers of producers, of workers and of consumers and dealers.'

<sup>(1)</sup> Text as amended by Article 11 of the Adaptation Decision.

**The Scientific and Technical Committee**

*Article 23* <sup>(2)</sup>

The following shall be substituted for the first subparagraph of Article 134 (2) of the Euratom Treaty:

'The Committee shall consist of 27 members, appointed by the Council after consultation with the Commission.'

TITLE II

**OTHER ADJUSTMENTS**

*Article 24* <sup>(3)</sup>

1. The United Kingdom shall be added to the Member States specified in the first sentence of Article 131 of the EEC Treaty.

2. The following countries and territories shall be added to the list in Annex IV to the EEC Treaty:

- Anglo-French Condominium of the New Hebrides
- The Bahamas
- Bermuda
- British Antarctic Territory
- British Honduras
- British Indian Ocean Territory
- British Solomon Islands
- British Virgin Islands
- Brunei
- Associated States in the Caribbean: Antigua, Dominica, Grenada, St Lucia, St Vincent, St Kitts-Nevis-Anguilla
- Cayman Islands
- Central and Southern Line Islands
- Falkland Islands and Dependencies
- Gilbert and Ellice Islands
- Montserrat
- Pitcairn
- St Helena and Dependencies
- The Seychelles
- Turks and Caicos Islands.

<sup>(2)</sup> Text as amended by Article 12 of the Adaptation Decision.

<sup>(3)</sup> Text as amended by Article 13 of the Adaptation Decision.

*Article 25<sup>(1)</sup>*

The following paragraph shall be added after the first paragraph of Article 79 of the ECSC Treaty:

‘Notwithstanding the preceding paragraph:

- (a) This Treaty shall not apply to the Faroe Islands. The Government of the Kingdom of Denmark may, however, give notice, by a declaration deposited by 31 December 1975 at the latest with the Government of the French Republic, which shall transmit a certified copy thereof to each of the Governments of the other Member States, that this Treaty shall apply to those islands. In that event, this Treaty shall apply to those islands from the first day of the second month following the deposit of the declaration.
- (b) This Treaty shall not apply to the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus.
- (c) This Treaty shall apply to the Channel Islands and the Isle of Man only to the extent necessary to ensure the implementation of the arrangements for those islands set out in the Council decision of 22 January 1972 concerning the accession of new Member States to the European Coal and Steel Community.’

*Article 26*

1.<sup>(2)</sup> The following shall be substituted for Article 227 (1) of the EEC Treaty:

‘1. This Treaty shall apply to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.’

2. The following subparagraph shall be added to Article 227 (3) of the EEC Treaty:

‘This Treaty shall not apply to those overseas countries and territories having special relations with the United Kingdom of Great Britain and Northern Ireland which are not included in the aforementioned list.’

3.<sup>(3)</sup> The following paragraph shall be added to Article 227 of the EEC Treaty:

‘5. Notwithstanding the preceding paragraphs:

- 
- (1) Text as amended by Article 14 of the Adaptation Decision.
  - (2) Paragraph (1) as amended by Article 15 (1) of the Adaptation Decision.
  - (3) Paragraph (3) as amended by Article 15 (2) of the Adaptation Decision.

- (a) This Treaty shall not apply to the Faroe Islands. The Government of the Kingdom of Denmark may, however, give notice, by a declaration deposited by 31 December 1975 at the latest with the Government of the Italian Republic, which shall transmit a certified copy thereof to each of the Governments of the other Member States, that this Treaty shall apply to those islands. In that event this Treaty shall apply to those islands from the first day of the second month following the deposit of the declaration.
- (b) This Treaty shall not apply to the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus.
- (c) This Treaty shall apply to the Channel Islands and the Isle of Man only to the extent necessary to ensure the implementation of the arrangements for those islands set out in the Treaty concerning the accession of new Member States to the European Economic Community and to the European Atomic Energy Community signed on 22 January 1972.’

*Article 27<sup>(4)</sup>*

The following paragraph shall be added to Article 198 of the Euratom Treaty:

‘Notwithstanding the previous paragraphs:

- (a) This Treaty shall not apply to the Faroe Islands. The Government of the Kingdom of Denmark may, however, give notice, by a declaration deposited by 31 December 1975 at the latest, with the Government of the Italian Republic, which shall transmit a certified copy thereof to each of the Governments of the other Member States, that this Treaty shall apply to those islands. In that event, this Treaty shall apply to those islands from the first day of the second month following the deposit of the declaration.
- (b) This Treaty shall not apply to the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus.
- (c) This Treaty shall not apply to those overseas countries and territories having special relations with the United Kingdom of Great Britain and Northern Ireland which are not listed

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<sup>(4)</sup> Text as amended by Article 16 of the Adaptation Decision.

in Annex IV to the Treaty establishing the European Economic Community.

- (d) This Treaty shall apply to the Channel Islands and the Isle of Man only to the extent necessary to ensure the implementation of the arrangements for those islands set out in the Treaty concerning the accession of new Member States to the European Economic Community and to the European Atomic Energy Community signed on 22 January 1972.'

#### *Article 28*

Acts of the institutions of the Community relating to the products in Annex II to the EEC Treaty and the products subject, on importation into the Community, to specific rules as a result of the implementation of the common agricultural policy, as well as the acts on the harmonization of legislation of Member States concerning turnover taxes, shall not apply to Gibraltar unless the Council, acting unanimously on a proposal from the Commission, provides otherwise.

### PART THREE

#### ADAPTATIONS TO ACTS ADOPTED BY THE INSTITUTIONS

##### *Article 29*

The acts listed in Annex I to this Act shall be adapted as specified in that Annex.

##### *Article 30*

The adaptations to the acts listed in Annex II to this Act made necessary by accession shall be drawn up in conformity with the guidelines set out in that Annex and in accordance with the procedure and under the conditions laid down in Article 153.

### PART FOUR

#### TRANSITIONAL MEASURES

##### TITLE I

##### FREE MOVEMENT OF GOODS

##### CHAPTER I

##### Tariff provisions

##### *Article 31*

1. The basic duty to which the successive reductions provided for in Articles 32 and 59 are to be applied shall, for each product, be the duty actually applied on 1 January 1972.

The basic duty used for the moves towards the Common Customs Tariff and the ECSC unified tariff provided for in Articles 39 and 59 shall, for each product, be the duty actually applied by the new Member States on 1 January 1972.

For the purposes of this Act, 'ECSC unified tariff' means the customs nomenclature and the existing customs duties for the products in Annex I to the ECSC Treaty, other than coal.

2. If, after 1 January 1972, any tariff reductions deriving from the Agreement Relating Principally to Chemicals supplementary to the Geneva (1967) Protocol to the General Agreement on Tariffs and Trade become applicable, the reduced duties shall replace the basic duties referred to in paragraph 1.

##### *Article 32*

1. Customs duties on imports between the Community as originally constituted and the new Member States and between the new Member States themselves shall be progressively abolished in accordance with the following timetable:

- on 1 April 1973, each duty shall be reduced to 80 % of the basic duty;
- the four other reductions of 20 % each shall be made on:
  - 1 January 1974,
  - 1 January 1975,
  - 1 January 1976,
  - 1 July 1977.

2. Notwithstanding paragraph 1:

- (a) customs duties on imports of coal within the meaning of Annex I to the ECSC Treaty shall be abolished between Member States from the date of accession;
- (b) customs duties on imports of products listed in Annex III to this Act shall be abolished on 1 January 1974;
- (c) duty-free entry shall, from the date of accession, apply to imports which benefit from the provisions relating to tax exemptions applicable to persons travelling from one Member State to another.

3. As regards the products listed in Annex IV to this Act which are subject to contractual margins of preference between the United Kingdom and certain other countries enjoying Commonwealth preference, the United Kingdom may defer until 1 July 1973 the first of the tariff reductions referred to in paragraph 1.

4. Paragraph 1 shall not preclude the possibility of opening tariff quotas for certain iron and steel products which are not manufactured or the manufacture of which is inadequate in quantity or quality in the Community as originally constituted.

#### *Article 33*

In no case shall customs duties higher than those applied to third countries enjoying most-favoured-nation treatment be applied within the Community.

In the event of the Common Customs Tariff duties being amended or suspended or the new Member States applying Article 41, the Council, acting by a qualified majority on a proposal from the Commission, may take the necessary measures for the maintenance of Community preference.

#### *Article 34*

Any new Member State may suspend in whole or in part the levying of duties on products imported from other Member States. It shall inform the other Member States and the Commission thereof.

#### *Article 35*

Any charge having equivalent effect to a customs duty on imports, introduced after 1 January 1972 in trade between the Community as originally constituted and the new Member States or between the new Member States themselves, shall be abolished on 1 January 1973.

Any charge having equivalent effect to a customs duty on imports the rate of which on 31 December 1972 is higher than that actually applied on 1 January 1972 shall be reduced to the latter rate on 1 January 1973.

#### *Article 36*

1. Charges having equivalent effect to customs duties on imports shall be progressively abolished between the Community as originally constituted and the new Member States and between the new Member States themselves in accordance with the following timetable:

- by 1 January 1974 at the latest, each charge shall be reduced to 60 % of the rate applied on 1 January 1972;

- the three other reductions of 20 % each shall be made on:

- 1 January 1975,

- 1 January 1976,

- 1 July 1977.

2. Notwithstanding paragraph 1:

- (a) charges having equivalent effect to customs duties on imports of coal within the meaning of Annex I to the ECSC Treaty shall be abolished between Member States from the date of accession;

- (b) charges having equivalent effect to customs duties on imports on the products listed in Annex III to this Act shall be abolished on 1 January 1974.

#### *Article 37*

Customs duties on exports and charges having equivalent effect shall be abolished between the Community as originally constituted and the new Member States and between the new Member States themselves by 1 January 1974 at the latest.

#### *Article 38*

1. Without prejudice to the following paragraphs, the provisions concerning the progressive abolition of customs duties shall apply to customs duties of a fiscal nature.

2. The new Member States shall retain the right to replace a customs duty of a fiscal nature or the fiscal element of any such duty by an internal tax which is in conformity with Article 95 of the EEC Treaty. If a new Member State avails itself of this right, any element not so replaced by the internal tax shall constitute the basic duty under Article 31. This element shall be abolished in trade within the Community and brought into line with the Common Customs Tariff under the conditions laid down in Articles 32, 39 and 59.

3. Where the Commission finds that in a new Member State there is serious difficulty in replacing a customs duty of a fiscal nature or the fiscal element of any such duty, it shall authorize that State, following a request made before 1 February 1973, to retain the duty or fiscal element, provided the State abolishes it by 1 January 1976 at the latest. The decision of the Commission shall be taken before 1 March 1973.

The protective element, the amount of which shall be fixed by the Commission before 1 March 1973 after consulting the State concerned, shall constitute the basic duty provided for in Article 31. This element shall be abolished in trade within the Community and brought into line with the Common Customs Tariff under the conditions laid down in Articles 32, 39 and 59.

4. The Commission may authorize the United Kingdom to retain customs duties of a fiscal nature or the fiscal element of such duties on tobacco for two additional years if by 1 January 1976 it has not proved possible to convert those duties into internal taxes on manufactured tobacco on a harmonized basis in accordance with Article 99 of the EEC Treaty, either because there are no Community provisions in this field on 1 January 1975 or because the time limit set for the implementation of such Community provisions is later than 1 January 1976.

5. The Council Directive of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action for deferred payment of customs duties, charges having equivalent effect and agricultural levies shall not apply in the new Member States to the customs duties of a fiscal nature referred to in paragraphs 3 and 4 or to the fiscal element of such duties.

6. The Council Directive of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing shall not apply in the United Kingdom to the customs duties of a fiscal nature referred to in paragraphs 3 and 4 or to the fiscal element of such duties.

1. For the purpose of the progressive introduction of the Common Customs Tariff and of the ECSC unified tariff, the new Member States shall amend their tariffs applicable to third countries as follows:

- (a) in the case of tariff headings in respect of which the basic duties do not differ by more than 15 % in either direction from the duties in the Common Customs Tariff or the ECSC unified tariff, these latter duties shall be applied from 1 January 1974;
- (b) in other cases, each new Member State shall, from the same date, apply a duty reducing by 40 % the difference between the basic duty and the duty in the Common Customs Tariff or the ECSC unified tariff.

This difference shall be further reduced by 20 % on 1 January 1975 and by 20 % on 1 January 1976.

The new Member States shall apply in full the Common Customs Tariff and the ECSC unified tariff from 1 July 1977.

2. From 1 January 1974, if any duties in the Common Customs Tariff are altered or suspended, the new Member States shall simultaneously amend or suspend their tariffs in the proportion resulting from the implementation of paragraph 1.

3. The new Member States shall apply the Common Customs Tariff from 1 January 1974 in respect of the products listed in Annex III to this Act.

4. The new Member States shall apply the Common Customs Tariff nomenclature from the date of accession. Denmark and the United Kingdom are, however, authorized to defer their application of the nomenclature until 1 January 1974 <sup>(1)</sup>.

The new Member States may include within this nomenclature existing national subdivisions which are indispensable in order that the progressive alignment of their customs duties with those in the Common Customs Tariff be carried out under the conditions laid down in this Act.

5. With a view to facilitating the progressive introduction of the Common Customs Tariff by the new Member States, the Commission shall determine, if necessary, the provisions whereby new Member States alter their customs duties.

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<sup>(1)</sup> Paragraph (4), first subparagraph as amended by Article 17 of the Adaptation Decision.

### Article 40

In respect of the following products in the Common Customs Tariff:

CCT heading No	Description of goods (ECSC)
73.01	Pig iron, cast iron and spiegeleisen in pigs, blocks, lumps and similar forms
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2 % by weight of carbon (high carbon ferro-manganese)
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel A. Blooms and billets: ex I. Rolled billets

Ireland shall, notwithstanding the provisions of Article 39, apply from 1 January 1975 duties reducing by one-third the difference between the rates actually applied on 1 January 1972 and those of the ECSC unified tariff. The difference resulting from the first move towards alignment shall be further reduced by 50 % on 1 January 1976.

Ireland shall apply in full the ECSC unified tariff from 1 July 1977.

### Article 41

In order to bring their tariffs into line with the Common Customs Tariff and the ECSC unified tariff, the new Member States shall remain free to alter their customs duties more rapidly than is provided for in Article 39 (1) and (3). They shall inform the other Member States and the Commission thereof.

## CHAPTER 2

### Elimination of quantitative restrictions

#### Article 42

Quantitative restrictions on imports and exports shall, from the date of accession, be abolished between the Community as originally constituted and the new Member States and between the new Member States themselves.

Measures having equivalent effect to such restrictions shall be abolished by 1 January 1975 at the latest.

#### Article 43

Notwithstanding Article 42, Member States may, for a period of two years, retain restrictions on exports of waste and scrap metal of iron or steel falling within Common Customs Tariff heading No 73.03, insofar as these arrangements are not more restrictive than those applied to exports to third countries.

For Denmark the period shall be three years and for Ireland five years <sup>(1)</sup>.

#### Article 44

1. The new Member States shall progressively adjust State monopolies of a commercial character within the meaning of Article 37 (1) of the EEC Treaty so as to ensure that by 31 December 1977 no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of Member States.

The original Member States shall have equivalent obligations in relation to the new Member States.

2. From the beginning of 1973 the Commission shall make recommendations as to the manner in which and the timetable according to which the adjustment provided for in this Article must be carried out, it being understood that the manner and timetable must be the same for the new Member States and the original Member States.

## CHAPTER 3

### Other provisions

#### Article 45

1. The Commission shall, before 1 April 1973 and with due regard for the provisions in force, in particular those relating to Community transit, determine the methods of administrative cooperation designed to ensure that goods fulfilling the requisite conditions benefit from the abolition of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect.

<sup>(1)</sup> Second paragraph as amended by Article 18 of the Adaptation Decision.

2. The Commission shall, before the expiry of that time limit, lay down the provisions applicable to trade within the Community in goods obtained in the Community in the manufacture of which have been incorporated:

- products on which the customs duties or charges having equivalent effect which were applicable to them in the Community as originally constituted or in a new Member State have not been levied, or which have benefited from a total or partial drawback of such duties or charges;
- agricultural products which do not fulfil the conditions required for admission to free movement in the Community as originally constituted or in a new Member State.

In adopting these provisions, the Commission shall take into account the rules laid down in this Act for the elimination of customs duties between the Community as originally constituted and the new Member States and between the new Member States themselves, and for the progressive introduction by the new Member States of the Common Customs Tariff and the provisions relating to the common agricultural policy.

#### *Article 46*

1. Save as otherwise provided in this Act, the provisions in force with regard to customs legislation for trade with third countries shall apply under the same conditions to trade within the Community, for such time as customs duties are levied in that trade.

For the purpose of establishing the customs value in respect of that trade, the customs territory to be taken into consideration shall be that defined by the provisions existing in the Community and in the new Member States on 31 December 1972.

2. The Member States apply the Common Customs Tariff nomenclature in trade within the Community from the date of accession. Denmark and the United Kingdom are, however, authorized to defer their application of this nomenclature until 1 January 1974<sup>(1)</sup>.

The new Member States may include within this nomenclature existing national subdivisions which are indispensable in order that the progressive elimination of their customs duties within the Community be carried out under the conditions laid down in this Act.

#### *Article 47*

1. Where the compensatory amounts referred to in Article 55 (1) (a) are levied in trade between the Com-

<sup>(1)</sup> Paragraph (2), first subparagraph as amended by Article 19 of the Adaptation Decision.

munity as originally constituted and the new Member States and between the new Member States themselves on imports of primary products considered as having been used in the manufacture of goods covered by Regulation No 170/67/EEC on the common system of trade for ovalbumin and lactalbumin and Regulation (EEC) No 1059/69 determining the system of trade applicable to certain goods processed from agricultural products, a compensatory amount, calculated on the basis of the said amounts and in accordance with the rules laid down by the above Regulations for calculating either the charge or the variable component applicable to the goods under consideration, shall be applied on importation of those goods.

When these same goods are imported from third countries into the new Member States, the charge laid down by Regulation No 170/67/EEC and the variable component laid down by Regulation (EEC) No 1059/69 shall be reduced or increased, as the case may be, by the compensatory amount under the same conditions as those laid down in Article 55 (1) (b).

2. Article 61 (2) shall apply for the determination of the customs duty constituting the fixed component of the charge applicable in the new Member States to goods covered by Regulation (EEC) No 1059/69.

Each fixed component applied in trade between the Community as originally constituted and the new Member States and between the new Member States themselves shall be abolished in accordance with Article 32 (1).

Each fixed component applied by the new Member States to imports from third countries shall be brought into line with the Common Customs Tariff in accordance with Article 39.

3. The new Member States shall, for the goods covered by Regulations No 170/67/EEC and (EEC) No 1059/69, apply in full the Common Customs Tariff nomenclature by 1 February 1973 at the latest.

4. The new Member States shall abolish customs duties and charges having equivalent effect, other than those provided for in paragraphs 1 and 2, on 1 February 1973.

On the same date, the new Member States shall abolish the measures having equivalent effect to quantitative restrictions in trade between themselves and with the Community as originally constituted.

5. The Council shall, acting by a qualified majority on a proposal from the Commission, adopt provisions to implement this Article, taking account, in particular,

of the special situations which may result from the implementation for the same goods of the first subparagraph of paragraph 1 and of Article 97.

#### *Article 48*

1. The provisions of this Title shall not prevent Ireland from applying to products originating in the United Kingdom arrangements enabling customs duties and protective elements contained in customs duties of a fiscal nature to be eliminated more rapidly, in accordance with the Anglo-Irish Free Trade Area Agreement, signed on 14 December 1965, and related Agreements.

2. The provisions adopted pursuant to Article 45 (2) shall apply from 1 January 1974 in the context of the customs arrangements in force between Ireland and the United Kingdom.

#### *Article 49*

1. Protocols Nos 8 to 15 annexed to this Act shall not preclude any alteration to or suspension of duties decided under Article 28 of the EEC Treaty.

2. The Protocols annexed to the Agreement on the determination of part of the Common Customs Tariff in respect of the products in List G annexed to the EEC Treaty are hereby revoked, with the exception of Protocol No XVII.

## TITLE II

### AGRICULTURE

#### CHAPTER 1

##### General provisions

#### *Article 50*

Save as otherwise provided in this Title, the rules provided for in this Act shall apply to agricultural products.

#### *Article 51*

1. This Article shall apply to prices in respect of which Chapters 2 and 3 refer to this Article.

2. Before the first move towards price alignment referred to in Article 52, the prices to be applied in each new Member State shall be fixed in accordance with the rules provided for in the common organization of the market in the sector in question at a level which allows producers in that sector to obtain returns equivalent to those obtained under the previous national system.

3. In respect of the United Kingdom, those prices shall, however, be fixed at a level such that the application of the Community rules results in a level of market prices comparable with the level recorded in the Member State concerned during a representative period preceding the implementation of the Community rules <sup>(1)</sup>.

#### *Article 52*

1. If the application of the provisions of this Title results in a price level different from that of the common prices, the prices in respect of which Chapters 2 and 3 refer to this Article shall be aligned with the level of the common prices in six stages.

2. Subject to paragraph 4, the moves towards alignment shall be carried out each year at the beginning of the marketing year according to the following provisions:

(a) when the price of a product in a new Member State is lower than the common price, the price in that Member State shall, at the time of each move towards alignment, be increased successively by a sixth, a fifth, a quarter, a third and a half of the difference between the price level in that new Member State and the common price level which are applicable before each move towards alignment; the price resulting from this calculation shall be increased proportionately to any rise in the common price for the following marketing year.

(b) when the price of a product in a new Member State is higher than the common price, the difference between the price level applicable before each move towards alignment in the new Member State and the common price level applicable for the next marketing year shall be reduced successively by a sixth, a fifth, a quarter, a third and a half.

3. In the interest of the smooth functioning of the process of integration, the Council, acting in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, may decide that, notwithstanding paragraph 2, the price of one or more products in one or more of the new Member States shall for one marketing year depart from the prices resulting from the application of paragraph 2.

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<sup>(1)</sup> Paragraph (3) as amended by Article 20 of the Adaptation Decision.



This departure may not exceed 10 % of the amount of the price move to be made.

In that event, the price level for the following marketing year shall be that which would have resulted from applying paragraph 2 if the departure had not been decided upon. A further departure from this price level may, however, be decided upon for that marketing year in accordance with the conditions in the preceding subparagraphs.

4. The common prices shall be applied in the new Member States by 1 January 1978 at the latest.

#### *Article 53*

If the difference between the price level of a product in a new Member State and the common price level is found to be minimal, the Council, acting in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, may decide that the common price shall be applied in that new Member State in respect of the product concerned.

#### *Article 54*

1. For such time as there is a difference in the United Kingdom between prices obtained under the national system of guaranteed prices and market prices resulting from the application of the mechanisms of the common agricultural policy and the provisions of this Title, that Member State is authorized to retain production subsidies.

2. The United Kingdom shall, for each of the products to which paragraph 1 applies, endeavour to abolish these subsidies as soon as possible during the period referred to in Article 9 (2).

3. These subsidies may not have the effect of raising the returns of producers above the level which would have resulted from the application to these returns of the rules for the alignment of prices laid down in Article 52.

4. The Council, acting in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, shall adopt the rules necessary for the application of this Article with a view to ensuring the proper functioning of the common agricultural policy and in particular of the common organization of the market.

#### *Article 55*

1. The differences in price levels shall be compensated as follows:

(a) in trade between the new Member States themselves and with the Community as originally constituted, compensatory amounts shall be levied by the importing State or granted by the exporting State;

(b) in trade between the new Member States and third countries, levies or other import charges applied under the common agricultural policy and export refunds shall be reduced or increased, as the case may be, by the compensatory amounts applicable in trade with the Community as originally constituted. Customs duties may not, however, be reduced by the compensatory amount.

2. For products in respect of which prices are fixed in accordance with Articles 51 and 52, the compensatory amounts applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be equal to the difference between the prices fixed for the new Member State concerned and the common prices.

For the other products, the compensatory amounts shall be determined in the cases provided for in Chapters 2 and 3 and in accordance with the rules which they lay down.

3. The compensatory amounts applicable in trade between the new Member States shall be determined by direct reference to the compensatory amounts fixed for each of those States in accordance with paragraph 2.

4. No compensatory amount shall, however, be fixed if the application of paragraphs 2 and 3 results in a minimal amount.

5. For products in respect of which the duty in the Common Customs Tariff is bound under the General Agreement on Tariffs and Trade, the binding shall be taken into account.

6. The compensatory amount levied or granted by a Member State in accordance with paragraph 1 (a) may not exceed the total amount levied by that same Member State on imports from third countries.

The Council, acting by a qualified majority on a proposal from the Commission, may derogate from this rule, in particular in order to avoid deflections of trade and distortions of competition.

#### *Article 56*

If the world market price for a product is higher than the price used in calculating the import charge introduced under the common agricultural policy, less the

compensatory amount deducted from the import charge in accordance with Article 55, or if the refund on exports to third countries is less than the compensatory amount, or if no refund is applicable, appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market.

#### *Article 57*

In fixing the level of the various elements of the price and intervention system, except for the prices referred to in Articles 51 and 70, account shall be taken for the new Member States, to the extent necessary for the proper functioning of the Community rules, of the difference in prices expressed by the compensatory amount.

#### *Article 58*

The compensatory amounts granted shall be financed by the Community from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### *Article 59*

The following provisions shall apply to products the importation of which from third countries into the Community as originally constituted is subject to customs duties:

1. Customs duties on imports shall be progressively abolished between the Community as originally constituted and the new Member States and between the new Member States themselves in five stages. The first reduction, which shall reduce the customs duties to 80 % of the basic duty, and the four other reductions of 20 % each, shall be made in accordance with the following timetable:

- (a) for products covered by the common organization of the market in beef and veal: at the start of each marketing year, the first reduction taking place in 1973;
- (b) for products covered by Regulation No 23 on the progressive establishment of a common organization of the market in fruit and vegetables, by Regulation (EEC) No 234/68 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage, and by Regulation (EEC) No 865/68 on the establishment of a common organization of the market in products processed from fruit and vegetables: on 1 January each year, the first reduction taking place on 1 January 1974;

(c) for other agricultural products: in accordance with the timetable laid down in Article 32 (1), the first reduction, however, taking place on 1 July 1973.

2. For the purpose of the progressive introduction of the Common Customs Tariff, each new Member State shall reduce the difference between the basic duty and the duty in the Common Customs Tariff by successive amounts of 20 %. These moves towards alignment shall be made on the dates laid down in paragraph 1 for the products in question. For the products referred to in paragraph 1 (c), the moves towards alignment shall follow the timetable laid down in Article 39 (1).

However, in the case of tariff headings in respect of which the basic duties do not differ by more than 15 % in either direction from the duties in the Common Customs Tariff, the latter duties shall be applied from the date of the first move towards alignment for each category of products in question.

3. In respect of the second, third and fourth reductions or moves towards alignment, the Council, acting by a qualified majority on a proposal from the Commission, may decide that, in respect of one or more of the new Member States, the duties applicable to one or more of the products referred to in paragraph 1 (b) shall, for one year, depart from the duties resulting from the application of paragraph 1 or, as the case may be, paragraph 2.

This departure may not exceed 10 % of the amount of the modification to be made under paragraph 1 or 2.

In that event, the duties to be applied for the following year shall be those which would have resulted from applying paragraph 1 or, as the case may be, paragraph 2, if the departure had not been decided upon. However, for that year, a further departure from those duties may be decided upon in accordance with the conditions set out in the above subparagraphs.

On 1 January 1978, the customs duties on these products shall be abolished and the new Member States shall apply in full the Common Customs Tariff.

4. In respect of products covered by a common organization of the market, the new Member States may, in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC on the common organization of the market in cereals or, as the case may be, laid down in the corresponding Articles of the other Regulations on the establishment of a common organization of agricultural markets, be authorized to abolish the customs duties referred to in paragraph 1, or to align duties as provided for in paragraph 2, or both, at a more rapid rate than that laid down in the preceding paragraphs or to suspend in whole or in part the customs duties on products imported from other Member States.

In respect of other products, no authorization shall be required for the introduction of the measures referred to in the preceding subparagraph.

The customs duties resulting from an accelerated alignment shall not be less than the customs duties on imports of the same products from other Member States.

Each new Member State shall inform the other Member States and the Commission of the measures taken.

#### *Article 60*

1. In respect of products covered, on the date of accession, by a common organization of the market, the system applicable in the Community as originally constituted in respect of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect shall, subject to Articles 55 and 59, apply in the new Member States from 1 February 1973.

2. In respect of products not covered, on the date of accession, by a common organization of the market, the provisions of Title I concerning the progressive abolition of charges having equivalent effect to customs duties and of quantitative restrictions and measures having equivalent effect shall not apply to those charges, restrictions and measures if they form part of a national market organization on the date of accession.

This provision shall apply only to the extent necessary to ensure the maintenance of the national organization and until the common organization of the market for these products is implemented.

3. The new Member States shall apply the Common Customs Tariff nomenclature by 1 February 1973 at the latest, in respect of agricultural products covered by a common organization of the market.

To the extent that no difficulties arise in the application of the Community rules and, in particular, in the functioning of the common organization of markets and of the transitional mechanisms provided for in this Title, the Council, acting by a qualified majority on a proposal from the Commission, may authorize a new Member State to include within this nomenclature such existing national subdivisions as would be indispensable for carrying out the progressive moves towards alignment with the Common Customs Tariff or the elimination of the duties in the Community under the conditions laid down in this Act.

#### *Article 61*

1. The component for protection of the processing industry which is used in calculating the charge on imports from third countries of products covered by the common organization of the markets in cereals, rice and products processed from fruit and vegetables shall be levied on imports from the new Member States into the Community as originally constituted.

2. For imports into the new Member States, the amount of that component shall be determined by separating out, from the total protection applied on 1 January 1972, the component or components designed to ensure the protection of the processing industry.

Such component or components shall be levied on imports from other Member States; they shall replace, as regards the charge on imports from third countries, the Community protective component.

3. Article 59 shall apply to the component referred to in paragraphs 1 and 2. The reductions or alignments in question shall, however, in respect of cereal and rice products be made at the beginning of the marketing year fixed for the basic product concerned.

#### *Article 62*

1. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the provisions necessary for implementing this Title.

2. The Council, acting unanimously on a proposal from the Commission after consulting the European Parliament, may make the necessary adaptations to the provisions of Chapters 2, 3 and 4 of this Title, if made necessary as a result of a change in Community rules.

#### *Article 63*

1. If transitional measures are necessary to facilitate the passage from the existing arrangements in the new Member States to those resulting from the application of the common organization of the markets as provided for in this Title, particularly if for certain products the implementation to the new arrangements on the scheduled date meets with appreciable difficulties, such measures shall be adopted in accordance with the procedure provided for in Article 26 of Regulation No 120/67/EEC or, as the case may be, in the corresponding

Articles of the other Regulations on the common organization of agricultural markets. Such measures may be taken during the period up to 31 January 1974, but their application may not extend beyond that date.

2. The Council may, acting unanimously on a proposal from the Commission after consulting the European Parliament, extend the time limit in paragraph 1 up to 31 January 1975.

#### *Article 64*

The provisions of this Title shall not affect the degree of freedom of trade in agricultural products which results from the Anglo-Irish Free Trade Area Agreement, signed on 14 December 1965, and related Agreements.

### CHAPTER 2

#### **Provisions relating to certain common organizations of markets**

##### Section 1

#### **Fruit and vegetables**

#### *Article 65*

1. A compensatory amount shall be fixed for fruit and vegetables in respect of which:

(a) the new Member State concerned applied, during 1971, quantitative restrictions or measures having equivalent effect;

(b) a common basic price is fixed; and

(c) the producer price in that new Member State appreciably exceeds the basic price applicable in the Community as originally constituted during the period preceding the application of the Community system to the new Member States.

2. The producer price referred to in paragraph 1 (c) shall be calculated by applying to the national data of the new Member State concerned the principles set out in Article 4 (2) of Regulation No 159/66/EEC laying down additional provisions in respect of the common organization of the market in fruit and vegetables.

3. The compensatory amount shall apply only during the period for which the basic price is in force.

#### *Article 66*

1. Until the first move towards alignment, the compensatory amount applicable in trade between a new Member State in which the conditions referred to in Article 65 (1) are fulfilled and the Community as originally constituted, another new Member State, with the exception of those referred to in the following subparagraph, or third countries, shall be equal to the difference between the prices referred to in Article 65 (1) (c).

In trade between two new Member States in which the conditions referred to in Article 65 (1) are fulfilled, the compensatory amount shall be equal to the difference between their respective producer prices. The compensatory amount shall not be applied if this difference is insignificant.

The differences referred to in the above subparagraphs shall be adjusted, to the extent necessary, by the incidence of customs duties.

2. Where subsequent compensatory amounts are fixed, the compensatory amount shall be reduced by one-fifth of the original amount on 1 January every year, beginning on 1 January 1974.

Article 52 (3) shall apply by analogy. The compensatory amount shall be abolished on 1 January 1978.

#### *Article 67*

For the purpose of determining entry prices, the price quotations recorded in the new Member States shall be reduced by:

(a) the compensatory amount, if any;

(b) the duties applicable to imports into those Member States from third countries instead of the duties of the Common Customs Tariff.

#### *Article 68*

The provisions relating to the common quality standards shall apply to the marketing of home produce in the United Kingdom only from:

(a) 1 February 1974, in respect of artichokes, asparagus, Brussels sprouts, ribbed celery, witloof chichory, garlic and onions;

(b) 1 February 1975, in respect of beans, roundheaded cabbages, carrots, lettuces, curled-leaved endives and broad-leaved (Batavian) endives, shelling peas, spinach and strawberries.

## Section 2

### Wine

#### Article 69

Until 31 December 1975, Ireland and the United Kingdom are authorized to retain the use of composite names including the word wine for the designation of certain beverages in respect of which the use of such names is incompatible with Community rules. This derogation shall not, however, apply to products exported to the Member States of the Community as originally constituted.

## Section 3

### Oilseeds

#### Article 70

1. Article 52 shall apply to the derived intervention prices for oilseeds.

2. The intervention prices applicable in the new Member States until the first move towards alignment shall be fixed in accordance with the rules provided for within the common organization of the market, account being taken of the normal relationship which should exist between the income to be obtained from oilseeds and that obtained from the production of the products which compete in crop rotation with oilseeds.

#### Article 71

The amount of aid in respect of oilseeds harvested in a new Member State shall be adjusted by the compensatory amount applicable in that State, increased by the incidence of the customs duties applied therein.

#### Article 72

In trade in oilseeds, the compensatory amount shall be applied only to refunds granted on exports to third countries of oilseeds harvested in a new Member State.

## Section 4

### Cereals

#### Article 73

Articles 51 and 52 shall apply to the derived intervention prices for cereals.

## Article 74

The compensatory amounts applicable in trade between the Community as originally constituted and the new Member States and between those States and third countries shall be fixed as follows:

1. The compensatory amount applicable until the first move towards alignment in the case of cereals for which no derived intervention price is fixed for the new Member States shall be derived from the compensatory amount applicable in the case of a competing cereal for which a derived intervention price is fixed, account being taken of the relationship existing between the threshold prices of the cereals in question. However, if the relationship between the threshold prices differs appreciably from that between the prices recorded on the market of the new Member State concerned, the latter relationship may be taken into consideration.

The subsequent compensatory amounts shall be fixed on the basis of those referred to in the first subparagraph and according to the rules in Article 52 for the alignment of prices.

2. The compensatory amount for the products specified in Article 1 (c) and (d) of Regulation No 120/67/EEC shall be derived from the compensatory amount for the cereals to which they relate with the help of the coefficients or rules used in determining the levy, or the variable component of the levy, on those products.

## Section 5

### Pigmeat

#### Article 75

1. The compensatory amount per kilogramme of pig carcass shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one kilogramme of pigmeat.

2. The compensatory amount for the products, other than pig carcasses, specified in Article 1 (1) of Regulation No 121/67/EEC on the common organization of the market in pigmeat shall be derived from the compensatory amount referred to in paragraph 1 with the help of the coefficients used in calculating the levy.

#### Article 76

1. Until 31 December 1975, products which do not correspond to the provisions of point 23 of Annex I to

Directive No 64/433/EEC, on health protection questions in intra-Community trade in fresh meat, may be bought in by intervention agencies in Denmark, Ireland and the United Kingdom.

2. Until 31 October 1974, the United Kingdom is authorized not to apply the Community scale of classification for pig carcasses.

## Section 6

### Eggs

#### Article 77

1. The compensatory amount per kilogramme of eggs in shell shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one kilogramme of eggs in shell.

2. The compensatory amount per hatching egg shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one hatching egg.

3. The compensatory amount for the products specified in Article 1 (1) (b) of Regulation No 122/67/EEC on the common organization of the market in eggs shall be derived from the compensatory amount for eggs in shell with the help of the coefficients used in calculating the levy.

#### Article 78

With regard to egg-marketing standards, Ireland and the United Kingdom may retain on their markets a system of grading in four and five weight-categories respectively, on condition that the marketing of eggs which comply with Community standards shall not be subject to restrictions because of different systems of grading.

## Section 7

### Poultrymeat

#### Article 79

1. The compensatory amount per kilogramme of slaughtered poultry shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain, differentiated according to species of poultry, which is required for the production in the Community of one kilogramme of slaughtered poultry.

2. The compensatory amount applicable per chick shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one chick.

3. The compensatory amount for the products specified in Article 1 (2) (d) of Regulation No 123/67/EEC on the common organization of the market in poultrymeat shall be derived from the compensatory amount for slaughtered poultry with the help of the coefficients used in calculating the levy.

## Section 8

### Rice

#### Article 80

The compensatory amounts applicable in trade between the Community as originally constituted and the new Member States and between those States and third countries shall be fixed as follows:

1. The compensatory amount applicable until the first move towards alignment for round-grained husked rice, long-grained husked rice and broken rice shall be established on the basis of the difference between the threshold price and the market prices recorded on the market of the new Member State concerned during a reference period.

The subsequent compensatory amounts shall be fixed on the basis of those provided for in the first subparagraph and according to the rules in Article 52 for the alignment of prices.

2. The compensatory amount for paddy rice, semi-milled rice, wholly-milled rice and the products specified in Article 1 (1) (c) of Regulation No 359/67/EEC on the common organization of the market in rice shall, for each of those products, be derived from the compensatory amount for the product referred to in paragraph 1 to which it relates with the help of the coefficients used in determining the levy or the variable component of the levy.

## Section 9

### Sugar

#### Article 81

Articles 51 and 52 shall apply to the derived intervention price for white sugar, the intervention price for raw sugar and to the minimum price for beet.

#### Article 82

The compensatory amounts applicable in trade between the Community as originally constituted and the new Member States and between those States and third countries shall:

- (a) in the case of the products, other than fresh beet, in Article 1 (1) (b) of Regulation No 1009/67/EEC on the common organization of the market in sugar, be derived from the compensatory amount for the primary product in question, in accordance with the rules in force for calculating the levy;
- (b) in the case of the products in Article 1 (1) (d) of Regulation No 1009/67/EEC, be derived from the compensatory amount for the primary product in question, in accordance with the rules in force for calculating:
  - the levy, in respect of the compensatory amount applicable to imports,
  - the refund, in respect of the compensatory amount applicable to exports.

#### Article 83

The amount referred to in Article 25 (3) of Regulation No 1009/67/EEC shall, in the new Member States, be adjusted by the compensatory amount calculated in accordance with Article 55 (2).

#### Section 10

##### Live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage

#### Article 84

The provisions relating to common quality standards shall be applicable to the marketing of home produce in the United Kingdom only from 1 February 1974 and, in respect of cut flowers, only from 1 February 1975.

#### Section 11

##### Milk and milk products

#### Article 85

Articles 51 and 52 shall apply to the intervention prices for butter and skimmed-milk powder.

#### Article 86

In trade between the Community as originally constituted and the new Member States, and between those States and third countries, compensatory amounts shall be fixed as follows:

1. For pilot products other than those referred to in Article 85, the compensatory amount applicable until the first move towards alignment shall be determined on the basis of the difference between the representative market price level of the new Member State concerned and the representative market price level of the Community as originally constituted over a representative period preceding the introduction of the Community rules in the new Member State in question.

In fixing the compensatory amounts applicable from the first move towards alignment, account shall be taken of the amount fixed in accordance with the first subparagraph or paragraph 3 and the rules for alignment of prices in Article 52.

2. For products other than pilot products, the compensatory amounts shall be derived from the compensatory amount for the pilot product of the group to which the product concerned belongs, in accordance with the rules in force for calculating the levy.

3. If the first subparagraph of paragraph 1 and paragraph 2 cannot be applied or if their application results in compensatory amounts leading to abnormal price relationships, the compensatory amount shall be calculated on the basis of the compensatory amounts applicable for butter and skimmed milk powder.

#### Article 87

1. If a system providing for a different valuation of milk according to its use existed in a new Member State before accession, and if the application of Article 86 leads to difficulties on the market, the compensatory amount applicable until the first move towards alignment for one or more products falling within Common Customs Tariff heading No 04.01 shall be fixed on the basis of the difference between market prices.

When subsequent compensatory amounts are fixed, the compensatory amount shall be reduced annually at the beginning of the marketing year by one-sixth of the original amount and shall be abolished on 1 January 1978.

2. Appropriate measures shall be adopted to avoid distortions of competition which might result from the application of paragraph 1, either in respect of the products in question or in respect of other milk products, and to take account of possible changes in the common price.

### *Article 88*

1. Ireland is authorized to grant a subsidy on the direct consumption of butter to the extent necessary to allow, during the transitional period, the price paid by the consumer to be progressively adjusted to the price level obtaining in the Community as originally constituted.

In the event of Ireland making use of the authorization referred to in the first subparagraph, it shall grant a subsidy of the same amount on the consumption of butter imported from the other Member States.

2. This subsidy shall be abolished in six stages coinciding with the stages for aligning the price of butter.

### *Article 89*

1. Until 31 December 1975 in the United Kingdom and until 31 December 1977 in Ireland, the supply to consumers as whole milk of milk with a fat content of less than 3.5 % is authorized.

Milk sold as whole milk pursuant to the first subparagraph must not, however, have been subjected to any skimming. Furthermore, the provisions in respect of whole milk shall apply to such milk.

2. Denmark is authorized to maintain until 31 December 1977 the exclusive milk supply licences which existed in certain areas at the date of accession. Licences which expire before 1 January 1978 may not be renewed.

## Section 12

### **Beef and veal**

### *Article 90*

Articles 51 and 52 shall apply to the guide prices for adult bovine animals and calves.

### *Article 91*

1. The compensatory amount for calves and adult bovine animals calculated in accordance with Article 55 shall be corrected to the extent necessary, by the incidence of customs duties.

If the incidence of the customs duty applicable to trade between the Community as originally constituted and the new Member States and between the new Member

States themselves is higher than the compensatory amount calculated in accordance with Article 55, the customs duty shall be suspended at a level such that its incidence corresponds to the compensatory amount.

2. If the third subparagraph of Article 10 (1) of Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, or if Article 11 (1) of that Regulation, is applied, the appropriate measures shall be adopted in order to maintain Community preference and avoid deflections of trade.

3. The compensatory amount for the products referred to in the Annex to Regulation (EEC) No 805/68 shall be fixed taking account of the provisions laid down in the preceding paragraphs and with the help of the rules laid down for fixing the levies applicable to those products.

### *Article 92*

In respect of the products specified in Article 1 (b) and (c) of Regulation (EEC) No 805/68, the refund on exports to third countries by the new Member States shall be corrected by the incidence of the difference between the customs duties on the products listed in the Annex to the said Regulation to imports from third countries into the Community as originally constituted on the one hand and into the new Member States on the other.

### *Article 93*

For such time as the United Kingdom, pursuant to Article 54, retains production subsidies for slaughter cattle, Ireland is authorized, in order to avoid distortion of the Irish cattle market, to retain the measures relating to the export of beef and veal which it applied before accession, in correlation with the system of subsidies applied in the United Kingdom.

## Section 13

### **Products processed from fruit and vegetables**

### *Article 94*

Compensatory amounts shall be determined on the basis of the compensatory amounts fixed for sugar, glucose, or glucose syrup, as the case may be, and in accordance with the rules applicable for calculating:

- the levy, in respect of the compensatory amount applicable to imports,
- the refund, in respect of the compensatory amount applicable to exports.



Section 14

**Flax**

*Article 95*

1. The amount of aid for flax shall, for the new Member States, be fixed on the basis of the difference between the income to be obtained by flax producers and the return resulting from the foreseeable market price for this product.

2. The income to be received by flax producers shall be established taking into account the price of competing products in the crop rotation in the new Member State in question and the relationship in the Community as originally constituted between the income resulting from flax production and that resulting from the production of competing products.

Section 15

**Seeds**

*Article 96*

When an aid is granted for seed production, the amount of the aid may be fixed, in respect of the new Member States, at a level different from that fixed for the Community as originally constituted if the income of producers in a new Member State was previously appreciably different from the income of producers in the Community as originally constituted.

In that event, the amount of aid in respect of the new Member State must take account of the income previously received by seed producers and of the need to avoid any distortion of production patterns, and the need to align that amount gradually with the Community amount.

Section 16

**Agricultural products exported in the form of goods not covered by Annex II to the EEC Treaty**

*Article 97*

Compensatory amounts shall be determined on the basis of the compensatory amounts fixed for the basic products and in accordance with the rules applicable for the calculation of the refunds provided for in Regu-

lation (EEC) No 204/69, establishing the general rules concerning the granting of export refunds and the rules for fixing the amounts thereof, with respect to certain agricultural products exported in the form of goods not covered by Annex II to the Treaty.

CHAPTER 3

**Provisions relating to fisheries**

Section 1

**Common organization of the market**

*Article 98*

Articles 51 and 52 shall apply to the guide price for fisheries products. The moves towards price alignment shall be made at the beginning of the fishing year, and for the first time on 1 February 1973.

*Article 99*

The compensatory amounts shall be corrected, to the extent necessary, by the incidence of the customs duties.

Section 2

**Fishing rights**

*Article 100*

1. Notwithstanding the provisions of Article 2 of Regulation (EEC) No 2141/70 on the establishment of a common structural policy for the fishing industry, the Member States of the Community are authorized, until 31 December 1982, to restrict fishing in waters under their sovereignty or jurisdiction, situated within a limit of six nautical miles, calculated from the base lines of the coastal Member State, to vessels which fish traditionally in those waters and which operate from ports in that geographical coastal area; however, vessels from other regions of Denmark may continue to fish in the waters of Greenland until 31 December 1977 at the latest.

Member States may not, in so far as they avail themselves of this derogation, adopt provisions dealing with conditions for fishing in those waters which are less restrictive than those applied in practice at the time of accession.

2. The provisions laid down in the preceding paragraph and in Article 101 shall not prejudice the special fishing rights which each of the original Member States and the new Member States might have enjoyed on 31 January 1971 in regard to one or more other Member States; the Member States may exercise these rights for such time as derogations continue to apply in the areas concerned. As regards the waters of Greenland, however, the special rights shall expire on the dates laid down for these rights.

3. If a Member State extends its fishing limits in certain areas to 12 nautical miles, the existing fishing activities within 12 nautical miles must be so pursued that there is no retrograde change by comparison with the situation on 31 January 1971.

4. In order to permit a satisfactory overall balance of fishing operations to be established within the Community during the period referred to in the first paragraph, the Member States need not make full use of the opportunities presented by the provisions of the first subparagraph of paragraph 1 in certain areas of the maritime waters under their sovereignty or jurisdiction.

The Member States shall inform the Commission of the measures which they adopt for this purpose; on a report from the Commission, the Council shall examine the situation and, in the light thereof, shall where necessary, address recommendations to the Member States.

#### *Article 101<sup>(1)</sup>*

The limit of six nautical miles referred to in Article 100 shall be extended to 12 nautical miles for the following areas:

##### *1. Denmark*

- the Faroe Islands
- Greenland
- the west coast, from Thyborøn to Blaavandshuk.

##### *2. France*

The coasts of the *départements* of Manche, Ille-et-Vilaine, Côtes-du-Nord, Finistère and Morbihan.

##### *3. Ireland*

- the north and west coasts, from Lough Foyle to Cork Harbour in the south-west
- the east coast, from Carlingford Lough to Carnsore Point, for crustaceans and molluscs (shellfish).

(1) Text as amended by Article 21 of the Adaptation Decision.

#### *4. United Kingdom*

- The Shetlands and the Orkneys
- the north and east of Scotland, from Cape Wrath to Berwick
- the north-east of England, from the river Coquet to Flamborough Head
- the south-west from Lyme Regis to Hartland Point (including 12 nautical miles around Lundy Island)
- County Down.

#### *Article 102*

From the sixth year after accession at the latest, the Council, acting on a proposal from the Commission, shall determine conditions for fishing with a view to ensuring protection of the fishing grounds and conservation of the biological resources of the sea.

#### *Article 103*

Before 31 December 1982, the Commission shall present a report to the Council on the economic and social development of the coastal areas of the Member States and the state of stocks. On the basis of that report, and of the objectives of the common fisheries policy, the Council, acting on a proposal from the Commission, shall examine the provisions which could follow the derogations in force until 31 December 1982.

### CHAPTER 4

#### **Other provisions**

##### Section 1

#### **Veterinary measures**

#### *Article 104*

Directive No 64/432/EEC on veterinary health inspection questions in intra-Community trade in bovine animals and swine shall be applied account being taken of the following provisions:

1. Until 31 December 1977, the new Member States are authorized to retain, in compliance with the general

rules of the EEC Treaty, their national rules on imports of bovine animals and swine for breeding, store and slaughter with the exception, in the case of Denmark, of slaughter cattle.

Adjustments will be sought, within the framework of those national rules, to ensure the progressive development of trade; to this end, those rules will be examined by the Standing Veterinary Committee.

2. Until 31 December 1977, the Member States into which cattle are imported shall grant to the Member States from which cattle are exported the derogation provided for in Article 7 (1) (A) (a) of the Directive.

3. Until 31 December 1977, the new Member States are authorized to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or brucellosis within the meaning of Article 2 of the Directive, subject to the application of the provisions of the Directive relating to the presence of animals vaccinated against brucellosis. The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to paragraphs 4 and 6.

4. Until 31 December 1977, exports of cattle from Ireland to the United Kingdom may be carried out:

(a) by way of derogation from the provisions of the Directive relating to brucellosis; however, the provisions relating to the test laid down for animals traded within the Community shall continue to apply to exports of uncastrated cattle;

(b) by way of derogation from the provisions of the Directive relating to tuberculosis, provided that, at the time of export, a declaration is made certifying that the exported animal comes from a herd declared officially free of tuberculosis according to the methods in force in Ireland;

(c) by way of derogation from the provisions of the Directive relating to the obligation to separate breeding and store cattle on the one hand and slaughter cattle on the other.

5. Until 31 December 1975, Denmark is authorized to use 'altuberculin' by way of derogation from the provisions in Annex B to the Directive.

6. Until the implementation of the Community provisions concerning trade within the Member States, in respect of the matters governed by the Directive, Ireland and the United Kingdom are authorized to retain

their national rules governing trade between Ireland and Northern Ireland.

The Member States concerned may take appropriate measures in order to limit this derogation exclusively to the trade referred to above.

#### *Article 105*

Directive No 64/433/EEC on health protection questions in intra-Community trade in fresh meat shall apply, account being taken of the following provisions:

Until 31 December 1977, Ireland and the United Kingdom in respect of Northern Ireland, are authorized to retain for the import of fresh meat their national rules relating to protection against foot-and-mouth disease, while complying with the general provisions of the EEC Treaty (1).

#### *Article 106*

Before the expiry of the time limits referred to in Articles 104 and 105, a review of the situation in the Community as a whole and in its various parts will be carried out in the light of developments in the veterinary field.

By 1 July 1976 at the latest, the Commission shall submit a report to the Council and, in so far as is necessary, appropriate proposals taking account of these developments.

### Section 2

#### Miscellaneous provisions

#### *Article 107*

The acts listed in Annex V to this Act shall apply in respect of the new Member States under the conditions laid down in that Annex.

### TITLE III

#### EXTERNAL RELATIONS

##### CHAPTER 1

#### Agreements of the Communities with certain third countries

#### *Article 108*

1. From the date of accession, the new Member States shall apply the provisions of the agreements referred to

(1) Second paragraph as amended by Article 22 of the Adaptation Decision.

in paragraph 3, taking into account the transitional measures and adjustments which may appear necessary and which will be the subject of protocols to be concluded with the co-contracting third countries and annexed to those agreements.

2. These transitional measures, which will take into account the corresponding measures adopted within the Community and which may not extend beyond the period of validity thereof, shall be designed to ensure the progressive application by the Community of a single system for its relations with the co-contracting third countries as well as the identity of the rights and obligations of the Member States.

3. Paragraphs 1 and 2 shall apply to the agreements concluded with Greece, Turkey, Tunisia, Morocco, Israel, Spain and Malta.

Paragraphs 1 and 2 shall also apply to agreements which the Community concludes with other third countries in the Mediterranean region before the entry into force of this Act.

## CHAPTER 2

### **Relations with the Associated African and Malagasy States and with certain developing Commonwealth countries**

#### *Article 109*

1. The arrangements resulting from the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, signed on 29 July 1969, and from the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, signed on 24 September 1969, shall not apply in relations between the new Member States and the States associated with the Community under the above acts.

The new Member States need not accede to the Agreement on products within the competence of the European Coal and Steel Community, signed on 29 July 1969.

2. Subject to the provision of Articles 110 and 111, products originating in the Associated States referred to in paragraph 1 shall, on importation into the new Member States, be subject to the arrangements applied to those products before accession.

3. Subject to the provisions of Articles 110 and 111, products originating in the independent Commonwealth countries listed in Annex VI to this Act shall, on importation into the Community, be subject to the arrangements applied to those products before accession.

#### *Article 110*

For those products listed in Annex II to the EEC Treaty which are subject to a common organization of the market and for those products subject on importation into the Community to specific rules as a result of the implementation of the common agricultural policy, which originate in the Associated States referred to in Article 109 (1) or in the independent Commonwealth countries referred to in Article 109 (3), the new Member States shall apply on importation the Community rules under the conditions laid down in this Act and subject to the following provisions:

- (a) where the Community rules provide for the levying of customs duties on imports from third countries, the new Member States shall, subject to the provisions of Article 111, apply the tariff arrangements which they applied before accession;
- (b) as regards protective components other than customs duties, the Council shall, acting by a qualified majority on a proposal from the Commission, determine, should it prove necessary, adaptations to Community rules designed to ensure that those products are imported under conditions similar to those existing before accession.

#### *Article 111*

Where alignment with the Common Customs Tariff leads to the reduction of a customs duty in a new Member State, the reduced customs duty shall apply to imports covered by Articles 109 and 110.

#### *Article 112*

1. Products imported into the United Kingdom before the dates determined under Article 115 which originate in the independent Commonwealth countries referred to in Article 109 (3) shall not, when they are re-exported to another new Member State or to the Community as originally constituted, be considered to be in free circulation within the meaning of Article 10 of the EEC Treaty.

2. Products imported into the Community as originally constituted during that same period which originated in the Associated States referred to in Article 109 (1) shall not, when re-exported to another Member State, be considered to be in free circulation in the Community as originally constituted, within the meaning of Article 10 of the EEC Treaty.

3. Where there is no risk of deflection of trade, and in particular in the event of minimal disparities in the import arrangement, the Commission may derogate from paragraphs 1 and 2.

#### *Article 113*

1. From accession, the new Member States shall communicate to the original Member States and the Commission the provisions concerning the arrangements which they apply to imports of products originating in or coming from the independent Commonwealth countries referred to in Article 109 (3) or the Associated States referred to in Article 109 (1).

2. From accession, the Commission shall communicate to the new Member States the internal or conventional provisions concerning arrangements applicable to imports into the Community as originally constituted of products originating in or coming from the independent Commonwealth countries referred to in Article 109 (3) or the Associated States referred to in Article 109 (1).

#### *Article 114*

When the Council takes decisions and when the Committee of the European Development Fund gives opinions within the framework of the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, signed on 29 July 1969, of the Internal Agreement on the financing and administration of Community aid, signed on 29 July 1969, and of the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, signed on 24 September 1969, only the votes of the original Member States shall be counted, as the case may be, either in accordance with the weighted voting in force before accession for calculating a qualified majority or in accordance with

Article 13 (3) of the above-mentioned Internal Agreement on the financing and administration of Community aid.

#### *Article 115*

1. Articles 109 to 114 shall apply until 31 January 1975.

2. However, imports originating in any independent Commonwealth country referred to in Article 109 (3) which has before that date, established its relations with the Community on a basis other than association shall be subject in the new Member States from the date of entry into force of its agreement with the Community and in respect of matters not covered by that agreement, to the third country arrangements applicable to those imports taking into account the transitional provisions of this Act.

3. The Council may, acting unanimously after consulting the Commission, decide to defer the date laid down in paragraph 1 in the event of implementation of the transitional provisions laid down in the second paragraph of Article 62 of the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, signed on 29 July 1969, or in the second paragraph of Article 36 of the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, signed on 24 September 1969, for the period during which such transitional provisions are being implemented.

### CHAPTER 3

#### **Relations with Papua New Guinea**

#### *Article 116*

1. Articles 109 (3) and 110 to 113 apply until 31 December 1977 to products originating in or coming from Papua New Guinea imported into the United Kingdom.

2. These arrangements may be reviewed, in particular if that territory becomes independent before 1 January 1978. The Council shall, acting by a qualified majority on a proposal from the Commission, adopt, if the need arises, such provisions as are appropriate and may prove necessary.

## TITLE IV

### ASSOCIATION OF OVERSEAS COUNTRIES AND TERRITORIES

#### *Article 117*

1. The association of the non-European territories maintaining special relations with the United Kingdom and of the Anglo-French Condominium of the New Hebrides, listed in Article 24 (2), shall take effect on 1 February 1975 at the earliest upon a decision of the Council taken under Article 136 of the EEC Treaty (1).

2. The new Member States need not accede to the Agreement on trade with overseas countries and territories in products within the province of the European Coal and Steel Community, signed on 14 December 1970.

#### *Article 118*

The provisions of the third part of Protocol No 22 on relations between the European Economic Community and the Associated African and Malagasy States and the independent developing Commonwealth countries situated in Africa, the Indian Ocean, the Pacific Ocean and the Caribbean shall apply both to the overseas countries and territories referred to Article 117 and to the non-European countries and territories maintaining special relations with the original Member States.

#### *Article 119*

1. The arrangements resulting from the Council Decision of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community shall not apply in relations between those countries and territories and the new Member States.

2. Products originating in the countries and territories associated with the Community shall, on importation into the new Member States, be subject to the arrangements applied to those products before accession.

Products originating in the non-European territories maintaining special relations with the United Kingdom and in the Anglo-French Condominium of the New Hebrides, listed in Article 24 (2), shall, on importation into the Community, be subject to the arrangements

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(1) Paragraph (1) as amended by Article 23 of the Adaptation Decision.

applied to those products before accession (2).

Articles 110 to 114 shall apply.

3. This Article shall apply until 31 January 1975. If Article 115 (3) is applied, this date may be deferred in accordance with the procedure and under the conditions laid down in that Article.

## TITLE V

### CAPITAL MOVEMENTS

#### *Article 120*

1. The new Member States may, under the conditions and within the time limits in Articles 121 to 126, defer the liberalization of capital movements provided for in the First Council Directive of 11 May 1960 for the implementation of Article 67 of the EEC Treaty and in the Second Council Directive of 18 December 1962 adding to and amending the First Directive for the implementation of Article 67 of the EEC Treaty.

2. Appropriate consultations shall take place in due course between the new Member States and the Commission about procedures for applying measures of liberalization or relaxation, the implementation of which may be deferred under the following provisions.

#### *Article 121*

1. Denmark may:

(a) for a period of two years after accession, defer the liberalization of purchases by non-residents of bonds denominated in Danish kroner and dealt in on the stock exchange in Denmark, including physical transfers of the securities in question;

(b) for a period of five years after accession, defer the liberalization of purchases by persons resident in Denmark of foreign securities dealt in on the stock exchange and of repurchases from abroad of Danish securities dealt in on the stock exchange denominated entirely or partly in foreign currency, including physical transfers of the securities in question.

2. From the date of accession, Denmark will proceed to a progressive liberalization of the operations referred to in paragraph 1 (a).

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(2) Paragraph (2), second subparagraph as amended by Article 24 of the Adaptation Decision.

## Article 122

### 1. Ireland may:

(a) for a period of two years after accession, defer the liberalization of direct investments in Member States by persons resident in Ireland and the liberalization of the liquidation of direct investments in Member States by persons resident in Ireland;

(b) for a period of 30 months after accession, defer the liberalization of the following capital movements of a personal nature:

— transfers of capital belonging to persons resident in Ireland who are emigrating, other than transfers connected with freedom of movement for workers which shall be liberalized from the date of accession;

— gifts and endowments, dowries, succession duties and real estate investments other than those connected with freedom of movement for workers which shall be liberalized from the date of accession;

(c) for a period of five years after accession, defer the liberalization of the operations set out in List B annexed to the Directives referred to in Article 120 and carried out by persons resident in Ireland.

2. Recognizing that it is desirable to proceed, from the date of accession, to a substantial relaxation in the rules concerning the operations referred to in paragraph 1 (a), Ireland will endeavour to take appropriate measures to this end.

## Article 123<sup>(1)</sup>

## Article 124

### 1. The United Kingdom may:

(a) for a period of two years after accession, defer the liberalization of direct investments in Member States by persons resident in the United Kingdom and the liberalization of the liquidation of direct investments in Member States by persons resident in the United Kingdom;

<sup>(1)</sup> Provisions having lapsed by virtue of Article 25 of the Adaptation Decision.

(b) for a period of 30 months after accession, defer the liberalization of the following capital movements of a personal nature:

— transfers of capital belonging to persons resident in the United Kingdom who are emigrating, other than transfers connected with freedom of movement for workers which shall be liberalized from the date of accession;

— gifts and endowments, dowries, succession duties, and real estate investments other than those connected with freedom of movement for workers which shall be liberalized from the date of accession;

(c) for a period of five years after accession, defer the liberalization of the operations set out in List B annexed to the Directives referred to in Article 120, and carried out by persons resident in the United Kingdom.

2. From the date of accession, the United Kingdom will proceed to a substantial relaxation in the rules concerning the operations referred to in paragraph 1 (a).

## Article 125

The new Member States will, circumstances permitting, carry out the liberalization of capital movements referred to in Articles 121 to 124 before the expiry of the time limits laid down in those Articles.

## Article 126

For the purpose of implementing the provisions of this Title, the Commission may consult the Monetary Committee and submit appropriate proposals to the Council.

## TITLE VI

### FINANCIAL PROVISIONS

## Article 127

The Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources, hereinafter referred to as the 'Decision of 21 April 1970'<sup>(2)</sup>, shall be applied, account being taken of the following provisions.

<sup>(2)</sup> EDITORIAL NOTE:  
The Decision of 21 April 1970, was repealed by the Decision of 7 May 1985 (see in this connection Volume I of this edition, page 995).

### Article 128

The revenue referred to in Article 2 of the Decision of 21 April 1970 shall also include:

- (a) among those designated as agricultural levies, the revenue from any compensatory amount levied on imports under Articles 47 and 55, and from the fixed components applied in trade between the Community as originally constituted and the new Member States and between the new Member States themselves under Article 61;
- (b) among those designated as customs duties, the customs duties levied by the new Member States in trade with non-member States, and also customs duties levied in trade between the Community as originally constituted and the new Member States and between the new Member States themselves.

### Article 129

1. The financial contributions from Member States referred to in Article 3 (2) of the Decision of 21 April 1970 shall be apportioned as follows:

— for the new Member States:

Denmark	2,46 %
Ireland	0,61 %
United Kingdom	19,32 %;

— and for the original Member States, in accordance with the scale laid down in Article 3 (2) of the Decision of 21 April 1970, after the financial contributions of the new Member States specified above have been deducted <sup>(1)</sup>.

2. For 1973, the basis for calculating the variations referred to in Article 3 (3), of the Decision of 21 April 1970 shall be:

— for the new Member States, the percentage referred to in paragraph 1;

— for the original Member States, their relative share for the preceding year, account being taken of the percentages for the new Member States specified above.

<sup>(1)</sup> Paragraph (1) as amended by Article 26 of the Adaptation Decision.

### Article 130

The Communities' own resources and also the financial contributions and, where appropriate, the contributions referred to in Article 4 (2), (3) and (4) of the Decision of 21 April 1970 shall be due from the new Member States to the following extent only:

- 45,0 % in 1973,
- 56,0 % in 1974,
- 67,5 % in 1975,
- 79,5 % in 1976,
- 92,0 % in 1977.

### Article 131

1. From 1 January 1978, the Communities' own resources and, where appropriate, the financial contributions referred to in Article 4 (2), (3) and (4) of the Decision of 21 April 1970, shall be due from the new Member States, in full, subject to the following provisions:

(a) the increase in the relative share to be paid by each new Member State under the head of the Communities' own resources and of the financial contributions for 1978 in comparison with the relative share due for 1977, shall not exceed two-fifths of the difference between the relative share due under the head of the Communities' own resources and of the financial contributions for 1977 and the relative share which each new Member State would have had to pay under the same head for the same year, if this relative share had been calculated in accordance with the arrangements laid down for the original Member States from 1978 by the Decision of 21 April 1970;

(b) for 1979, the increase in the relative share of each new Member State in comparison with 1978 shall not exceed that for 1978 in comparison with 1977.

2. The Commission shall carry out the calculations necessary for the application of this Article.

### Article 132

Until 31 December 1979, that part of the Communities' budget which is not covered as a result of applying Articles 130 and 131 shall be incorporated into the amount apportioned for the original Member States in accordance with Article 129. The total amount thus determined shall be apportioned among the original Member States in accordance with the Decision of 21 April 1970.



## OTHER PROVISIONS

## Article 133

The acts listed in Annex VII to this Act shall apply in respect of the new Member States under the conditions laid down in that Annex.

## Article 134

1. During the five years following accession, the Commission will examine, with the Governments concerned, whether existing measures arising from provisions laid down by law, regulation or administrative action in force in the new Member States, which had they been introduced after accession would have fallen within the scope of Article 67 of the ECSC Treaty, could, by comparison with the measures in force in the original Member States, give rise to serious distortions in conditions of competition in the coal and steel industries whether within the common market or in export markets. The Commission may, after consulting the Council, propose to the Governments concerned any action which it considers appropriate to correct such measures or to offset their effects.

2. Until 31 December 1977, the prices charged by undertakings for sales of steel on the Irish market, reduced to their equivalent at the point chosen for their price list, may not be below the prices shown in the price list in question for comparable transactions, save when authorization has been given by the Commission, in agreement with the Government of Ireland, without prejudice to the last subparagraph of Article 60 (2) (b) of the ECSC Treaty.

3. If Decision No 1/64 of the High Authority of 15 January 1964 prohibiting alignment on quotations for steel products and pig iron from State-trading countries or territories is extended after accession, that prohibition shall not apply until 31 December 1975 to products for the Danish market <sup>(1)</sup>.

<sup>(1)</sup> Paragraph (3) as amended by Article 27 of the Adaptation Decision.

1. If, before 31 December 1977, difficulties arise which are serious and liable to persist in any sector of the economy or which could bring about serious deterioration in the economic situation of a given area, a new Member State may apply for authorization to take protective measures in order to rectify the situation and adjust the sector concerned to the economy of the common market.

2. On application by the State concerned, the Commission shall, by emergency procedure, determine without delay the protective measures which it considers necessary, specifying the circumstances and the manner in which they are to be put into effect.

3. The measures authorized under paragraph 2 may involve derogations from the rules of the EEC Treaty and of this Act to such an extent and for such periods as are strictly necessary in order to attain the objective referred to in paragraph 1. Priority shall be given to such measures as will least disturb the functioning of the common market.

4. In the same circumstances and according to the same procedure, any original Member State may apply for authorization to take protective measures in regard to one or more new Member States.

## Article 136

1. If, before 31 December 1977, the Commission, on application by a Member State or by any other interested party, finds that dumping is being practised between the Community as originally constituted and the new Member States or between the new Member States themselves, it shall address recommendations to the person or persons with whom such practices originate for the purpose of putting an end to them.

Should the practices continue, the Commission shall authorize the injured Member State or States to take protective measures, the conditions and details of which the Commission shall determine.

2. For the application of this Article to the products listed in Annex II to the EEC Treaty, the Commission shall evaluate all relevant factors, in particular the level of prices at which these products are imported into the market in question from elsewhere, account being taken of the provisions of the EEC Treaty relating to agriculture in particular Article 39.

*Article 137*

1. Notwithstanding Article 136, Ireland may, until 31 December 1977, take the necessary measures in cases of extreme urgency. It shall forthwith notify such measures to the Commission, which may decide to abolish or modify them.

2. This provision shall not apply to the products in Annex II to the EEC Treaty.

*Article 138*

Notwithstanding the second paragraph of Article 95 of the EEC Treaty, Denmark may retain until 30 June 1974 the special excise duties on table wines imported in bottles or other similar containers.

PART FIVE

PROVISIONS RELATING TO THE IMPLEMENTATION OF THIS ACT

TITLE I

SETTING UP OF THE INSTITUTIONS

*Article 139*

1. The Parliaments of the new Member States shall, upon accession, designate their delegates to the European Parliament.

2. The European Parliament shall meet at the latest one month after accession. It shall make such adaptations to its rules of procedure as are made necessary by accession.

*Article 140*

1. Upon accession, the office of President of the Council shall be held by the member of the Council who would have held that office in accordance with the original text of Article 2 of the Treaty establishing a Single Council and a Single Commission of the European Communities. On expiry of this term of office, the office of President shall then be held in the order of Member States laid down in the Article referred to above as amended by Article 11.

2. The Council shall make such adaptations to its rules of procedure as are made necessary by accession.

*Article 141*

1. The President, the Vice-Presidents and the members of the Commission shall be appointed upon acces-

sion. The Commission shall take up its duties on the fifth day after its members have been appointed. The terms of office of the members in office at the time of accession shall terminate at the same time.

2. The Commission shall make such adaptations to its rules of procedure as are made necessary by accession.

*Article 142*

1. Upon accession, new judges shall be appointed to the Court of Justice in order to bring the number of judges up to nine as provided for in Article 17 of this Act <sup>(1)</sup>.

2. The term of office of one of the judges appointed in accordance with paragraph 1 shall expire on 6 October 1976. That judge shall be chosen by lot. The term of office of the other judge shall expire on 6 October 1979 <sup>(1)</sup>.

3. Upon accession, a third Advocate-General shall be appointed. His term of office shall expire on 6 October 1979 <sup>(2)</sup>.

<sup>(1)</sup> Paragraphs (1) and (2) as amended by Article 28 of the Adaptation Decision.

<sup>(2)</sup> Article 32a, first paragraph, of the ECSC Treaty, Article 166, first paragraph, of the EEC Treaty and Article 138, first paragraph, of the Euratom Treaty, modified by Article 1 of the Council Decision of 1 January 1973 increasing the number of Advocates-General (*Official Journal of the European Communities*, No L 2, 1 January 1973, p. 29), state:  
'The Court of Justice shall be assisted by four Advocates-General.'

4. The Court shall make such adaptations to its rules of procedure as are made necessary by accession. The rules of procedure as adapted shall require the unanimous approval of the Council.

5. In order to give judgment in cases pending before the Court on 1 January 1973 in respect of which oral proceedings have started before that date, the full Court and the Chambers shall be composed as before accession and shall apply the rules of procedure in force on 31 December 1972.

*Article 143<sup>(1)</sup>*

Upon accession, the Economic and Social Committee shall be enlarged by the appointment of 42 members representing the various categories of economic and social activity in the new Member States. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 144*

Upon accession, the Consultative Committee of the European Coal and Steel Community shall be enlarged by the appointment of additional members. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 145*

Upon accession, the members of the Scientific and Technical Committee shall be appointed in accordance with the procedure laid down in Article 134 of the Euratom Treaty. The Committee shall take up its duties on the fifth day after its members have been appointed. The terms of office of the members in office at the time of accession shall expire at that time.

*Article 146*

Upon accession, the Monetary Committee shall be enlarged by the appointment of members representing the new Member States. Their terms of office shall expire at the same time as those of the members in office at the time of accession.

*Article 147*

Adaptations to the Rules of the Committees established by the original Treaties and to their rules of pro-

cedure, necessitated by accession, shall be made as soon as possible after accession.

*Article 148*

1. The terms of office of the new members of the Committees listed in Annex VIII shall expire at the same time as those of the members in office at the time of accession.

2. Upon accession, the membership of the Committees listed in Annex IX shall be completely renewed.

TITLE II

APPLICABILITY OF THE ACTS OF THE INSTITUTIONS

*Article 149*

From accession, the new Member States shall be considered as being addressees of and as having received notification of directives and decisions within the meaning of Article 189 of the EEC Treaty and of Article 161 of the Euratom Treaty, and of recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, provided that those directives, recommendations and decisions have been notified to all the original Member States.

*Article 150*

The application in each new Member State of the acts listed in Annex X to this Act shall be deferred until the dates specified in that list.

*Article 151*

1. The following shall be deferred until 1 February 1973:

- (a) the application to the new Member States of the Community rules established for production of and trade in agricultural products and for trade in certain goods processed from agricultural products which are the subject of special arrangements;
- (b) the application to the Community as originally constituted of the amendments made to these rules by this Act, including those arising from Article 153.

<sup>(1)</sup> Text as amended by Article 29 of the Adaptation Decision.

2. Paragraph 1 shall not apply to the adaptations referred to in Part II, point A, of Annex I, referred to in Article 29 of this Act.

3. Until 31 January 1973, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other hand, the Community as originally constituted, the other new Member States or third countries shall be those applied before accession.

#### *Article 152*

The new Member States shall put into effect the measures necessary for them to comply from the date of accession with the provisions of directives and decisions within the meaning of Article 189 of the EEC Treaty and of Article 161 of the Euratom Treaty, and with recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, unless a time limit is provided for in the list in Annex XI or in any other provisions of this Act.

#### *Article 153*

1. Adaptations to the acts of the institutions of the Communities not included in this Act or its Annexes, made by the institutions before accession in accordance with the procedure in paragraph 2 to bring those acts into line with the provisions of this Act, in particular those of Part Four, shall enter into force on accession.

2. The Council, acting by a qualified majority on a proposal from the Commission, or the Commission, according to which of these two institutions adopted the original act, shall to this end draw up the necessary texts.

#### *Article 154*

Notwithstanding Article 3 (3), the principles concerning the general arrangements for regional aid, elaborated within the framework of the application of Articles 92 to 94 of the EEC Treaty and contained in the communication of the Commission of 23 June 1971 and also in the resolution of the Representatives of the Governments of the Member States, meeting in Council, of 20 October 1971, shall apply to the new Member States on 1 July 1973 at the latest.

These texts will be supplemented to take account of the new situation of the Community after accession, so that all the Member States are in the same situation in regard to them.

#### *Article 155<sup>(1)</sup>*

The texts of the acts of the institutions of the Communities adopted before accession and drawn up by the Council or the Commission in the Danish and English languages shall, from the date of accession, be authentic under the same conditions as the texts drawn up in the four original languages. They shall be published in the *Official Journal of the European Communities* if the texts in the original languages were so published.

#### *Article 156*

Agreements, decisions and concerted practices in existence at the time of accession which come within the scope of Article 65 of the ECSC Treaty by reason of accession must be notified to the Commission within three months of accession. Only agreements and decisions which have been notified shall remain provisionally in force until a decision has been taken by the Commission.

#### *Article 157*

Provisions laid down by law, regulation or administrative action designed to ensure the protection of the health of the workers and the general public in the territories of the new Member States against the dangers arising from ionizing radiations shall, in accordance with Article 33 of the Euratom Treaty, be communicated by those States to the Commission within three months of accession.

### TITLE III

#### FINAL PROVISIONS

#### *Article 158*

Annexes I to XI, Protocols Nos 1 to 30 and the Exchange of Letters on Monetary Questions, which are attached to this Act, shall form an integral part thereof.

#### *Article 159<sup>(2)</sup>*

The Government of the French Republic shall transmit a certified copy of the Treaty establishing the European Coal and Steel Community and the Treaties amending that Treaty to the Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland.

(1) Text as amended by Article 30 of the Adaptation Decision.

(2) Text as amended by Article 31 of the Adaptation Decision.

*Article 160<sup>(1)</sup>*

The Government of the Italian Republic shall transmit a certified copy of the Treaty establishing the European Economic Community, the Treaty establishing the European Atomic Energy Community and the Treaties amending or supplementing them in the Dutch, French, German and Italian languages to the Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland.

The texts of the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community, and the Treaties

amending or supplementing them, drawn up in the Danish, English, Irish and Norwegian languages, shall be annexed to this Act. The texts drawn up in the Danish, English and Irish languages shall be authentic under the same conditions as the original texts of the Treaties referred to above.

*Article 161*

A certified copy of the international agreements deposited in the archives of the Secretariat of the Council of the European Communities shall be transmitted to the Governments of the new Member States by the Secretary-General.

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<sup>(1)</sup> Text as amended by Article 32 of the Adaptation Decision.



## **ANNEXES**





*ANNEX I<sup>(1)</sup>*

LIST REFERRED TO IN ARTICLE 29 OF THE ACT OF ACCESSION

*ANNEX II<sup>(2)</sup>*

LIST REFERRED TO IN ARTICLE 30 OF THE ACT OF ACCESSION

*ANNEX III<sup>(3)</sup>*

LIST OF THE PRODUCTS  
REFERRED TO IN ARTICLES 32, 36 AND 39 OF THE ACT OF ACCESSION  
(Euratom)

*ANNEX IV<sup>(3)</sup>*

LIST OF THE PRODUCTS  
REFERRED TO IN ARTICLE 32 OF THE ACT OF ACCESSION

(Commonwealth products which are subject to contractual margins of preference in the  
United Kingdom)

*ANNEX V<sup>(3)</sup>*

LIST REFERRED TO IN ARTICLE 107 OF THE ACT OF ACCESSION

EDITORIAL NOTES:

- (<sup>1</sup>) For the text of this Annex, see OJ of the EC No L 73 of 27 March 1972, p. 47. For the amendments that have been made to the text of this Annex consequent on the failure of Norway to accede, see Article 33 of the Adaptation Decision.
- (<sup>2</sup>) For the text of this Annex see the same Official Journal as for Annex I (p. 122). The entries, time-limits and dates appearing in the text of this Annex and concerning the Kingdom of Norway have lapsed by virtue of Article 34 of the Adaptation Decision.
- (<sup>3</sup>) For the text of these three Annexes, see the same Official Journal as for Annex I (pp. 128, 131 and 135 respectively).

*ANNEX VI*<sup>(1)</sup>

LIST OF THE COUNTRIES  
REFERRED TO IN ARTICLE 109 OF THE ACT OF ACCESSION AND IN  
PROTOCOL NO 22

*ANNEX VII*<sup>(2)</sup>

LIST REFERRED TO IN ARTICLE 133 OF THE ACT OF ACCESSION

*ANNEX VIII*<sup>(1)</sup>

LIST OF COMMITTEES REFERRED TO IN ARTICLE 148(1) OF THE ACT OF  
ACCESSION

*ANNEX IX*<sup>(1)</sup>

LIST OF COMMITTEES REFERRED TO IN ARTICLE 148(2) OF THE ACT OF  
ACCESSION

*ANNEX X*<sup>(2)</sup>

LIST REFERRED TO IN ARTICLE 150 OF THE ACT OF ACCESSION

*ANNEX XI*<sup>(2)</sup>

LIST REFERRED TO IN ARTICLE 152 OF THE ACT OF ACCESSION

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EDITORIAL NOTES:

- (<sup>1</sup>) For the text of these three Annexes, see the same Official Journal as for Annex I (pp. 137 and 146 respectively).
- (<sup>2</sup>) For the text of these three Annexes, see the same Official Journal as for Annex I (pp. 137, 148 and 151 respectively).  
The entries, time-limits and dates appearing in the text of this Annex and concerning the Kingdom of Norway have lapsed by virtue of Article 34 of the Adaptation Decision.

## **PROTOCOLS**



## Protocol No 1

### on the Statute of the European Investment Bank

#### PART ONE

#### Adjustments to the Statute of the European Investment Bank

##### *Article 1*<sup>(1)</sup>

The following shall be substituted for Article 3 of the Protocol on the Statute of the Bank:

##### *'Article 3*

In accordance with Article 129 of this Treaty, the following shall be members of the Bank:

- the Kingdom of Belgium;
- the Kingdom of Denmark;
- the Federal Republic of Germany;
- the French Republic;
- Ireland;
- the Italian Republic;
- the Grand Duchy of Luxembourg;
- the Kingdom of the Netherlands;
- the United Kingdom of Great Britain and Northern Ireland.'

##### *Article 2*<sup>(2)</sup>

The following shall be substituted for the first subparagraph of Article 4 (1) of the Protocol on the Statute of the Bank:

'1. The capital of the Bank shall be 2 025 million units of account, subscribed by the Member States as follows:

Germany	450 million
France	450 million

United Kingdom	450 million
Italy	360 million
Belgium	118,5 million
Netherlands	118,5 million
Denmark	60 million
Ireland	15 million
Luxembourg	3 million.'

##### *Article 3*

The following shall be substituted for Article 5 of the Protocol on the Statute of the Bank:

##### *'Article 5*

1. The subscribed capital shall be paid up by Member States to the extent of 20 % of the amounts laid down in Article 4 (1).

2. In the event of an increase in the subscribed capital, the Board of Governors, acting unanimously, shall fix the percentage to be paid up and the arrangements for payment.

3. The Board of Directors may require payment of the balance of the subscribed capital, to such extent as may be required for the Bank to meet its obligations towards those who have made loans to it.

Each Member State shall make this payment in proportion to its share of the subscribed capital in the currencies required by the Bank to meet these obligations.'

##### *Article 4*

The following shall be substituted for subparagraphs (a) and (c) of Article 9 (3) of the Protocol on the Statute of the Bank:

(<sup>1</sup>) Text as amended by Article 35 of the Adaptation Decision.

(<sup>2</sup>) Text as amended by Article 36 of the Adaptation Decision.

- (a) decide whether to increase the subscribed capital in accordance with Article 4 (3) and Article 5 (2);
- (c) exercise the powers provided in Articles 11 and 13 in respect of the appointment and the compulsory retirement of the members of the Board of Directors and of the Management Committee, and those powers provided in the second subparagraph of Article 13 (1);'

*Article 5*

The following shall be substituted for Article 10 of the Protocol on the Statute of the Bank:

*'Article 10*

Save as otherwise provided in this Statute, decisions of the Board of Governors shall be taken by a majority of its members. This majority must represent at least 40 % of the subscribed capital. Voting by the Board of Governors shall be in accordance with the provisions of Article 148 of this Treaty.'

*Article 6<sup>(1)</sup>*

The following shall be substituted for subparagraphs 1 to 5 of Article 11 (2) of the Protocol on the Statute of the Bank:

2. The Board of Directors shall consist of 18 directors and 10 alternates.

The directors shall be appointed by the Board of Governors for five years as shown below:

- 3 directors nominated by the Federal Republic of Germany;
- 3 directors nominated by the French Republic;
- 3 directors nominated by the Italian Republic;
- 3 directors nominated by the United Kingdom of Great Britain and Northern Ireland;
- 1 director nominated by the Kingdom of Belgium;
- 1 director nominated by the Kingdom of Denmark;
- 1 director nominated by Ireland;

<sup>(1)</sup> Text as amended by Article 37 of the Adaptation Decision.

- 1 director nominated by the Grand Duchy of Luxembourg;
- 1 director nominated by the Kingdom of the Netherlands;
- 1 director nominated by the Commission.

The alternates shall be appointed by the Board of Governors for five years as shown below:

- 2 alternates nominated by the Federal Republic of Germany;
- 2 alternates nominated by the French Republic;
- 2 alternates nominated by the Italian Republic;
- 2 alternates nominated by the United Kingdom of Great Britain and Northern Ireland;
- 1 alternate nominated by common accord of the Benelux countries;
- 1 alternate nominated by the Commission.

The appointments of the directors and the alternates shall be renewable.

Alternates may take part in the meetings of the Board of Directors. Alternates nominated by a State, or by common accord of several States, or by the Commission, may replace directors nominated by that State, by one of those States or by the Commission respectively. Alternates shall have no right of vote except where they replace one director or more than one director or where they have been delegated for this purpose in accordance with Article 12 (1).'

*Article 7*

The following shall be substituted for Article 12 (1) of the Protocol on the Statute of the Bank:

'1. Each director shall have one vote on the Board of Directors. He may delegate his vote in all cases, according to procedures to be laid down in the rules of procedure of the Bank.'

*Article 8<sup>(1)</sup>*

The following sentence shall be substituted for the second sentence of Article 12 (2) of the Protocol on the Statute of the Bank:

'A qualified majority shall require 12 votes in favour.'

*Article 9*

The following shall be substituted for Article 13 (1) of the Protocol on the Statute of the Bank:

'1. The Management Committee shall consist of a President and four Vice-Presidents appointed for six years by the Board of Governors on a proposal from the Board of Directors. Their appointments shall be renewable.

The Board of Governors, acting unanimously, may vary the number of members on the Management Committee.'

PART TWO

**Other provisions**

*Article 10*

1. The new Member States shall, not later than two months from the date of accession, make the payments laid down in paragraph 1 of the amended Article 5 of the Statute of the Bank set out in Article 3 of this Protocol. These payments shall be made in their respective national currencies. One-fifth of the payment shall be in cash and four-fifths in the form of non-interest-bearing government notes, maturing in four equal instalments, nine months, sixteen months, twenty-three months and thirty months respectively from the date of accession. Part or all of the government notes may be redeemed before their due date by agreement between the Bank and the new Member State concerned. The cash payments, and the proceeds of the government notes when repaid, shall be freely convertible.

2. Article 7 of the Statute of the Bank shall apply to all payments made by the new Member States in their respective national currencies under this Article. Any necessary adjustments relating to outstanding government notes shall be made at the date of maturity or advance redemption of these notes.

*Article 11*

1. The new Member States shall contribute towards the statutory reserve and those provisions equivalent to

(<sup>1</sup>) Text as amended by Article 38 of the Adaptation Decision.

reserves, as at 31 December of the year prior to accession, as stated in the Bank's approved balance sheet, the amounts corresponding to the following percentages of these reserves:

United Kingdom	30 %
Denmark	4 %
Ireland	1 % ( <sup>2</sup> )

2. The amounts of the payments under this Article shall be calculated in units of account after the Bank's annual balance sheet for the year prior to accession has been approved.

3. These amounts shall be paid in five equal instalments not later than two months, nine months, sixteen months, twenty-three months and thirty months after accession. Each of these five instalments shall be paid in the freely convertible national currency of each new Member State.

*Article 12*

1. Upon accession, the Board of Governors shall increase the Board of Directors by appointing:

- 3 directors nominated by the United Kingdom of Great Britain and Northern Ireland;
- 1 director nominated by the Kingdom of Denmark;
- 1 director nominated by Ireland;
- 1 director nominated by the Grand Duchy of Luxembourg;
- 2 alternates nominated by the United Kingdom of Great Britain and Northern Ireland (<sup>3</sup>).

2. The terms of office of the directors and alternates thus appointed shall expire at the end of the annual meeting of the Board of Governors during which the annual report for the 1977 financial year is examined.

3. At the end of the annual meeting during which the annual report for the 1972 financial year is examined, the Board of Governors shall appoint for a term of office of five years:

(<sup>2</sup>) Paragraph (1) as amended by Article 39 of the Adaptation Decision.

(<sup>3</sup>) Paragraph (1) as amended by Article 40 of the Adaptation Decision.

- 3 directors nominated by the Federal Republic of Germany;
- 3 directors nominated by the French Republic;
- 3 directors nominated by the Italian Republic;
- 1 director nominated by the Kingdom of Belgium;
- 1 director nominated by the Kingdom of the Netherlands;
- 1 director nominated by the Commission;
- 2 alternates nominated by the Federal Republic of Germany;
- 2 alternates nominated by the French Republic;
- 2 alternates nominated by the Italian Republic;
- 1 alternate nominated by common accord of the Benelux countries;
- 1 alternate nominated by the Commission.

### *Article 13*

Upon accession, the membership of the Management Committee shall be increased by the appointment of an additional Vice-President. His term of office shall expire at the same time as those of the members of the Management Committee who hold office on the date of accession.

## Protocol No 2

### on the Faroe Islands

#### *Article 1*

So long as the Danish Government has not made the declarations referred to in Articles 25, 26 and 27 of the Act of Accession and until 31 December 1975 at the latest, no alteration shall be required in the customs treatment applicable at the time of accession to imports of products originating in and coming from the Faroe Islands into the other regions of Denmark.

Products imported from the Faroe Islands into the other regions of Denmark under the above-mentioned arrangement shall not be considered as being in free circulation in that State, within the meaning of Article 10 of the EEC Treaty, when they are re-exported to another Member State.

#### *Article 2*

If the Danish Government makes the declarations referred to in Article 1, the provisions of the Act of Accession shall apply to the Faroe Islands, taking into account the following provisions:

- imports into the Faroe Islands shall be subject to the customs duties which would have been appli-

cable if the Treaty and Decision concerning the Accession had been applied from 1 January 1973;

- the institutions of the Community will seek, within the framework of the common organization of the market in fishery products, adequate solutions to the specific problems of the Faroe Islands;
- the authorities of the Faroe Islands may, under Community supervision, retain appropriate measures with a view to ensuring supplies of milk at reasonable prices to the Faroese population.

#### *Article 3*

If, during the period referred to in Article 1, the Danish Government, following a resolution of the local Faroese Government, informs the Council that it cannot make the declarations referred to in Article 1, the Council shall, at the request of the Danish Government, examine the situation thus created. The Council shall, on a proposal from the Commission, decide the arrangements to be made for solving the problems which could arise out of this situation for the Community and especially for Denmark and the Faroe Islands.



*Article 4*

Danish nationals resident in the Faroe Islands shall be considered to be nationals of a Member State within the meaning of the original Treaties only from the date on which those original Treaties become applicable to those islands.

*Article 5*

The declarations referred to in Article 1 must be made simultaneously and can only give rise to a simultaneous application of the original Treaties to the Faroe Islands.

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**Protocol No 3**

**on the Channel Islands and the Isle of Man**

*Article 1*

1. The Community rules on customs matters and quantitative restrictions, in particular those of the Act of Accession, shall apply to the Channel Islands and the Isle of Man under the same conditions as they apply to the United Kingdom. In particular, customs duties and charges having equivalent effect between those territories and the Community as originally constituted and between those territories and the new Member States shall be progressively reduced in accordance with the timetable laid down in Articles 32 and 36 of the Act of Accession. The Common Customs Tariff and the ECSC unified tariff shall be progressively applied in accordance with the timetable laid down in Articles 39 and 59 of the Act of Accession, and account being taken of Articles 109, 110 and 119 of that Act.

2. In respect of agricultural products and products processed therefrom which are the subject of a special trade regime, the levies and other import measures laid down in Community rules and applicable by the United Kingdom shall be applied to third countries.

Such provisions of Community rules, in particular those of the Act of Accession, as are necessary to allow free movement and observance of normal conditions of competition in trade in these products shall also be applicable.

The Council, acting by a qualified majority on a proposal from the Commission, shall determine the conditions under which the provisions referred to in the preceding subparagraphs shall be applicable to these territories.

*Article 2*

The rights enjoyed by Channel Islanders or Manxmen in the United Kingdom shall not be affected by the Act

of Accession. However, such persons shall not benefit from Community provisions relating to the free movement of persons and services.

*Article 3*

The provisions of the Euratom Treaty applicable to persons or undertakings within the meaning of Article 196 of that Treaty shall apply to those persons or undertakings when they are established in the aforementioned territories.

*Article 4*

The authorities of these territories shall apply the same treatment to all natural and legal persons of the Community.

*Article 5*

If, during the application of the arrangements defined in this Protocol, difficulties appear on either side in relations between the Community and these territories, the Commission shall without delay propose to the Council such safeguard measures as it believes necessary, specifying their terms and conditions of application.

The Council shall act by a qualified majority within one month.

*Article 6 (1)*

In this Protocol, Channel Islander or Manxman shall mean any citizen of the United Kingdom and Colonies who holds that citizenship by virtue of the fact that he, a parent or grandparent was born, adopted, naturalized

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(1) EDITORIAL NOTE:

See in this connection the 'Declaration by the Government of the United Kingdom of Great Britain and Northern Ireland on the definition of the term "nationals";' reproduced on p. 103 of this volume.

or registered in the island in question; but such a person shall not for this purpose be regarded as a Channel Islander or Manxman if he, a parent or a grandparent was born, adopted, naturalized or registered in the United Kingdom. Nor shall he be so regarded if he has

at any time been ordinarily resident in the United Kingdom for five years.

The administrative arrangements necessary to identify these persons will be notified to the Commission.

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**Protocol No 4  
on Greenland (1)**

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**Protocol No 5  
on Svalbard (Spitzbergen) (2)**

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(1) Protocol repealed by Article 3 (2) of the Greenland Treaty (see Volume I of this edition, p. 979 *et seq.*)

(2) Provisions having lapsed by virtue of Article 41 of the Adaptation Decision.

**Protocol No 6**

**on certain quantitative restrictions relating to Ireland <sup>(1)</sup>**

**I. IRELAND**

1. The quantitative restrictions on imports in force in Ireland for the following products shall be progressively abolished by the opening of the following global quotas:

Period	Stockings (*) CCT heading No ex 60.03 & ex 60.04	Springs for vehicles (**) CCT heading No ex 73.35	Sparkling plugs and metal component parts CCT heading No ex 85.08 D	Brushes and brooms of a value of not less than £ 1.50 per dozen CCT heading No ex 96.01 & ex 96.02	Brushes and brooms valued at less than £ 1.50 per dozen CCT heading No ex 96.01 & ex 96.02
	pairs		items	items	items
1 January 1973 to 30 June 1973	2 000 000	50 000	300 000	130 000	600 000
1 July 1973 to 30 June 1974	5 000 000	150 000	900 000	460 000	1 600 000
1 July 1974 to 30 June 1975	6 000 000	200 000	1 250 000	660 000	2 200 000

(\*) The quota is applicable to tights and stockings other than knee-length stockings entirely or mainly made of silk or man-made fibres, of a value of not more than £ 2,50 per dozen pairs.

(\*\*) The quota is applicable to laminated springs of iron or steel, for use as parts of vehicles, and to leaves for these springs.

These restrictions shall be abolished on 1 July 1975.

2. Ireland is authorized to retain for superphosphates (CCT heading No 31.03 A 1) an import quota for countries other than the United Kingdom. The volume of this quota shall be fixed with reference to Irish production recorded in 1970 at:

3 % of this production volume in 1973,

6 % of this production volume in 1974,

half of 8 % of this production volume for the first half of 1975.

This quota shall be abolished on 1 July 1975.

3. Ireland is authorized to retain until 1 July 1975 quantitative restrictions on exports of the following products to other Member States:

CCT heading No	Description of goods
ex 41.01	Raw hides and skins (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool: — Raw hides and skins of sheep (fresh, salted, dried, pickled or limed), whether or not split, including sheepskins in the wool
44.01	Fuel wood, in logs, in billets, in twigs or in faggots; wood waste, including sawdust

<sup>(1)</sup> Title of Protocol No 6 as amended by Article 42 (1) of the Adaptation Decision.

CCT heading No	Description of goods
44.03	Wood in the rough, whether or not stripped of its bark or merely roughed down
44.04	Wood, roughly squared or half-squared, but not further manufactured
44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm
ex 74.01	Copper matte; unwrought copper (refined or not); copper waste and scrap: — Copper waste and scrap
ex 75.01	Nickel mattes, nickel speiss and other intermediate products of nickel metallurgy; unwrought nickel (excluding electro-plating anodes); nickel waste and scrap: — Nickel waste and scrap
76.01	Unwrought aluminium; aluminium waste and scrap: B. Waste and scrap
78.01	Unwrought lead (including argentiferous lead); lead waste and scrap: B. Waste and scrap
79.01	Unwrought zinc; zinc waste and scrap: B. Waste and scrap

## II. NORWAY <sup>(1)</sup>

<sup>(1)</sup> Provisions having lapsed by virtue of Article 42 (2) of the Adaptation Decision.

## Protocol No 7

### on imports of motor vehicles and the motor vehicle assembly industry in Ireland

#### Article 1

Ireland is authorized to retain, until 1 January 1985, the system applicable to assembly and import of motor vehicles (hereinafter referred to as the 'Scheme') applied in accordance with the provisions of the Motor Vehicles (Registration of Importers) Act, 1968 (hereinafter referred to as the 'Act').

#### Article 2

1. From the date of accession, all the importers-assemblers of makes of vehicles manufactured in the Community who have been registered under the Act, and who continue to fulfil the conditions of registration, shall be authorized to import from other Member States and without restriction fully built-up vehicles of makes manufactured in other Member States.

2. From 1 January 1974, Ireland shall, within the framework of the tariff reductions which it is to carry out in accordance with the provisions of Article 32 of the Act of Accession, apply nondiscriminatory tariff treatment to the vehicles imported by the importers-assemblers referred to in paragraph 1.

3. Ireland shall retain the right to replace the fiscal element contained in the customs duties applied to motor vehicles and parts thereof by internal taxes in accordance with Article 95 of the EEC Treaty and Article 38 of the Act of Accession. In particular these taxes must not entail any discrimination between the rates applied to:

- parts manufactured in Ireland and parts imported from other Member States;
- vehicles assembled in Ireland and fully built-up vehicles imported from other Member States;
- parts manufactured in Ireland or imported from other Member States and vehicles assembled in Ireland or imported from other Member States.

#### Article 3

1. The tariff treatment referred to in Article 2 (2) shall, from 1 January 1974, also apply to a global quota which Ireland shall open, from the date of accession, to the other Member States in respect of vehicles originating in the Community other than those covered by special treatment under the Scheme.

2. This quota shall be fixed annually on the basis of a percentage of the number of vehicles assembled in Ireland during the previous year. This percentage is to be 3 % in 1973 and shall increase each year by one point to reach 14 % in 1984.

Ireland may allocate the amount of this quota between the following categories of vehicles:

##### I. *Private vehicles*

- (a) with a cylinder capacity less than or equal to 1 500 cc;
- (b) with a cylinder capacity greater than 1 500 cc.

##### II. *Commercial vehicles*

- (a) with a tare weight less than or equal to 3,5 tonnes;
- (b) with a tare weight greater than 3,5 tonnes.

The tare weight shall be established in accordance with the rules for the classification of vehicles for the purposes of the road tax in Ireland.

3. Within this allocation, Ireland may fix the quotas as follows:

<i>Category I</i> — Private vehicles	85 %
of the global quota, allocated as follows:	
I. (a) (up to 1 500 cc)	75 %
I. (b) (over 1 500 cc)	25 %
<i>Category II</i> — Commercial vehicles	15 %
of the global quota, allocated as follows:	
II. (a) (up to 3,5 tonnes)	75 %
II. (b) (over 3,5 tonnes)	25 %

4. If, during the period of application of the quota system, it becomes clear that this quota has not been used to the full, for reasons connected with its allocation in the manner described above, the Commission may, after consulting the Irish Government, determine the appropriate measures to be taken by the Irish Government in order to facilitate the full use of the global quota.

#### *Article 4*

Where the application of this Protocol, and of Article 2 (1) in particular, gives rise to distortions in competition between importers-assemblers established in Ireland

likely to jeopardize a phased transition from the system applied at the time of accession to a system which is in accordance with the EEC Treaty, the Commission may authorize the Irish Government to take appropriate measures to redress the situation. These measures may not call into question the final date for the abolition of the Scheme.

#### *Article 5*

Ireland shall carry out all additional adjustments to the Scheme with a view to facilitating the transition from the system applied at the time of accession to a system which is in accordance with the EEC Treaty.

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### **Protocol No 8**

#### **on phosphorus (CCT subheading No 28.04 C IV)**

1. From 1 January 1974 and until 31 December 1977, the United Kingdom is authorized to open an annual tariff quota for phosphorus (CCT subheading No 28.04 C IV) of a volume corresponding to the needs of that country but not exceeding 40 000 metric tons per annum.

2. During 1974, 1975 and 1976, this quota shall carry a nil duty.

The Council may decide unanimously to alter the duty applicable to this tariff quota, taking account of the situation with regard to conditions of competition, supply and production on the phosphorus market.

3. For 1977, the Council shall by unanimous decision fix the duty to be applied to this quota. If no such decision is taken, the quota shall carry a duty equal to half the duty applicable under the Common Customs Tariff.

4. The Common Customs Tariff shall be applied by the United Kingdom from 1 January 1978.

5. The United Kingdom shall, from 1 April 1973, apply a nil duty on imports of phosphorus from the Community as originally constituted.

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### **Protocol No 9**

#### **on aluminium oxide and hydroxide (alumina) (CCT subheading No 28.20 A)**

1. From 1 January 1975 at the latest, the autonomous duty in the Common Customs Tariff on aluminium oxide and hydroxide (CCT subheading No 28.20 A) shall be suspended at a level of 5.5 % for an indefinite period.

2. The new Member States shall carry out the first move towards aligning their duties on this product with the Common Customs Tariff on 1 January 1976, by reducing on that date by 50 % the difference between the basic duty and the 5.5 % duty.

3. The new Member States shall apply the 5.5 % duty from 1 July 1977.

4. The Council shall re-examine the situation if a nil duty is not applied by the Community to imports of aluminium oxide and hydroxide from the independent developing Commonwealth countries, particularly from those in the Caribbean, or if the conditions peculiar to the aluminium industry so require.

**Protocol No 10**

**on tanning extracts of wattle (mimosa) (CCT subheading No 32.01 A) and tanning extracts of chestnut (CCT subheading No ex 32.01 C)**

1. By 1 January 1974 at the latest, the autonomous duty in the Common Customs Tariff on tanning extracts of wattle (mimosa) (CCT subheading No 32.01 A) shall be suspended at a level of 3 % for an indefinite period.

2. Ireland and the United Kingdom shall apply from 1 July 1973 a nil duty on imports of tanning extracts of wattle (mimosa) (CCT subheading No 32.01 A) and tanning extracts of chestnut (CCT subheading No ex 32.01 C) from the Community as originally constituted.

**Protocol No 11**

**on plywood (CCT heading No ex 44.15)**

1. In respect of the following products:

ex 44.15 Plywood of coniferous species, without the addition of other substances, of a thickness greater than 9 mm, of which the faces are not further prepared than the peeling process,

ex 44.15 Plywood of coniferous species, without the addition of other substances, sanded, and of a thickness greater than 18.5 mm,

two autonomous nil duty Community tariff quotas shall be opened from 1 January 1974. The volume of these quotas shall be decided annually when it is estab-

lished that all possibilities of supply on the internal market of the Community will be exhausted during the period for which the quotas are open.

2. The Council shall re-examine the situation in the event of a significant change occurring in nil duty imports of plywood into Ireland and the United Kingdom from Finland or in the system of tariff preferences applied by the Community to certain products originating in the developing countries.

3. Denmark, Ireland and the United Kingdom shall, from 1 April 1973, apply a nil duty to imports of plywood from the Community as originally constituted.

**Protocol No 12**

**on wood pulp (CCT subheading No 47.01 A II)**

1. The autonomous duty in the Common Customs Tariff on wood pulp (CCT subheading No 47.01 A II) shall be totally suspended according to a timetable to be determined.

2. Until the date of total suspension of the abovementioned duty, the Member States are authorized to open nil duty tariff quotas in respect of products covered by paragraph 1. They shall inform the Commission thereof.

### Protocol No 13

#### on newsprint (CCT subheading No 48.01 A)

1. The definition of newsprint (CCT subheading No 48.01 A) shall be amended in such a way as to reduce the lower weight limit from 48 to 40 grammes per square metre.
2. The nil duty tariff quota of 625 000 metric tons bound under the General Agreement on Tariffs and Trade will be reduced.

3. Each year an autonomous nil duty Community tariff quota shall be opened when it has been established that all possibilities of supply on the internal market of the Community will be exhausted during the period for which the quota is opened.

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### Protocol No 14

#### on unwrought lead (CCT subheading No 78.01 A)

1. In respect of argentiferous lead defined as follows:

78.01 A I Unwrought lead containing not less than 0.02 % silver, intended for refining (argentiferous lead)

a nil duty Community tariff quota shall be opened until the entry into force of a total suspension, for an indefinite period, of the duty on argentiferous lead. The new Member States shall participate in this tariff quota from 1 January 1974. Its annual volume shall be equal to the total of the applications made by the Member States concerned, plus a reserve.

This Community tariff quota shall be administered according to a system which makes it possible to ensure that the argentiferous lead thus imported is in fact refined by those to whom it is allocated.

2. Argentiferous lead shall be subject to an *ad valorem* duty of 4.5 %.
3. The autonomous duty on argentiferous lead shall be suspended at a level of 2 % from 1 January 1975.

4. The Council shall review annually the possibility of a total suspension, for an indefinite period, of the autonomous duty on argentiferous lead.

5. With regard to unwrought lead other than argentiferous lead the following measures shall be applied:

- (a) on 1 January 1974, the present duty of 1.32 ua/100 kg shall be altered to an *ad valorem* duty of 4.5 % with a minimum charge of 1.1 ua/100 kg;
- (b) from 1 January 1974, the new Member States shall participate in the nil duty Community tariff quota of 55 000 metric tons for unwrought lead other than argentiferous lead. From 1975 onwards, the volume will decrease in order to achieve the abolition of the quota by 31 December 1977;
- (c) before the quota is abolished, the Council shall examine the situation with a view to deciding on a possible reduction of the autonomous duty on unwrought lead other than argentiferous lead, it being understood that the duty thus reduced must include a minimum charge of 1.1 ua/100 kg.



## Protocol No 15

### on unwrought zinc (CCT subheading No 79.01 A)

1. From 1 January 1974, unwrought zinc (CCT subheading No 79.01 A) shall be subject to a duty of 4.5 % with a minimum charge of 1.1 ua/100 kg.
2. From the same date, the new Member States shall participate in the decreasing annual nil duty Com-

munity tariff quota in respect of unwrought zinc, the initial volume of which was 30 000 metric tons for 1971. The tariff quota for 1974 shall be fixed at a volume equal to that for 1973. The progressive reduction of the volume shall be resumed in 1975 until the quota is abolished on 31 December 1977.

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## Protocol No 16

### on markets and trade in agricultural products

1. The application by the new Member States of the Community agricultural rules, combined with the transitional measures, provided for in Title II of Part Four in the Act of Accession will, from the time of application of those provisions, result in the extension to the whole of the Community of Community preference for agricultural products.
2. The organization of the markets has as its essential feature to enable intra-Community trade to develop in conditions comparable with those existing on an internal market.
3. The geographical extension of the Community may, however, give rise to problems which should be avoided concerning fluidity of trade, particularly in the cereals sector (wheat and rice).

The institutions of the Community shall, on application of the regulations on the common organization of the markets, ensure that the free circulation of all products is guaranteed in accordance with the objectives set out in the EEC Treaty and in the regulations concerned.

4. Changes in the structure of international trade constitute a natural result of the enlargement of the Community.

5. While respecting the provisions of Articles 39 and 110 of the EEC Treaty, it should be possible during the period of application of the transitional measures to meet, when the time comes, problems which may arise for certain third countries and in certain specific cases. (1)

If such problems do arise, the institutions will examine the specific cases in the light of all the factors relevant to the situation at the time, just as they have done hitherto in similar cases; and during the period of application of the transitional measures they will, in so far as is necessary, have to take measures likely to solve these problems, in accordance with the principles of the common agricultural policy and within the framework of its mechanisms.

6. In order to overcome difficulties which may arise on the Community markets from the application of the transitional mechanisms, the institutions of the Community have available and will, where necessary, make use of the various means of action stemming from the provisions of the EEC Treaty, from the acts taken in implementing that Treaty and from the provisions of this Act.

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(1) The Conference between the European Communities and the States which applied for accession to these Communities noted, at its meetings with the United Kingdom on 11/12 May 1971, with Ireland on 7 June 1971, with Norway on 21 June 1971, and with Denmark on 12 July 1971, that these specific cases 'in so far as can be foreseen at present will be confined to butter, sugar, bacon and certain fruit and vegetables'.

## Protocol No 17

### on the import of sugar by the United Kingdom from the exporting countries and territories referred to in the Commonwealth Sugar Agreement

1. Until 28 February 1975, the United Kingdom is authorized to import from the exporting countries and territories referred to in the Commonwealth Sugar Agreement, on the following terms, quantities of sugar within the negotiated price quotas under that Agreement.

2. The following shall be charged at the time of importation:

(a) a special levy, equal to the difference between the c.i.f. equivalent of the agreed purchase price and the price at which the sugar is marketed in the United Kingdom. Article 55 (1) (b) of the Act of Accession shall not apply;

(b) a charge based on the difference between the world c.i.f. price of raw sugar and the c.i.f. equivalent of the agreed purchase price; this charge will be used to finance the costs involved in the re-selling of the sugar by the United Kingdom Sugar Board.

However, if the world c.i.f. price of raw sugar exceeds the c.i.f. equivalent of the agreed purchase price, the Board shall pay the difference to the importer.

3. The price at which the sugar in question is marketed in the United Kingdom shall be fixed at a level such as to allow the quantities in question effectively to be marketed without prejudicing the marketing of Community sugar.

4. Notwithstanding the provisions of Article 15 (1) of Regulation (EEC) No 766/68 laying down general rules for the grant of export refunds for sugar, the export refund applicable in the United Kingdom may be granted for white sugar produced from raw sugar imported under the terms of this Protocol.

5. The Council shall, acting by a qualified majority on a proposal from the Commission, adopt the measures necessary for implementing the provisions of this Protocol in such a way as to ensure the proper functioning of the common organization of the market in sugar and in particular to ensure that, in the application of the provisions laid down in paragraph 2, the price at which the sugar is marketed in the United Kingdom is respected.

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## Protocol No 18

### on the import of New Zealand butter and cheese into the United Kingdom

#### Article 1

1. The United Kingdom is authorized, as a transitional arrangement, to import from New Zealand certain quantities of butter and cheese, on the following terms.

2. The quantities referred to in paragraph 1 shall be:

(a) in respect of butter, for the first five years:

1973	165 811 metric tons
1974	158 902 metric tons
1975	151 994 metric tons
1976	145 085 metric tons
1977	138 176 metric tons

(b) in respect of cheese:

1973	68 580 metric tons
1974	60 960 metric tons
1975	45 720 metric tons
1976	30 480 metric tons
1977	15 240 metric tons

The Council, acting by a qualified majority on a proposal from the Commission, may make adjustments between those quantities of butter and cheese, provided that the tonnage expressed as milk equivalent corresponding to the total quantities laid down for those two products for the year in question remains unaltered.

3. The quantities of butter and cheese specified in paragraph 2 shall be imported into the United Kingdom at a price the observance of which must be guaranteed at the c.i.f. stage by New Zealand. That price shall be fixed at a level which enables New Zealand to realize a price representing the average price obtained by that country on the United Kingdom market during 1969, 1970, 1971 and 1972.

4. The products imported into the United Kingdom in accordance with the provisions of this Protocol may not become the subject of intra-Community trade or of re-exportation to third countries.

#### *Article 2*

1. Special levies shall be applied to imports into the United Kingdom of the quantities of butter and cheese specified in Article 1. Article 55 (1) (b) of the Act of Accession shall not be applicable.

2. The special levies shall be fixed on the basis of the c.i.f. price referred to in Article 1 (3) and of the market price of the products in question within the United Kingdom, at a level such as to allow the quantities of butter and cheese to be effectively marketed without prejudicing the marketing of Community butter and cheese.

#### *Article 3*

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the measures necessary for implementing Articles 1 and 2.

#### *Article 4*

The Community shall continue its efforts to promote the conclusion of an international agreement on milk products so that, as soon as possible, conditions on the world market may be improved.

#### *Article 5*

1. The Council shall, during 1975, review the situation as regards butter in the light of prevailing conditions and of supply and demand developments in the major producing and consuming countries of the world, particularly in the Community and in New Zealand. During that review, among the considerations to be taken into account shall be the following:

(a) progress towards an effective world agreement on milk products, to which the Community and other important producing and consuming countries would be parties;

(b) the extent of New Zealand's progress towards diversification of its economy and exports, it being understood that the Community will strive to pursue a commercial policy which does not run counter to this progress.

2. Appropriate measures to ensure the maintenance after 31 December 1977 of exceptional arrangements in respect of imports of butter from New Zealand, including the details of such arrangements, shall be determined by the Council, acting unanimously on a proposal from the Commission, in the light of that review.

3. After 31 December 1977, the exceptional arrangements laid down for imports of cheese may no longer be retained.

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### **Protocol No 19**

#### **on spirituous beverages obtained from cereals**

1. The Council, acting in accordance with the procedure provided for in Article 43 (2) of the EEC Treaty, shall decide the necessary measures to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals, and in particular of whisky, exported to third countries, so that these measures may be applied in due time.

2. These measures, which may be taken within the framework of the Regulation on the common organization of the market in cereals or of the regulation to be adopted on the common organization of the market in alcohol must fit into the framework of the general Community policy for alcohol, avoiding any discrimination between these products and other alcohol, account being taken of the particular situations peculiar to each case.

**Protocol No 20**  
**on Norwegian agriculture <sup>(1)</sup>**

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**Protocol No 21**  
**on the fisheries regime for Norway <sup>(2)</sup>**

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**Protocol No 22**  
**on relations between the European Economic Community and the Associated African and Malagasy States and also the independent developing Commonwealth countries situated in Africa, the Indian Ocean, the Pacific Ocean and the Caribbean**

**I**

1. The European Economic Community shall offer the independent Commonwealth countries listed in Annex VI to the Act of Accession the possibility of ordering their relations with the Community in the spirit of the Declaration of Intent adopted by the Council at its meeting held on 1 and 2 April 1963, according to one of the following formulae at their choice:

- participation in the Convention of Association which, upon the expiry of the Convention of Association signed on 29 July 1969, will govern relations between the Community and the Associated African and Malagasy States which signed the latter Convention;
- the conclusion of one or more special conventions of association on the basis of Article 238 of the EEC Treaty comprising reciprocal rights and obligations, particularly in the field of trade;
- the conclusion of trade agreements with a view to facilitating and developing trade between the Community and those countries.

2. For practical reasons, the Community desires that the independent Commonwealth countries to which its offer is addressed, should take up a position with respect to this offer as soon as possible after accession.

The Community proposes to the independent Commonwealth countries listed in Annex VI to the Act of Accession that the negotiations envisaged for the conclusion of agreements based on one of the formulae contained in the offer should begin as from 1 August 1973.

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(<sup>1</sup>) Provisions having lapsed by virtue of Article 43 of the Adaptation Decision.  
(<sup>2</sup>) Provisions having lapsed by virtue of Article 44 of the Adaptation Decision.

The Community accordingly invites the independent Commonwealth countries which choose to negotiate within the framework of the first formula to participate side by side with the Associated African and Malagasy States in negotiating the new Convention to follow the Convention signed on 29 July 1969.

3. In the event of Botswana, Lesotho or Swaziland choosing one of the first two formulae contained in the offer:

- appropriate solutions must be found for the specific problems arising from the special circumstances of these countries, which are in a customs union with a third country;
- the Community must, in the territory of those States, enjoy tariff treatment not less favourable than that applied by those States to the most-favoured third country;
- the provisions of the system applied, and particularly the rules of origin must be such as to avoid any risk of trade deflection to the detriment of the Community resulting from the participation of those States in a customs union with a third country.

**II**

1. As regards the association arrangements to be made on the expiry of the Convention of Association signed on 29 July 1969, the Community is ready to pursue its policy of association both with regard to the Associated African and Malagasy States and with regard to the independent developing Commonwealth countries which become parties to the same association.

2. The accession of the new Member States to the Community and the possible extension of the policy of association should not be the source of any weakening

in the Community's relations with the Associated African and Malagasy States which are parties of the Convention of Association signed on 29 July 1969.

The Community's relations with the Associated African and Malagasy States ensure for those States a range of advantages and are based on structures which give the Association its distinctive character in the fields of trade relations, financial and technical cooperation and joint institutions.

3. The Community's objective in its policy of association shall remain the safeguarding of what has been achieved and of the fundamental principles referred to above.

4. The provisions of this association, which will be defined during the negotiations referred to in the third subparagraph in Part I (2) of this Protocol, must similarly take account of the special economic conditions

common to the independent developing Commonwealth countries situated in Africa, the Indian Ocean, the Pacific Ocean and the Caribbean, and the Associated African and Malagasy States, the experience acquired within the framework of association, and the wishes of the Associated States and the consequences for those States of the introduction of the generalized preference scheme.

### III

The Community will have as its firm purpose the safeguarding of the interests of all the countries referred to in this Protocol whose economies depend to a considerable extent on the export of primary products, and particularly of sugar.

The question of sugar will be settled within this framework, bearing in mind with regard to exports of sugar the importance of this product for the economies of several of these countries and of the Commonwealth countries in particular.

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#### Protocol No 23

##### on the application by the new Member States of the generalized tariff preference scheme applied by the European Economic Community

1. The new Member States are authorized to defer until 1 January 1974 the application of the generalized tariff preference scheme applied by the European Economic Community to products originating in the developing countries.

2. However, in respect of products falling under Regulations (EEC) Nos 2796/71, 2797/71, 2798/71 and 2799/71, Ireland is authorized until 31 December 1975 to apply, *vis-à-vis* countries benefiting from generalized preferences, customs duties equal to the duties applied in respect of the same products *vis-à-vis* Member States other than the United Kingdom.

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#### Protocol No 24

##### on the participation of the new Member States in the funds of the European Coal and Steel Community (1)

The contributions of the new Member States to the funds of the European Coal and Steel Community shall be fixed as follows:

United Kingdom	57 000 000 ua
Denmark	635 500 ua
Ireland	77 500 ua.

Payment of these contributions shall take place in three equal annual instalments beginning on accession.

Each instalment shall be paid in the freely convertible national currency of each new Member State.

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(1) Text as amended by Article 45 of the Adaptation Decision.

## Protocol No 25

### on the exchange of information with Denmark in the field of nuclear energy

#### *Article 1*

1. From the date of accession, such information as has been communicated to Member States, persons and undertakings, in accordance with Article 13 of the Euratom Treaty, shall be placed at the disposal of Denmark, which shall give it limited distribution within its territory under the conditions laid down in that Article.

2. From the date of accession, Denmark shall place at the disposal of the European Atomic Energy Community an equivalent volume of information in the sectors specified below. This information will be set forth in detail in a document transmitted to the Commission. The Commission shall communicate this information to Community undertakings under the conditions laid down in the above-mentioned Article.

3. The sectors in which Denmark shall make information available to the Community are as follows:

- DOR heavy water moderated organic cooled reactor;
- DT-350, DK-400 heavy water pressure vessel reactors;
- high temperature gas loop;
- instrumentation system and special electronic equipment;
- reliability;

— reactor physics, reactor dynamics and heat exchange;

— in-pile testing of materials and equipment.

4. Denmark shall undertake to supply the Community with any information complementary to the reports which it shall communicate, in particular during visits by Community personnel or personnel from the Member State to the Risø Centre, under conditions to be determined by mutual agreement in each case.

#### *Article 2*

1. In those sectors in which Denmark places information at the disposal of the Community, the competent authorities, at present the 'Atomenergikommission', shall grant upon request licences on commercial terms to Member States, persons and undertakings of the Community where they possess exclusive rights to patents filed in Member States of the Community and in so far as they have no obligation or commitment in respect of third parties to grant or offer to grant an exclusive or partially exclusive licence to the rights in these patents.

2. Where an exclusive or partially exclusive licence has been granted, Denmark shall encourage and facilitate the granting of sublicences on commercial terms to Member States, persons and undertakings of the Community by the holders of such licences.

Such exclusive or partially exclusive licences shall be granted on a normal commercial basis.

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## Protocol No 26

### on the exchange of information with Ireland in the field of nuclear energy

#### *Article 1*

1. From the date of accession, such information as has been communicated to Member States, persons and undertakings, in accordance with Article 13 of the Euratom Treaty, shall be placed at the disposal of Ireland, which shall give it limited distribution within its territory under the conditions laid down in that Article.

2. From the date of accession, Ireland shall place at the disposal of the European Atomic Energy Community information obtained in the nuclear field in Ire-

land, which is given limited distribution, in so far as strictly commercial applications are not involved. The Commission shall communicate this information to Community undertakings under the conditions laid down in the above-mentioned Article.

3. This information shall mainly concern studies for the development of a power reactor and work on radioisotopes and their application in medicine, including the problems of radiation protection.

## *Article 2*

1. In those sectors in which Ireland places information at the disposal of the Community, the competent authorities shall grant upon request licences on commercial terms to Member States, persons and undertakings of the Community where they possess exclusive rights to patents filed in Member States of the Community and in so far as they have no obligation or commitment in respect of third parties to grant or offer to

grant an exclusive or partially exclusive licence to the rights in these patents.

2. Where an exclusive or partially exclusive licence has been granted, Ireland shall encourage and facilitate the granting of sublicences on commercial terms to Member States, persons and undertakings of the Community by the holders of such licences.

Such exclusive or partially exclusive licences shall be granted on a normal commercial basis.

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## **Protocol No 27**

### **on the exchange of information with Norway in the field of nuclear energy <sup>(1)</sup>**

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## **Protocol No 28**

### **on the exchange of information with the United Kingdom in the field of nuclear energy**

#### *Article 1*

1. From the date of accession, such information as has been communicated to Member States, persons and undertakings in accordance with Article 13 of the Euratom Treaty, shall be placed at the disposal of the United Kingdom, which shall give it limited distribution within its territory under the conditions laid down in that Article.

2. From the date of accession, the United Kingdom shall place at the disposal of the European Atomic Energy Community an equivalent volume of information in the sectors set out in the annexed list. This information will be set forth in detail in a document transmitted to the Commission. The Commission shall communicate this information to Community undertakings under the conditions laid down in the above-mentioned Article.

3. In view of the Community's greater interest in certain sectors, the United Kingdom shall lay special emphasis on the transmission of information in the following sectors:

- fast reactor research and development (including safety);
- fundamental research (applicable to reactor types);
- reactor safety (other than fast reactors);
- metallurgy, steel, zirconium alloys and concrete;
- compatibility of structural materials;
- experimental fuel fabrication;
- thermohydrodynamics;
- instrumentation.

#### *Article 2*

1. In those fields in which the United Kingdom places information at the disposal of the Community, the competent authorities, at present the United Kingdom Atomic Energy Authority, and the United Kingdom Generating Boards, shall grant upon request licences on commercial terms to Member States, persons

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(<sup>1</sup>) Provisions having lapsed by virtue of Article 46 of the Adaptation Decision.

and undertakings of the Community where they possess exclusive rights to patents filed in the Member States of the Community and in so far as they have no obligation or commitment in respect of third parties to grant or offer to grant an exclusive or partially exclusive licence to the rights in these patents.

2. Where an exclusive or partially exclusive licence has been granted, the United Kingdom shall encourage and facilitate the granting of sublicences on commercial terms to the Member States, persons and undertakings of the Community by the holders of such licences.

Such exclusive or partially exclusive licences shall be granted on a normal commercial basis.

## ANNEX

### List of sectors referred to in Article 1 (2)

#### I. *Basic science*

- Reactor physics
- Basic work in metallurgy and chemistry
- Work on isotopes
- Chemical engineering.

#### II. *Reactors*

- (a) Research and development on reactor systems
- (b) Operating experience with Magnox reactors (including research on reactor operation)
- (c) Reactor safety (except fast reactors)
- (d) Fast reactor research and development (including safety)
- (e) Operating experience with materials-testing reactors.

#### III. *Materials and components*

- (a) Graphite and coolant chemistry
- (b) Compatibility of structural materials for reactors
- (c) Steel and concrete (including corrosion); welding and weld test
- (d) Experimental fuel fabrication and evaluation of fuel design and performance
- (e) Heat exchange
- (f) Metallurgy.

#### IV. *Instrumentation* (including health physics instrumentation)

#### V. *Radiobiology*

#### VI. *Marine propulsion*



## Protocol No 29

### on the Agreement with the International Atomic Energy Agency <sup>(1)</sup>

The Kingdom of Denmark and Ireland undertake to accede, under conditions to be established therein, to the Agreement between certain original Member States jointly with the European Atomic Energy Community, on the one hand, and the International Atomic Energy

Agency, on the other hand, on the application in the territories of certain Member States of the Community of the guarantees provided for in the Treaty on the Non-Proliferation of Nuclear Weapons.

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## Protocol No 30

### on Ireland

THE HIGH CONTRACTING PARTIES,

desiring to settle certain special problems of concern to Ireland, and

having agreed the following provisions,

recall that the fundamental objectives of the European Economic Community include the steady improvement of the living standards and working conditions of the peoples of the Member States and the harmonious development of their economies by reducing the differences existing between the various regions and the backwardness of the less-favoured regions;

take note of the fact that the Irish Government has embarked upon the implementation of a policy of industrialization and economic development designed to align the standards of living in Ireland with those of

the other European nations and to eliminate underemployment while progressively evening out regional differences in levels of development;

recognize it to be in their common interest that the objectives of this policy be so attained;

agree to recommend to this end that the Community institutions implement all the means and procedures laid down by the EEC Treaty, particularly by making adequate use of the Community resources intended for the realization of the Community's above-mentioned objectives;

recognize in particular that, in the application of Articles 92 and 93 of the EEC Treaty, it will be necessary to take into account the objectives of economic expansion and the raising of the standard of living of the population.

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<sup>(1)</sup> Text as amended by Article 47 of the Adaption Decision.



**EXCHANGE OF LETTERS  
ON MONETARY QUESTIONS**



Brussels, 22 January 1972

*Your Excellency,*

1. At the Ministerial Meeting of the Conference on 7 June 1971, it was agreed that the declaration on monetary questions which I made at the Meeting should form the subject of an exchange of letters annexed to the Act concerning the Conditions of Accession and the Adjustments to the Treaties. I therefore now have the honour to confirm that at that Meeting I made the following declaration:

*(a)* We are prepared to envisage an orderly and gradual rundown of official sterling balances after our accession.

*(b)* We shall be ready to discuss after our entry into the Communities what measures might be appropriate to achieve a progressive alignment of the external characteristics and practices in relation to sterling with those of other currencies in the Community in the context of progress towards economic and monetary union in the enlarged Community, and we are confident that official sterling <sup>(1)</sup> can be handled in a way which will enable us to take our full part in that progress.

*(c)* In the meantime we shall manage our policies with a view to stabilizing the official sterling balances in a way which would be consistent with these longer term objectives.

*(d)* I hope that the Community will regard this statement as disposing satisfactorily of the question of sterling and associated matters, leaving only the arrangements for UK compliance with the Directives relating to capital movements under the Treaty of Rome to be settled in the course of the negotiations.'

2. At the same meeting on 7 June, the above declaration was agreed by the Community delegation.
3. I understand that the delegations of the Kingdom of Denmark, Ireland and the Kingdom of Norway have also signified their agreement to the above-mentioned declaration as confirmed by the present letter.

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<sup>(1)</sup> 'Official sterling' means 'official sterling balances'.

Monsieur Gaston THORN

Ministre des affaires étrangères  
du grand-duché de Luxembourg

4. I would be grateful if you would kindly acknowledge receipt of this letter and confirm the agreement of the Governments of the Member States of the Community and of the Governments of the Kingdom of Denmark, Ireland and the Kingdom of Norway to the above-mentioned declaration.

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

Geoffrey RIPPON  
Chancellor of the Duchy of Lancaster

Brussels, 22 January 1972

*Your Excellency,*

You were good enough to make the following communication to me in your letter of today's date:

1. At the Ministerial Meeting of the Conference on 7 June 1971, it was agreed that the declaration on monetary questions which I made at the Meeting should form the subject of an exchange of letters annexed to the Act concerning the Conditions of Accession and the Adjustment to the Treaties. I therefore now have the honour to confirm that at that Meeting I made the following declaration:

“(a) We are prepared to envisage an orderly and gradual rundown of official sterling balances after our accession.

(b) We shall be ready to discuss after our entry into the Communities what measures might be appropriate to achieve a progressive alignment of the external characteristics and practices in relation to sterling with those of other currencies in the Community in the context of progress towards economic and monetary union in the enlarged Community, and we are confident that official sterling <sup>(1)</sup> can be handled in a way which will enable us to take our full part in that progress.

(c) In the meantime we shall manage our policies with a view to stabilizing the official sterling balances in a way which would be consistent with these longer term objectives.

(d) I hope that the Community will regard this statement as disposing satisfactorily of the question of sterling and associated matters, leaving only the arrangements for UK compliance with the Directives relating to capital movements under the Treaty of Rome to be settled in the course of the negotiations.”

2. At the same meeting on 7 June, the above declaration was agreed by the Community delegation.

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(1) ‘Official sterling’ means ‘official sterling balances’.

The Right Honourable Geoffrey RIPPON, QC, MP  
Chancellor of the Duchy of Lancaster

3. I understand that the delegations of the Kingdom of Denmark, Ireland and the Kingdom of Norway have also signified their agreement to the above-mentioned declaration as confirmed by the present letter.
4. I would be grateful if you would kindly acknowledge receipt of this letter and confirm the agreement of the Governments of the Member States of the Community and of the Governments of the Kingdom of Denmark, Ireland and the Kingdom of Norway to the above-mentioned declaration.'

I have the honour to acknowledge receipt of this communication and to confirm the agreement of the Governments of the Member States of the Community and of the Governments of the Kingdom of Denmark, Ireland and the Kingdom of Norway to the declaration contained in paragraph 1 of your letter.

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

Gaston THORN  
Ministre des affaires étrangères du grand-duché de Luxembourg

P. HARMEL  
Ministre des affaires étrangères du Royaume de Belgique  
Minister van Buitenlandse Zaken van het Koninkrijk België

Ivar NØRGAARD  
Kongeriget Danmarks udenrigsøkonomiminister

Walter SCHEEL  
Bundesminister des Auswärtigen der Bundesrepublik Deutschland

Maurice SCHUMANN  
Ministre des affaires étrangères de la République française

Pádraig Ó HÍRIGHILE  
Aire Gnóthaí Eachtracha na hÉireann

Aldo MORO  
Ministro per gli affari esteri della Repubblica Italiana

N. SCHMELZER  
Minister van Buitenlandse Zaken van het Koninkrijk der Nederlanden

Andreas CAPPELEN  
Kongeriket Norges utenriksminister





## FINAL ACT



## TEXT OF THE 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,

His Majesty The King of Norway,

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

and the Council of the European Communities represented by its President,

assembled at Brussels on the twenty-second day of January one thousand nine hundred and seventy-two on the occasion of the signature of the Treaty concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and the European Atomic Energy Community,

have placed on record the fact that the following texts have been drawn up and adopted within the Conference between the European Communities and the States which have applied for accession to those Communities:

- I. the Treaty concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community;
- II. the Act concerning the Conditions of Accession and the Adjustments to the Treaties;
- III. the texts listed below which are annexed to the Act concerning the Conditions of Accession and the Adjustments to the Treaties:
  - A. Annex I List referred to in Article 29 of the Act of Accession,
  - Annex II List referred to in Article 30 of the Act of Accession,
  - Annex III List of products referred to in Articles 32, 36 and 39 of the Act of Accession (Euratom),
  - Annex IV List of products referred to in Article 32 of the Act of Accession (Commonwealth products which are subject to contractual margins of preference in the United Kingdom),
  - Annex V List referred to in Article 107 of the Act of Accession,
  - Annex VI List of countries referred to in Article 109 of the Act of Accession and in Protocol No 22,
  - Annex VII List referred to in Article 133 of the Act of Accession,

- Annex VIII List referred to in Article 148 (1) of the Act of Accession,
- Annex IX List referred to in Article 148 (2) of the Act of Accession,
- Annex X List referred to in Article 150 of the Act of Accession,
- Annex XI List referred to in Article 152 of the Act of Accession;

- B. Protocol No 1 on the Statute of the European Investment Bank,
- Protocol No 2 on the Faroe Islands,
- Protocol No 3 on the Channel Islands and the Isle of Man,
- Protocol No 4 on Greenland,
- Protocol No 5 on Svalbard (Spitzbergen),
- Protocol No 6 on certain quantitative restrictions relating to Ireland and Norway,
- Protocol No 7 on imports of motor vehicles and the motor vehicle assembly industry in Ireland,
- Protocol No 8 on phosphorus (CCT subheading No 28.04 C IV),
- Protocol No 9 on aluminium oxide and hydroxide (alumina) (CCT subheading No 28.20 A),
- Protocol No 10 on tanning extracts of wattle (mimosa) (CCT subheading No 32.01 A) and tanning extracts of chestnut (CCT subheading No ex 32.01 C),
- Protocol No 11 on plywood (CCT heading No ex 44.15),
- Protocol No 12 on wood pulp (CCT subheading No 47.01 A II),
- Protocol No 13 on newsprint (CCT subheading No 48.01 A),
- Protocol No 14 on unwrought lead (CCT subheading No 78.01 A),
- Protocol No 15 on unwrought zinc (CCT subheading No 79.01 A),
- Protocol No 16 on markets and trade in agricultural products,
- Protocol No 17 on the import of sugar by the United Kingdom from the exporting countries and territories referred to in the Commonwealth Sugar Agreement,
- Protocol No 18 on the import of New Zealand butter and cheese into the United Kingdom,
- Protocol No 19 on spirituous beverages obtained from cereals,
- Protocol No 20 on Norwegian agriculture,
- Protocol No 21 on the fisheries regime for Norway,
- Protocol No 22 on relations between the European Economic Community and the Associated African and Malagasy States and also the independent developing Commonwealth countries situated in Africa, the Indian Ocean, the Pacific Ocean and the Caribbean,
- Protocol No 23 on the application by the new Member States of the generalized tariff preference scheme applied by the European Economic Community,

- Protocol No 24 on the participation of the new Member States in the funds of the European Coal and Steel Community,
- Protocol No 25 on the exchange of information with Denmark in the field of nuclear energy,
- Protocol No 26 on the exchange of information with Ireland in the field of nuclear energy,
- Protocol No 27 on the exchange of information with Norway in the field of nuclear energy,
- Protocol No 28 on the exchange of information with the United Kingdom in the field of nuclear energy,
- Protocol No 29 on the Agreement with the International Atomic Energy Agency,
- Protocol No 30 on Ireland;

C. Exchange of Letters on Monetary Questions;

- D. The texts of the Treaty establishing the European Economic Community and of the Treaty establishing the European Atomic Energy Community, together with the Treaties amending or supplementing them, in the Danish, English, Irish and Norwegian languages.

The Plenipotentiaries have taken note of the Decision of the Council of the European Communities of 22 January 1972 concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community.

Furthermore, the Plenipotentiaries and the Council have adopted the Declarations listed below and annexed to this Final Act:

1. Joint Declaration on the Court of Justice,
2. Joint Declaration on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus,
3. Joint Declaration on the fisheries sector,
4. Joint Declaration of Intent on the development of trade relations with Ceylon, India, Malaysia, Pakistan and Singapore,
5. Joint Declaration on the free movement of workers.

The Plenipotentiaries and the Council have also taken note of the following Declaration to this Final Act:

Declaration by the Government of the Federal Republic of Germany on the application to Berlin of the Decision concerning Accession to the European Coal and Steel Community and of the Treaty of Accession to the European Economic Community and to the European Atomic Energy Community.

The Plenipotentiaries and the Council have also taken note of the arrangement regarding the procedure for adopting certain decisions and other measures to be taken during the period preceding accession which has been reached within the Conference between the European Communities and the States which have applied for accession to those Communities and which is annexed to this Final Act.

Finally, the following declarations have been made and are annexed to this Final Act:

1. Declaration by the Government of the United Kingdom of Great Britain and Northern Ireland on the definition of the term 'nationals',
2. Declarations on the economic and industrial development of Ireland,
3. Declaration on liquid milk, pigmeat and eggs,
4. Declaration on the system for fixing Community farm prices,
5. Declarations on hill farming.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Slutakt.

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

In witness whereof, the undersigned Plenipotentiaries have signed this Final Act.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures en bas du présent acte final.

Dá fhianú sin, chuir na Lánchumhachtaigh thíos-sínte a lámh leis an Ionstraim Chríoch-naitheach seo.

In fede di che, i plenipotenziari sottoscritti hanno apposto la loro firma in calce al presente atto finale.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte hebben geplaatst.

Til bekræftelse herav har nedenstående befuldmægtigede undertegnet denne Slutakt.

Udfærdiget i Bruxelles, den toogtyvende januar nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Januar neunzehnhundertzweiundsiebzig.

Done at Brussels this twenty-second day of January in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux janvier mil neuf cent soixante-douze.

Arna dhéanamh sa Bhruiséil, an dóú lá is fiche d'Eanáir míle naoi gcéad seachtó a dó.

Fatto a Bruxelles, addì ventidue gennaio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste januari negentienhonderdtweeënzeventig.

Utfærdiget i Brussel den tjueandre januar nitten hundre og syttito.

G. EYSKENS  
P. HARMEL  
J. VAN DER MEULEN

Jens Otto KRAG  
Ivar NØRGAARD  
Jens CHRISTENSEN

Walter SCHEEL  
H.-G. SACHS

Maurice SCHUMANN  
J.-M. BOEGNER

Sean Ó LOINSIGH  
Pádraig Ó HÍRIGHILE

COLOMBO  
Aldo MORO  
BOMBASSEI DE VETTOR

Gaston THORN  
J. DONDELINGER

N. SCHMELZER  
T. WESTERTERP  
SASSEN

Trygve BRATTELI  
Andreas CAPPELEN  
S. Chr. SOMMERFELT

Edward HEATH  
Alec DOUGLAS-HOME  
Geoffrey RIPPON

## **DECLARATIONS**





**Joint declaration  
on the Court of Justice**

Such additional measures as may prove necessary following the accession of the new Member States should be taken by the Council which, at the request of the Court, may increase the number of Advocates-General

to four and adjust the provisions of the third paragraph of Article 132 of the ECSC Treaty, the third paragraph of Article 165 of the EEC Treaty and the third paragraph of Article 137 of the Euratom Treaty accordingly.

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**Joint declaration  
on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in  
Cyprus**

The arrangements applicable to relations between the European Economic Community and the Sovereign Base Areas of the United Kingdom of Great Britain

and Northern Ireland in Cyprus will be defined within the context of any agreement between that Community and the Republic of Cyprus.

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**Joint declaration  
on the fisheries sector**

1. The institutions of the European Economic Community will examine the problems of the fish meal and fish oils sector with a view to adopting measures which might prove necessary in that sector with respect to the raw material used. These measures should meet the need for protection and rational use of the sea's biological resources while avoiding the creation or retention of insufficiently profitable production units.

2. The application of common marketing standards for certain fresh or chilled fish must not have the effect of excluding any marketing method and, conversely, no marketing method should hinder the application of the said standards; it is in this spirit that the problems which could arise may be settled when the time comes

by the institutions of the European Economic Community.

3. The European Economic Community is aware of the importance of Norwegian exports of fish products to third countries, which are subject like other Community exports to Regulation (EEC) No 2142/70.

4. It is understood that the Norwegian law on 'the marketing of fish coming from processing industries' of 18 December 1970 will be the subject, as soon as possible, of a detailed study with a view to examining the conditions under which it might be applied, having regard to the provisions of Community law.

**Joint declaration of intent  
on the development of trade relations with Ceylon, India, Malaysia, Pakistan and Singapore**

Inspired by the will to extend and strengthen the trade relations with the developing independent Commonwealth countries in Asia (Ceylon, India, Malaysia, Pakistan and Singapore), the European Economic Community is ready, from the date of accession, to examine with these countries such problems as may arise in the field of trade with a view to seeking appropriate solutions, taking into account the effect of the generalized tariff preference scheme and the situation of the other developing countries in the same geographical area.

Sugar Agreement on 31 December 1971 must be settled by the Community in the light of this Declaration of Intent, taking account of the provisions which may be adopted as regards imports of sugar from the independent Commonwealth countries listed in Protocol No 22 on relations between the European Economic Community and the Associated African and Malagasy States and also the independent developing Commonwealth countries situated in Africa, the Indian Ocean, the Pacific Ocean and the Caribbean.

The question of exports of sugar from India to the Community after the expiry of the Commonwealth

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**Joint declaration  
on the free movement of workers**

The enlargement of the Community could give rise to certain difficulties for the social situation in one or more Member States as regards the application of the provisions relating to the free movement of workers.

The Member States declare that they reserve the right, should difficulties of that nature arise, to bring the matter before the institutions of the Community in order to obtain a solution to this problem in accordance with the provisions of the Treaties establishing the European Communities and the provisions adopted in application thereof.

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**Declaration  
by the Government of the Federal Republic of Germany on the application to Berlin of the Decision concerning Accession to the European Coal and Steel Community and of the Treaty of Accession to the European Economic Community and to the European Atomic Energy Community**

The Government of the Federal Republic of Germany reserves the right to declare, when the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community takes effect and upon depositing its instrument of ratification of the Treaty concerning the accession of

the abovementioned countries to the European Economic Community and to the European Atomic Energy Community, that the Decision of the Council of 22 January 1972 concerning accession to the European Coal and Steel Community and the Treaty referred to above shall equally apply to *Land Berlin*.

**Declaration <sup>(1)</sup>  
by the Government of the United Kingdom of Great Britain and Northern Ireland on the  
definition of the term 'nationals'**

In view of the entry into force of the British Nationality Act 1981, the Government of the United Kingdom of Great Britain and Northern Ireland makes the following Declaration which will replace, as from 1 January 1983, that made at the time of signature of the Treaty of Accession by the United Kingdom to the European Communities:

'As to the United Kingdom of Great Britain and Northern Ireland, the terms "nationals", "nationals of Member States" or "nationals of Member States and overseas countries and territories" wherever used in the Treaty establishing the European Economic Community, the Treaty establishing the European Atomic Energy Community or the Treaty establishing the European Coal and Steel Community or in any of the Community acts deriving

from those Treaties, are to be understood to refer to:

- (a) British citizens;
- (b) persons who are British subjects by virtue of Part IV of the British Nationality Act 1981 and who have the right of abode in the United Kingdom and are therefore exempt from United Kingdom immigration control;
- (c) British Dependent Territories citizens who acquire their citizenship from a connection with Gibraltar.'

The reference in Article 6 of the third Protocol to the Act of Accession of 22 January 1972, on the Channel Islands and the Isle of Man, to 'any citizen of the United Kingdom and Colonies' is to be understood as referring to 'any British citizen'.

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**Declarations**

**on the economic and industrial development of Ireland**

At the 6th Ministerial Meeting in the negotiations between the Community and Ireland, held on 19 October 1971, Mr A. Moro, Minister for Foreign Affairs of the Italian Republic, made, on behalf of the Community delegation, the declaration appearing under *I* hereinafter.

Mr P. J. Hillery, Minister for Foreign Affairs of Ireland, replied, on behalf of the Irish delegation, with the declaration appearing under *II* hereinafter.

*I. Declaration made by Mr A. Moro, Minister for Foreign Affairs of the Italian Republic on behalf of the Community delegation*

**I**

*1.* The Irish delegation has stressed that the Irish Government is faced with serious economic and social imbalances of a regional and structural nature. This delegation has stated that these imbalances should be remedied in order to achieve a degree of harmonization

consistent with the objectives of the Community and particularly with the realization of economic and monetary union. The Irish delegation has asked the Community to undertake to employ its means to support the Irish Government's programmes aimed at eliminating these imbalances and to take full account of Ireland's special problems in this field in the development of a major Community regional policy at a later date.

*2.* The Irish delegation has submitted documents to the Community delegation indicating the general direction and the instruments of the Irish regional programmes. The Irish delegation has also explained how the Irish exporting industries are supported by tax relief. In this respect it is also a question of measures the aim of which is to do away with economic and social imbalances by the development of industry.

**II**

*1.* The Community delegation emphasizes in this connection that — as follows from the Preamble to the Treaty of Rome — the essential objectives of the Community consist in the constant improvement of the living and working conditions of the peoples of the Mem-

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**(1) EDITORIAL NOTE:**

This Declaration which appears in the OJ of the EC No C 23 of 28 January 1983 has replaced, from 1 January 1983, that which was made at the time of signature of the Treaty concerning the accession of the United Kingdom of Great Britain and Northern Ireland to the European Communities.

ber States, and the harmonious development of the economies of these States by reducing the differences existing between the various regions and the backwardness of the less-favoured regions.

2. The common policies and the various instruments created by the Community in the economic and social sectors are a positive realization of the above-mentioned objective and are furthermore likely to develop. The European Social Fund has been directed along new lines. The European Investment Bank is constantly expanding the field of its activities. At the present time, the institutions of the Community are engaged in discussions to decide the Community instruments, which it is possible to introduce, and according to what procedures, in order to achieve the objectives of the regional policy.

The aids granted by the States, including those granted by way of tax exemptions, are subject to the rules laid down in Articles 92 to 94 of the EEC Treaty. With regard to State aids for regional purposes it should be stressed that, under the terms of Article 92 (3) (a) 'aid to promote the economic development of areas where the standard of living is abnormally low or where there is serious under-employment' may be considered to be compatible with the common market. Experience shows that this provision is flexible enough for the Community authorities to be able to take into consideration the special requirements of the underdeveloped regions.

Tax exemptions — in common with all other aids existing in Ireland at the time of accession — will be studied by the Commission in the normal framework of the permanent examination of existing aids. If this examination were to reveal that it would not be possible to retain any particular aid in its existing form, it will fall to the Commission under the rules of the Treaty to establish the appropriate time limits and transitional procedures.

3. Having regard to the above-mentioned special problems with which Ireland is confronted, the Community delegation proposes to annex to the Act of Accession a protocol on the economic and industrial development of Ireland.

## *II. Declaration made by Mr P. J. Hillery, Minister for Foreign Affairs of Ireland, on behalf of the Irish delegation*

I am pleased to record the Irish delegation's acceptance of the proposed Protocol concerning Ireland which has been the subject of discussions between our two delegations and the background to which has been so clearly set out in your introductory statement. The text adopted will enable the Irish Government to proceed

with their plans for economic and social development in the knowledge that the Community, through its institutions and agencies, will be ready to cooperate with us in the pursuit of the objectives which we have set ourselves.

I have on a number of occasions in the course of the negotiations, drawn attention to the problems posed by differences in the level of economic development in an entity such as the enlarged Community. I have endeavoured also to explain to you the difficulties which a country such as Ireland, situated on the periphery of the enlarged Community, must overcome in order to approximate its level of economic development to that of the other Member States. I am fully aware of the Community's will and purpose to achieve the aims set out in the EEC Treaty of ensuring the constant improvement of the living and working conditions of the peoples of the Member States and the harmonious development of their economies. The Protocol on which we have reached agreement today is a convincing demonstration of the Community's determination to give real content to these fundamental aims. This Protocol will be an instrument of practical value in enabling my country to play a full part within the enlarged Community in achieving these aims. Its effectiveness for this purpose will be greatly enhanced by the development of a comprehensive Community regional policy. In this connection may I say that I am heartened by the efforts being made to deal with this important issue as part of the evolution of the Community.

In Irish circumstances, the effectiveness of development measures, whether at the national or at Community level, must be judged by progress in the reduction of unemployment and emigration and the raising of living standards. This is essentially a matter of providing for our growing work force the necessary job opportunities without which a substantial proportion of our most valuable economic resources will remain unused or be lost through emigration and the pace of economic development will be retarded.

My Government will be gratified that our discussions today have shown that Ireland's accession to the Community will enable them to maintain the drive towards the realization of their aims as recited in the Protocol. I have particularly in mind here the continuing growth of industry which is central to our general aim of economic expansion. It is of vital importance to us that pro-

gress in this area be maintained through the application of effective measures of industrial promotion. I understand that like any other incentive scheme, our industrial incentives will come up for examination under Community rules after accession. I note with satisfaction that you recognize the necessity for an incentive policy in Ireland but that questions may arise about the particular forms our scheme of incentives has taken while we have been outside the Community.

I would like to draw your attention to the fact that the question would arise in this connection of the commitments which we had previously entered into. We shall, of course, have to honour these commitments but we shall be ready to discuss in all its aspects the change-over to whatever new incentive system is devised and we shall collaborate in solving these problems in an appropriate way.

I am fully satisfied from what you have said about the flexible nature of the relevant Treaty provisions that in

the examination of our incentives the Community institutions will take full account of our special problems. I am also satisfied in the light of the identity of aims of both the Irish Government and the Community that if adjustment of these incentives is called for, the Irish Government will be able to maintain the growth of Irish industry, and achieve a continuous improvement in the level of employment and living standards.

Finally, may I say in conclusion that I appreciate the sympathy and understanding which the Community has shown in its approach to and examination of the questions of our regional problems and industrial incentives which are of the greatest importance to my country. The agreement which we have reached augurs well for our future cooperation within the enlarged Community in pursuit of the fundamental aims of the Treaty. I see in this future cooperation the means by which we in Ireland can best achieve our national economic objectives.

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## Declarations

### on liquid milk, pigmeat and eggs

At the 2nd Ministerial Meeting in the negotiations between the Community and the United Kingdom held on 27 October 1970, Mr G. Rippon, Chancellor of the Duchy of Lancaster, speaking on behalf of the United Kingdom delegation, and Mr W. Scheel, Minister for Foreign Affairs of the Federal Republic of Germany, speaking on behalf of the Community delegation, made the two following statements.

In conclusion, the two delegations noted that agreement had been reached on the basis of these two statements.

*1. Statement made by Mr G. Rippon, Chancellor of the Duchy of Lancaster, on behalf of the United Kingdom delegation*

1. At the 1st Ministerial Meeting on 21 July my predecessor said that the United Kingdom was ready to adopt the common agricultural policy within an enlarged Community. He added, however, that we should need to consider carefully a number of points, including the production, marketing and consumption implications for the United Kingdom of the Com-

munity's regimes for milk, pigmeat and eggs.

2. There has been a considerable amount of exploration and discussion since then, both with the Commission at a technical level and more generally at meetings of the Deputies. On our side the aim has been to see whether any serious problems were likely to arise and, if so, how they might best be avoided. I am pleased to be able to say that we have had a good deal of elucidation and understanding from the Community, which has helped to clarify matters considerably and leads me to hope that we may be successful in reaching agreement on these matters and thus removing them from our future agenda.

### *Milk*

We consider it important in the interest of the Community as well as the United Kingdom that we should be able to provide adequate supplies of liquid milk to meet consumer demand throughout the country and

throughout the year. We believe this will be possible in the light of the confirmation we have received from the Community about our understanding of the scope and nature of the current and proposed arrangements. It is, therefore, important that I should record the main heads of that understanding, namely:

- (i) it is one of the objectives of the common policy to use as much milk as possible for liquid consumption throughout the Community, and the policy should not be applied so as to impede this aim;
- (ii) the price differential between milk sent for processing and milk for liquid consumption contained in Council Resolution of 24 July 1966 has no legally binding effect; it will in due time be superseded by a Community milk regulation; and, under the existing regulations, Member States are free to fix retail prices for milk for liquid consumption, but are not obliged to do so;
- (iii) Regulation (EEC) No 804/68 refers only to measures by national governments permitting price equalization, and accordingly a non-governmental producer organization, provided it acts within the provisions of the EEC Treaty and of secondary legislation deriving from it, is free by its own decisions to consign milk wherever it chooses in order to get the best return for its members, to pool its financial returns and to remunerate its members as it wishes.

#### *Pigmeat*

We consider it also in the interest of an enlarged Community, expected to be more than self-sufficient in pigmeat, to ensure adequate market stability, including stability on the United Kingdom bacon market. The Community's present system, naturally enough, took no account of this important market — absorbing annually some 640 000 tons of bacon worth over 1 000 million units of account. But it could make a great contribution to stability, not only for the United Kingdom and other bacon producers who are directly affected, but to all pig producers in the enlarged Community.

We have not concluded from our discussions that the Community's existing arrangements for pigmeat will

necessarily be inadequate or unsuited for the new situation emerging from enlargement.

We do consider it essential, however, to secure your recognition of the intrinsic importance of the bacon market in an enlarged Community; of the benefits that its continued stability under conditions of fair competition would bring to pig production throughout the whole Community; and of the need, therefore, to keep this situation under careful review during the transitional period and thereafter.

#### *Eggs*

The enlarged Community will be self-sufficient in eggs so that prices are likely to be determined by internal market forces rather than by the operation of measures at the frontiers. Since that is already true both of the existing Community and of the United Kingdom, the market of the enlarged Community may be subject to price fluctuation no different in kind, although possibly a little greater in degree, than obtains in the individual markets today. On the other hand, the trend towards the concentration of production in the hands of specialist producers and parallel developments in marketing should reduce instability in the longer term. I therefore believe that we shall be able to adapt to the Community's arrangements.

3. If you are now able formally to confirm that our understanding of the possibilities open to us for milk is correct; that you can accept the views I have expressed on the importance and characteristics of the bacon market in an enlarged Community and recognize the desirability of stability for pigmeat and eggs, we for our part can agree that we need raise no further points on these items during the negotiations, except in the general context of transitional arrangements.

#### *II. Statement made by Mr W. Scheel, Minister for Foreign Affairs of the Federal Republic of Germany, on behalf of the Community delegation*

The Community delegation subscribes to your analysis of the objectives of the common policy in the milk sector, and of existing possibilities as regards retail price fixing for liquid milk and the activities of non-governmental producer organizations. It recalls, in so far as it

may be necessary, that the prohibition of national measures permitting an equalization of prices for the various milk products stipulated in Regulation (EEC) No 804/68 applies equally to all national legislation aimed at achieving such equalization.

The Community delegation can accept your statement on the importance and characteristics of the bacon market in an enlarged Community. In the light of the objectives pursued by the common policy in the pig-

meat and eggs sectors it shares your concern for stability in these sectors.

Noting the statement by the United Kingdom delegation, the Community delegation notes with satisfaction that the existing regulations concerning the three above-mentioned sectors will not have to be amended to take into account the anxieties expressed by the United Kingdom delegation.

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## Declaration

### on the system for fixing Community farm prices

At the 2nd Ministerial Meeting in the negotiations between the Community and the United Kingdom, held on 27 October 1970, Mr W. Scheel, Minister for Foreign Affairs of the Federal Republic of Germany, on behalf of the Community delegation, made a statement on the system for fixing Community farm prices.

Mr G. Rippon, Chancellor of the Duchy of Lancaster, on behalf of the United Kingdom delegation, recorded his agreement to this statement. He added that he had no doubt as to the importance to all concerned of these agricultural reviews and of the intention to have effective and meaningful contacts in particular with producer organizations operating at Community level.

In conclusion, the two delegations noted that an agreement had been reached in the terms contained in the following statement made by Mr W. Scheel:

'1. Since the discussions held on this subject in 1962, an annual review on the condition of agriculture and agricultural markets has been established within the Community. This comes under the procedure for fixing Community prices.

This procedure may be described as follows:

As a general rule, the various agricultural regulations stipulate that the Council, on a proposal from the Commission, shall fix for the Community each year, before 1 August, for the marketing year starting the following year, all the agricultural prices which, under the common organization of the markets, must be fixed.

When submitting its proposals, the Commission at the same time submits an annual report on the condition of agriculture and agricultural markets.

This report is submitted in accordance with the legal obligations of and the undertakings made by the Commission.

The Commission draws up this report on the basis of the relevant statistical and accounting data from all available national and Community sources.

The analysis made in the report comprises the following:

- examination of the economic condition of agriculture and of its overall development, both at national and at Community level, as well as in the general economic context;
- examination of the market by products or groups of products, in order to provide an outline of the situation and of its characteristic trends.

The review of the data undertaken by the Commission includes, in particular, information about trends in prices and costs, employment, productivity and farm incomes.

Agricultural prices are fixed in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, which means that the European Parliament must be consulted.

To this end, the Commission's proposals, together with the annual report, are referred to the Assembly, where a general debate is held on the common agricultural policy.

In addition, the Economic and Social Committee, composed of representatives of the various economic and social sectors, is regularly consulted on the proposals and the report. As regards the duties of this Committee, Article 47 of the EEC Treaty lays

down that its Agricultural Section shall have as its task that of holding itself at the service of the Commission for the purpose of preparing the discussions of the Committee, in accordance with the provisions of Articles 197 and 198 of the EEC Treaty.

Before, during and after the drawing up by the Commission of the annual report and the price proposals, contacts take place with the professional agricultural organizations organized at Community level. These contacts include a discussion of the statistical and other data bearing on the economic conditions and prospects of agriculture, which the Commission takes into account in its report to the Council.

Because of the nature of the prices fixed under the common agricultural policy, the Commission has decided not to limit these contacts to the agricultural sectors alone, but to maintain them also with industrial, commercial and trade union circles and with consumers.

These contacts provide an opportunity for all the interested parties to make known their views or claims. They also allow the Commission to draw up its annual report on the condition of agriculture and its proposals with regard to prices in full knowledge of the position of the interested parties.

The consultations of the European Parliament and the Economic and Social Committee, the policy-making process leading towards a final decision of

the Council, combined with continual and direct contacts between the institution responsible for drawing up the report and the proposals and the organizations of the interested parties, are a sufficient guarantee that the interests of all those concerned by the decisions in question are given fair consideration.

2. It is understood that, notwithstanding this procedure, the Member States may themselves carry out annual reviews of their own agriculture, in contact with the professional organization concerned and in accordance with their national procedures.

3. The Community delegation proposes that the Conference take formal note of the following:

- the procedures and practices within the Community, as well as in the Member States, will provide for appropriate contacts with the professional organizations concerned;
- the institutions of the Community intend to extend the practices and procedures described in paragraph 1 above to the enlarged Community;
- the application of the two preceding subparagraphs will ensure a system within the enlarged Community whereby it will be possible to review the economic conditions and prospects of agriculture and to maintain appropriate contacts with the professional producer organizations and with other interested organizations and parties.'

## Declarations

### on hill farming

At the 8th Ministerial Meeting in the negotiations, between the Community and the United Kingdom, held on 21, 22 and 23 June 1971 Mr G. Rippon, Chancellor of the Duchy of Lancaster, on behalf of the United Kingdom delegation, made the statement appearing under *I* below.

Mr M. Schumann, Minister for Foreign Affairs of the French Republic, on behalf of the Community delegation, replied with the statement appearing under *II* below.

#### *I. Statement made by Mr G. Rippon, Chancellor of the Duchy of Lancaster, on behalf of the United Kingdom delegation*

In his opening statement to the Conference of 30 June 1970 Mr Barber referred, amongst other agricultural issues, to the problems of hill farming areas. Parts of Scotland, Wales, Northern Ireland and of the North and South-West of England consist of hill regions, which because of climate, soil structure and geography are suitable only for extensive livestock rearing.



Farming enterprises in these areas are limited in scope and are bound to be particularly vulnerable to market conditions, so that high end-prices alone will not enable them to remain viable. Under our present system, they receive assistance, therefore, both as a part of our general economic and social policies and as part of our agricultural policies. Many of the existing members of the Community certainly have areas with similar problems and we shall of course deal with them, as you yourselves already do, in conformity with the Treaty and the common agricultural policy. I should be grateful for the Community's confirmation of my understanding that it is necessary for all members of the enlarged Community who face situations of this kind to deal with the problem of maintaining reasonable incomes of farmers in such areas.

*II. Statement made by Mr M. Schumann, Minister for Foreign Affairs of the French Republic, on behalf of the Community delegation*

The Community delegation has taken careful note of the United Kingdom delegation's statement on hill

farming in the United Kingdom and measures taken to support it.

In reply to this statement, the Community delegation is in a position to make the following communication.

The Community is aware of the special conditions obtaining to hill farming areas as compared with other areas of the United Kingdom, as it is, moreover, of the differences, at times very marked, between areas in the Member States of the present Community.

The special conditions obtaining in certain areas of the enlarged Community may indeed require action with a view to attempting to resolve the problems raised by these special conditions and, in particular, to preserve reasonable incomes for farmers in such areas.

Such action must, of course, as you have just said, be in conformity with the provisions of the Treaty and the common agricultural policy.



**Procedure for the adoption  
of certain decisions and other measures  
to be taken during the period  
preceding accession <sup>(1)</sup>**

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<sup>(1)</sup> See OJ of the EC No L 73 of 27 March 1972.



**DOCUMENTS (1)**

**concerning the accession of the Hellenic Republic  
to the European Communities**

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(1) *Official Journal of the European Communities*, No L 291, 19 November 1979.



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<sup>(1)</sup> EDITORIAL NOTE:

These Annexes are not reproduced in this volume, since the various time-limits laid down therein have expired. Various corrigenda to Annexes I, VII and VIII have appeared in the OJ of the EC, No L 346 of 2 December 1981.

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**COMMISSION OPINION**  
**of 23 May 1979**  
**on the application for accession to the European Communities by the Hellenic Republic**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Article 98 of the Treaty establishing the European Coal and Steel Community, Article 237 of the Treaty establishing the European Economic Community and Article 205 of the Treaty establishing the European Atomic Energy Community,

Whereas the Hellenic Republic has applied to become a member of these Communities;

Whereas in its opinion of 29 January 1976 the Commission has already been able to express its views on certain essential aspects of the problems arising in connection with this application;

Whereas the terms for the admission of the Hellenic Republic and the adjustments to the Treaties necessitated by its accession have been negotiated in a Conference between the Communities and the applicant State; whereas singleness of Community representation was ensured with due regard for the institutional dialogue provided for by the Treaties;

Whereas, on the completion of these negotiations, it is apparent that the provisions so agreed are fair and proper; whereas, this being so, the Community's enlargement, while preserving its internal cohesion and dynamism, will enable it to take a fuller part in the development of international relations;

Whereas in joining the Communities the applicant State accepts without reserve the Treaties and their political objectives, all decisions taken since their entry into force, and the action that has been agreed in res-

pect of the development and reinforcement of the Communities;

Whereas it is an essential feature of the legal system set up by the Treaties establishing the Communities that certain of their provisions and certain acts of the Community institutions are directly applicable, that Community law takes precedence over any national provisions conflicting with it, and that procedures exist for ensuring the uniform interpretation of this law; whereas accession to the Communities entails recognition of the binding force of these rules, observance of which is indispensable to guarantee the effectiveness and unity of Community law;

Whereas the principles of pluralist democracy and respect for human rights form part of the common heritage of the peoples of the States brought together in the European Communities and are therefore essential elements of membership of the said Communities;

Whereas enlargement of the Communities through the accession of the Hellenic Republic will help to preserve and strengthen peace and liberty in Europe,

HEREBY DELIVERS A FAVOURABLE OPINION:

on the accession to the European Communities of the Hellenic Republic.

This opinion is addressed to the Council.

Done at Brussels, 23 May 1979.

*For the Commission*

**DECISION OF THE COUNCIL OF THE EUROPEAN COMMUNITIES**  
**of 24 May 1979**  
**on the accession of the Hellenic Republic to the European Coal and Steel Community**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Article 98 of the Treaty establishing the European Coal and Steel Community,

Having regard to the opinion of the Commission,

Whereas the Hellenic Republic has applied to accede to the European Coal and Steel Community;

Whereas the conditions of accession to be determined by the Council have been negotiated with the Hellenic Republic,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. The Hellenic Republic may become a member of the European Coal and Steel Community by acceding, under the conditions laid down in this Decision, to the Treaty establishing that Community, as amended or supplemented.

2. The conditions of accession and the adjustments to the Treaty establishing the European Coal and Steel Community necessitated thereby are set out in the Act annexed to this Decision. The provisions of that Act concerning the European Coal and Steel Community shall form an integral part of this Decision.

3. The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Communities as set out in the Treaty referred to in paragraph 1 shall apply in respect of this Decision.

*Article 2*

The instrument of accession of the Hellenic Republic to the European Coal and Steel Community will be deposited with the Government of the French Republic on 1 January 1981.

Accession will take effect on 1 January 1981, provided that the Hellenic Republic has deposited its instrument of accession on that date and that all the signatory States to the Treaty concerning accession of the Hellenic Republic to the European Economic Community and the European Atomic Energy Community have deposited their instruments of ratification before that date.

The Government of the French Republic will transmit a certified copy of the instrument of accession of the Hellenic Republic to the Governments of the Member States.

*Article 3*

This Decision, drawn up in the Danish, Dutch, English, French, German, Greek, Irish and Italian languages, each of these languages being equally authentic, shall be communicated to the Member States of the European Coal and Steel Community and the Hellenic Republic.

Udfærdiget i Bruxelles, den 24. maj 1979.

Geschehen zu Brüssel am 24. Mai 1979.

Done at Brussels, 24 May 1979.

Έγινε στις Βρυξέλλες, στις 24 Μαΐου 1979.

Fait à Bruxelles, le 24 mai 1979.

Arna dhéanamh sa Bhruiséil an 24 Bealtaine 1979.

Fatto a Bruxelles, addì 24 maggio 1979.

Gedaan te Brussel, 24 mei 1979.

*På Rådets vegne*

*Formand*

*Im Namen des Rates*

*Der Präsident*

*For the Council*

*The President*

*Για το Συμβούλιο*

*Ο Πρόεδρος*

*Pour le Conseil*

*Le président*

*Thar ceann na Comhairle*

*An tUachtarán*

*Per il Consiglio*

*Il Presidente*

*Voor de Raad*

*De Voorzitter*

Jean FRANÇOIS-PONCET

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**DECISION OF THE COUNCIL OF THE EUROPEAN COMMUNITIES**  
**of 24 May 1979**  
**on the admission of the Hellenic Republic to the European Economic Community and to the**  
**European Atomic Energy Community**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Article 237 of the Treaty establishing the European Economic Community and Article 205 of the Treaty establishing the European Atomic Energy Community,

Whereas the Hellenic Republic has applied to become a member of the European Economic Community and of the European Atomic Energy Community,

Having obtained the opinion of the Commission,

HAS DECIDED:

to accept this application for admission; the conditions of admission and the adjustments to the Treaties necessitated thereby are to be the subject of an agreement between the Member States and the Hellenic Republic.

Udfærdiget i Bruxelles, den 24. maj 1979.

Geschehen zu Brüssel am 24. Mai 1979.

Done at Brussels, 24 May 1979.

Έγινε στις Βρυξέλλες, στις 24 Μαΐου 1979.

Fait à Bruxelles, le 24 mai 1979.

Arna dhéanamh sa Bhruiséil an 24 Bealtaine 1979.

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*På Rådets vegne*

*Formand*

*Im Namen des Rates*

*Der Präsident*

*For the Council*

*The President*

*Για το Συμβούλιο*

*Ο Πρόεδρος*

*Pour le Conseil*

*Le président*

*Thar ceann na Comhairle*

*An tUachtarán*

*Per il Consiglio*

*Il Presidente*

*Voor de Raad*

*De Voorzitter*

Jean FRANÇOIS-PONCET

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**TREATY**

**between**

**the Kingdom of Belgium,  
the Kingdom of Denmark,  
the Federal Republic of Germany,  
the French Republic,  
Ireland,  
the Italian Republic,  
the Grand Duchy of Luxembourg,  
the Kingdom of the Netherlands,  
the United Kingdom of Great Britain and Northern Ireland  
(Member States of the European Communities)  
and  
the Hellenic Republic**

**concerning the accession of the Hellenic Republic to the European Economic Community and  
to the European Atomic Energy Community**

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 HELLENIC REPUBLIC,

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,

UNITED in their desire to pursue the attainment of the objectives of the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community,

DETERMINED in the spirit of those Treaties to construct an ever closer union among the peoples of Europe on the foundation already laid,

CONSIDERING that Article 237 of the Treaty establishing the European Economic Community and Article 205 of the Treaty establishing the European Atomic Energy Community afford European States the opportunity of becoming members of these Communities,

CONSIDERING that the Hellenic Republic has applied to become a member of these Communities,

CONSIDERING that the Council of the European Communities, after having obtained the opinion of the Commission, has declared itself in favour of the admission of this State,

HAVE DECIDED to establish by common agreement the conditions of admission and the adjustment to be made to the Treaties establishing the European Economic Community and the European Atomic Energy Community, and to this end have designated as their plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS,

Mr Wilfried MARTENS,  
Prime Minister;  
Mr Henri SIMONET,  
Minister for Foreign Affairs;  
Mr Joseph VAN DER MEULEN,  
Ambassador, Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK,

Mr Niels Anker KOFOED,  
Minister for Agriculture;  
Mr Gunnar RIBERHOLDT,  
Ambassador, Permanent Representative to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

Mr Hans-Dietrich GENSCHER,  
Federal Minister for Foreign Affairs;  
Mr Helmut SIGRIST,  
Ambassador, Permanent Representative to the European Communities;

THE PRESIDENT OF THE HELLENIC REPUBLIC,

Mr Constantinos CARAMANLIS,  
Prime Minister;  
Mr Georgios RALLIS,  
Minister for Foreign Affairs;  
Mr Georgios CONTOGEOORGIS,  
Minister without Portfolio, responsible for relations with the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC,

Mr Jean FRANÇOIS-PONCET,  
Minister for Foreign Affairs;  
Mr Pierre BERNARD-REYMOND,  
State Secretary for Foreign Affairs;  
Mr Luc de La BARRE de NANTEUIL,  
Ambassador, Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND,

Mr John LYNCH,  
Prime Minister;  
Mr Michael O'KENNEDY,  
Minister for Foreign Affairs;  
Mr Brendan DILLON,  
Ambassador, Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC,

Mr Giulio ANDREOTTI,  
President of the Council of Ministers;  
Mr Adolfo BATTAGLIA,  
Under-Secretary of State for Foreign Affairs;  
Mr Eugenio PLAJA,  
Ambassador, Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

Mr Gaston THORN,  
President of the Government, Minister for Foreign Affairs;  
Mr Jean DONDELINGER,  
Ambassador, Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

Mr Ch. A. van der KLAUW,  
Minister for Foreign Affairs;  
Mr J. H. LUBBERS,  
Ambassador, Permanent Representative to the European Communities;

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

The Right Honourable Lord CARRINGTON,  
Secretary of State for Foreign and Commonwealth Affairs;  
Sir Donald MAITLAND,  
Ambassador, Permanent Representative to the European Communities;

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

HAVE AGREED AS FOLLOWS:

*Article 1*

1. The Hellenic Republic hereby becomes a member of the European Economic Community and of the European Atomic Energy Community and Party to the Treaties establishing these Communities as amended or supplemented.

2. The conditions of admission and the adjustments to the Treaties establishing the European Economic Community necessitated thereby are set out in the Act annexed to this Treaty. The provisions of that Act concerning the European Economic Community and the European Atomic Energy Community shall form an integral part of this Treaty.

3. The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Communities as set out in the Treaties referred to in paragraph 1 shall apply in respect of this Treaty.

*Article 2*

This Treaty will be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification will be deposited with the Government of the Italian Republic by 31 December 1980 at the latest.

This Treaty will enter into force on 1 January 1981, provided that all the instruments of ratification have been deposited before that date and that the instrument of accession of the Hellenic Republic to the European Coal and Steel Community is deposited on that date.

*Article 3*

This Treaty, drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Irish and Italian languages, the texts in each of these languages being equally authentic, will be deposited in the archives of the Government of the Italian Republic, which will transmit a certified copy to each of the Governments of the other signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Traktat.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diesen Vertrag gesetzt.

In witness whereof the undersigned Plenipotentiaries have signed this Treaty.

Εἰς πίστωση τῶν ἀνωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι υπέγραψαν τὴν παρούσα Συνθήκη.

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

Dá fhianú sin, chuir na Lánchumhachtaigh thíos-síniú a lámh leis an gConradh seo.

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

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Verdrag hebben gesteld.

Udfærdiget i Athen, den otteogtyvende maj nitten hundrede og nioghalvfjerds.

Geschehen zu Athen am achtundzwanzigsten Mai neunzehnhundertneunundsiebzig.

Done at Athens on the twenty-eighth day of May in the year one thousand nine hundred and seventy-nine.

Έγινε στην Αθήνα, στις είκοσι οκτώ Μαΐου χίλια εννιακόσια εβδομήντα εννέα.

Fait à Athènes, le vingt-huit mai mil neuf cent soixante-dix-neuf.

Arna dhéanamh san Aithin, an t-ochtú lá is fiche de Bhealtaine, míle naoi gcéad seachtó a naoi.

Fatto ad Atene, addì ventotto maggio millenovecentosettantanove.

Gedaan te Athene, de achtentwintigste mei negentienhonderdnegenenzeventig.

Wilfried MARTENS  
H. SIMONET  
J. VAN DER MEULEN

Niels Anker KOFOED  
RIBERHOLDT

Hans-Dietrich GENSCHER  
Helmut SIGRIST

Constantinos CARAMANLIS  
G. RALLIS  
Georgios CONTOGEOORGIS

Jean FRANÇOIS-PONCET  
BERNARD-REYMOND  
Luc de la BARRE de NANTEUIL

Seán Ó LOINSIGH  
Micheál O CINNEIDE  
Breandán DIOLIÚN

Giulio ANDREOTTI  
Adolfo BATTAGLIA  
Eugenio PLAJA

Gaston THORN  
J. DONDELINGER

C. A. van der KLAUW  
J. H. LUBBERS

CARRINGTON  
Donald MAITLAND

## ACT

### concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties

#### PART ONE

#### PRINCIPLES

##### *Article 1*

For the purposes of this Act:

- the expression 'original Treaties' means the Treaty establishing the European Coal and Steel Community, the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community, as supplemented or amended by treaties or other acts which entered into force before accession of the Hellenic Republic; the expressions 'ECSC Treaty', 'EEC Treaty' and 'Euratom Treaty' mean the relevant original Treaties thus supplemented or amended,
- the expression 'present Member States' means the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

##### *Article 2*

From the date of accession, the provisions of the original Treaties and the acts adopted by the institutions of the Communities shall be binding on the Hellenic Republic and shall apply in that State under the conditions laid down in those Treaties and in this Act.

##### *Article 3*

1. The Hellenic Republic accedes by this Act to the Decisions and Agreements adopted by the representatives of the Governments of the Member States meeting in Council. It undertakes to accede from the date of

accession to all other Agreements concluded by the present Member States relating to the functioning of the Communities or connected with their activities.

2. The Hellenic Republic undertakes to accede to the Conventions provided for in Article 220 of the EEC Treaty and to the Protocols on the interpretation of those Conventions by the Court of Justice, signed by the Member States of the Community as originally or at present constituted, and to this end it undertakes to enter into negotiations with the present Member States in order to make the necessary adjustments thereto.

3. The Hellenic Republic is in the same situation as the present Member States in respect of declarations or resolutions of, or other positions taken up by, the Council and in respect of those concerning the European Communities adopted by common agreement of the Member States; it will accordingly observe the principles and guidelines deriving from those declarations, resolutions or other positions and will take such measures as may be necessary to ensure their implementation.

##### *Article 4*

1. The Agreements or Conventions entered into by any of the Communities with one or more third States, with an international organization or with a national of a third State, shall, under the conditions laid down in the original Treaties and in this Act, be binding on the Hellenic Republic.

2. The Hellenic Republic undertakes to accede, under the conditions laid down in this Act, to Agreements or Conventions concluded by the present Member States and any of the Communities, acting jointly, and to Agreements concluded by the present Member States which are related to those Agreements or Conventions.

The Community and the present Member States shall assist the Hellenic Republic in this respect.

3. The Hellenic Republic accedes by this Act and under the conditions laid down therein to the Internal Agreements concluded by the present Member States for the purpose of implementing the Agreements or Conventions referred to in paragraph 2.

4. The Hellenic Republic shall take appropriate measures, where necessary, to adjust its position in relation to international organizations and International Agreements to which one of the Communities or to which other Member States are also parties, to the rights and obligations arising from its accession to the Communities.

#### *Article 5*

Article 234 of the EEC Treaty and Articles 105 and 106 of the Euratom Treaty shall apply, for the Hellenic Republic to Agreements or Conventions concluded before its accession.

#### *Article 6*

The provisions of this Act may not, unless otherwise provided herein, be suspended, amended or repealed

other than by means of the procedure laid down in the original Treaties enabling those Treaties to be revised.

#### *Article 7*

Acts adopted by the institutions of the Communities to which the transitional provisions laid down in this Act relate shall retain their status in law; in particular, the procedures for amending those acts shall continue to apply.

#### *Article 8*

Provisions of this Act the purpose or effect of which is to repeal or amend acts adopted by the institutions of the Communities; otherwise than as a transitional measure, shall have the same status in law as the provisions which they repeal or amend and shall be subject to the same rules as those provisions.

#### *Article 9*

1. The application of the original Treaties and acts adopted by the institutions shall, as a transitional measure, be subject to the derogations provided for in this Act.

2. Subject to special provisions in this Act laying down different dates or shorter or longer time limits, the application of the transitional measures shall terminate at the end of 1985.

## PART TWO

### ADJUSTMENTS TO THE TREATIES

#### TITLE I

#### PROVISIONS COVERING THE INSTITUTIONS

#### CHAPTER I

#### The European Parliament

#### *Article 10*

The following shall be substituted for Article 2 of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, which is annexed to Decision 76/787/ECSC, EEC, Euratom:

The number of representatives elected in each Member State shall be as follows:

Belgium:	24
Denmark:	16
Germany:	81
Greece:	24
France:	81
Ireland:	15
Italy:	81
Luxembourg:	6
Netherlands:	25
United Kingdom:	81

**The Council***Article 11*

The following shall be substituted for the second paragraph of Article 2 of the Treaty establishing a single Council and a single Commission of the European Communities:

'The office of President shall be held for a term of six months by each member of the Council in turn, in the following order of Member States: Belgium, Denmark, Germany, Greece, France, Ireland, Italy, Luxembourg, Netherlands, United Kingdom.'

*Article 12*

The following shall be substituted for the fourth paragraph of Article 28 of the ECSC Treaty:

'Decisions of the Council, other than those for which a qualified majority or unanimity is required, shall be taken by a vote of the majority of its members; this majority shall be considered to be attained if it represents an absolute majority of the representatives of the Member States, including the votes of the representatives of two Member States which each produce at least one-eighth of the total value of the coal and steel output of the Community. However, for the purpose of applying those provisions of Articles 78, 78b and 78d of this Treaty which require a qualified majority, the votes of the members of the Council shall be weighted as follows:

Belgium:	5
Denmark:	3
Germany:	10
Greece:	5
France:	10
Ireland:	3
Italy:	10
Luxembourg:	2
Netherlands:	5
United Kingdom:	10.

For their adoption, acts shall require at least 45 votes in favour, cast by not less than six members.'

The following shall be substituted for the fourth paragraph of Article 95 of the ECSC Treaty:

'These amendments shall be proposed jointly by the High Authority and the Council, acting by a nine-tenths majority of its members, and shall be submitted to the Court for its opinion. In considering them, the Court shall have full power to assess all points of fact and of law. If as a result of such consideration it finds the proposals compatible with the provisions of the preceding paragraph, they shall be forwarded to the European Parliament and shall enter into force if approved by a majority of three-quarters of the votes cast and two-thirds of the members of the European Parliament.'

*Article 14*

The following shall be substituted for Article 148 (2) of the EEC Treaty and Article 118 (2) of the Euratom Treaty:

'Where the Council is required to act by a qualified majority, the votes of its members shall be weighted as follows:

Belgium:	5
Denmark:	3
Germany:	10
Greece:	5
France:	10
Ireland:	3
Italy:	10
Luxembourg:	2
Netherlands:	5
United Kingdom:	10.

For their adoption, acts of the Council shall require at least:

- 45 votes in favour where this Treaty requires them to be adopted on a proposal from the Commission,
- 45 votes in favour, cast by at least six members, in other cases.'

## CHAPTER 3

### The Commission

#### *Article 15*

The following shall be substituted for the first subparagraph of Article 10 (1) of the Treaty establishing a single Council and a single Commission of the European Communities:

'The Commission shall consist of 14 members, who shall be chosen on the grounds of their general competence and whose independence is beyond doubt.'

## CHAPTER 4

### The Court of Justice

#### *Article 16*

Upon the accession of the Hellenic Republic, the Council of the European Communities, acting unanimously, shall decide on the adjustments to be made to the first paragraph of Article 32 of the ECSC Treaty, the first paragraph of Article 165 of the EEC Treaty and the first paragraph of Article 137 of the Euratom Treaty in order to increase by one the number of judges constituting the Court of Justice. It shall also decide on the necessary consequential adjustments to be made to the second paragraph of Article 32b of the ECSC Treaty, the second paragraph of Article 167 of the EEC Treaty, the second paragraph of Article 139 of the Euratom Treaty and to the second paragraph of Article 18 of the Protocol on the Statute of the Court of Justice of the European Coal and Steel Community, Article 15 of the Protocol on the Statute of the Court of Justice of the European Economic Community and Article 15 of the Protocol on the Statute of the Court of Justice of the European Atomic Energy Community.

## CHAPTER 5

### The Economic and Social Committee

#### *Article 17*

The following shall be substituted for the first paragraph of Article 194 of the EEC Treaty and the first paragraph of Article 166 of the Euratom Treaty:

'The number of members of the Committee shall be as follows:

Belgium:	12
Denmark:	9
Germany:	24
Greece:	12
France:	24
Ireland:	9
Italy:	24
Luxembourg:	6
Netherlands:	12
United Kingdom:	24.'

## CHAPTER 6

### The Court of Auditors

#### *Article 18*

The following shall be substituted for Article 78e (2) of the ECSC Treaty, Article 206 (2) of the EEC Treaty and Article 180 (2) of the Euratom Treaty:

'The Court of Auditors shall consist of 10 members.'

## CHAPTER 7

### The Scientific and Technical Committee

#### *Article 19*

The following shall be substituted for the first subparagraph of Article 134 (2) of the Euratom Treaty:

'The Committee shall consist of 28 members, appointed by the Council after consultation with the Commission.'

## TITLE II

### OTHER ADJUSTMENTS

#### *Article 20*

The following shall be substituted for Article 227 (1) of the EEC Treaty:

'1. This Treaty shall apply to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.'



PART THREE  
ADAPTATIONS TO ACTS ADOPTED BY THE INSTITUTIONS

*Article 21*

The acts listed in Annex I to this Act shall be adapted as specified in that Annex.

*Article 22*

The adaptations to the acts listed in Annex II to this Act made necessary by accession shall be drawn up in conformity with the guidelines set out in that Annex and in accordance with the procedure and under the conditions laid down in Article 146.

PART FOUR  
TRANSITIONAL MEASURES

TITLE I

PROVISIONS GOVERNING THE  
INSTITUTIONS

*Article 23*

1. During 1981 the Hellenic Republic shall hold an election by direct universal suffrage of 24 representatives to the European Parliament, of the people of Greece, in accordance with the provisions of the Act of 20 September 1976 concerning the election of representatives of the European Parliament by direct universal suffrage.

The term of office of these representatives shall end at the same time as that of the representatives elected in the present Member States.

2. From accession and until the election referred to in paragraph 1, the 24 representatives, of the European Parliament, of the people of Greece shall be appointed by the Hellenic Parliament within itself in accordance with the procedure laid down by the Hellenic Republic.

TITLE II

FREE MOVEMENT OF GOODS

CHAPTER I

Tariff provisions

*Article 24*

1. The basic duty to which the successive reductions provided for in Articles 25 and 64 are to be applied shall, for each product, be the duty actually applied on 1 July 1980.

The basic duty used for the moves towards alignment on the Common Customs Tariff and the ECSC unified tariff provided for in Articles 31, 32 and 64 shall, for each product, be the duty actually applied by the Hellenic Republic on 1 July 1980.

2. The Community as at present constituted and the Hellenic Republic shall inform each other of their respective basic duties.

#### Article 25

1. Customs duties on imports between the Community as at present constituted and the Hellenic Republic shall be progressively abolished 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.

2. Notwithstanding paragraph 1:

- (a) duty-free entry shall, from the date of accession, apply to imports which benefit from the provisions relating to tax exemptions applicable to persons travelling from one Member State to another;
- (b) duty-free entry shall, from the date of accession apply to imports of goods sent in small consignments, not of a commercial nature, which benefit from the provisions relating to tax exemptions applicable between Member States.

#### Article 26

In no case shall customs duties higher than those applied to third countries enjoying most-favoured-nation treatment be applied within the Community.

In the event of the Common Customs Tariff duties being amended or suspended or the Hellenic Republic applying Article 34, the Council, acting by a qualified majority on a proposal from the Commission, may take the necessary measures for the maintenance of Community preference.

#### Article 27

The Hellenic Republic may suspend in whole or in part the levying of duties on products imported from the Community as at present constituted. It shall inform the other Member States and the Commission thereof.

The Council, acting by a qualified majority on a proposal from the Commission, may suspend in whole or in

part the levying of duties on products imported from Greece.

#### Article 28

Any charge having equivalent effect to a customs duty on imports introduced as from 1 January 1979 in trade between the Community as at present constituted and Greece shall be abolished on 1 January 1981.

#### Article 29

Charges having equivalent effect to customs duties on imports shall be progressively abolished between the Community as at present constituted and Greece in accordance with the following timetable:

- on 1 January 1981, each charge shall be reduced to 90 % of the rate applied on 31 December 1980,
- on 1 January 1982, each charge shall be reduced to 80 % of the rate applied on 31 December 1980,
- the four other reductions of 20 % each shall be made on:
  - 1 January 1983,
  - 1 January 1984,
  - 1 January 1985,
  - 1 January 1986.

#### Article 30

Customs duties on exports and charges having equivalent effect shall be abolished between the Community as at present constituted and Greece on 1 January 1981.

#### Article 31

For the purpose of the progressive introduction of the Common Customs Tariff, the Hellenic Republic shall amend its tariff applicable to third countries as follows:

- from 1 January 1981 the Hellenic Republic shall apply a duty reducing by 10 % the difference between the basic duty and the duty in the Common Customs Tariff,
- from 1 January 1982:
  - (a) in the case of tariff headings in respect of which the basic duties do not differ by more

than 15 % in either direction from the duties in the Common Customs Tariff, these latter duties shall be applied;

- (b) in other cases, the Hellenic Republic shall apply a duty reducing again by 10 % the difference between the basic duty and the duty in the Common Customs Tariff.

This difference shall be further reduced by 20 % on 1 January 1984 and by 20 % on 1 January 1985.

The Hellenic Republic shall apply in full the Common Customs Tariff from 1 January 1986.

#### *Article 32*

1. For the purpose of the progressive introduction of the ECSC unified tariff, the Hellenic Republic shall amend its tariff applicable to third countries as follows:

- (a) in the case of tariff headings in respect of which the basic duties do not differ by more than 15 % in either direction from the duties in the ECSC unified tariff, these latter duties shall be applied from 1 January 1982;
- (b) in other cases, the Hellenic Republic shall, from the same date, apply a duty reducing by 20 % the difference between the basic duty and the duty in the ECSC unified tariff.

This difference shall be further reduced by 20 % on 1 January 1983, by 20 % on 1 January 1984 and by 20 % on 1 January 1985.

The Hellenic Republic shall apply in full the ECSC unified tariff from 1 January 1986.

2. In respect of lignite, whether or not agglomerated, falling within heading No 27.02 of the Common Customs Tariff, the Hellenic Republic shall introduce in accordance with the same timetable of progressivity as that laid down in paragraph 1 the provisions in the Common Customs Tariff for these products and shall apply a duty of 5 % by 1 January 1986 at the latest.

#### *Article 33*

1. Where duties in the customs tariff of the Hellenic Republic differ in nature from the corresponding duties in the Common Customs Tariff or the ECSC unified tariff, the progressive alignment of the former on the latter shall be effected by adding the components of the Greek basic duty to those of the Common Customs

Tariff or the ECSC unified tariff, the Greek basic duty being reduced to zero progressively, in accordance with the timetable set out in Articles 31, 32 and 64, and the duty in the Common Customs Tariff or the ECSC unified tariff increasing from zero to reach the full amount progressively in accordance with the same timetable.

2. From 1 January 1981, if any duties in the Common Customs Tariff or the ECSC unified tariff are altered or suspended, the Hellenic Republic shall simultaneously amend or suspend its tariff in the proportion resulting from the implementation of Articles 31, 32 and 64.

3. The Hellenic Republic shall apply the Common Customs Tariff and the ECSC unified tariff nomenclature from 1 January 1981.

The Hellenic Republic may include within these nomenclatures national subdivisions existing at the time of accession which are indispensable in order that the progressive alignment of its customs duties with those in the Common Customs Tariff and the ECSC unified tariff be carried out under the conditions laid down in this Act.

4. With a view to facilitating the progressive introduction of the Common Customs Tariff and the ECSC unified tariff by the Hellenic Republic, the Commission shall determine, if necessary, the implementing provisions whereby the Hellenic Republic alters its customs duties.

#### *Article 34*

In order to bring its tariff into line with the Common Customs Tariff and the ECSC unified tariff, the Hellenic Republic shall remain free to alter its customs duties more rapidly than is provided for in Articles 31, 32 and 64. It shall inform the other Member States and the Commission thereof.

### CHAPTER 2

#### **Elimination of quantitative restrictions and measures having equivalent effect**

#### *Article 35*

Quantitative restrictions on imports and exports and any measures having equivalent effect shall, from the date of accession, be abolished between the Community as at present constituted and Greece.

### Article 36

1. Notwithstanding Article 35, the Hellenic Republic may retain quantitative restrictions until 31 December 1985 on products listed in Annex III to this Act coming from the present Member States.

2. The restrictions referred to in paragraph 1 shall take the form of quotas. The quotas for 1981 are listed in Annex III.

3. The minimum rate of progressive increase for such quotas shall be 25 % at the beginning of each year for quotas expressed in units of account, and 20 % at the beginning of each year for quotas expressed in terms of volume. Such increase 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 the volume shall be raised by at least 20 % a year and the quota relating to the 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 the value by 20 % a year.

4. Where the Commission records by a decision that imports into Greece of a product listed in Annex III have for two consecutive years been less than 90 % of the quota, the Hellenic Republic shall liberalize imports of that product from the present Member States.

5. Quotas for fertilizers falling within heading Nos 31.02, 31.03 and subheadings 31.05 A I, II and IV of the Common Customs Tariff shall also constitute transitional measures required in order to abolish exclusive import rights. Such quotas shall be accessible to all importers in Greece and products imported under the said quotas may not be made subject in Greece to exclusive marketing rights.

### Article 37

Notwithstanding Article 35, the present Member States and the Hellenic Republic may, in trade between the

present Member States and Greece, retain restrictions on imports of waste and scrap metal of iron or steel falling within heading No 73.03 of the Common Customs Tariff for a period of two years from 1 January 1981, in so far as these arrangements are not more restrictive than those applied to exports to third countries.

### Article 38

Notwithstanding Article 35, import deposits and cash payments in force in Greece on 31 December 1980 with regard to imports from the present Member States 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 %.

### Article 39

1. Notwithstanding Article 35, the 8 % general preference applied in Greece to public contracts shall be progressively eliminated by the Hellenic Republic in accordance with the same timetable as that established in Article 25 for the abolition of customs duties on imports between Greece and the Community as at present constituted.

2. Notwithstanding Article 35, the Hellenic Republic may, for two years from the 1 January 1981, postpone opening its lists of approved suppliers to Community suppliers.

### Article 40

1. Without prejudice to the provisions of paragraph 2 of this Article, the Hellenic Republic shall, from 1 January 1981 progressively adjust State monopolies of a commercial character within the meaning of Article 37 (1) of the EEC Treaty so as to ensure that by 31 December 1985 no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States.

The present Member States shall have equivalent obligations in relation to the Hellenic Republic.

The Commission shall make recommendations as to the manner in which and the timetable according to which the adjustment provided for in the first subparagraph above must be carried out, it being understood that the manner and timetable must be the same for the Hellenic Republic and the present Member States.

2. The Hellenic Republic shall, from 1 January 1981, abolish all exclusive export rights. It shall also abolish, on the same date exclusive rights on imports of copper sulphate falling within subheading ex 28.38 A II of the Common Customs Tariff, saccharin falling within subheading ex 29.26 A I of the Common Customs Tariff and flimsy paper falling within heading No ex 48.18 of the Common Customs Tariff.

### CHAPTER 3

#### Other provisions

##### *Article 41*

1. The Commission shall, with due regard for the provisions in force, in particular those relating to Community transit, determine the methods of administrative cooperation designed to ensure that goods fulfilling the requisite conditions benefit, from 1 January 1981, from the abolition of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect.

2. The Commission shall lay down the provisions applicable from 1 January 1981 to trade within the Community in goods obtained in the Community in the manufacture of which have been incorporated:

- products on which the customs duties or charges having equivalent effect which were applicable to them in the Community as at present constituted or in Greece have not been levied, or which have benefited from a total or partial drawback of such duties or charges,
- agricultural products which do not fulfil the conditions required for admission to free movement in the Community as at present constituted or in Greece.

In adopting these provisions, the Commission shall take into account the rules laid down in this Act for the elimination of customs duties between the Community

as at present constituted and Greece, and for the progressive introduction by the Hellenic Republic of the Common Customs Tariff and the provisions relating to the common agricultural policy.

##### *Article 42*

1. Save as otherwise provided in this Act, the provisions in force with regard to customs legislation for trade with third countries shall apply under the same conditions to trade within the Community, for such time as customs duties are levied in that trade.

For the purpose of establishing the customs value in respect of trade within the Community, and trade with third countries, until 1 January 1986 the customs territory to be taken into consideration shall be that defined by the provisions existing in the Community and in the Hellenic Republic on 31 December 1980.

2. The Hellenic Republic shall apply the Common Customs Tariff and ECSC unified nomenclatures in trade within the Community from 1 January 1981.

The Hellenic Republic may include within these nomenclatures national subdivisions existing at the time of accession which are indispensable in order that the progressive elimination of its customs duties within the Community be carried out under the conditions laid down in this Act.

##### *Article 43*

1. Where the compensatory amounts referred to in Article 61 are applied in trade between the Community as at present constituted and Greece on one or more of the basic products considered as having been used in the manufacture of goods covered by Regulation (EEC) No 1059/69 determining the system of trade applicable to certain goods processed from agricultural products, Regulation (EEC) No 2730/75 on glucose and lactose and Regulation (EEC) No 2783/75 on the common system of trade for ovalbumin and lactalbumin, the following transitional measures shall be applied:

- a compensatory amount calculated on the basis of the compensatory amounts referred to in Article 61 and in accordance with the rules laid down by Regulation (EEC) No 1059/69 for calculating the variable component applicable to the goods covered by this Regulation shall be applied on impor-

tation of those goods into the Community from Greece,

- when the goods covered by Regulation (EEC) No 1059/69 are imported from third countries into Greece the variable component laid down by this Regulation shall be increased or reduced as the case may be by the compensatory amount referred to in the first indent,
- a compensatory amount determined on the basis of the compensatory amounts fixed for the basic products and in accordance with the rules applicable for the calculation of the refunds provided for in Regulation (EEC) No 2682/72 laying down the general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds shall for the goods covered by this Regulation with the exception of albumins be applied on exportation of those goods from the Community into Greece,
- on importation into Greece from third countries and from the Community and into the Community from Greece of products covered by Regulations (EEC) No 2730/75 and (EEC) No 2783/75 there shall be applied a compensatory amount calculated on the basis of the compensatory amounts referred to in Article 61 and in accordance with the rules laid down by the above Regulations for the calculation of the import charge,
- where products covered by Regulations (EEC) No 2682/72 and (EEC) No 2730/75 are exported from Greece to third countries they shall be subject to the compensatory amounts referred to in the third or fourth indent respectively.

2. If, during the application of compensatory amounts, there should be deflections in trade in the products covered by Regulations (EEC) No 2783/75 and (EEC) No 2730/75 the Commission may take appropriate corrective measures.

3. The customs duty constituting the fixed component of the charge applicable on importation into Greece from third countries to goods covered by Regulation (EEC) No 1059/69 shall be determined by excluding from the total protection applied by the Hellenic Republic on the date of accession the agricultural protection to be introduced taking into consideration the transitional measures mentioned in paragraph 1.

Each fixed component determined in accordance with the first subparagraph applied by the Hellenic Republic

to imports from third countries shall be aligned upon the Common Customs Tariff in accordance with the timetable laid down in Article 31. However, if the fixed component to be applied by the Hellenic Republic upon accession is lower than the fixed component in the Common Customs Tariff, the Hellenic Republic may align upon the latter immediately upon accession. Moreover the fixed components determined in accordance with the first subparagraph shall take account, as far as possible, of any particular difficulties which the Hellenic Republic foresees for specific products.

4. The Hellenic Republic shall, for the goods covered by Regulations (EEC) No 1059/69, (EEC) No 2682/72 and (EEC) No 2730/75, apply in full the Common Customs Tariff nomenclature upon accession.

5. The Hellenic Republic shall upon accession abolish any charges having equivalent effect to customs duties other than those provided for in paragraphs 1, 2 and 3 for products covered by Regulation (EEC) No 1059/69 and any export aid or aid having equivalent effect to export aid for products covered by Regulations (EEC) No 2682/72 and (EEC) No 2730/75 <sup>(1)</sup>.

On imports from the Community the Hellenic Republic shall upon accession abolish any quantitative restrictions as well as all measures having equivalent effect to quantitative restrictions for products covered by Regulations (EEC) No 1059/69, (EEC) No 2730/75 and (EEC) No 2783/75.

6. The Council shall, acting by a qualified majority on a proposal from the Commission, adopt provisions to implement this Article.

### TITLE III

## FREE MOVEMENT OF PERSONS, SERVICES AND CAPITAL

### CHAPTER I

#### Workers

#### Article 44

The provisions of Article 48 of the EEC Treaty shall only apply in relation to the freedom of movement of workers between the present Member States and

<sup>(1)</sup> Article 43(5), first subparagraph, as amended by the corrigendum appearing in the OJ of the EC, No L 346 of 2 December 1981.

Greece subject to the transitional provisions laid down in Articles 45, 46 and 47 of this Act.

#### *Article 45*

1. Articles 1 to 6 and 13 to 23 of Regulation (EEC) No 1612/68 on the freedom of movement of workers within the Community shall only apply in the present Member States with regard to Hellenic nationals and in Greece with regard to nationals of the present Member States as from 1 January 1988.

The present Member States and the Hellenic Republic may maintain in force until 1 January 1988, with regard to Hellenic nationals and to nationals of the present Member States respectively, national provisions submitting to prior authorization immigration undertaken with a view to pursuing an activity as an employed person and/or the taking up and pursuit of paid employment.

2. Article 11 of Regulation (EEC) No 1612/68 shall only apply in the present Member States with regard to Hellenic nationals and in Greece with regard to nationals of the present Member States as from 1 January 1986.

However the members of workers' families, within the meaning of Article 10 of Regulation (EEC) No 1612/68 shall have the right to be employed in the territory of the Member State where they have settled with the worker, if they are resident for at least three years in this territory. This period of residence shall be reduced to 18 months as from 1 January 1984.

The rules of this paragraph shall not prejudice more favourable national provisions.

#### *Article 46*

In so far as certain provisions of Directive 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families, may not be dissociated from those of Regulation (EEC) No 1612/68 whose application is deferred pursuant to Article 45, the present Member States and the Hellenic Republic may derogate from these provisions, in so far as is necessary for the application of the provisions for derogation which are laid down in Article 45 in connection with the said Regulation.

#### *Article 47*

The present Member States and the Hellenic Republic shall take, with the assistance of the Commission, the necessary measures so that the application of the Commission Decision of 8 December 1972 on the uniform system established pursuant to Article 15 of Council Regulation (EEC) No 1612/68, known as 'Sedoc' and the Commission Decision of 14 December 1972 on the 'Community plan' for the collection and circulation of information provided for in Article 14 (3) of Council Regulation (EEC) No 1612/68 may be extended to Greece on 1 January 1988 at the latest.

#### *Article 48*

Until 31 December 1983, the provisions of Articles 73 (1) and (3), 74 (1) and 75 (1) of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community, and Articles 86 and 88 of Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71 shall not apply to Greek workers employed in a Member State other than Greece, whose family members are resident in Greece.

The provisions of Articles 73 (2), 74 (2) and 75 (2) of Regulation (EEC) No 1408/71, and Articles 87, 89 and 98 of Regulation (EEC) No 574/72 shall apply by analogy to these workers.

However, the legislative provisions of a Member State laying down that family benefits shall be payable to a worker irrespective of the country where members of his family reside shall not be prejudiced.

## CHAPTER 2

### **Capital movements and invisible transactions**

#### Section I

#### **Capital movements**

#### *Article 49*

1. The Hellenic Republic may, under the conditions and within the time limits set out in Articles 50 to 53, defer the liberalization of capital movements provided

for in the First Council Directive of 11 May 1960 for the implementation of Article 67 of the EEC Treaty and in the Second Council Directive of 18 December 1962 adding to and amending the First Directive for the implementation of Article 67 of the EEC Treaty.

2. Appropriate consultations shall take place in due course between the Hellenic authorities and the Commission about procedures for applying measures of liberalization or relaxation, the implementation of which may be deferred under the following provisions.

#### *Article 50*

1. The Hellenic Republic may defer:

- (a) until 31 December 1985 the liberalization of direct investments in the present Member States made by persons resident in Greece;
- (b) until 31 December 1983 the liberalization of the transfer of the proceeds of the liquidation of direct investments in Greece made before 12 June 1975 by persons resident in the Community. During the period of application of this temporary derogation, the general or special facilities relating to the free transfer of the proceeds of the liquidation of these investments and existing by virtue of Hellenic arrangements or of agreements governing relations between the Hellenic Republic and any present Member State shall be maintained and applied in a non-discriminatory manner.

2. Recognizing that it is desirable to proceed, from 1 January 1981, to a substantial relaxation in the rules concerning the operations referred to in paragraph 1 (a), the Hellenic Republic will endeavour to take appropriate measures to this end.

#### *Article 51*

1. The Hellenic Republic may defer until 31 December 1985:

- (a) the liberalization of real estate investments, in a present Member State, by persons resident in Greece who do not fall within the category of those who emigrate in the context of freedom of movement for workers and self-employed persons;

- (b) the liberalization of real estate investment, in a present Member State, by self-employed persons resident in Greece who emigrate, other than investments connected with their establishment.

2. The repatriation of the proceeds from the liquidation of real estate investments situated in Greece and acquired before accession by persons resident in the present Member States shall be the subject of a gradual liberalization through the inclusion of the operations in question in the liberalization system introduced for the funds blocked in Greece as defined in Article 52.

#### *Article 52*

Funds blocked in Greece belonging to persons resident in the present Member States shall be progressively released by equal annual instalments starting from accession until 31 December 1985, in six stages, the first of which shall begin on 1 January 1981.

Capital on deposit in each blocked fund on 1 January 1981 or which may be paid into blocked funds between this date and 31 December 1985 shall be released, at the beginning of each stage, successively by one-sixth, one-fifth, a quarter, a third and a half of the amount on deposit at the beginning of each of these stages.

On 1 January 1986 blocked funds belonging to persons resident in the present Member States shall be abolished.

#### *Article 53*

The Hellenic Republic may defer until 31 December 1985 the liberalization of the operations set out in List B annexed to the Directives referred to in Article 49, and carried out by persons resident in Greece.

However, operations in securities issued by the Communities and by the European Investment Bank carried out by persons resident in Greece shall be the subject of progressive liberalization over this period as follows:

- (a) for 1981 these operations may be limited to 20 million European units of account;
- (b) this ceiling shall then be raised, at the beginning of each year by 20 % in relation to that fixed for 1981.



**Invisible transactions***Article 54*

1. The Hellenic Republic may, until 31 December 1985 and under the conditions set out in paragraph 2, maintain restrictions on transfers relating to tourism.
2. On 1 January 1981, the annual tourist allowance per person may not be less than 400 European units of account.

From 1 January 1982, this allowance shall be increased each year by at least 20% in relation to the annual amount fixed for 1981.

## Section 3

**General provisions***Article 55*

The Hellenic Republic will, circumstances permitting, carry out the liberalization of capital movements and invisible transactions referred to in Articles 50 to 54 before the expiry of the time limits laid down in those Articles.

*Article 56*

For the purpose of implementing the provisions of this Chapter, the Commission may consult the Monetary Committees and submit appropriate proposals to the Council.

## TITLE IV

**AGRICULTURE**

## CHAPTER I

**General provisions***Article 57*

Save as otherwise provided in this Title, the rules provided for in this Act shall apply to agricultural products.

1. This Article shall apply to prices in respect of which, in Chapter 2, reference is made to this Article.

2. Before the first move towards price alignment referred to in Article 59, the prices to be applied in Greece shall be fixed, in accordance with the rules provided for in the common organization of the market in the sector in question, at a level which allows producers in that sector to obtain market prices equivalent to those obtained, for a representative period to be determined for each product, under the previous national system.

However, in the absence of price data in respect of certain products on the Greek market, the price to be applied in that Member State shall be calculated on the basis of the prices obtaining in the Community as at present constituted of similar products or groups of similar products, or products with which they are in competition.

*Article 59*

1. If the application of the provisions of this Title results in a price level different from that of the common prices, the prices in respect of which, in Chapter 2, reference is made to this Article shall, subject to paragraph 4, be aligned with the level of the common prices each year at the beginning of the marketing year in accordance with the provisions of paragraphs 2 and 3.

2. As regards:

— tomatoes and peaches falling within Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables,

and

— products processed from tomatoes or peaches, falling within Regulation (EEC) No 516/77 on the common organization of the market in products processed from fruit and vegetables,

alignment shall be carried out in seven stages as follows:

(a) when the price of a product in Greece is lower than the common price, the price in that Member State shall, at the time of the first six moves towards alignment, be increased successively, by a seventh, a sixth, a fifth, a quarter, a third and a half of the difference between the price level in that Member State and the common price level which are appli-

cable before each move towards alignment; the price resulting from this calculation shall be increased proportionately to any rise in the common price for the next marketing year; the common price shall be applied at the time of the seventh move towards alignment;

- (b) when the price of a product in Greece is higher than the common price, the difference between the price level applicable before each move towards alignment in the Member State and the common price level applicable for the next marketing year shall be reduced successively, at the time of the first six moves towards alignment by a seventh, a sixth, a fifth, a quarter, a third and a half; the common price shall be applied at the time of the seventh move towards alignment.

3. As regards other products, the moves towards alignment shall be carried out in five stages as follows:

- (a) when the price of a product in Greece is lower than the common price, the price applicable in that Member State shall, at the time of the first four moves towards alignment, be increased successively by a fifth, a quarter, a third and a half of the difference between the price level in that Member State and the common price level which are applicable before each move towards alignment; the price resulting from this calculation shall be increased proportionately to any rise in the common price for the next marketing year; the common price shall be applied at the time of the fifth move towards alignment;

- (b) when the price of a product in Greece is higher than the common price, the difference between the price level applicable before each move towards alignment in the Member State and the common price level applicable for the next marketing year shall be reduced successively at the time of the first four moves towards alignment by a fifth, a quarter, a third and a half; the common price shall be applied at the time of the fifth move towards alignment.

4. In the interest of the smooth functioning of the process of integration, the Council, acting in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, may decide that, notwithstanding paragraphs 2 and 3, the price of one or more products in Greece shall for one marketing year depart from the prices resulting from the application of paragraphs 2 or 3.

This departure may not exceed 10 % of the amount of the price move to be made.

In that event, the price level for the following marketing year shall be that which would have resulted from applying paragraphs 2 or 3 if the departure had not been decided upon. A further departure from this price level may, however, be decided upon for that marketing year in accordance with the conditions in the first and second subparagraphs.

The derogation laid down in the first subparagraph shall not apply to the last move towards alignment referred to in paragraphs 2 or 3.

#### *Article 60*

The Council, acting in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty may decide that the common price shall be applied to Greece for a specified product:

- (a) if it is found that the difference between the price level for the product in question in this Member State and the common price level is minimal;
- (b) if the price in Greece or the price on the world market for the product in question is higher than the common price.

#### *Article 61*

The differences in price levels in respect of which, in Chapter 2, reference is made to this Article shall be compensated as follows:

1. For products in respect of which prices are fixed in accordance with Articles 58 and 59, the compensatory amounts applicable in trade between the Community as at present constituted and Greece, and between Greece and third countries, shall be equal to the difference between the prices fixed for Greece and the common prices.
2. No compensatory amount shall, however, be fixed if the application of paragraph 1 results in a minimal amount.
3. (a) In trade between Greece and the Community as at present constituted, compensatory amounts shall be levied by the importing State or granted by the exporting State.

- (b) In trade between Greece and third countries, levies or other import charges applied under

the common agricultural policy, and export refunds, shall be reduced or increased, as the case may be, by the compensatory amounts applicable in trade with the Community as at present constituted. Customs duties may not, however, be reduced by the compensatory amount.

4. For products in respect of which the duty in the Common Customs Tariff is bound under the General Agreement on Tariffs and Trade, the binding shall be taken into account.
5. The compensatory amount levied or granted by a Member State in accordance with paragraph 1 may not exceed the total amount levied by that same Member State on imports from third countries, benefiting from the most-favoured-nation clause.

The Council, acting by a qualified majority on a proposal from the Commission, may derogate from this rule, in particular in order to avoid deflections of trade and distortions of competition.

6. The Council, acting by a qualified majority on a proposal from the Commission, may derogate, in so far as is necessary for the proper functioning of the common agricultural policy, from the first subparagraph of Article 42 (1) for products to which compensatory amounts apply.

#### *Article 62*

If the world market price for a product is higher than the price used in calculating the import charge introduced under the common agricultural policy, less the compensatory amount deducted from the import charge in accordance with Article 61, or if the refund on exports to third countries is less than the compensatory amount, or if no refund is applicable, appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market.

#### *Article 63*

The compensatory amounts granted shall be financed by the Community from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### *Article 64*

The following provisions shall apply to products the importation of which from third countries into the Community as at present constituted is subject to customs duties:

1. Customs duties on imports shall be progressively abolished between the Community as at present constituted and Greece on the dates and following the timetable laid down in Article 25.

However, for products falling within Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, customs duties on imports shall be progressively abolished in five stages by 20 % at the beginning of each of the five marketing years following accession.

If, for products referred to in paragraph 2 (b) the duties in the Common Customs Tariff are less than the basic duties, the latter shall, for the application of this paragraph, be replaced by the duties in the Common Customs Tariff.

2. (a) For the purpose of the progressive introduction of the Common Customs Tariff, the Hellenic Republic shall reduce the difference between the basic duty and the duty in the Common Customs Tariff under the conditions, on the dates and following the timetable laid down in Article 31.
- (b) Notwithstanding point (a), the duty in the Common Customs Tariff shall be applied by the Hellenic Republic in its entirety as from 1 January 1981 for the following products:
  - products falling within Regulation (EEC) No 805/68,
  - products falling within Regulation (EEC) No 1035/72 and for which, for the whole or part of the marketing year, a reference price is fixed,
  - products falling within Regulation (EEC) No 100/76 on the common organization of the market in fishery products and for which a reference price is fixed,
  - products falling within Regulation (EEC) No 337/79 on the common organization of the market in wine and for which a reference price is fixed.

3. For the purposes of paragraphs 1 and 2 the basic duty shall be as defined in Article 24.

As regards products falling within Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats the basic duties shall be fixed as follows:

CCT heading No	Description	Rate of basic duty to be considered as the rate actually applied by the Hellenic Republic on 1 July 1980	
		<i>vis-à-vis</i> third countries	<i>vis-à-vis</i> the Community as at present constituted
12.01	Oil seed and oleaginous fruit, whole or broken: ex B. Other, except linseed and castor seed	40 %	36 %
12.02	Flours or meals of oil seeds or oleaginous fruit, non-defatted (excluding mustard flour): ex B. Other, except linseed and castor seed		
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: ex D. Other oils, except — Linseed oil — Coconut (copra) oil and palm oil, for technical or industrial uses other than the manufacture of foodstuffs for human consumption	130 %	104 %
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared: A. In immediate packings of a net capacity of 1 kg or less B. Other		

4. In respect of products covered by a common organization of the market it may be decided in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC or, as the case may be, in corresponding Articles of other Regulations on the common organization of agricultural markets that:

(a) the Hellenic Republic shall be authorized:

- to abolish the customs duties referred to in paragraph 1 or move towards the alignment referred to in paragraph 2 at a more rapid rate than laid down there,
- to suspend in whole or in part the customs duties on products imported from the present Member States,

— to suspend in whole or in part the customs duties on products imported from third countries;

(b) the Community as at present constituted shall:

- abolish the customs duties referred to in paragraph 1 at a more rapid rate than laid down there,
- suspend in whole or in part the customs duties on products imported from Greece.

In respect of other products, no authorization shall be required for the Hellenic Republic to apply the measures referred to in the first and second indents of point (a) of the first subparagraph. The Hellenic

Republic shall inform the other Member States and the Commission of measures taken.

The customs duties resulting from an accelerated alignment may not be less than the customs duties on imports of the same products from other Member States.

#### *Article 65*

1. In respect of products covered, on the date of accession, by a common organization of the market, the system applicable in the Community as at present constituted in respect of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect shall, subject to Articles 61, 64 and 115, apply in Greece as from 1 January 1981.

2. In respect of products not covered, on the date of accession, by a common organization of the market, the provisions of Title II concerning the progressive abolition of charges having equivalent effect to customs duties and of quantitative restrictions and measures having equivalent effect shall not apply to those charges, restrictions and measures if they form part of a national market organization on the date of accession.

This provision shall only apply until the common organization of the market for these products is implemented and not later than 31 December 1985 and to the extent strictly necessary to ensure the maintenance of the national organization.

3. The Hellenic Republic shall apply the Common Customs Tariff nomenclature as from 1 January 1981, in respect of products falling within Annex II to the EEC Treaty.

To the extent that no difficulties arise in the application of the Community rules and, in particular, in the functioning of the common organization of markets and of the transitional mechanisms provided for in this Title, the Council, acting by a qualified majority on a proposal from the Commission, may authorize the Hellenic Republic to include within this nomenclature such existing national subdivisions as would be indispensable for carrying out the progressive moves towards alignment with the Common Customs Tariff or the elimination of the duties in the Community under the conditions laid down in this Act.

#### *Article 66*

1. The component for protection of the processing industry which is used in calculating the charge on imports from third countries of products covered by the common organization of the markets in cereals and rice shall be levied on imports from Greece into the Community as at present constituted.

2. For imports into Greece, the amount of that component shall be determined by separating out, from the total protection applied on 1 January 1979, the component or components designed to ensure the protection of the processing industry.

Such component or components shall be levied on imports from other Member States; they shall replace, as regards the charge on imports from third countries, the Community protective component.

3. Article 64 shall apply to the component referred to in paragraphs 1 and 2, which shall be considered as the basic component. The reductions or alignments in question shall, however, be made in five stages by 20 % at the beginning of the five marketing years following accession fixed for the basic product concerned.

#### *Article 67*

In fixing the level of the various amounts laid down within the common agricultural policy, except for the prices referred to in Article 58, account shall be taken for Greece, to the extent necessary for the proper functioning of the common agricultural policy, of the compensatory amount applied, or in absence thereof, of the difference in prices recorded and, where appropriate, of the incidence of customs duties.

#### *Article 68*

1. The provisions of this Article shall apply to aids, premiums or other analogous amounts instituted under the common agricultural policy for which, in Chapter 2, reference is made to this Article.

2. For the purposes of introducing Community aid in Greece, the following provisions shall apply:

(a) the level of Community aid to be granted for a specific product in Greece as from 1 January 1981 shall be equal to an amount defined on the basis of

aids granted by Greece, for a representative period to be determined, under the previous national system. However, this amount may not exceed the amount of aid granted on the date of accession in the Community as at present constituted. If no analogous aid was granted under the previous national system, and subject to the following provisions, no Community aid shall be granted to Greece on the date of accession;

(b) thereafter, either Community aid shall be introduced in Greece, or the level of Community aid in Greece shall, where there is a difference, be aligned with aid granted in the Community as at present constituted in accordance with the following timetable:

- at the beginning of each of the four marketing years — or in the absence of a period of application of the aid, following accession, successively by a fifth, a quarter, a third and a half:
  - either of the amount of Community aid applicable for the next marketing year or period,
  - or of the difference between the level of aid in Greece and the level of aid applicable in the Community as at present constituted for the next marketing year or period,
- the level of Community aid shall be applied in its entirety in Greece at the beginning of the fifth marketing year or the period of application of the aid following accession.

#### *Article 69*

1. Without prejudice to the provisions of Article 68, the Hellenic Republic shall be authorized to maintain national aids on a transitional basis and in a degressive manner until 31 December 1985. However, a derogation may be made to the principle of degressivity for Greek national aids that are to be assessed by taking into consideration the scope of the socio-structural Directives referred to in Annex IV.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt as from accession, the necessary measures for the implementation of the provisions of this Article. These measures

shall include in particular the list and the exact wording of the aids referred to in paragraph 1, the amount of the aids and the timetable of their abolition, and detailed rules necessary to ensure the proper functioning of the common agricultural policy; these detailed rules must, in addition, ensure that the means of production, whether they originate from Greece or from the present Member States, enjoy equal access to the Greek market.

#### *Article 70*

1. Until the entry into force of the supplementary provisions to be adopted by the Community, and:

- at the latest until the beginning of the first marketing year following accession for products referred to in paragraph 2 (a),
- at the latest until 31 December 1985 for products referred to in paragraph 2 (b),

the Hellenic Republic shall be authorized to maintain for these products amongst the measures in force under the previous national system in its territory for a representative period to be determined those measures which are strictly necessary in order to maintain the income of the Greek producer at the level obtained under the previous national system.

2. The products referred to in paragraph 1 are as follows:

- (a) dried figs falling within subheading 08.03 B of the Common Customs Tariff,
  - dried grapes falling within subheading 08.04 B of the Common Customs Tariff;
- (b) olives for uses other than the production of oil falling within subheadings 07.01 N I, ex 07.02 A, 07.03 A I, ex 07.04 B, ex 20.01 B, ex 20.02 F of the Common Customs Tariff.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall establish as from accession the measures referred to in paragraph 1 that the Hellenic Republic shall be authorized to maintain.

#### *Article 71*

Any stock of products in free circulation in Greek territory on 1 January 1981 and which in quantity exceeds what may be considered representative of a normal carry-over stock must be eliminated by and at the

expense of the Hellenic Republic under Community procedures to be specified and within time limits to be determined.

#### Article 72

1. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the provisions necessary for implementing this Title.

2. The Council, acting unanimously on a proposal from the Commission after consulting the European Parliament, may make the adaptations to the provisions appearing in this Title, which may prove to be necessary as a result of a modification in Community rules.

#### Article 73

1. If transitional measures are necessary to facilitate the passage from the existing arrangements in Greece to those resulting from the application of the common organization of the markets as provided for in this Title, particularly if for certain products the implementation of the new arrangements on the scheduled date meets with appreciable difficulties, such measures shall be adopted in accordance with the procedure provided for in Article 38 of Regulation No 136/66/EEC or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets. Such measures may be taken during the period up to 31 December 1982, but their application may not extend beyond that date.

2. The Council may, acting unanimously on a proposal from the Commission after consulting the European Parliament, extend the period referred to in paragraph 1.

### CHAPTER 2

#### Provisions relating to certain common organizations of markets

##### Section 1

#### Fruit and vegetables

#### Article 74

For fruit and vegetables, Article 59 shall apply to basic prices.

The basic price shall be fixed in Greece, at the time of accession, taking into account the difference between the average producer prices in Greece and in the Community as at present constituted, recorded over a reference period to be determined.

#### Article 75

1. A compensatory mechanism shall be introduced on importation, into the Community as at present constituted, for fruit and vegetables coming from Greece for which an institutional price is fixed.

2. This mechanism shall be governed by the following rules:

(a) A comparison shall be drawn between the offer price of the Greek products, as calculated in (b) and a Community offer price calculated annually on the one hand, on the basis of the arithmetical average of producer prices of each Member State of the Community as at present constituted increased by the transport and packaging costs borne by the products from the areas of production up to the representative centres of Community consumption and, on the other hand, taking into account the trend of production costs. The above-mentioned producer prices shall correspond to an average of the price quotations recorded over the three years prior to the date of fixing the above-mentioned Community offer price. The annual Community price may not exceed the level of the reference price applied *vis-à-vis* third countries. This Community offer price shall be reduced by 3 % at the time of the first move towards price alignment referred to in Article 59, by 6 % at the time of the second move, 9 % at the time of the third move, by 12 % at the time of the fourth move, by 15 % at the time of the fifth move and, as regards peaches and tomatoes, by 18 % at the time of the sixth move, and by 21 % at the time of the seventh move.

(b) The offer price of the Greek products shall be calculated, each market day, on the basis of the representative price quotations recorded or reduced to the importer-wholesaler stage in the Community as at present constituted. The price for products coming from Greece shall be equal to the lowest representative price quotation or the average of the lowest representative price quotations recorded for at least 30 % of the quantities of the products in question marketed throughout the representative markets for which price quotations are available. This

or these price quotations shall be reduced by any corrective amount that may be introduced in accordance with the provisions laid down hereinafter in (c).

- (c) If the Greek price, thus calculated, shall be less than the Community price, as indicated in (a), a corrective amount equal to the difference between these two prices shall be levied on importation into the Community as at present constituted by the importing Member State. If the daily offer price of the Community product calculated from the markets of the centres of consumption is at a lower level than that of the Community price as defined in (a), the corrective amount may, however, not exceed the difference between, on the one hand, the arithmetical average of these two prices and, on the other hand, the price of the Greek product.
- (d) The corrective amount shall be levied until records taken show that the price of the Greek product is equal to or greater than either the Community price as defined in (a) or, where appropriate, the arithmetical average of Community prices referred to in (c).

3. The compensatory mechanism provided for in this Article shall remain in force:

- (a) until 31 December 1987 for the products referred to in Article 59 (2);
- (b) until 31 December 1985 for the products referred to in Article 59 (3).

4. If the Greek market is disturbed by the fact of imports from the present Member States, appropriate measures, which may provide for a compensatory mechanism similar to that provided for in the preceding paragraphs, may be decided in respect of imports into Greece of fruit and vegetables from the Community as at present constituted for which an institutional price is fixed.

#### *Article 76*

Article 68 shall apply to the financial compensation referred to in Article 6 of Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit.

This financial compensation shall be considered as an aid which is not granted in Greece under the previous national system.

#### *Article 77*

The minimum price and the financial compensation applicable in Greece, laid down in Articles 2 and 3 of

Regulation (EEC) No 2601/69 laying down special measures to encourage the processing of certain varieties of oranges and to Articles 1 and 2 of Regulation (EEC) No 1035/77 laying down special measures to encourage the marketing of products processed from lemons, shall be fixed as follows:

1. Until the first move towards price alignment referred to in Article 59, the minimum price applicable shall be established on the basis of prices paid in Greece to producers of citrus for processing, recorded during a representative period to be determined, under the previous national system. The financial compensation shall be that of the Community as at present constituted, less, where appropriate, the difference between, on the one hand, the common minimum price and, on the other hand, the minimum price applicable in Greece.
2. For fixing subsequent prices, the minimum price applicable in Greece shall be aligned on the common minimum price in accordance with the provisions laid down in Article 59. The financial compensation applicable in Greece at the time of each stage of alignment shall be that of the Community as at present constituted less, where appropriate, the difference between, on the one hand, the common minimum price, and, on the other hand, the minimum price applicable in Greece.
3. However, if the minimum price resulting from the application of paragraph 1 or 2 shall be greater than the common minimum price, the latter price may be definitively adopted for Greece.

#### *Article 78*

Until 31 December 1987, the Hellenic Republic shall be authorized to lay down for all the producers of fruit and vegetables the obligation of marketing through local markets all their fruit and vegetable production, which is subject to common quality standards.

#### *Section 2*

#### *Oils and fats*

#### *Article 79*

1. For olive oil, Articles 58, 59 and 61 shall apply at intervention prices.



However, the compensatory amount which results from the application of Article 61 shall be corrected, where appropriate, by the incidence of the difference between Community aids to consumption applicable in the Community as at present constituted and in Greece.

2. For oil seeds, target prices and guide prices shall be fixed on the basis of the difference existing between the price of competing products in crop rotation in Greece and in the Community as at present constituted, during a reference period to be determined. If the prices of these competing products are close, the common price shall be applicable in Greece as from accession. If the contrary holds true, Article 59 shall apply to the target or guide prices fixed for these products. However the target or guide prices to be applied in Greece may not exceed the common target or guide prices.

#### *Article 80*

Notwithstanding Article 67, at the time of fixing the level of the various amounts laid down for oil seeds other than the prices referred to in Article 79 (2) account shall be taken, for Greece, to the extent necessary for the proper functioning of the common organization of the market for these products, of the difference arising from the application of Article 79 (2).

#### *Article 81*

1. Article 68 shall apply to aid for olive oil. However the first move towards alignment concerning production aid for this product shall occur on 1 January 1981.

To this end, the level of Community production aid to be adopted for the calculation of the level of aid applicable in Greece shall be that fixed for the marketing year obtaining on the date of accession.

The second stage of alignment shall occur at the beginning of the second marketing year following accession, the only possible movement at the beginning of the first marketing year being that resulting, where appropriate, from the modification of Community aid applicable in the Community as at present constituted.

2. The amount of aid for colza, rape, sunflower and castor seeds harvested in Greece shall be adjusted by

the difference existing, where appropriate, between the target for guide price applicable in Greece and in the Community as at present constituted.

Without prejudice to the application of the first subparagraph, the amount of aid for colza, rape, sunflower and castor seeds processed in Greece shall be reduced by the incidence of the customs duties applied by the Hellenic Republic to the import of these products from third countries.

3. The amount of aid for soya beans and linseed harvested in Greece shall be adjusted by the difference existing, where appropriate, between guide prices applicable in Greece and in the Community as at present constituted and reduced by the incidence of customs duties applied by the Hellenic Republic to the import of these products from third countries.

#### *Article 82*

The Hellenic Republic may apply until 31 December 1983 and in accordance with detailed rules to be defined the system of import control of oil seeds and vegetable oils and fats that it applies on 1 January 1979.

#### *Section 3*

##### **Milk and milk products**

#### *Article 83*

Articles 58, 59 and 61 shall apply to the intervention prices for butter and skimmed-milk powder.

#### *Article 84*

The compensatory amount for milk products other than butter and skimmed-milk powder shall be fixed with the help of coefficients to be determined.

#### *Section 4*

##### **Beef and veal**

#### *Article 85*

Articles 58, 59 and 61 shall apply to the prices for adult bovine animals in Greece and in the Community as at present constituted.

*Article 86*

The compensatory amount for products referred to in the Annex to Regulation (EEC) No 805/68 shall be fixed with the help of coefficients to be determined.

Section 5

**Tobacco**

*Article 87*

1. Article 58 shall apply to the intervention price fixed for each variety or group of varieties.

2. The norm price corresponding to the intervention price referred to in paragraph 1 shall be fixed in Greece for the first harvest following accession at a level that shall reflect the relation existing between the norm price and the intervention price, in accordance with the second subparagraph of Article 2 (2) of Regulation (EEC) No 727/70 on the common organization of the market in raw tobacco.

3. For the four following harvests this norm price shall be:

- (a) fixed in accordance with the criteria laid down in the first subparagraph of Article 2 (2) of Regulation (EEC) No 727/70 taking, however, into account the aids that the Hellenic Republic is authorized to maintain for tobacco pursuant to Article 69;
- (b) increased in four stages, the first increase occurring for the second harvest following accession by the incidence of the reduction in national aids that the Hellenic Republic is authorized to maintain in a degressive fashion for tobacco pursuant to Article 69.

*Article 88*

Notwithstanding Article 71, any stock of tobacco existing in Greece coming from harvests prior to accession must be entirely eliminated by and at the expense of the Hellenic Republic under Community procedures to be specified and in accordance with time limits to be determined.

Section 6

**Flax and hemp**

*Article 89*

Article 68 shall apply to aid for fibre flax and hemp.

Section 7

**Hops**

*Article 90*

Article 68 shall apply to aid for hops.

Section 8

**Seeds**

*Article 91*

Article 68 shall apply to aid for seeds.

Section 9

**Silk worms**

*Article 92*

Article 68 shall apply to aid for silk worms.

Section 10

**Sugar**

*Article 93*

Articles 58, 59 and 61 shall apply to the intervention price for white sugar and the minimum price for beet.

#### *Article 94*

Compensatory amounts for products, other than fresh beet, in Article 1 (1) (b) and for products in Article 1 (1) (d) of Regulation (EEC) No 3330/74 on the common organization of the market in sugar shall be derived from the compensatory amount for the primary product in question, with the help of coefficients to be determined.

#### *Article 95*

The amount referred to in Article 26 (3) of Regulation (EEC) No 3330/74 applicable in Greece shall be adjusted by the compensatory amount.

#### Section 11

##### **Cereals**

#### *Article 96*

For cereals, Articles 58, 59 and 61 shall apply to the intervention price and, for common wheat, to the reference price.

#### *Article 97*

The compensatory amounts shall be fixed as follows:

1. The compensatory amount applicable until the first move towards alignment in the case of cereals for which no intervention price is fixed shall be derived from the compensatory amount applicable in the case of a competing cereal for which an intervention price is fixed, account being taken of:
  - the price relationship on the Greek market,
  - or
  - the relationship existing between the threshold prices of the cereals in question.

The subsequent compensatory amounts shall be fixed on the basis of those referred to in the first subparagraph and according to the rules in Article 59 for price alignment.

However, in the case referred to in the first indent of the first subparagraph the relationship adopted must be aligned on the relationship existing between the threshold prices in accordance with the rules laid down in Article 59.

2. The compensatory amount for the products referred to in Article 1 (c) and (d) of Regulation (EEC) No 2727/75 on the common organization of the market in cereals shall be derived from the compensatory amount for cereals to which they relate with the help of coefficients to be determined.
3. Without prejudice to the application of paragraph 2, where products processed from common wheat and durum wheat are concerned, the compensatory amount shall be fixed at a level which also takes into account any national aid that the Hellenic Republic would maintain pursuant to Article 69 for wheat used for the bread grain milling industry.

#### *Article 98*

Article 68 shall apply to aid to durum wheat referred to in Article 10 of Regulation (EEC) No 2727/75.

#### Section 12

##### **Pigmeat**

#### *Article 99*

1. For pigmeat, Articles 58, 59 and 61 shall apply to the price of this product in Greece and in the Community as at present constituted.
2. However, in order to avoid any risk of disturbance in trade between the Community as at present constituted and Greece, the compensatory amount may be calculated on the basis of the compensatory amounts for feed grain. To this end, the compensatory amount per kilogram of pig carcase shall be calculated on the basis of the compensatory amounts applicable to the quantity of grain required for the production in the Community of one kilogram of pigmeat.

Without prejudice to the application of the first subparagraph, the compensatory amount may be fixed at a level that also takes into account the national aid that the Hellenic Republic maintains pursuant to Article 69 for grain used in pig farming.

3. For products, other than pig carcasses, referred to in Article 1 (1) of Regulation (EEC) No 2759/75 on the common organization of the market in pigmeat, the compensatory amount shall be derived from the compensatory amount applied in accordance with paragraphs 1 or 2 with the help of coefficients to be determined.

Section 13

Eggs

Article 100

1. For eggs, Articles 58, 59 and 61 shall apply to the price of these products in Greece and in the Community as at present constituted.

2. However, in order to avoid any risk of disturbance in trade between the Community as at present constituted and Greece, the compensatory amount may be calculated on the basis of compensatory amounts for feed grain. To this end:

- (a) for eggs in shell, the compensatory amount per kilogram of eggs in shell shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one kilogram of eggs in shell;
- (b) for hatching eggs, the compensatory amount per hatching egg shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one hatching egg.

Without prejudice to the application of the first subparagraph the compensatory amount may be fixed at a level that also takes into account the national aid that the Hellenic Republic maintains pursuant to Article 69 for grain used in poultry farming.

3. For the products referred to in Article 1 (1) (b) of Regulation (EEC) No 2771/75 on the common organization of the market in eggs, the compensatory amount shall be derived from the compensatory amount applied in accordance with paragraphs 1 or 2 with the help of coefficients to be determined.

Section 14

Poultrymeat

Article 101

1. For poultrymeat, Articles 58, 59 and 61 shall apply to the price of these products in Greece and in the Community as at present constituted.

2. However, in order to avoid any risk of disturbance in trade between the Community as at present constituted and Greece, the compensatory amount may be calculated on the basis of compensatory amounts for feed grain. To this end:

- (a) for slaughtered poultry, the compensatory amount per kilogram of slaughtered poultry shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one kilogram of slaughtered poultry, differentiated by species;
- (b) for chicks, the compensatory amount applicable per chick shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one chick.

Without prejudice to the application of the first subparagraph the compensatory amount may be fixed at a level that also takes into account the national aid that the Hellenic Republic maintains pursuant to Article 69 for grain used in poultry farming.

3. For the products referred to in Article 1 (2) (d) of Regulation (EEC) No 2777/75 on the common organization of the market in poultrymeat, the compensatory amount shall be derived from the compensatory amount applied in accordance with paragraphs 1 or 2 with the help of coefficients to be determined.

Section 15

Rice

Article 102

1. For rice, Articles 58, 59 and 61 shall apply to the intervention price of paddy rice.

2. The compensatory amount for husked rice shall be the compensatory amount for paddy rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.

3. For wholly milled rice, the compensatory amount shall be the compensatory amount for husked rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.

4. For semi-milled rice, the compensatory amount shall be the compensatory amount for wholly milled rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.

5. For the products referred to in Article 1 (1) (c) of Regulation (EEC) No 1418/76 on the common organization of the market in rice, the compensatory amount shall be derived from the compensatory amount applicable to products to which they are related, with the help of coefficients to be determined.

6. The compensatory amount for broken rice shall be fixed at a level that takes into account the difference existing between the supply price in Greece and the threshold price.

#### Section 16

##### **Products processed from fruit and vegetables**

#### *Article 103*

For products benefiting from the system of aid laid down in Article 3a of Regulation (EEC) No 516/77 on the common organization of the market in products processed from fruit and vegetables, the following provisions shall apply in Greece:

1. Until the first move towards alignment of prices referred to in Article 59 the minimum price referred to in Article 3a (3) of Regulation (EEC) No 516/77 shall be established on the basis of prices paid in Greece to producers for a product for processing, recorded over a representative period to be determined, under the previous national system.
2. If the minimum price referred to in paragraph 1 differs from the common price, the price in Greece shall be modified at the beginning of each market-

ing year following accession, in accordance with the detailed rules laid down in Article 59.

3. The amount of Community aid granted in Greece shall be fixed in such a fashion as to compensate the difference between the level of prices of products of third countries, determined under Article 3a (3) of Regulation (EEC) No 516/77 and the level of prices of Greek products established taking into account the minimum price referred to in paragraph 2, and the processing costs obtaining in Greece, without taking into consideration undertakings which have higher costs. This aid may not however exceed aid granted in the Community as at present constituted.

4. Community aid shall be applied in its entirety in Greece as from the beginning of the seventh marketing year following accession for tomato concentrates, peeled tomatoes, tomato juice and tinned peaches, and as from the beginning of the fifth marketing year following accession for prunes derived from dried plums ('prunes d'Ente').

5. However, if the minimum price resulting from the application of paragraphs 1 or 2 is greater than the common minimum price, the latter price may be definitively adopted for Greece.

#### Section 17

##### **Dried fodder**

#### *Article 104*

1. The guide price referred to in Article 4 of Regulation (EEC) No 1117/78 on the common organization of the market in dried fodder, applicable in Greece on 1 January 1981, shall be fixed at a level equivalent to the world market price increased by any aid granted in Greece, during a reference period to be determined under the previous national system, excepting aids maintained pursuant to Article 69, and customs duties applied on 1 July 1980 by Greece towards third countries. However the guide price, thus determined, may not exceed the common guide price.

2. Article 59 shall apply to the guide price calculated in accordance with the provisions of paragraph 1 if it is less than the common guide price.

3. Supplementary aid applicable in Greece shall be reduced by an amount equal to:

— the difference, if any, existing between the guide price applied in Greece and the common guide price,

and

— the incidence of customs duties applied by Greece to the import of these products from third countries,

this amount being multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78.

4. Article 68 shall apply to the flat-rate aid referred to in Article 3 of Regulation (EEC) No 1117/78.

#### Section 18

#### Peas and field beans

#### Article 105

1. For peas and field beans, the activating price applicable in Greece on 1 January 1981 shall be fixed on the basis of the difference existing between the prices of competing products in crop rotation in Greece and in the Community as at present constituted during a reference period to be determined.

If the prices of these competing products are similar, the common price shall be applicable in Greece as from accession. If the contrary holds true, Article 59 shall apply to the activating price for these products. However, the activating price to be applied in Greece may not exceed the common activating price.

2. The amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1119/78 laying down special measures for peas and field beans used in the feeding of animals, for peas and field beans harvested in Greece, shall be reduced by an amount equal to the difference, if any, existing between the activating price applied in Greece and the common activating price.

Without prejudice to the application of the first subparagraph, the amount of the aid in question for a product processed in Greece shall be reduced by the incidence of the customs duties applied in Greece to the import of soya oil cakes from third countries.

The amounts resulting from the application of the first and second subparagraphs shall be multiplied by the percentage referred to in Article 2 (1) of Regulation (EEC) No 1119/78.

#### Article 106

Notwithstanding Article 67, at the time of fixing the level of the different amounts laid down for peas and field beans, other than the prices referred to in Article 105 (1), account shall be taken, for Greece, to the extent necessary for the proper functioning of the common organization on the market for these products of the difference in prices arising from the application of Article 105 (1).

#### Section 19

#### Wine

#### Article 107

1. Articles 58 and 59 shall apply to guide prices for table wines. Article 61 shall apply to the same products subject to paragraph 3.

2. The compensatory amount for the other products for which a reference price is fixed, shall be determined, to the extent necessary for the proper functioning of the common organization of the market, on the basis of the compensatory amount fixed for table wines. However, for liqueur wines, the compensatory amount applicable on 1 January 1981 shall be equal to the amount of the countervailing charge to be applied *vis-à-vis* third countries on this date. This compensatory amount shall be eliminated in accordance with the timetable laid down in Article 59.

3. No compensatory amount shall apply to the import into Greece from third countries for goods subject to reference prices.

#### Article 108

Notwithstanding Article 67, the activating price referred to in Article 3 of Regulation (EEC) No 337/79 on the common organization of the market in wine, applicable in Greece, shall not be adjusted by the compensatory amount. However, this amount shall be added to the average price fixed for each representative Greek market.

#### *Article 109*

For such time as the Hellenic Republic shall apply Article 70 to dried grapes, the volume of alcohol from dried grapes which may be added to certain wines in Greece pursuant to Regulation (EEC) No 351/79 concerning the addition of alcohol to products in the wine sector shall be limited to an annual volume not exceeding the annual average in volume of this alcohol used for this purpose in Greece during 1978, 1979 and 1980.

### CHAPTER 3

#### **Provisions relating to fisheries**

#### *Article 110*

1. Notwithstanding Article 2(1) of Regulation (EEC) No 101/76 laying down a common structural policy for the fishing industry, and Article 100 of the Act of Accession 1972, the Italian Republic and the Hellenic Republic shall be authorized, until 31 December 1985, to restrict, as between each other, fishing in waters under their sovereignty or jurisdiction, situated within the areas indicated in Article 111, to vessels which traditionally fish from ports in the geographical coastal area in these waters.

2. The provisions of paragraph 1 and of Article 111 shall not prejudice the special fishing rights which the Hellenic Republic and the Italian Republic may enjoy, as between each other, on 1 January 1981.

#### *Article 111*

The demarcation of areas referred to in Article 110(1) shall be made as follows:

##### 1. *Greece*

Waters situated inside a limit of six nautical miles calculated from the base lines.

##### 2. *Italy*

Waters situated inside a limit of six nautical miles calculated from the base lines. This limit shall be extended to 12 nautical miles for the following areas:

(a) Adriatic Sea, from the south of the mouth of the Po di Goro;

(b) Ionian Sea;

(c) Sicilian Sea and Straits of Sicily, including the islands;

(d) waters of Sardinia.

### CHAPTER 4

#### **Other provisions**

##### Section 1

#### **Veterinary measures**

#### *Article 112*

1. The Hellenic Republic shall not send to the territory of other Member States, from those of its regions specified in accordance with the procedure of the Standing Veterinary Committee on the basis of guarantees offered, any bovine animal or swine, nor fresh meat from bovine animals, swine, goats, sheep or lambs, until, in the said regions, a period of 12 months has elapsed since the appearance of the last source of exotic virus foot-and-mouth disease or since the last vaccination against this disease.

2. Before 31 December 1985 an examination of the situation shall be carried out concerning exotic virus foot and mouth disease.

At the latest by 1 July 1984 the Commission shall present to the Council a report with proposals with a view to adopting appropriate Community provisions in this field.

##### Section 2

#### **Measures concerning seed and seedling legislation**

#### *Article 113*

1. Until 31 December 1985 the Hellenic Republic may apply its own admission rules to varieties of agricultural or horticultural species or to basic material of forestry species, as well as rules of certification and control of its production of seeds and agricultural, horticultural and forestry seedlings.

2. The Hellenic Republic:

- (a) shall take all the necessary measures to comply progressively and at the latest before the expiry of the time limit referred to in paragraph 1 to Community provisions concerning the admission of varieties, basic materials, and the marketing of seeds, and agricultural, horticultural and forestry seedlings;
- (b) may restrict, wholly or partially, before the expiry of the time limit referred to in paragraph 1, the marketing of seeds and agricultural and horticultural seedlings to seeds and seedlings of the varieties admitted into its territory; this provision shall also apply to basic materials in respect of reproductive forestry material;
- (c) shall only export to the territory of present Member States seeds and seedlings that comply with Community provisions.

3. In accordance with the procedure of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry it may be decided, before 31 December 1985, to liberalize progressively trade in seeds and seedlings of certain species between Greece and the Community as at present constituted as soon as it appears that the necessary conditions for such liberalization are met.

Section 3

Miscellaneous provisions

Article 114

The acts listed in Annex IV to this Act shall apply in respect of Greece under the conditions laid down in that Annex.

TITLE V

EXTERNAL RELATIONS

CHAPTER I

Common commercial policy

Article 115

1. Until 31 December 1985 the Hellenic Republic may maintain quantitative restrictions in the form of global quotas for the products and amounts listed in Annex V

as temporary derogations from the common liberalization lists contained in Regulations (EEC) No 109/70, (EEC) No 1439/74 and (EEC) No 2532/78. These products shall be fully liberalized on 1 January 1986 and the quotas shall be progressively increased until that date. The procedures for the increase in the quotas shall be identical to those laid down in Article 36.

If imports made in two consecutive years are less than 90% of the annual quota opened, the Hellenic Republic shall abolish the quantitative restrictions in force, if the product in question is at that time liberalized *vis-à-vis* the present Member States.

2. Until 31 December 1985 the Hellenic Republic shall not liberalize *vis-à-vis* third countries, products not yet liberalized *vis-à-vis* the Community as at present constituted, or give third countries any other advantage over the Community as at present constituted as regards the quotas set for these products. The Hellenic Republic shall not liberalize with regard to State-trading countries referred to in Regulations (EEC) No 109/70 and (EEC) No 2532/78 products not yet liberalized with regard to the Community as at present constituted or countries to which Regulation (EEC) No 1439/74 applies or give such countries any other advantage over the Community as at present constituted or countries to which Regulation (EEC) No 1439/74 applies as regards the quotas fixed for these products.

3. Until 31 December 1985 the Hellenic Republic shall maintain quantitative restrictions, in the form of quotas, *vis-à-vis* all third countries for the products listed in Annex VI which are not liberalized by the Community as at present constituted and which the Hellenic Republic has not yet liberalized *vis-à-vis* the former. The quotas for 1981 for countries to which Regulation (EEC) No 1439/74 applies other than those referred to in Article 120 and with regard to State-trading countries referred to in Regulations (EEC) No 109/70 and (EEC) No 2532/78 shall be the amounts shown in that Annex.

Any alteration of these quotas shall only be made in accordance with Community procedures.

Article 116

The Hellenic Republic shall abolish *vis-à-vis* third countries its system, as it exists at the time of accession,



of import deposits and cash payments in accordance with the same timetable and under the same conditions as those laid down in Article 38 as regards the present Member States.

#### *Article 117*

1. On 1 January 1981 the Hellenic Republic shall apply the Community system of generalized preferences for products other than those listed in Annex II of the EEC Treaty; however, as regards the products listed in Annex VII, the Hellenic Republic shall progressively align until 31 December 1985 on the rates of the system of generalized preferences. The timetable of alignment for these products shall be the same as those laid down in Article 31.

2. In the case of products listed in Annex II to the EEC Treaty, the preferential rates provided for or calculated shall be applied to the duties actually levied by the Hellenic Republic in respect of third countries as laid down in Article 64.

In no case should Greek imports from third countries benefit from rates of duty more favourable than those applied to products from the Community as at present constituted.

### CHAPTER 2

#### **Agreements of the Communities with certain third countries**

#### *Article 118*

1. As from 1 January 1981 the Hellenic Republic shall apply the provisions of the Agreements referred to in Article 120.

The transitional measures and adjustments shall be the subject of Protocols concluded with the co-contracting third countries and annexed to those Agreements.

2. These transitional measures, which shall take into account the corresponding measures adopted within the Community and which may not extend beyond the period of validity thereof, shall be designed to ensure the application by the Community of a single system

for its relations with the co-contracting third countries as well as the identity of the rights and obligations of the Member States.

3. These transitional measures applicable to the countries listed in Article 120 shall not, in any field, involve the Hellenic Republic granting them more favourable treatment than will apply to the Community as at present constituted.

In particular, all products subject to transitional measures in respect of quantitative restrictions applicable to the Community as at present constituted shall be subject to such measures *vis-à-vis* all the countries listed in Article 120, and for an identical period of time.

4. These transitional measures applicable to the countries listed in Article 120 shall not result in the Hellenic Republic giving less favourable treatment to these countries than to other third countries. In particular, transitional measures in respect of quantitative restrictions cannot be envisaged for the countries listed in Article 120 in respect of products which will be free of such restrictions when imported into Greece from other third countries.

#### *Article 119*

If the Protocols referred to in Article 188 (1) are not, for reasons outside the control of the Community or the Hellenic Republic, concluded on 1 January 1981 the Community shall take the necessary measures to deal with this situation after accession.

In any case, most-favoured-nation treatment shall be applied as from 1 January 1981 by the Hellenic Republic to the countries listed in Article 120.

#### *Article 120*

Articles 118 and 119 shall apply to the Agreements concluded with Algeria, Austria, Cyprus, Egypt, Finland, Iceland, Israel, Jordan, Lebanon, Malta, Morocco, Norway, Portugal, Spain, Sweden, Switzerland, Syria, Tunisia and Turkey.

Articles 118 and 119 shall also apply to Agreements which the Community concludes with other third countries in the Mediterranean region before the entry into force of this Act.

**Relations with the African, Caribbean  
and Pacific States**

*Article 121*

The arrangements resulting from the ACP-EEC Convention of Lomé and the Agreement on products within the province of the European Coal and Steel Community, signed on 28 February 1975, shall not apply in relations between the Hellenic Republic and the African, Caribbean and Pacific States, with the exception of Protocol 3 on sugar.

*Article 122*

The provisions of Articles 118 and 119 shall apply to any new Agreement that the Community concludes with the African, Caribbean and Pacific countries before the entry into force of this Act.

## CHAPTER 4

**Textiles**

*Article 123*

1. As from 1 January 1981 the Hellenic Republic shall apply the Arrangement of 20 December 1973 regarding international trade in textiles as well as the bilateral Agreements concluded by the Community under this Arrangement. Protocols of adjustment of these Agreements shall be negotiated by the Community with third countries, that are parties to the Agreements, in order to provide for voluntary restraint on exports to Greece in the case of products and origins for which there are limitations on exports to the Community.

2. Should these Protocols not have been concluded by 1 January 1981, the Community shall take measures designed to deal with this situation concerning the necessary transitional adjustments to ensure that the Agreements are implemented by the Community.

**FINANCIAL PROVISIONS**

*Article 124*

The Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources, hereinafter referred to as 'the Decision of 21 April 1970', shall be applied, in accordance with the provisions referred to in Articles 125, 126 and 127.

*Article 125*

The revenue designated as 'agricultural levies', referred to in Article 2 (a) of the Decision of 21 April 1970, shall also include the revenue from any compensatory amount levied on imports under Articles 43, 61 and 75 and from the fixed components applied in trade between the Community as at present constituted and Greece and in trade between Greece and third countries under Article 66.

*Article 126*

The revenue designated as 'customs duties', referred to in Article 2 (b) of the Decision of 21 April 1970, shall include, until 31 December 1985, customs duties calculated as if the Hellenic Republic applied as from accession the rates in trade with third countries determined by the Common Customs Tariff and the reduced rates determined by any tariff preference applied by the Community.

The Hellenic administration shall make a monthly calculation of these customs duties on the basis of customs declarations of a single month, which shall be made available to the Commission by, at the latest, the 20th of the second month following that of the declarations.

As from 1 January 1986 the total amount of customs duties levied shall be due in its entirety.

*Article 127*

The amount of duties established under own resources accruing from value added tax or from financial contributions based upon the gross national product pur-

suant to Article 4 (1) to (5) of the Decision of 21 April 1970 shall be due in its entirety as from 1 January 1981.

However, the Community shall refund to the Hellenic Republic, during the month following its availability to the Commission, a proportion of the amount referred to in the preceding paragraph in accordance with the following procedure:

- 70 % in 1981,
- 50 % in 1982,
- 30 % in 1983,
- 20 % in 1984,
- 10 % in 1985.

## TITLE VII

### OTHER PROVISIONS

#### *Article 128*

The acts listed in Annex VIII to this Act shall apply in respect of the Hellenic Republic under the conditions laid down in that Annex.

#### *Article 129*

1. Until 31 December 1985 iron and steel undertakings in Greece are authorized to apply the system of multiple basing points.
2. Until 31 December 1985 the prices charged by undertakings in the present Member States for sales of iron and steel products on the Greek market, reduced to their equivalent at the point chosen for their price list, may not be below the prices shown in the price list in question for comparable transactions, save when authorization has been given by the Commission, in agreement with the Hellenic Government, without prejudice to the last subparagraph of Article 60 (2) (b) of the ECSC Treaty. Undertakings in the present Member States shall retain the right to align their delivered prices in Greece on those charged there by third countries for the same products.

The first subparagraph shall only concern alignment on price lists of producers in the present Member States and Greece for products actually produced in Greece

on 1 January 1981. A list of such products will be published by the Commission on that date.

#### *Article 130*

1. If, before 31 December 1985, difficulties arise which are serious and liable to persist in any sector of the economy or which could bring about serious deterioration in the economic situation of a given area, the Hellenic Republic may apply for authorization to take protective measures in order to rectify the situation and adjust the sector concerned to the economy of the common market.

In the same circumstances, any present Member State may apply for authorization to take protective measures with regard to the Hellenic Republic.

This provision shall apply until 31 December 1987 for products or sectors in respect of which this Act allows transitional derogations of equivalent duration.

2. On application by the State concerned, the Commission shall, by emergency procedures, determine the protective measures which it considers necessary specifying the circumstances and the manner in which they are to be put into effect.

In the event of serious economic difficulties, the Commission shall act within five working days. The measures thus decided on shall be applicable forthwith.

In the agricultural sector, where trade between the Community as at present constituted and Greece causes or threatens to cause serious disturbances on the market of a Member State, the Commission shall act upon a request by a Member State for the application of appropriate measures within 24 hours of receiving such request. The measures thus decided on shall be applicable forthwith and shall take account of the interests of all parties concerned and, in particular, transport problems.

3. The measures authorized under paragraph 2 may involve derogations from the rules of the EEC Treaty and of this Act to such an extent and for such periods as are strictly necessary in order to attain the objectives referred to in paragraph 1. Priority shall be given to such measures as will least disturb the functioning of the common market.

#### *Article 131*

1. If before the expiry of the period of application of the transitional measures laid down under this Act for each case the Commission, on application by a Member State or by any other interested party, finds that dumping is being practised between the Community as at present constituted and Greece, it shall address recommendations to the person or persons with whom such practices originate for the purpose of putting an end to them.

Should the practices continue, the Commission shall authorize the injured Member State or States to take

protective measures, the conditions and details of which the Commission shall determine.

2. For the application of this Article, to the products listed in Annex 11 to the EEC Treaty, the Commission shall evaluate all relevant factors, in particular the level of prices at which these products are imported into the market in question from elsewhere, account being taken of the provisions of the EEC Treaty relating to agriculture and in particular Article 39 thereof.

### PART FIVE

#### PROVISIONS RELATING OF THE IMPLEMENTATION OF THIS ACT

##### TITLE I

##### SETTING UP OF THE INSTITUTIONS

#### *Article 132*

The European Parliament shall meet at the latest one month after accession of the Hellenic Republic. It shall make such adaptations to its rules of procedure as are made necessary by this accession.

of the Hellenic Republic. The Commission shall take up its duties on the fifth day after its members have been appointed. The terms of office of the members in office at the time of accession shall terminate at the same time.

2. The Commission shall make such adaptations to its rules of procedure as are made necessary by the accession of the Hellenic Republic.

#### *Article 133*

1. Upon accession of the Hellenic Republic the office of President of the Council shall be held by the member of the Council who would have held that office in accordance with Article 2 of the Treaty establishing a single Council and a single Commission of the European Communities in its original version. On expiry of this term of office, the office of President shall then be held in the order of Member States laid down in the Article referred to above, as amended by Article 11.

2. The Council shall make such adaptations to its rules of procedure as are made necessary by the accession of the Hellenic Republic.

#### *Article 135*

1. Upon accession of the Hellenic Republic one new judge shall be appointed to the Court of Justice.

2. The term of office of this judge shall expire on 6 October 1985.

3. The Court shall make such adaptations to its rules of procedure as are made necessary by the accession of the Hellenic Republic. The rules of procedure as adapted shall require the unanimous approval of the Council.

4. In order to give judgment in cases pending before the Court on 1 January 1981 in respect of which oral proceedings have started before that date, the full Court and the Chambers shall be composed as before the accession of the Hellenic Republic and shall apply the rules of procedure in force on 31 December 1980.

#### *Article 134*

1. The President, the Vice-Presidents and the members of the Commission shall be appointed upon acces-

*Article 136*

Upon accession of the Hellenic Republic, the Economic and Social Committee shall be enlarged by the appointment of 12 members representing the various categories of economic and social activity in Greece. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 137*

Upon accession of the Hellenic Republic, the Court of Auditors shall be enlarged by the appointment of one additional member. The term of office of the member thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 138*

Upon accession of the Hellenic Republic, the Consultative Committee of the European Coal and Steel Community shall be enlarged by the appointment of three additional members. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 139*

Upon accession of the Hellenic Republic, the Scientific and Technical Committee shall be enlarged by the appointment of one additional member. The term of office of the member thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 140*

Upon accession of the Hellenic Republic, the Monetary Committee shall be enlarged by the appointment of members representing this new Member State. Their terms of office shall expire at the same time as those of the members in office at the time of accession.

*Article 141*

Adaptations to the Rules of the Committees established by the original Treaties and to their rules of pro-

cedure, necessitated by accession of the Hellenic Republic, shall be made as soon as possible after this accession.

*Article 142*

1. The terms of office of the new members of the Committees listed in Annex IX shall expire at the same time as those of the members in office at the time of accession.

2. Upon accession, the membership of the Committees listed in Annex X shall be completely renewed.

TITLE II

APPLICABILITY OF THE ACTS OF THE INSTITUTIONS

*Article 143*

From its accession the Hellenic Republic shall be considered as being an addressee of and as having received notification of directives and decisions within the meaning of Article 189 of the EEC Treaty and of Article 161 of the Euratom Treaty, and of recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, provided that those directives, recommendations and decisions have been notified to all the present Member States.

*Article 144*

The application in Greece of the acts listed in Annex XI to this Act shall be deferred until the dates specified in that list.

*Article 145*

The Hellenic Republic shall put into effect the measures necessary for it to comply from the date of accession with the provisions of directives and decisions within the meaning of Article 189 of the EEC Treaty and of Article 161 of the Euratom Treaty, and with recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, unless a time limit is provided for in the list in Annex XII or in any other provisions of this Act.

1. Adaptations to the acts of the institutions of the Communities not included in this Act or its Annexes, made by the institutions before the accession of the Hellenic Republic in accordance with the procedures in paragraph 2 to bring those acts into line with the provisions of this Act, in particular those of Part Four, shall enter into force as from the said accession.

2. The Council, acting by a qualified majority on a proposal from the Commission, or the Commission, according to which of these two institutions adopted the original act, shall to this end draw up the necessary texts.

*Article 147*

The texts of the acts of the institutions of the Communities adopted before the accession of the Hellenic Republic and drawn up by the Council or the Commission in the Greek language shall, from the date of the said accession, be authentic under the same conditions as the texts drawn up in the present six languages. They shall be published in the *Official Journal of the European Communities* if the texts in the present languages were so published.

*Article 148*

Agreements, decisions and concerted practices in existence at the time of the accession of the Hellenic Republic which come within the scope of Article 65 of the ECSC Treaty by reason of this accession must be notified to the Commission within three months of accession. Only agreements and decisions which have been notified shall remain provisionally in force until a decision has been taken by the Commission.

*Article 149*

Provisions laid down by law, regulation or administrative action designed to ensure the protection of the health of the workers and the general public in the territory of the Hellenic Republic against the dangers arising from ionizing radiations shall, in accordance with Article 33 of the Euratom Treaty, be communicated by that State to the Commission within three months of accession.

**FINAL PROVISIONS**

*Article 150*

Annexes I to XII and Protocols 1 to 7, which are annexed to this Act, shall form an integral part thereof.

*Article 151*

The Government of the French Republic shall transmit a certified copy of the Treaty establishing the European Coal and Steel Community and the Treaties amending that Treaty to the Government of the Hellenic Republic.

*Article 152*

The Government of the Italian Republic shall transmit a certified copy of the Treaty establishing the European Economic Community, the Treaty establishing the European Atomic Energy Community and the Treaties amending or supplementing them, including the Treaty concerning the accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and the European Atomic Energy Community, in the Danish, Dutch, English, French, German, Irish and Italian languages to the Government of the Hellenic Republic.

The texts of these Treaties, drawn up in the Greek language, shall be annexed to this Act. These texts shall be authentic under the same conditions as the texts of the Treaties referred to in the first paragraph, drawn up in the present languages.

*Article 153*

A certified copy of the international agreements deposited in the archives of the General Secretariat of the Council of the European Communities shall be transmitted to the Hellenic Republic by the Secretary-General.

## ANNEXES





*ANNEX I*<sup>(1)</sup><sup>(2)</sup>

LIST REFERRED TO IN ARTICLE 21  
OF THE ACT OF ACCESSION

*ANNEX II*<sup>(1)</sup>

LIST REFERRED TO IN ARTICLE 22  
OF THE ACT OF ACCESSION

*ANNEX III*<sup>(1)</sup>

LIST REFERRED TO IN ARTICLE 36(1) AND (2)  
OF THE ACT OF ACCESSION

*ANNEX IV*<sup>(1)</sup>

LIST REFERRED TO IN ARTICLE 114  
OF THE ACT OF ACCESSION

*ANNEX V*<sup>(1)</sup>

LIST REFERRED TO IN ARTICLE 115(1)  
OF THE ACT OF ACCESSION

*ANNEX VI*<sup>(1)</sup>

LIST REFERRED TO IN ARTICLE 115(3)  
OF THE ACT OF ACCESSION

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EDITORIAL NOTES:

<sup>(1)</sup> For the text of this Annex, see OJ of the EC, No L 291 of 19 November 1979 (pp. 51, 114, 130, 134, 135 and 142 respectively).

<sup>(2)</sup> The text of this Annex has been amended by five corrigenda published in the OJ of the EC, No L 346 of 2 December 1981 (p. 24).

*ANNEX VII<sup>(1)</sup>(<sup>2</sup>)*

LIST REFERRED TO IN ARTICLE 117 (1)  
OF THE ACT OF ACCESSION

*ANNEX VIII<sup>(1)</sup>*

LIST REFERRED TO IN ARTICLE 128  
OF THE ACT OF ACCESSION

*ANNEX IX<sup>(1)</sup>*

LIST REFERRED TO IN ARTICLE 142 (1)  
OF THE ACT OF ACCESSION

*ANNEX X<sup>(1)</sup>*

LIST REFERRED TO IN ARTICLE 142 (2)  
OF THE ACT OF ACCESSION

*ANNEX XI<sup>(1)</sup>*

LIST REFERRED TO IN ARTICLE 144  
OF THE ACT OF ACCESSION

*ANNEX XII<sup>(1)</sup>*

LIST REFERRED TO IN ARTICLE 145  
OF THE ACT OF ACCESSION

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EDITORIAL NOTES:

- (<sup>1</sup>) For the text of this Annex, see OJ of the EC, No L 291 of 19 November 1979 (pp. 145, 163, 166, 167, 168 and 169 respectively).
- (<sup>2</sup>) The text of this Annex has been amended by a corrigendum published in the OJ of the EC, No L 346 of 2 December 1981 (p. 24).

## **PROTOCOLS**



## Protocol No 1

### on the Statute of the European Investment Bank

#### PART ONE

#### ADJUSTMENTS TO THE STATUTE OF THE EUROPEAN INVESTMENT BANK

##### *Article 1*

The following shall be substituted for Article 3 of the Protocol on the Statute of the Bank:

##### *Article 3*

In accordance with Article 129 of this Treaty, the following shall be members of the Bank:

- the Kingdom of Belgium,
- the Kingdom of Denmark,
- the Federal Republic of Germany,
- the Hellenic Republic,
- the French Republic,
- Ireland,
- the Italian Republic,
- the Grand Duchy of Luxembourg,
- the Kingdom of the Netherlands,
- the United Kingdom of Great Britain and Northern Ireland.

##### *Article 2*

The following shall be substituted for the first subparagraph of Article 4(1) of the Protocol on the Statute of the Bank:

'1. The capital of the Bank shall be 7 200 million units of account, subscribed by the Member States as follows:

Germany	1 575	million,
France	1 575	million,
United Kingdom	1 575	million,
Italy	1 260	million,
Belgium	414.75	million,

Netherlands	414.75	million,
Denmark	210	million,
Greece	112.50	million,
Ireland	52.50	million,
Luxembourg	10.50	million.'

##### *Article 3*

The following shall be substituted for Article 7 of the Protocol on the Statute of the Bank:

##### *Article 7*

1. Should the value of the currency of a Member State in relation to the unit of account defined in Article 4 be reduced, that State shall adjust the amount of its capital share paid in in its own currency in proportion to the change in value by making a supplementary payment to the Bank.

2. Should the value of the currency of a Member State in relation to the unit of account defined in Article 4 be increased, the Bank shall adjust the amount of the capital share paid in by that State in its own currency in proportion to the change in value by making a repayment to that State.

3. For the purpose of this Article, the value of the currency of a Member State in relation to the unit of account, defined in Article 4, shall correspond to the rate for converting the unit of account into this currency and vice versa based on market rates.

4. The Board of Governors, acting unanimously on a proposal from the Board of Directors, may alter the method of converting sums expressed in units of account into national currencies and vice versa.

Furthermore, acting unanimously on a proposal from the Board of Directors, it may define the

method for adjusting the capital referred to in paragraphs 1 and 2 of this Article; adjustment payments must be made at least once a year.'

#### *Article 4*

The following shall be substituted for the first three subparagraphs of Article 11 (2) of the Protocol on the Statute of the Bank:

'2. The Board of Directors shall consist of 19 directors and 11 alternates.

The directors shall be appointed by the Board of Governors for five years as shown below:

- three directors nominated by the Federal Republic of Germany,
- three directors nominated by the French Republic,
- three directors nominated by the Italian Republic,
- three directors nominated by the United Kingdom of Great Britain and Northern Ireland,
- one director nominated by the Kingdom of Belgium,
- one director nominated by the Kingdom of Denmark,
- one director nominated by the Hellenic Republic,
- one director nominated by Ireland,
- one director nominated by the Grand Duchy of Luxembourg,
- one director nominated by the Kingdom of the Netherlands,
- one director nominated by the Commission.

The alternates shall be appointed by the Board of Governors for five years as shown below:

- two alternates nominated by the Federal Republic of Germany,

- two alternates nominated by the French Republic,
- two alternates nominated by the Italian Republic,
- two alternates nominated by the United Kingdom of Great Britain and Northern Ireland,
- one alternate nominated by common accord of the Kingdom of Denmark, the Hellenic Republic and Ireland,
- one alternate nominated by common accord of the Benelux countries,
- one alternate nominated by the Commission.'

#### *Article 5*

The following sentence shall be substituted for the second sentence of Article 12 (2) of the Protocol on the Statute of the Bank:

'A qualified majority shall require 13 votes in favour.'

#### *Article 6*

The following shall be substituted for the first subparagraph of Article 13 (1) of the Protocol on the Statutes of the Bank:

'1. The Management Committee shall consist of a President and five Vice-Presidents appointed for a period of six years by the Board of Governors on a proposal from the Board of Directors. Their appointments shall be renewable.'

### PART TWO

#### **OTHER PROVISIONS**

#### *Article 7*

1. The Hellenic Republic shall pay the sum of 8 840 000 units of account as its contribution to the subscribed capital paid in by the Member States as at 31 December 1979, payment of this sum to be made in five equal six-monthly instalments falling due on

30 April and 31 October. The first instalment shall be payable on whichever of these two dates next follows the date of accession, provided that there is an interval of at least two months between this date and the due date for this instalment.

2. From the day of its accession, the Hellenic Republic shall contribute to the increase in the Bank's capital decided on 19 June 1978 by making payments towards this increase in proportion to its contribution to the subscribed capital and in accordance with the timetable laid down by the Board of Governors. If the Member States have already made one or more such payments before the accession of the Hellenic Republic, the sum of such payment(s) corresponding to the share of the capital to be subscribed by the Hellenic Republic shall be added in five equal instalments to the payments to be made by the Hellenic Republic in accordance with the first paragraph of this Article.

#### *Article 8*

The Hellenic Republic shall, at the dates indicated in Article 7 (1), contribute towards the statutory reserve, the supplementary reserve and those provisions equivalent to reserves, and to the amount still to be appropriated to the reserves and provisions corresponding to the balance of the profit and loss account as at 31 December of the year prior to accession, as stated in units of account in the Bank's approved balance sheet, an amount corresponding to 1.56 % of these reserves and provisions.

#### *Article 9*

The payments laid down in Articles 7 and 8 of this Protocol shall be made by the Hellenic Republic in its freely convertible national currency. The amounts payable shall be calculated on the basis of the rate of conversion between the unit of account and the drachma applicable on the last working day of the month preceding the relevant due dates for payment.

#### *Article 10*

1. Upon accession, the Board of Governors shall increase the Board of Directors by appointing one director nominated by the Hellenic Republic together with one alternate nominated by common accord of the Kingdom of Denmark, the Hellenic Republic and Ireland.

2. The terms of office of the director and alternate thus appointed shall expire at the end of the annual meeting of the Board of Governors during which the annual report for the 1982 financial year is examined.

#### *Article 11*

The Board of Governors, acting on a proposal from the Board of Directors, shall appoint the fifth Vice-President referred to in Article 6 of this Protocol at the latest at its annual meeting during which the annual report for the 1981 financial year is examined.

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### **Protocol No 2**

#### **on the definition of the basic duty for matches falling within heading No 36.06 of the Common Customs Tariff**

In respect of matches falling within heading No 36.06 of the Common Customs Tariff, the basic duty on which the Hellenic Republic shall effect the successive reductions provided for in Article 25 shall be 9.6 %.

The basic duty for the purpose of alignment on the Common Customs Tariff to be effected in accordance with Article 31 shall be, in respect of the same products, 17.2 %.

### Protocol No 3

#### on the granting by the Hellenic Republic of exemption of customs duties on the import of certain goods

Provisions relating to the alignment of duties in the Hellenic Customs Tariff upon the duties in the Common Customs Tariff shall not prevent the Hellenic Republic from maintaining measures of exemption granted before 1 January 1979 pursuant to:

- Law No 4171/61 (General measures to aid development of the country's economy),
- Decree Law No 2687/53 (Investment and protection of foreign capital),
- Law No 289/76 (Incentives with a view to promoting the development of frontier regions and governing all pertinent questions),

until the expiry of the agreements concluded by the Hellenic Government with those persons benefiting from these measures.

### Protocol No 4

#### on cotton

THE HIGH CONTRACTING PARTIES,

Recognizing the great importance that cotton production represents for the Greek economy,

Recognizing the specifically agricultural character of this production,

Recognizing that by reason of the importance of cotton as a raw material, the system of trade with third countries ought not to be affected,

Deeming that in order to avoid any discrimination between Community producers the system adopted pursuant to this Protocol must apply throughout the territory of the Community,

HAVE AGREED UPON THE FOLLOWING PROVISIONS:

1. This Protocol concerns cotton, not carded or combed, falling within heading No 55.01 of the Common Customs Tariff.
2. A system shall be introduced in the Community particularly to:
  - support the production of cotton in regions of the Community where it is important for the agricultural economy,

- permit the producers concerned to earn a fair income,

- stabilize the market by structural improvements at the level of supply and marketing.

3. The system referred to in paragraph 2 shall include the grant of an aid to production.

In order to facilitate management and supervision, aid production shall be granted via cotton ginning undertakings. In this respect it will be advisable to ensure that there is no distortion of intra-Community competition in the ensuing processing stages.

The amount of this aid shall be established from time to time on the basis of the difference existing between:

- a guide price fixed for cotton, that has not been ginned, in accordance with the criteria referred to in paragraph 2,
- the world market price determined on the basis of offers and prices recorded on the world market.



The grant of aid to production shall be restricted to a quantity of cotton to be determined each year for the Community.

This quantity shall lie within a scale between:

- the quantity corresponding to Community production during the years 1978 to 1980 or to the production of one of those years, and
- the quantity fixed pursuant to the preceding indent, increased by 25 %.

If the actual production in a marketing year exceeds the quantity fixed for the marketing year concerned, the amount of aid shall be multiplied by a coefficient obtained by dividing the fixed quantity by the quantity actually produced.

4. In order to allow cotton producers to concentrate supply and to adapt production to market requirements, a system shall be introduced to encourage the formation of producer groups and federations of such groups.

This system shall provide for the grant of aids with a view to providing incentives for the formation and facilitating the functioning of producer groups.

The only groups that may benefit from this system must:

- be formed on the initiative of the producers themselves,
- offer a sufficient guarantee for the duration and effectiveness of their action,
- be recognized by the Member State concerned.

5. The Community trading system with third countries may not be affected. In this respect, in particular, no measure restricting imports may be laid down.

6. Member States and the Commission shall forward to each other the necessary data for the application of the system laid down in this Protocol.

7. The expenses relating to the measures laid down or to be adopted pursuant to this Protocol shall be the subject of Community financing in accordance with the provisions of the EEC Treaty.

8. The Council, acting by a qualified majority on a proposal from the Commission, and after consulting the European Parliament shall adopt every year before 1 August for the marketing year beginning the following year the guide price referred to in paragraph 3.

9. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the necessary measures for implementing the provisions laid down in this Protocol and in particular:

- (a) the rules of procedure and of sound management for its application;
- (b) the general rules of the system of aid to production referred to in paragraph 3 and the criteria for determining the world market price referred to in the same paragraph;
- (c) the general rules of the system for encouraging the formation of producer groups and federations of such groups;
- (d) the general rules concerning financing referred to in paragraph 7.

In accordance with the same procedure the Council shall fix:

- (a) each year and in good time before the beginning of each marketing year, the quantity referred to in paragraph 3;
- (b) the amount of aid referred to in paragraph 4;
- (c) the conditions under which transitional measures may be taken that are necessary in order to facilitate the transition from the previous system to that resulting from the application of this Protocol, particularly if the implementation of the new system on the date laid down meets with appreciable difficulties.

10. The Commission shall determine the world market price and the amount of the aid referred to in paragraph 3.

11. The Council shall examine, not later than five years after the implementation of the system introduced pursuant to this Protocol, on the basis of a report from the Commission, the functioning of this system. If the results of the examination render it necessary, the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, shall decide on any necessary adjustments to the system.

12. The measures taken pursuant to this protocol shall be implemented not later than 1 August 1981 and shall apply for the first time to products harvested in 1981.

Until the date of this implementation the Hellenic Republic may maintain, by way of derogation, the system of aid in force in its territory before accession.

## Protocol No 5

### on the participation of the Hellenic Republic in the funds of the European Coal and Steel Community

The contribution of the Hellenic Republic to the funds of the European Coal and Steel Community shall be fixed at three million European units of account.

This contribution shall be paid in three interest-free equal annual instalments starting from 1 January 1981.

Each instalment shall be paid in the freely convertible national currency of the Hellenic Republic.

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## Protocol No 6

### on the exchange of information with the Hellenic Republic in the field of nuclear energy

#### *Article 1*

1. From the date of accession, such information as has been communicated to Member States, persons and undertakings, in accordance with Article 13 of the Euratom Treaty, shall be placed at the disposal of the Hellenic Republic which shall give it limited distribution within its territory under the conditions laid down in that Article.

2. From the date of accession, the Hellenic Republic shall place at the disposal of the European Atomic Energy Community information obtained in the nuclear field in Greece which is given limited distribution, in so far as strictly commercial applications are not involved. The Commission shall communicate this information to Community undertakings under the conditions laid down in the abovementioned Article.

3. This information shall mainly concern:

- studies on the application of radioisotopes in the following fields: medicine, agriculture, entomology environmental protection,
- the application of nuclear technology to archeometry,

— the development of electronic medical apparatus,

— the development of methods of radioactive ore prospecting.

#### *Article 2*

1. In those sectors in which the Hellenic Republic places information at the disposal of the Community, the competent authorities shall grant upon request licences on commercial terms to Member States, persons and undertakings of the Community where they possess exclusive rights to patents filed in Member States of the Community and in so far as they have no obligation or commitment in respect of third parties to grant or offer to grant an exclusive or partially exclusive licence to the rights in these patents.

2. Where an exclusive or partially exclusive licence has been granted, the Hellenic Republic shall encourage and facilitate the granting of sub-licences on commercial terms to Member States, persons and undertakings of the Community by the holders of such licences.

Such exclusive or partially exclusive licences shall be granted on a normal commercial basis.

**Protocol No 7**

**on the economic and industrial development of Greece**

THE HIGH CONTRACTING PARTIES,

Desiring to settle certain special problems of concern to Greece and,

HAVING AGREED UPON THE FOLLOWING PROVISIONS:

Recall that the fundamental objectives of the European Economic Community include the steady improvement of the living standards and working conditions of the peoples of the Member States and the harmonious development of their economies by reducing the differences existing between the various regions and the backwardness of the less-favoured regions;

Take note of the fact that the Hellenic Government has embarked upon the implementation of a policy of industrialization and economic development designed to align the standards of living in Greece with those of

the other European nations and to eliminate underemployment while progressively evening out regional differences in levels of development;

Recognize it to be in their common interest that the objectives of this policy be so attained;

Agree to recommend to this end that the Community institutions implement all the means and procedures laid down by the EEC Treaty, particularly by making adequate use of the Community resources intended for the realization of the Community's abovementioned objectives;

Recognize in particular that, in the application of Articles 92 and 93 of the EEC Treaty, it will be necessary to take into account the objectives of economic expansion and the raising of the standard of living of the population.



**FINAL ACT**



## TEXT OF THE 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 HELLENIC REPUBLIC,

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

represented by its President,

assembled at Athens on the twenty-eighth day of May one thousand nine hundred and seventy-nine on the occasion of the signature of the Treaty relating to the accession of the Hellenic Republic to the European Economic Community and the European Atomic Energy Community,

have placed on record the fact that the following texts have been drawn up and adopted within the Conference between the European Communities and the Hellenic Republic:

- I. the Treaty concerning the accession of the Hellenic Republic to the European Economic Community and to the European Atomic Energy Community;
- II. the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties;
- III. the texts listed below which are annexed to the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties:
  - A. Annex I: List referred to in Article 21 of the Act of Accession,
  - Annex II: List referred to in Article 22 of the Act of Accession,
  - Annex III: List of products referred to in Article 36 (1) and (2) of the Act of Accession (Euratom),
  - Annex IV: List of products referred to in Article 114 of the Act of Accession,
  - Annex V: List referred to in Article 115 (1) of the Act of Accession,
  - Annex VI: List referred to in Article 115 (3) of the Act of Accession,
  - Annex VII: List referred to in Article 117 (1) of the Act of Accession,

Annex VIII: List referred to in Article 128 of the Act of Accession,

Annex IX: List referred to in Article 142 (1) of the Act of Accession,

Annex X: List referred to in Article 142 (2) of the Act of Accession,

Annex XI: List referred to in Article 144 of the Act of Accession,

Annex XII: List referred to in Article 145 of the Act of Accession;

B. Protocol 1 on the Statute of the European Investment Bank,

Protocol 2 on the definition of the basic duty for matches falling within heading No 36.06 of the Common Customs Tariff,

Protocol 3 on the granting by the Hellenic Republic of exemption of customs duties on the import of certain goods,

Protocol 4 on cotton,

Protocol 5 on the participation of the Hellenic Republic in the funds of the European Coal and Steel Community,

Protocol 6 on the exchange of information with the Hellenic Republic in the field of nuclear energy,

Protocol 7 on the economic and industrial development of Greece;

C. the texts of the Treaty establishing the European Economic Community and of the Treaty establishing the European Atomic Energy Community, together with the Treaties amending or supplementing them, including the Treaty concerning the Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community, in the Greek language.

The Plenipotentiaries have taken note of the Decision of the Council of the European Communities of 24 May 1979 concerning the accession of the Hellenic Republic to the European Coal and Steel Community.

Furthermore the Plenipotentiaries and the Council have adopted the declarations listed below and annexed to this Final Act:

1. Joint declaration on the free movement of workers;
2. Joint declaration on particular transitional measures which might be required in relations between Greece and Spain and Portugal after accession of the latter States;
3. Joint declaration concerning Protocols to be concluded with certain third countries according to Article 118;
4. Joint declaration concerning Mount Athos;
5. Joint declaration on the procedure for the joint examination of national aids granted, by the Hellenic Republic in the field of agriculture during the period prior to accession;
6. Joint declaration on the joint examination procedure of the annual changes in prices of agricultural products in Greece during the period prior to accession;



7. Joint declaration on sugar, milk products, olive oil and products processed from fruit and vegetables;
8. Joint declaration concerning the First Council Directive of 12 December 1977 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions.

The Plenipotentiaries and the Council have also taken note of the following Declarations annexed to this Final Act:

1. Declaration by the Government of the Federal Republic of Germany on the application to Berlin of the Decision concerning accession to the European Coal and Steel Community and of the Treaty of Accession to the European Economic Community and to the European Atomic Energy Community,
2. Declaration by the Government of the Federal Republic of Germany on the definition of the term 'nationals'.

The Plenipotentiaries and the Council have also taken note of the arrangement regarding the procedure for adopting certain decisions and other measures to be taken during the period preceding accession which has been reached within the Conference between the European Communities and the Hellenic Republic and which is annexed to this Final Act.

Finally, the following Declarations have been made and are annexed to this Final Act:

1. Declaration of the European Economic Community on Greek workers taking up and pursuing paid employment in the present Member States,
2. Declaration of the European Economic Community on the European Regional Development Fund,
3. Declaration by the Hellenic Republic on monetary questions.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne slutakt.

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

In witness whereof the undersigned Plenipotentiaries have signed this Final Act.

Εἰς πίστωση τῶν ἀνωτέρω, οἱ ὑπογεγραμμένοι πληρεξούσιοι ὑπέγραψαν τὴν παρούσα συνθήκη.

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

Dá fhianú sin, chuir na Lánchumhachtaigh thíos-sinithe a lámh leis an Ionstraim Chrioch-naitheach seo.

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 Athen, den otteogtyvende may nitten hundrede og nioghalvfjerds.

Geschehen zu Athen am achtundzwanzigsten Mai neunzehnhundertneunundsiebzig.

Done at Athens on the twenty-eighth day of May in the year one thousand nine hundred and seventy-nine.

Ἐγινε στὴν Ἀθήνα, στίς εἴκοσι ὀκτώ Μαΐου χίλια ἐνιακόσια ἐβδομήντα ἐννέα.

Fait à Athènes, le vingt-huit mai mil neuf cent soixante-dix-neuf.

Arna dhéanamh san Aithin, an t-ochtú lá is fiche de Bhealtaine, míle naoi gcéad seachtó a naoi.

Fatto ad Atene, addì venntotto maggio millenovecentosettantanove.

Gedaan te Athene, de achtentwintigste mei negentienhonderd negenenzeventig.

Wilfried MARTENS  
H. SIMONET  
J. VAN DER MEULEN

Niels Anker KOFOED  
RIBERHOLDT

Hans-Dietrich GENSCHER  
Helmut SIGRIST

Constantinos CARAMANLIS  
G. RALLIS  
Georgios CONTOGEOORGIS

Jean FRANÇOIS-PONCET  
BERNARD-REYMOND  
Luc de la BARRE de NANTEUIL

Seán Ó LOINSIGH  
Micheál O CINNEIDE  
Breandán DIOLIÚN

Giulio ANDREOTTI  
Adolfo BATTAGLIA  
Eugenio PLAJA

Gaston THORN  
J. DONDELINGER

C. A. van der KLAUW  
J. H. LUBBERS

CARRINGTON  
Donald MAITLAND

## DECLARATIONS



#### **Joint declaration on the free movement of workers**

The enlargement of the Community could give rise to certain difficulties for the social situation in one or more Member States as regards the application of the provisions relating to the free movement of workers.

The Member States declare that they reserve the right, should difficulties of that nature arise, to bring the matter before the institutions of the Community in order to obtain a solution to this problem in accordance with the provisions of the Treaties establishing the European Communities and the provisions adopted in application thereof.

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#### **Joint declaration on particular transitional measures which might be required in relations between Greece and Spain and Portugal after accession of the latter States**

The accession of Spain and Portugal to the Communities before the expiry of the transitional measures laid down in Article 9 of the Act could require particular transitional measures on relations between these countries and Greece.

These transitional measures would have to be determined in the instruments of accession with Spain and Portugal.

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#### **Joint declaration concerning Protocols to be concluded with certain third countries according to Article 118**

In negotiations of the Protocols to be concluded with co-contracting third countries referred to in Article 118, the Community shall take as its basis for negotiation the provisions which have been agreed in the matter during the Conference between the European Communities and the Hellenic Republic.

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#### **Joint declaration concerning Mount Athos**

Recognizing that the special status granted to Mount Athos, as guaranteed by Article 105 of the Hellenic Constitution, is justified exclusively on grounds of a spiritual and religious nature, the Community will ensure that this status is taken into account in the application and subsequent preparation of provisions of Community law, in particular in relation to customs franchise privileges, tax exemptions and the right of establishment.

**Joint declaration on the procedure for the joint examination of national aids granted by the Hellenic Republic in the field of agriculture during the period prior to accession**

1. The list of aids referred to in Article 69 (2) of the Act of Accession and their amounts are as have been agreed within the Conference. These amounts may be updated, where appropriate, after implementation of the procedure laid down in paragraph 2 below.
  
2. The modifications which would be envisaged by the Hellenic authorities both concerning the method of granting aid and that of updating the amount of each of the national aids granted in Greece during the period prior to accession will be the subject of a joint examination by these authorities and Community bodies.

For this purpose the Hellenic Republic and the Commission will make a joint analysis at regular intervals of the envisaged modifications both for the structure and for the level of aids granted in Greece. The Commission will report to the Council on the results of this analysis.

3. If, after examining the above report, the Community as at present constituted so requests, the Hellenic Republic communicates such decisions as it envisages adopting on national aids in the field of agriculture for the purpose of applying the procedure, defined elsewhere, on the adoption of certain decisions and other measures to be taken during the period prior to accession.

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**Joint declaration on the joint examination procedure of the annual changes in prices of agricultural products in Greece during the period prior to accession**

1. For the application of the provisions of the Act of Accession which determine the level of Greek prices which, where appropriate, must be aligned on the level of common prices, it is agreed that the prices which will be taken into account under the reference period, the duration of which is to be determined for each product during the interim period, shall be the prices resulting from records of prices made and noted in the acts of the Conference, updated on the basis of price movements that have occurred since that time or that occur between now and accession.
  
2. Movements in prices to be decided by the Hellenic authorities or which result from records made of prices in Greece, shall be the subject of a joint examination by the Hellenic authorities and Community bodies.

For this purpose the Hellenic Republic and the Commission shall make a joint analysis at regular intervals of data relating to price movements that are to be decided or are recorded for the Greek market. The Commission will report to the Council on the results of this analysis.

3. If, after examining the above report the Community as at present constituted so requests, the Hellenic Republic communicates such decisions as it envisages adopting in the area of changing agricultural prices, for the purpose of applying the procedure, defined elsewhere, on the adoption of certain decisions and other measures to be taken during the period prior to accession.

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**Joint declaration on sugar, milk products, olive oil and products  
processed from fruit and vegetables**

1. In so far as a system of production quotas such as, or analogous to, that currently provided for in the context of the common organization of the market in sugar will apply at the time of the accession of the Hellenic Republic, the latter will be treated in accordance with the same criteria as the other Member States.

For this purpose the maximum quota, concerning sugar production in Greece, will be fixed at a level close to that corresponding to the quantities produced in Greece during a recent reference period, the duration of which is to be determined during the interim period; this duration may not, however, exceed the sugar marketing year 1978/79. Within this maximum quota, the distinction between quota A and quota B will be made in accordance with the rules in force in the Community as at present constituted for determining the maximum quota.

2. In so far as the system concerning a co-responsibility levy for milk and milk products or an analogous system will apply at the date of accession, the Community provisions in force providing exemption from this levy under certain conditions will be applied to the Hellenic Republic under the same conditions as for the other Member States.
3. Aid for the production of olive oil will be granted in Greece for areas planted with olive trees at the date of accession. The Hellenic Republic will take the necessary measures to avoid any extension of these areas between now and accession so that the number of olive trees concerned is not greater than that obtaining at the end of 1978.
4. Article 103 of the Act of Accession applies taking into account the Community legislation in force for products processed from fruit and vegetables at the date of signature of the Treaty. If, after the examination which will be carried out by the Council before 1 October 1982 in respect of the functioning of the Community system of aid towards production for certain products of the sector in question, the rules in force are amended, Article 103 will be adapted in consequence thereof.

**Joint declaration concerning the First Council Directive of  
12 December 1977 on the coordination of the laws, regulations and  
administrative provisions relating to the taking up and pursuit of the  
business of credit institutions**

On the occasion of the amendment to Article 2 (2) of the Directive in question, it is stated that the Council will decide to exclude the 'Ταχυδρομικό Ταμειστήριο' (Post Office Savings Bank) from the list of institutions given in this provision:

- if the statutes of the Post Office Savings Bank are amended,
- if this body's share of the Greek market, with respect either to deposits, credits or assets, increases by more than 1.5 % as compared with the situation existing on 30 November 1978.

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**Declaration by the Government of the Federal Republic of Germany  
on the application to Berlin of the Decision concerning accession to the  
European Coal and Steel Community and of the Treaty of Accession to  
the European Economic Community and to the European Atomic  
Energy Community**

The Government of the Federal Republic of Germany reserves the right to declare, when the accession of the Hellenic Republic to the European Coal and Steel Community takes effect and upon depositing its instrument of ratification of the Treaty concerning the accession of this country to the European Economic Community and to the European Atomic Energy Community, that the Decision of the Council of 24 May 1979 concerning accession to the European Coal and Steel Community and the Treaty referred to above shall equally apply to *Land* Berlin.

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**Declaration by the Government of the Federal Republic of Germany  
on the definition of the term 'nationals'**

As to the Federal Republic of Germany, the term 'nationals', wherever used in the Act of Accession and in the Annexes thereto, is to be understood to refer to 'Germans as defined in the Basic Law of the Federal Republic of Germany'.



**Declaration of the European Economic Community on Greek workers  
taking up and pursuing paid employment in the present Member States**

Under the transitional provisions on the exercise of the right of freedom of movement, the present Member States shall, when they have recourse to labour originating in third countries, which do not belong to their regular labour market, in order to satisfy their labour requirements, grant Hellenic nationals the same priority as nationals of the other Member States.

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**Declaration of the European Economic Community on the European  
Regional Development Fund**

If, in the context of the re-examination provided for in Article 22 of Regulation (EEC) No 724/75, as amended by Regulation (EEC) No 214/79, the Council will not have succeeded in making amendments, in good time, setting out the participation of the Hellenic Republic in the resources of the Fund as from 1 January 1981, the provisions of Article 2 (3) (a) will be amended upon accession, following the procedure applicable for the adoption of this Regulation, with a view to ensuring that the Hellenic Republic will share in the benefit of these provisions.

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**Declaration by the Hellenic Republic on monetary questions**

In order that the movement of the real rate of the Greek drachma, particularly in relation to the currencies of the present Member States, may be followed on foreign exchange markets, the Hellenic Republic will, before accession to the Community:

- set up a foreign exchange market in Athens,
  
- take the necessary measures in order to ensure that in at least one of the foreign exchange markets of the Community as at present constituted, the drachma is the subject of an official quotation, where such quotation exists, or of a quotation of similar type.



**Information and consultation procedure  
for the adoption of certain decisions**

**I**

1. In order to ensure that the Hellenic Republic is kept adequately informed, any proposal or communication from the Commission of the European Communities which might lead to decisions by the Council of these Communities shall be brought to the knowledge of the Hellenic Republic after being transmitted to the Council.

2. Consultations shall take place pursuant to a reasoned request by the Hellenic Republic, which shall set out expressly therein its interests as a future member of the Communities and its observations.

3. Administrative decisions shall not, as a general rule, give rise to consultations.

4. Consultations shall take place within an Interim Committee composed of representatives of the Communities and of the Hellenic Republic.

5. On the Community side, the members of the Interim Committee shall be members of the Committee of Permanent Representatives or persons designated by them for this purpose. The Commission shall be invited to be represented in this work.

6. The Interim Committee shall be assisted by a Secretariat which shall be that of the Conference, continued for this purpose.

7. Consultations shall normally take place as soon as the preparatory work carried out at Community level with a view to the adoption of decisions by the Council has produced common guidelines enabling such consultations to be usefully arranged.

8. If serious difficulties remain after consultations, the matter may be raised at ministerial level at the request of the Hellenic Republic.

9. The procedure laid down in the above paragraphs shall also apply to any decision to be taken by the Hellenic Republic which might affect the commitments resulting from its position as a future member of the Communities.

**II**

The Hellenic Republic shall take the necessary measures to ensure its accession to the Agreements or Conventions referred to in Articles 3 (2) and 4 (2) of the Act concerning the conditions of accession and the adjustments to the Treaties coincides so far as possible, and under the conditions laid down in that Act, with the entry into force of the Treaty of Accession.

In so far as the Agreements or Conventions between the Member States, referred to in the second sentence of Article 3 (1) and in Article 3 (2), exist only in draft, have not yet been signed, and probably cannot be signed in the period before accession, the Hellenic Republic will be invited to be associated, after the signature of the Treaty of Accession and in accordance with appropriate procedures, in the preparation of those drafts in a positive spirit and in such manner as to facilitate their conclusion.

**III**

With regard to the negotiation of the Protocols of transition and of adjustment with the co-contracting countries referred to in Article 118 of the Act concerning the conditions of accession, the representatives of the Hellenic Republic shall be associated with the work as observers, side by side with the representatives of the present Member States.

Certain non-preferential Agreements concluded by the Community, which remain in force after 1 January 1981, may be the subject of adaptations or adjustments in order to take account of the enlargement of the Community. These adaptations or adjustments will be negotiated by the Community in association with the representatives of the Hellenic Republic in accordance with the procedure under the preceding paragraph.

#### IV

The consultations between the Hellenic Republic and the Commission provided for in Article 49 (2) of the Act concerning the conditions of accession and the adjustments to the Treaties shall take place before accession.

#### V

The Hellenic Republic undertakes that the granting of the licences referred to in Article 2 of Protocol 6 on the

exchange of information with the Hellenic Republic in the field of nuclear energy shall not be deliberately accelerated before accession with a view to reducing the scope of the commitments contained in this Protocol.

#### VI

The institutions of the Community shall, in due course, draw up the texts referred to in Article 147 of the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties.

**DOCUMENTS <sup>(1)</sup>**

**concerning the accession of the Kingdom of Spain and the Portuguese  
Republic to the European Communities**

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<sup>(1)</sup> *Official Journal of the European Communities*, No L 302, 15 November 1985.



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**COMMISSION OPINION**  
**of 31 May 1985**  
**on the applications for accession to the European Communities by the Kingdom of Spain and**  
**the Portuguese Republic**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 98 thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 237 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 205 thereof,

Whereas the Kingdom of Spain and the Portuguese Republic have applied to become members of those Communities;

Whereas, in its opinions of 19 May and 20 November 1978, the Commission has already had an opportunity of expressing its views on certain essential aspects of the problems arising in connection with these applications;

Whereas the terms for the admission of these States and the adjustments to the Treaties necessitated by their accession have been negotiated in conferences between the Communities and the applicant States; whereas the uniqueness of Community representation was ensured with due regard for the institutional dialogue provided for by the Treaties;

Whereas, on the completion of those negotiations, it is apparent that the provisions so agreed are fair and proper; whereas, this being so, the Community's enlargement, while preserving its internal cohesion and dynamism, will enable it to take a fuller part in the development of international relations;

Whereas, in joining the Communities, the applicant States accept, without reserve, the Treaties and their

political objectives, all decisions taken since their entry into force and the options taken in respect of the development and strengthening of the Communities;

Whereas it is an essential feature of the legal order introduced by the Treaties establishing the Communities that certain of their provisions and certain acts adopted by the institutions of the Communities are directly applicable, that Community law takes precedence over any national provisions which might conflict with it, and that procedures exist for ensuring the uniform interpretation of Community law; whereas accession to the Communities implies recognition of the binding nature of these rules, observance of which is indispensable to guarantee the effectiveness and unity of Community law;

Whereas the principles of pluralist democracy and respect for human rights form part of the common heritage of the peoples of the States brought together in the European Communities and constitute therefore essential elements of membership of the said Communities;

Whereas enlargement of the Communities through the accession of the Kingdom of Spain and the Portuguese Republic will help to strengthen safeguards for peace and freedom in Europe,

HEREBY DELIVERS A FAVOURABLE OPINION:

on the accession to the European Communities of the Kingdom of Spain and the Portuguese Republic.

This opinion is addressed to the Council.

Done at Brussels, 31 May 1985.

*For the Commission*

**DECISION OF THE COUNCIL OF THE EUROPEAN COMMUNITIES**  
**of 11 June 1985**  
**on the accession of the Kingdom of Spain and the Portuguese Republic to the**  
**European Coal and Steel Community**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 98 thereof,

Having regard to the opinion of the Commission,

With reference to the opinion of the European Parliament,

Whereas the Kingdom of Spain and the Portuguese Republic have applied to accede to the European Coal and Steel Community;

Whereas the conditions of accession to be determined by the Council have been negotiated with the above-mentioned States,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. The Kingdom of Spain and the Portuguese Republic may become members of the European Coal and Steel Community by acceding, under the conditions laid down in this Decision, to the Treaty establishing that Community, as amended or supplemented.

2. The conditions of accession and the adjustments to the Treaty establishing the European Coal and Steel Community necessitated thereby are set out in the Act annexed to this Decision. The provisions of that Act concerning the European Coal and Steel Community shall form an integral part of this Decision.

3. The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Communities as set out in the Treaty referred to in paragraph 1 shall apply in respect of this Decision.

*Article 2*

1. The instruments of accession of the Kingdom of Spain and the Portuguese Republic to the European

Coal and Steel Community will be deposited with the Government of the French Republic on 1 January 1986.

2. Accession will take effect on 1 January 1986, provided that all the instruments of accession have been deposited on that date and that all the instruments of ratification of the Treaty concerning accession to the European Economic Community and the European Atomic Energy Community have been deposited before that date.

If, however, one of the States referred to in paragraph 1 of this Article has not deposited its instruments of accession and ratification in due time, accession shall take effect for the other acceding State. In this case, the Council of the European Communities, acting unanimously, shall decide immediately upon such resulting adjustments, as have become indispensable, to Article 3 of this Decision and to Articles 12, 13, 17, 19, 20, 22, 383, 384, 385 and 397 of the Act of Accession; acting unanimously, it may also declare that those provisions of the said Act which refer expressly to the State which has not deposited its instruments of accession and ratification have lapsed, or it may adjust them.

3. Notwithstanding paragraph 2, the institutions of the Community may adopt, before accession, the measures referred to in Articles 27, 179, 366, 378 and 396 of the Act of Accession. These measures shall enter into force only subject to and on the date on which this Decision takes effect.

4. The Government of the French Republic will remit a certified copy of the instrument of accession of each acceding State to the Governments of the Member States and of the other acceding State.

*Article 3*

This Decision, drawn up in the Danish, Dutch, English, French, German, Greek, Irish, Italian, Portuguese and Spanish languages, the texts in each of these languages being equally authentic, shall be communicated to the Member States of the European Coal and Steel Community, to the Kingdom of Spain and to the Portuguese Republic.



Udfærdiget i Luxembourg, den 11. juni 1985.

Geschehen zu Luxemburg am 11. Juni 1985.

Έγινε στο Λουξεμβούργο, στις 11 Ιουνίου 1985.

Done at Luxembourg, 11 June 1985.

Hecho en Luxemburgo, el 11 de junio de 1985.

Fait à Luxembourg, le 11 juin 1985.

Arna dhéanamh i Lucsamburg, an 11 Meitheamh 1985.

Fatto a Lussemburgo, addì 11 giugno 1985.

Gedaan te Luxemburg, 11 juni 1985.

Feito no Luxemburgo, em 11 de Junho de 1985.

*På Rådets vegne*

*Formand*

*Im Namen des Rates*

*Der Präsident*

*Για το Συμβούλιο*

*Ο Πρόεδρος*

*For the Council*

*The President*

*Por el Consejo*

*El Presidente*

*Pour le Conseil*

*Le président*

*Thar ceann na Comhairle*

*An tUachtarán*

*Per il Consiglio*

*Il Presidente*

*Voor de Raad*

*De Voorzitter*

*Pelo Conselho*

*O Presidente*

G. ANDREOTTI

---

**DECISION OF THE COUNCIL OF THE EUROPEAN COMMUNITIES**  
**of 11 June 1985**  
**on the admission of the Kingdom of Spain and the Portuguese Republic to the European**  
**Economic Community and to the European Atomic Energy Community**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 237 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 205 thereof,

Having regard to the opinion of the Commission,

With reference to the opinion of the European Parliament,

Whereas the Kingdom of Spain and the Portuguese Republic have applied to become members of the European Economic Community and of the European Atomic Energy Community,

HAS DECIDED:

to accept these applications for admission; the conditions of admission and the adjustments to the Treaties necessitated thereby are to be the subject of an agreement between the Member States, the Kingdom of Spain and the Portuguese Republic.

Udfærdiget i Luxembourg, den 11. juni 1985.  
Geschehen zu Luxemburg am 11. Juni 1985.  
Έγινε στο Λουξεμβούργο, στις 11 Ιουνίου 1985.  
Done at Luxembourg, 11 June 1985.  
Hecho en Luxemburgo, el 11 de junio de 1985.  
Fait à Luxembourg, le 11 juin 1985.  
Arna dhéanamh i Lucsamburg, an 11 Meitheamh 1985.  
Fatto a Lussemburgo, addì 11 giugno 1985.  
Gedaan te Luxemburg, 11 juni 1985.  
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*På Rådets vegne  
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*Im Namen des Rates  
Der Präsident*

*Για το Συμβούλιο  
Ο Πρόεδρος*

*For the Council  
The President*

*Por el Consejo  
El Presidente*

*Pour le Conseil  
Le président*

*Thar ceann na Comhairle  
An tUachtarán*

*Per il Consiglio  
Il Presidente*

*Voor de Raad  
De Voorzitter*

*Pelo Conselho  
O Presidente*

G. ANDREOTTI

---

**TREATY**

**between**

**the Kingdom of Belgium,**

**the Kingdom of Denmark,**

**the Federal Republic of Germany,**

**the Hellenic Republic,**

**the French Republic,**

**Ireland,**

**the Italian Republic,**

**the Grand Duchy of Luxembourg,**

**the Kingdom of the Netherlands,**

**the United Kingdom of Great Britain and Northern Ireland**

**(Member States of the European Communities)**

**and**

**the Kingdom of Spain,**

**the Portuguese Republic,**

**concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community**

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 HELLENIC REPUBLIC,

HIS MAJESTY THE KING OF SPAIN,

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,

THE PRESIDENT OF THE PORTUGUESE REPUBLIC,

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

UNITED in their desire to pursue the attainment of the objectives of the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community,

DETERMINED in the spirit of those Treaties to construct an ever closer union among the peoples of Europe on the foundations already laid,

CONSIDERING that Article 237 of the Treaty establishing the European Economic Community and Article 205 of the Treaty establishing the European Atomic Energy Community afford European States the opportunity of becoming members of these Communities,

CONSIDERING that the Kingdom of Spain and the Portuguese Republic have applied to become members of these Communities,

CONSIDERING that the Council of the European Communities, after having obtained the opinion of the Commission, has declared itself in favour of the admission of these States,

HAVE DECIDED to establish by common agreement the conditions of admission and the adjustments to be made to the Treaties establishing the European Economic Community and the European Atomic Energy Community, and to this end have designated as their plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS,

Mr Wilfried MARTENS,  
Prime Minister;  
Mr Leo TINDEMANS,  
Minister for External Relations;  
Mr Paul NOTERDAEME,  
Ambassador,  
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK,

Mr Poul SCHLÜTER,  
Prime Minister;  
Mr Uffe ELLEMANN-JENSEN,  
Minister for Foreign Affairs;  
Mr Jakob Esper LARSEN,  
Ambassador,  
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

Mr Hans-Dietrich GENSCHER,  
Federal Minister for Foreign Affairs;  
Mr Gisbert POENSGEN,  
Ambassador,  
Permanent Representative to the European Communities;

THE PRESIDENT OF THE HELLENIC REPUBLIC,

Mr Yannis HARALAMBOPOULOS,  
Minister for Foreign Affairs;  
Mr Theodoros PAGALOS,  
State Secretary, Ministry of Foreign Affairs (with responsibility for EEC affairs);  
Mr Alexandre ZAFIRIOU,  
Ambassador,  
Permanent Representative to the European Communities;

HIS MAJESTY THE KING OF SPAIN,

Mr Felipe GONZÁLEZ MÁRQUEZ,  
Prime Minister;  
Mr Fernando MORÁN LÓPEZ,  
Minister for Foreign Affairs;  
Mr Manuel MARÍN GONZÁLEZ,  
State Secretary for Relations with the European Communities;  
Mr Gabriel FERRÁN de ALFARO,  
Ambassador,  
Head of the Mission to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Mr Laurent FABIUS,  
Prime Minister;  
Mr Roland DUMAS,  
Minister for External Relations;  
Mrs Catherine LALUMIÈRE,  
Delegated Minister entrusted with European Affairs;  
Mr Luc de LA BARRE de NANTEUIL,  
Ambassador,  
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND,

Dr Garret FITZGERALD, TD,  
Prime Minister;  
Mr Peter BARRY, TD,  
Minister for Foreign Affairs;  
Mr Andrew O'ROURKE,  
Ambassador,  
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC,

Mr Bettino CRAXI,  
President of the Council of Ministers;  
Mr Giulio ANDREOTTI,  
Minister for Foreign Affairs;  
Mr Pietro CALAMIA,  
Ambassador,  
Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

Mr Jacques F. POOS,  
Vice-President of the Government,  
Minister for Foreign Affairs;  
Mr Joseph WEYLAND,  
Ambassador,  
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

Drs Ruud F.M. LUBBERS,  
Prime Minister,  
Minister for General Affairs;  
Mr Hans van den BROEK,  
Minister for Foreign Affairs;  
Mr H.J.Ch. RUTTEN,  
Ambassador,  
Permanent Representative to the European Communities;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC,

Dr Mário SOARES,  
Prime Minister;  
Dr Rui MACHETE,  
Deputy Prime Minister;  
Dr Jaime GAMA,  
Minister for Foreign Affairs;  
Dr Ernâni RODRIGUES LOPES,  
Minister for Finance and Planning;

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

Sir Geoffrey HOWE, QC, MP,  
Secretary of State for Foreign and Commonwealth Affairs;  
Sir Michael BUTLER,  
Ambassador,  
Permanent Representative to the European Communities;

WHO, having exchanged their full powers found in good and due form,  
HAVE AGREED AS FOLLOWS:

### *Article 1*

1. The Kingdom of Spain and the Portuguese Republic hereby become members of the European Economic Community and of the European Atomic Energy Community and Parties to the Treaties establishing these Communities as amended or supplemented.

2. The conditions of admission and the adjustments to the Treaties establishing the European Economic Community and the European Atomic Energy Community necessitated thereby are set out in the Act annexed to this Treaty. The provisions of that Act concerning the European Economic Community and the European Atomic Energy Community shall form an integral part of this Treaty.

3. The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Communities as set out in the Treaties referred to in paragraph 1 shall apply in respect of this Treaty.

### *Article 2*

1. This Treaty will be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification will be deposited with the Government of the Italian Republic by 31 December 1985 at the latest.

2. This Treaty will enter into force on 1 January 1986, provided that all the instruments of ratification have been deposited before that date and that all the instruments of accession to the European Coal and Steel Community are deposited on that date.

If, however, one of the States referred to in Article 1 (1) has not deposited its instruments of ratification and accession in due time, the Treaty shall enter into force for the other State which has deposited its instruments. In this case, the Council of the European Communities, acting unanimously, shall decide immediately upon such resulting adjustments as have become indispensable, to Article 3 of this Treaty and to Articles 14, 17, 19, 20, 23, 383, 384, 385, 386, 388, 397, and 402 of the Act of Accession, to the provisions of Annex I to that Act concerning the composition and functioning of various committees, and to the relevant Articles of Protocol No 1 on the Statute of the European Investment Bank annexed thereto; acting unanimously, it may also declare that those provisions of the aforementioned Act which refer expressly to the State which has not deposited its instruments of ratification and accession have lapsed, or it may adjust them.

3. Notwithstanding paragraph 2, the institutions of the Community may adopt before accession the measures referred to in Articles 27, 91, 161, 163, 164, 165, 171, 179, 258, 349, 351, 352, 358, 366, 378 and 396 of the Act of Accession and Articles 2, 3 and 4 of Protocol No 2. These measures shall enter into force only subject to and on the date of the entry into force of this Treaty.

### *Article 3*

This Treaty, drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Irish, Italian, Portuguese and Spanish languages, the texts in each of these languages being equally authentic, will be deposited in the archives of the Government of the Italian Republic, which will remit a certified copy to each of the Governments of the other Signatory States.



Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Slutakt.

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

Σε πίστωση των ανωτέρω, οι υπογεγραμμένοι πληρεξούσιοι υπέγραψαν την παρούσα συνθήκη.

In witness whereof the undersigned Plenipotentiaries have signed this Final Act.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben la presente Acta final.

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

Dá fhianú sin, chuir na Lánchumhachtaigh thíos-sínithe a lámh leis an Ionstraim Chríoch-naítheach seo.

En 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 Slot-akte hebben gesteld.

Em fé do que os plenipotenciários abaixo-assinados apuseram as suas assinaturas no final da presente Acta final.

Udfærdiget i Madrid, den tolvte juni nitten hundrede og femogfirs.

Geschehen zu Madrid am zwölften Juni neunzehnhundertfünfundachtzig.

Έγινε στη Μαδρίτη, στις δώδεκα Ιουνίου χίλια εννιακόσια ογδόντα πέντε.

Done at Madrid on the twelfth day of June in the year one thousand nine hundred and eighty-five.

Hecho en Madrid, el doce de junio de mil novecientos ochenta y cinco.

Fait à Madrid, le douze juin mil neuf cent quatre-vingt-cinq.

Arna dhéanamh i Maidrid, an dóú lá déag de Mheitheamh, míle naoi gcéad ochtó a cúig.

Fatto a Madrid, addì dodici giugno millenovecentottantacinque.

Gedaan te Madrid, de twaalfde juni negentienhonderd vijfentachtig.

Feito em Madrid, aos doze de Junho de mil novecentos e oitenta e cinco.

Wilfried MARTENS  
L. TINDEMANS  
P. NOTERDAEME

Poul SCHLÜTER  
U. ELLEMANN-JENSEN  
Jakob Esper LARSEN

Hans-Dietrich GENSCHER  
POENSGEN

Y. HARALAMBOPOULOS  
Th. PAGALOS  
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Fernando MORÁN  
Manuel MARÍN  
Gabriel FERRÁN

Laurent FABIUS  
Roland DUMAS  
C. LALUMIÈRE  
Luc de LA BARRE de NANTEUIL

Gearóid Mac GEARAILT  
Peadar de BARRA  
Andréas Ó RUAIRC

B. CRAXI  
Giulio ANDREOTTI  
Pietro CALAMIA

J.F. POOS  
J. WEYLAND

R. LUBBERS  
H. van den BROEK  
RUTTEN

Mário SOARES  
Rui CHANCERELLE de MACHETE  
Jaime GAMA  
Ernâni RODRIGUES LOPES

Geoffrey HOWE  
Michael BUTLER

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Slutakt.

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

Σε πίστωση των ανωτέρω, οι υπογεγραμμένοι πληρεξούσιοι υπέγραψαν την παρούσα συνθήκη.

In witness whereof the undersigned Plenipotentiaries have signed this Final Act.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben la presente Acta final.

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

Dá fhianú sin, chuir na Lánchumhachtaigh thíos-sínithe a lámh leis an Ionstraim Chrioch-naitheach seo.

En 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.

Em fé do que os plenipotenciários abaixo-assinados apuseram as suas assinaturas no final da presente Acta final.

Udfærdiget i Lissabon, den tolvte juni nitten hundrede og femogfirs.

Geschehen zu Lissabon am zwölften Juni neunzehnhundertfünfundachtzig.

Έγινε στη Λισσαβόνα, στις δώδεκα Ιουνίου χίλια εννιακόσια ογδόντα πέντε.

Done at Lisbon on the twelfth day of June in the year one thousand nine hundred and eighty-five.

Hecho en Lisboa, el doce de junio de mil novecientos ochenta y cinco.

Fait à Lisbonne, le douze juin mil neuf cent quatre-vingt-cinq.

Arna dhéanamh i Liospóin, an dóú lá déag de Mheitheamh, míle naoi gcéad ochtó a cúig.

Fatto a Lisbona, addì dodici giugno millenovecentottantacinque.

Gedaan te Lissabon, de twaalfde juni negentienhonderd vijfentachtig.

Feito em Lisboa, aos doze de Junho de mil novecentos e oitenta e cinco.

Wilfried MARTENS  
L. TINDEMANS  
P. NOTERDAEME

Poul SCHLÜTER  
U. ELLEMANN-JENSEN  
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Mário SOARES  
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Jaime GAMA  
Ernâni RODRIGUES LOPES

Geoffrey HOWE  
Michael BUTLER

## ACT

### concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties

#### PART ONE

#### PRINCIPLES

##### *Article 1*

For the purposes of this Act:

- the expression 'original Treaties' means the Treaty establishing the European Coal and Steel Community, the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community, as supplemented or amended by treaties or other acts which entered into force before this accession; the expressions 'ECSC Treaty', 'EEC Treaty' and 'Euratom Treaty' mean the relevant original Treaties thus supplemented or amended,
- the expression 'present Member States' means the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland,
- the expression 'the Community as at present constituted' means the Community made up of the present Member States,
- the expression 'the Community as enlarged' means the Community as constituted after the 1972 accession or after the 1979 accession, as the case may be,
- the expression 'new Member States' means the Kingdom of Spain and the Portuguese Republic.

##### *Article 2*

From the date of accession, the provisions of the original Treaties and the acts adopted by the institutions of the Communities before accession shall be binding on the new Member States and shall apply in those States under the conditions laid down in those Treaties and in this Act.

##### *Article 3*

1. The new Member States accede by this Act to the decisions and agreements adopted by the representa-

tives of the Governments of the Member States meeting in Council. They undertake to accede from the date of accession to all other agreements concluded by the present Member States relating to the functioning of the Communities or connected with the activities thereof.

2. The new Member States undertake to accede to the conventions provided for in Article 220 of the EEC Treaty and to those that are inseparable from the attainment of the objectives of that Treaty and thus linked to the Community legal order, and also to the protocols on the interpretation of those conventions by the Court of Justice, signed by the Member States of the Community as originally constituted or as enlarged and to this end they undertake to enter into negotiations with the present Member States in order to make the necessary adjustments thereto.

3. The new Member States are in the same situation as the present Member States in respect of declarations or resolutions of, or other positions taken up by, the Council and in respect of those concerning the European Communities adopted by common agreement of the Member States; they will accordingly observe the principles and guidelines deriving from those declarations, resolutions or other positions and will take such measures as may be necessary to ensure their implementation.

##### *Article 4*

1. The agreements or conventions entered into by any of the Communities with one or more third States, with an international organization or with a national of a third State, shall, under the conditions laid down in the original Treaties and in this Act, be binding on the new Member States.

2. The new Member States undertake to accede, under the conditions laid down in this Act, to the agreements or conventions concluded by the Member States of the Community as originally constituted or as enlarged and any of the Communities, acting jointly, and to the agreements concluded by those States which are related to those agreements or conventions. The Community and the present Member States shall assist the new Member States in this respect.

3. The new Member States accede by this Act and under the conditions laid down therein to the internal

agreements concluded by the Member States of the Community as originally constituted or as enlarged for the purpose of implementing the agreements or conventions referred to in paragraph 2.

4. The new Member States shall take appropriate measures, where necessary, to adjust their position in relation to international organizations and to those international agreements to which one of the Communities or to which other Member States are also parties, to the rights and obligations arising from their accession to the Communities.

*Article 5*

Article 234 of the EEC Treaty and Articles 105 and 106 of the Euratom Treaty shall apply for the new Member States to agreements or conventions concluded before their accession.

*Article 6*

The provisions of this Act may not, unless otherwise provided herein, be suspended, amended or repealed

other than by means of the procedure laid down in the original Treaties enabling those Treaties to be revised.

*Article 7*

Acts adopted by the institutions of the Communities to which the transitional provisions laid down in this Act relate shall retain their status in law; in particular, the procedures for amending those acts shall continue to apply.

*Article 8*

Provisions of this Act the purpose or effect of which is to repeal or amend acts adopted by the institutions of the Communities, otherwise than as a transitional measure, shall have the same status in law as the provisions which they repeal or amend and shall be subject to the same rules as those provisions.

*Article 9*

The application of the original Treaties and acts adopted by the institution shall, as a transitional measure, be subject to the derogations provided for in this Act.

**PART TWO**

**ADJUSTMENTS TO THE TREATIES**

**TITLE 1**

**PROVISIONS GOVERNING THE INSTITUTIONS**

**CHAPTER 1**

**The European Parliament**

Italy	81
Luxembourg	6
Netherlands	25
Portugal	24
United Kingdom	81

*Article 10*

The following is substituted for Article 2 of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, which is annexed to Decision 76/787/ECSC, EEC, Euratom:

*Article 2*

The number of representatives elected in each Member State is as follows:

Belgium	24
Denmark	16
Germany	81
Greece	24
Spain	60
France	81
Ireland	15

**CHAPTER 2**

**The Council**

*Article 11*

The following is substituted for the second paragraph of Article 2 of the Treaty establishing a Single Council and a Single Commission of the European Communities:

'The office of President shall be held in turn by each Member State in the Council for a term of six months, in the following order of Member States:

- for a first cycle of six years: Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom,

- for the following cycle of six years: Denmark, Belgium, Greece, Germany, France, Spain, Italy, Ireland, Netherlands, Luxembourg, United Kingdom, Portugal.’

#### Article 12

The following is substituted for Article 28 of the ECSC Treaty:

#### Article 28

When the Council is consulted by the High Authority, it shall consider the matter without necessarily taking a vote. The minutes of its proceedings shall be forwarded to the High Authority.

Wherever this Treaty requires that the assent of the Council be given, that assent shall be considered to have been given if the proposal submitted by the High Authority receives the approval:

- of an absolute majority of the representatives of the Member States, including the votes of the representatives of two Member States which each produce at least one-ninth of the total value of the coal and steel output of the Community, or
- in the event of an equal division of votes and if the High Authority maintains its proposal after a second discussion, of the representatives of three Member States which each produce at least one-ninth of the total value of the coal and steel output of the Community.

Wherever this Treaty requires a unanimous decision or unanimous assent, such decision or assent shall have been duly given if all the members of the Council vote in favour. However, for the purposes of applying Articles 21, 32, 32a, 78e and 78h of this Treaty, and Article 16, the third paragraph of Article 20, the fifth paragraph of Article 28 and Article 44 of the Protocol on the Statute of the Court of Justice, abstention by members present in person or represented shall not prevent the adoption by the Council of acts which require unanimity.

Decisions of the Council, other than those for which a qualified majority or unanimity is required, shall be taken by a vote of the majority of its members; this majority shall be considered to be attained if it represents an absolute majority of the representatives of the Member States, including the votes of the representatives of two Member States which each produce at least one-ninth of the total value of the coal and steel output of the Com-

munity. However, for the purpose of applying Articles 78, 78b and 78e of this Treaty which require a qualified majority, the votes of the members of the Council are weighted as follows:

Belgium	5
Denmark	3
Germany	10
Greece	5
Spain	8
France	10
Ireland	3
Italy	10
Luxembourg	2
Netherlands	5
Portugal	5
United Kingdom	10

For their adoption, acts shall require at least 54 votes in favour, cast by not less than eight members.

Where a vote is taken, any member of the Council may act on behalf of not more than one other member.

The Council shall deal with the Member States through its President.

The acts of the Council shall be published in such a manner as it may decide.’

#### Article 13

The following is substituted for the fourth paragraph of Article 95 of the ECSC Treaty:

‘These amendments shall be proposed jointly by the High Authority and the Council, acting by a ten-twelfths majority of its members, and shall be submitted to the Court for its opinion. In considering them, the Court shall have full power to assess all points of fact and of law. If, as a result of such consideration, it finds the proposals compatible with the provisions of the preceding paragraph, they shall be forwarded to the European Parliament and shall enter into force if approved by a majority of three-quarters of the votes cast and two-thirds of the members of the European Parliament.’

#### Article 14

The following is substituted for Article 148 (2) of the EEC Treaty and Article 118 (2) of the Euratom Treaty:

‘2. Where the Council is required to act by a qualified majority, the votes of its members shall be weighted as follows:

Belgium	5
Denmark	3
Germany	10
Greece	5
Spain	8
France	10
Ireland	3
Italy	10
Luxembourg	2
Netherlands	5
Portugal	5
United Kingdom	10

For their adoption, acts of the Council shall require at least:

- 54 votes in favour where this Treaty requires them to be adopted on a proposal from the Commission,
- 54 votes in favour, cast by at least eight members, in other cases.'

### CHAPTER 3

#### The Commission

##### Article 15

The following is substituted for the first subparagraph of Article 10(1) of the Treaty establishing a Single Council and a Single Commission of the European Communities:

'1. The Commission shall consist of 17 members, who shall be chosen on the grounds of their general competence and whose independence is beyond doubt.'

##### Article 16

Article 14 of the Treaty establishing a Single Council and a Single Commission of the European Communities is amended as follows:

1. The first subparagraph is replaced by the following:  
'The President and the six Vice-Presidents of the Commission shall be appointed from among its members for a term of two years in accordance with the same procedure as that laid down for the appointment of members of the Commission. Their appointments may be renewed.'
2. The following subparagraph is added:  
'The Council, acting unanimously, may amend the provisions concerning Vice-Presidents.'

### CHAPTER 4

#### The Court of Justice

##### Article 17

The following is substituted for the first paragraph of Article 32 of the ECSC Treaty, the first paragraph of Article 165 of the EEC Treaty and the first paragraph of Article 137 of the Euratom Treaty:

'The Court of Justice shall consist of 13 Judges.'

##### Article 18

The following is substituted for the first paragraph of Article 32a of the ECSC Treaty, the first paragraph of Article 166 of the EEC Treaty and the first paragraph of Article 138 of the Euratom Treaty:

'The Court of Justice shall be assisted by six Advocates-General.'

##### Article 19

The following is substituted for the second and third paragraphs of Article 32b of the ECSC Treaty, the second and third paragraphs of Article 167 of the EEC Treaty and the second and third paragraphs of Article 139 of the Euratom Treaty:

'Every three years there shall be a partial replacement of the Judges. Seven and six Judges shall be replaced alternately.'

Every three years there shall be a partial replacement of the Advocates-General. Three Advocates-General shall be replaced on each occasion.'

### CHAPTER 5

#### The Court of Auditors

##### Article 20

The following is substituted for Article 78e (2) of the ECSC Treaty, Article 206 (2) of the EEC Treaty and Article 180 (2) of the Euratom Treaty:

'2. The Court Auditors shall consist of 12 members.'

### CHAPTER 6

#### The Economic and Social Committee

##### Article 21

The following is substituted for the first paragraph of Article 194 of the EEC Treaty and the first paragraph of Article 166 of the Euratom Treaty:

'The number of members of the Committee shall be as follows:

Belgium	12
Denmark	9
Germany	24
Greece	12
Spain	21
France	24
Ireland	9
Italy	24
Luxembourg	6
Netherlands	12
Portugal	12
United Kingdom	24'

#### CHAPTER 7

##### The ECSC Consultative Committee

###### Article 22

The following is substituted for the first paragraph of Article 18 of the ECSC Treaty:

'A Consultative Committee shall be attached to the High Authority. It shall consist of not less than 72 and not more than 96 members and shall comprise equal numbers of producers, of workers and of consumers and dealers.'

#### CHAPTER 8

##### The Scientific and Technical Committee

###### Article 23

The following is substituted for the first subparagraph of Article 134 (2) of the Euratom Treaty:

'2. The Committee shall consist of 33 members, appointed by the Council after consultation with the Commission.'

#### TITLE II

##### OTHER ADJUSTMENTS

###### Article 24

The following is substituted for Article 227 (1) of the EEC Treaty:

'1. This Treaty shall apply to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Portuguese Republic and the United Kingdom of Great Britain and Northern Ireland.'

###### Article 25

1. The Treaties and the acts of the institutions of the European Communities shall apply to the Canary Islands and to Ceuta and Melilla, subject to the derogations referred to in paragraphs 2 and 3 and to the other provisions of this Act.

2. The conditions under which the provisions of the EEC and ECSC Treaties concerning the free movement of goods, and the acts of the institutions of the Community concerning customs legislation and commercial policy, shall apply to the Canary Islands and to Ceuta and Melilla are set out in Protocol No 2.

3. Without prejudice to the specific provisions of Article 155, the acts of the institutions of the European Communities concerning the common agricultural policy and the common fisheries policy shall not apply to the Canary Islands and to Ceuta and Melilla.

The Council, acting by a qualified majority on a proposal from the Commission, shall determine the provisions of a socio-structural nature which, in the sphere of agriculture, shall apply to the Canary Islands, whilst ensuring that these provisions are compatible with the general objectives of the common agricultural policy.

4. At the request of the Kingdom of Spain, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may:

— decide to include the Canary Islands and Ceuta and Melilla in the customs territory of the Community,

— define the appropriate measures aimed at extending to the Canary Islands and to Ceuta and Melilla the provisions of Community law in force.

On a proposal from the Commission acting on its own initiative or at the request of a Member State, the Council, acting unanimously and after consulting the European Parliament, may decide to make such adjustments to the arrangements applicable to the Canary Islands and to Ceuta and Melilla as may prove necessary.

## PART THREE

### ADAPTATIONS TO ACTS ADOPTED BY THE INSTITUTIONS

#### *Article 26*

The acts listed in Annex I to this Act shall be adapted as specified in that Annex.

#### *Article 27*

The adaptations to the acts listed in Annex II to this Act made necessary by accession shall be drawn up in conformity with the guidelines set out in that Annex and in accordance with the procedure and under the conditions laid down in Article 396.

## PART FOUR

### TRANSITIONAL MEASURES

#### TITLE I

#### PROVISIONS GOVERNING THE INSTITUTIONS

#### *Article 28*

1. During the first two years following accession, each of the new Member States shall hold an election by direct universal suffrage of 60 representatives, to the European Parliament, of the people of Spain and of 24 representatives, to the European Parliament, of the people of Portugal, respectively, in accordance with the provisions of the Act of 20 September 1976 concerning the election of representatives of the European Parliament by direct universal suffrage.

The term of office of those representatives shall end at the same time as that of the representatives elected in the present Member States for the current five-year term.

2. From accession and for the period running until each of the elections referred to in paragraph 1, the representatives of the European Parliament of the people of Spain and Portugal shall be appointed by the Parliaments of the new Member States within themselves in accordance with the procedure laid down by each of those States.

#### *Article 29*

For the purposes of applying the second paragraph of Article 2 of the Treaty establishing a Single Council and a Single Commission of the European Communities, the new order for Member States fixed in Article 11 of this Act shall apply on the expiry of the periods

of rotation remaining to run in accordance with the order of the Member States fixed in Article 2 above in its version in force before the accession.

#### TITLE II

#### TRANSITIONAL MEASURES CONCERNING SPAIN

#### CHAPTER I

#### Free movement of goods

#### Section I

#### Tariff provisions

#### *Article 30*

1. The basic duty to which the successive reductions provided for in Articles 31, 75 (1) and 173 (1) and (2) are to be applied shall, for each product, be the duty actually applied on 1 January 1985 to products originating in the Community as at present constituted and Spain within the context of their trade.

2. The basic duty used for the moves towards alignment on the Common Customs Tariff and the ECSC unified tariff provided for in Articles 37, 75 (2) and 173 (4) shall, for each product, be the duty actually applied by the Kingdom of Spain on 1 January 1985.

3. However, if after that date and before accession a tariff reduction is applied, such reduced duty shall be considered as a basic duty.



4. The Community as at present constituted and the Kingdom of Spain shall inform each other of their respective basic duties.

5. Notwithstanding paragraph 1, for the products appearing hereafter, the basic duties to which the Kingdom of Spain shall apply the successive reductions laid down in Article 31 shall be those indicated opposite each product.

CCT heading No	Description	Basic duty
24.02	Manufactured tobacco; tobacco extracts and essences:	
	A. Cigarettes	50 %
	B. Cigars	55 %
	C. Smoking tobacco	46,8 %
	D. Chewing tobacco	26 %
	E. Other, including agglomerated tobacco in the form of sheets or strip	10,4 %
27.09	Petroleum oils and oils obtained from bituminous minerals, crude	Free

#### Article 31

1. Customs duties on imports between the Community as at present constituted and the Kingdom of Spain shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 90 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 77,5 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 62,5 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 47,5 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 35 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 22,5 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 10 % of the basic duty,
- the last reduction of 10 % shall be made on 1 January 1993.

2. Notwithstanding paragraph 1, duty-free entry shall apply from 1 March 1986 to:

- (a) imports which benefit from the provisions relating to tax exemptions applicable to persons travelling from one Member State to another;

- (b) imports of goods sent in small consignments, not of a commercial nature, which benefit from the provisions relating to tax exemptions applicable between Member States.

3. The rate of duty calculated in accordance with paragraph 1 shall be applied by rounding down to the first decimal place by deleting the second decimal.

#### Article 32

In no case shall customs duties higher than those applied to third countries enjoying most-favoured-nation treatment be applied within the Community.

In the event of the Common Customs Tariff duties being amended or suspended, or the Kingdom of Spain applying Article 40, the Council, acting by a qualified majority on a proposal from the Commission, may take the necessary measures for the maintenance of Community preference.

In the event of ECSC unified tariff duties being amended or suspended, or the Kingdom of Spain applying Article 40, the Commission may take the necessary measures for the maintenance of Community preference.

#### Article 33

The Kingdom of Spain may suspend in whole or in part the levying of duties on products imported from the Community as at present constituted. It shall inform the other Member States and the Commission thereof.

The Council, acting by a qualified majority on a proposal from the Commission, may suspend in whole or in part the levying of duties on products imported from Spain.

#### Article 34

Tariff quotas subject to reduced duty, resulting from Article 30, for the import into Spain of certain new passenger motor vehicles falling within subheading ex 87.02 A I b) of the Common Customs Tariff, shall be abolished upon accession in respect of vehicles imported from the Community as at present constituted.

From 1 January 1986, the Kingdom of Spain shall open annual tariff quotas subject to reduced duty for the import of motor vehicles for the transport of persons, with either a spark ignition or a compression ignition engine, other than motor coaches and buses, falling within subheading ex 87.02 A I b) of the Common Customs Tariff, originating in the Community as at present constituted. The admission of such motor vehicles to those tariff quotas shall be governed by the provisions of Protocol No 6.

### Article 35

Any charge having equivalent effect to a customs duty on imports in trade between the Community as at present constituted and Spain shall be abolished on 1 March 1986.

No customs duty of a fiscal nature shall be applied from 1 March 1986.

### Article 36

Customs duties on exports and charges having equivalent effect in trade between the Community as at present constituted and Spain shall be abolished on 1 March 1986.

### Article 37

1. For the purpose of the progressive introduction of the Common Customs Tariff and the ECSC unified tariff, the Kingdom of Spain shall amend its tariff applicable to third countries as follows:

From 1 March 1986:

- (a) in the case of tariff headings in respect of which the basic duties do not differ by more than 15 % in either direction from the duties in the Common Customs Tariff or the ECSC unified tariff, these latter duties shall be applied;
- (b) in other cases, the Kingdom of Spain shall apply a duty reducing the difference between the basic duty and the duty in the Common Customs Tariff or the ECSC unified tariff in accordance with the following timetable:
  - on 1 March 1986, a reduction of 10 %,
  - on 1 January 1987, a reduction of 12,5 %,
  - on 1 January 1988, a reduction of 15 %,
  - on 1 January 1989, a reduction of 15 %,
  - on 1 January 1990, a reduction of 12,5 %,
  - on 1 January 1991, a reduction of 12,5 %,
  - on 1 January 1992, a reduction of 12,5 %.

The Kingdom of Spain shall apply in full the Common Customs Tariff and the ECSC unified tariff from 1 January 1993.

2. Notwithstanding paragraph 1, for the products listed in the Annex to the Agreement on trade in civil aircraft concluded in the context of the 1973 to 1979 trade negotiations of the General Agreement on Tariffs and Trade, the Kingdom of Spain shall apply the Common Customs Tariff from 1 March 1986 in its entirety.

### Article 38

The autonomous duties entered in the Community Common Customs Tariff shall be the autonomous duties of the Community as at present constituted. The conventional duties of the EEC Common Customs Tariff and of the ECSC unified tariff shall be the conventional duties of the EEC and of the ECSC, as at present constituted, with the exception of the adjustments to be made to take into account the fact that the duties in force in the Spanish and Portuguese tariffs are, on the whole, higher than the duties in force in the tariffs of the EEC and ECSC as at present constituted.

That adjustment which will be the subject of negotiation within the General Agreement on Tariffs and Trade, shall remain within the limits of the possibilities opened by Article XXIV of that Agreement.

### Article 39

1. Where duties in the customs tariff of the Kingdom of Spain differ in nature from the corresponding duties in the Common Customs Tariff or the ECSC unified tariff, the progressive alignment of the former on the latter shall be effected by adding the components of the Spanish basic duty to those of the duty in the Common Customs Tariff or the ECSC unified tariff, the Spanish basic duty being reduced to zero progressively, in accordance with the timetable set out in Articles 37 and 75(2), and the duty in the Common Customs Tariff or ECSC unified tariff increasing from zero to reach the full amount progressively in accordance with the same timetable.

2. From 1 March 1986, if certain duties in the Common Customs Tariff or the ECSC unified tariff are altered or suspended, the Kingdom of Spain shall simultaneously amend or suspend its tariff in the proportion resulting from the implementation of Article 37.

3. The Kingdom of Spain shall apply the Common Customs Tariff and ECSC unified tariff nomenclatures from 1 March 1986.

The Kingdom of Spain may include within these nomenclatures national subdivisions existing at the time of accession which are indispensable in order that the progressive alignment of its customs duties on those in the Common Customs Tariff and the ECSC unified tariff be carried out under the conditions laid down in this Act.

Where amendments are made to the nomenclature of the Common Customs Tariff or the ECSC unified tariff in respect of products referred to in this Act, the Council may, acting by a qualified majority on a proposal from the Commission, adapt the nomenclature of those products as indicated in this Act.

4. With a view to implementing paragraph 3 and to facilitating the progressive introduction of the Common Customs Tariff and the ECSC unified tariff by the Kingdom of Spain and the progressive abolition of customs duties between the Community as at present constituted and the Kingdom of Spain, the Commission shall determine, if necessary, the implementing provisions whereby the Kingdom of Spain alters its customs duties; those implementing provisions may not however entail any amendment to Articles 31 and 37.

5. The rate of duty calculated in accordance with Article 37 shall be applied by rounding up or down to the first decimal place.

Rounding down shall be effected by deleting the second decimal where Spanish duties are being aligned on Common Customs Tariff or ECSC unified tariff duties which are less than the Spanish basic duties. In other cases rounding up shall be effected by applying the higher decimal.

#### *Article 40*

In order to bring its tariff into line with the Common Customs Tariff and the ECSC unified tariff, the Kingdom of Spain shall remain free to alter its customs duties more rapidly than is provided for in Article 37. It shall inform the other Member States and the Commission thereof <sup>(1)</sup>.

#### *Article 41*

During the period of elimination of customs duties between the Community as at present constituted and the Kingdom of Spain and the period of alignment of the Spanish Customs Tariff duties on those of the Common Customs Tariff and of the ECSC unified tariff, the Kingdom of Spain shall enjoy the option of opening to third countries tariff quotas actually applied on 1 January 1985.

If such quotas are opened, Article 37 shall apply during such time as these quotas remain open, to determine the duties applicable to products imported from third countries. The quantities or value subject to these duties shall be limited to the amounts actually imported under the same quotas opened on 1 January 1985. Products imported from the Community as at present constituted shall be subject to reduced duties in accordance with the provisions of Article 31, without limit as to quantity or value, whilst such quotas remain open.

If such quotas are not opened, the Kingdom of Spain shall apply to products imported from the Community

as at present constituted the duties applied in the case of such quotas being opened. The quantities or value subject to those duties shall be limited to the amounts actually imported from the Community as at present constituted under the same quotas opened on 1 January 1985.

## Section II

### **Elimination of quantitative restrictions and measures having equivalent effect**

#### *Article 42*

Quantitative restrictions on imports and exports and any measures having equivalent effect shall be abolished on 1 January 1986 between the Community as at present constituted and the Kingdom of Spain.

#### *Article 43*

1. Notwithstanding Article 42, the Kingdom of Spain may retain quantitative restrictions on imports:

- until 31 December 1988 for products referred to in Annex III,
- until 31 December 1989 for products referred to in Annex IV.

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

3. The quotas for 1986 are listed in Annexes III and IV respectively.

The rate of progressive increase for quotas referred to in Annex III and for quotas 1 to 5 and 10 to 14 referred to in Annex IV shall be 25 % at the beginning of each year for quotas expressed in ECU, and 20 % at the beginning of each year for quotas expressed in terms of volume. Such increase shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

For the quotas 6 to 9 listed in Annex IV, the annual rate of progressive increase shall be as follows:

- first year: 13 %,
- second year: 18 %,
- third year: 20 %,
- fourth year: 20 %.

4. Where the Commission records by a Decision that imports into Spain of a product listed in Annexes III

<sup>(1)</sup> Article 40 as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

and IV have for two consecutive years been less than 90 % of the quota, imports of that product from the present Member States shall be liberalized as from the beginning of the year following those two years.

5. Protocol No 7 shall define the principles which shall be applied by the Kingdom of Spain for the administration of the quotas laid down in paragraph 2 of this Article.

#### Article 44

1. Notwithstanding Article 42 the Kingdom of Spain may retain until 31 December 1989 a rate of national incorporation that shall not exceed 60 % for the parts and accessories used in the manufacture of motor vehicles for the transport of persons, with either a spark ignition or a compression ignition engine, other than motor coaches and buses, falling within subheading ex 87.02 A 1 b) of the Common Customs Tariff.

2. The rate of national incorporation provided for in paragraph 1 shall be the same for manufacturers who are nationals of the other Member States established in Spain and for all manufacturers from the Kingdom of Spain. The treatment accorded to the abovementioned manufacturers shall not be less favourable than that accorded to manufacturers from third countries.

#### Article 45

1. Notwithstanding Article 42, the Community may retain until 31 December 1988 quantitative restrictions on exports to Spain for the following products:

CCT heading No	Description
ex 26.03	Copper ash and residues and alloys thereof
ex 74.01	Copper waste and scrap and alloys thereof

2. The restrictions referred to in paragraph 1 shall consist of annual quantitative quotas.

3. The quotas for 1986 shall be respectively 5 000 tonnes for copper ash and residues and alloys thereof falling within heading No ex 26.03 of the Common Customs Tariff and 14 000 tonnes for copper waste and scrap and alloys thereof falling within heading No ex 74.01 of the Common Customs Tariff.

The rate of annual progressive increase for the initial quotas applicable as from the beginning of the second year shall be 10 % at the beginning of each year. Such increase shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

4. Where exports from the Community of a product referred to in paragraph 1 have, for 1986 and 1987, been less than 90 % of the quota opened, the restrictions in question shall be abolished from 1 January 1988.

5. The arrangements applied by the Community with regard to Spain, as provided for in paragraphs 1 to 4, shall not be less favourable than those applied to third countries.

#### Article 46

Notwithstanding Article 42 the present Member States may, until the end of the period referred to in Article 52, retain quantitative restrictions on exports of waste and scrap metal of iron or steel falling within heading No 73.03 of the Common Customs Tariff, which they applied to the Kingdom of Spain prior to the date of accession, insofar as these arrangements are not more restrictive than those applied to exports to third countries.

#### Article 47

1. Notwithstanding Article 42, the holder, or his beneficiary, of a patent for a chemical or pharmaceutical product or a product relating to plant health, filed in a Member State at a time when a product patent could not be obtained in Spain for that product may rely upon the rights granted by that patent in order to prevent the import and marketing of that product in the present Member State or States where that product enjoys patent protection even if that product was put on the market in Spain for the first time by him or with his consent.

2. This right may be invoked for the products referred to in paragraph 1 until the end of the third year after Spain has made these products patentable.

#### Article 48

1. Without prejudice to paragraphs 2 and 3 of this Article, the Kingdom of Spain shall, from 1 January 1986, progressively adjust State monopolies of a commercial character within the meaning of Article 37 (1) of EEC Treaty, bearing in mind, where appropriate, Article 90 (2) of the EEC Treaty, so as to ensure that by 31 December 1991 at the latest no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States.

The present Member States shall have equivalent obligations in relation to the Kingdom of Spain.

The Commission shall make recommendations as to the manner in which and the timetable according to

which the adjustment must be carried out, it being understood that the manner and timetable must be the same for the Kingdom of Spain and the present Member States.

2. The Kingdom of Spain shall, from 1 January 1986, abolish all exclusive export rights.

3. With regard to products indicated in the list appearing in Annex V, the exclusive import rights shall be abolished not later than 31 December 1991. The abolition of these exclusive rights shall be made by progressively opening, from 1 January 1986, import quotas for products from the present Member States. Quota volumes for 1986 are indicated in the said list.

The Kingdom of Spain shall increase the quota volumes in the manner set out in the annex referred to in the first subparagraph.

The increases expressed in percentage terms shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

The quotas referred to in the first subparagraph shall be opened for all operators without restriction and goods imported under these quotas may not be subject in Spain to exclusive marketing rights at the wholesale level; as regards retail sales of certain goods imported under quotas, the marketing of such goods to consumers will have to be on a non-discriminatory basis.

4. The adjustment of the monopoly of products indicated in the list appearing in Annex VI may not necessarily affect the functioning of the Spanish petroleum monopoly with regard to third countries. This monopoly may continue to determine the origin and the conditions of acquisition of a share of crude oil imports, from third countries, necessary to ensure availability of supply on the Spanish market, whilst complying with the provisions of the EEC Treaty, and in particular those relating to free movement contained in Articles 30 and 37 of that Treaty.

#### *Article 49*

Notwithstanding Article 42, the arrangements described in Protocol No 9 shall be applied to trade in certain textile products between the Community as at present constituted and Spain.

### Section III

#### Other provisions

#### *Article 50*

1. The Commission shall, with due regard for the provisions in force, in particular those relating to Com-

munity transit, determine the methods of administrative cooperation designed to ensure that goods, fulfilling the requisite conditions, benefit from the abolition of customs duties and charges having equivalent effect, and quantitative restrictions and measures having equivalent effect, laid down by this Act.

2. Until 28 February 1986 the provisions of the 1970 Agreement between the European Economic Community and Spain on customs arrangements shall continue to apply to trade between the Community as at present constituted and Spain.

3. The Commission shall lay down the provisions applicable from 1 March 1986 to trade within the Community in goods obtained in the Community in the manufacture of which have been incorporated:

- products on which the customs duties or charges having equivalent effect which were applicable to them in the Community as at present constituted or in Spain have not been levied, or which have benefited from a total or partial drawback of such duties or charges,
- agricultural products, which do not fulfil the conditions required for admission to free movement in the Community as at present constituted or in Spain <sup>(1)</sup>.

In adopting these provisions, the Commission shall take into account the rules laid down in this Act for the elimination of customs duties between the Community as at present constituted and Spain, and for the progressive application by the Kingdom of Spain of the Common Customs Tariff and provisions concerning the common agricultural policy.

#### *Article 51*

1. Save as otherwise provided in this Act, the provisions in force with regard to customs legislation for trade with third countries shall apply under the same conditions to trade within the Community for such time as customs duties are levied in that trade.

For the purpose of establishing the customs value in respect of trade within the Community, and trade with third countries, until:

- 31 December 1992 for industrial products,
- 31 December 1995 for agricultural products,

the customs territory to be taken into consideration shall be that defined by the provisions existing in the Community and in the Kingdom of Spain on 31 December 1985.

<sup>(1)</sup> Article 50 (3), second indent, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

2. The Kingdom of Spain shall apply the Common Customs Tariff and ECSC unified tariff nomenclatures in trade within the Community from 1 March 1986.

The Kingdom of Spain may include within these nomenclatures national subdivisions existing at the time of accession which are indispensable in order that the progressive elimination of its customs duties within the Community be carried out under the conditions laid down in this Act.

#### *Article 52*

During a period of three years from the date of accession, the Kingdom of Spain shall complete the restructuring of its iron and steel industry under the conditions defined in Protocol No 10 annexed hereto.

The period indicated above may be shortened and the detailed rules set out in the said Protocol may be amended by the Commission with the assent of the Council on the basis of:

- the state of progression of the Spanish restructuring plans, taking into account significant factors in the re-establishment of the viability of the undertakings,
- iron and steel measures in force in the Community after the date of accession; in that case, the arrangements applicable after accession to Spanish deliveries to the Community as at present constituted should not lead to major differences in treatment between Spain and the other Member States.

#### *Article 53*

1. Where the compensatory amounts referred to in Article 72 are applied in trade between the Community as at present constituted and the Kingdom of Spain to one or more of the basic products considered as having been used in the manufacture of goods 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, the following transitional measures shall be applied:

- A compensatory amount calculated on the basis of the compensatory amounts referred to in Article 72 and in accordance with the rules laid down by Regulation (EEC) No 3033/80 for calculating the variable component applicable to the goods covered by this Regulation shall be applied on importation of those goods into the Community as at present constituted from Spain.

- When the goods covered by Regulation (EEC) No 3033/80 are imported from third countries into Spain the variable component laid down by this Regulation shall be increased or reduced as the case may be by the compensatory amount referred to in the first indent.

- A compensatory amount determined on the basis of the compensatory amounts fixed for the basic products and in accordance with the rules applicable for the calculation of the refunds provided for in Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds, shall, for the goods covered by this Regulation, be applied on exportation of those goods from the Community as at present constituted into Spain.

- Where products covered by Regulation (EEC) No 3035/80 are exported from Spain to third countries they shall be subject to the compensatory amount referred to in the third indent.

2. The customs duty constituting the fixed component of the charge applicable, as from the date of accession, to imports into Spain of goods covered by Regulation (EEC) No 3033/80 shall be determined by deducting from the basic customs duty applied by the Kingdom of Spain to products originating in the Community as at present constituted a variable component equal to the variable component laid down in application of Regulation (EEC) No 3033/80, increased or reduced, as the case may be, by the compensatory amount referred to in the first and third indents of paragraph 1.

For the products falling within the headings of the Common Customs Tariff mentioned in Annex VII, the fixed component shall be equal to the duties which appear in the said Annex.

Spain may submit the products listed in Annex VII and the spirituous beverages falling within subheading 22.09 C of the Common Customs Tariff to Community surveillance for a seven-year transitional period for exclusively statistical purposes. Nevertheless imports of those products may not be delayed in any way as a result of this statistical surveillance being applied.

3. The customs duty constituting the fixed component of the charge applicable as from the date of accession to imports into Spain from third countries of the goods covered by Regulation (EEC) No 3033/80 shall be equal to the higher of the two amounts determined as follows:

- The amount obtained by deducting from the basic customs duty applied by the Kingdom of Spain to

imports from third countries a variable component equal to the variable component fixed pursuant to Regulation (EEC) No 3033/80, increased or decreased, as the case may be, by the compensatory amount referred to in the first and third indents of paragraph 1.

— The amount obtained by adding together the fixed component applicable to imports into Spain from the Community as at present constituted and the fixed component of the Common Customs Tariff duty (or with regard to third countries benefiting from the Community generalized system of preferences, the fixed preferential component which the Community applies, where appropriate, to imports from those countries).

4. By way of derogation from Article 30, the customs duties applied by the Kingdom of Spain to imports from the Community and third countries shall be converted, as from the date of accession, into the type of duty and the units entered in the Common Customs Tariff. Conversion shall be made on the basis of the value of the goods imported into Spain during the last four three-month periods for which information is available or, in the absence of imports of the goods concerned into Spain, on the basis of the unit value of the same goods imported into the Community as at present constituted.

5. Every fixed component applied in trade between the Community as at present constituted and the Kingdom of Spain shall be eliminated in accordance with Article 31.

Every fixed component applied by the Kingdom of Spain to imports from third countries shall be aligned on the fixed component of the Common Customs Tariff duty (or, where appropriate, on the fixed preferential component provided for in the Community generalized system of preferences), in accordance with Articles 37 and 40.

6. Where a reduction in the variable component of the Common Customs Tariff duty is granted to third countries benefiting from the Community generalized system of preferences, the Kingdom of Spain shall apply this variable preferential component as from the date of accession.

#### Section IV

#### Trade between the Kingdom of Spain and the Portuguese Republic

##### *Article 54*

The Kingdom of Spain shall apply Articles 30 to 53 in its trade with the Portuguese Republic, subject to the conditions set out in Protocol No 3.

## CHAPTER 2

### Free movement of persons, services and capital

#### Section I

#### Workers

##### *Article 55*

Article 48 of the EEC Treaty shall only apply, in relation to the freedom of movement of workers between Spain and the other Member States, subject to the transitional provisions laid down in Articles 56 to 59 of this Act.

##### *Article 56*

1. Articles 1 to 6 of Regulation (EEC) No 1612/68 on the freedom of movement of workers within the Community shall apply in Spain with regard to nationals of the other Member States and in the other Member States with regard to Spanish nationals, only as from 1 January 1993.

The Kingdom of Spain and the other Member States may maintain in force until 31 December 1992, with regard to nationals of the other Member States and to Spanish nationals respectively, national provisions, or those resulting from bilateral arrangements, making prior authorization a requirement for immigration with a view to pursuing an activity as an employed person and/or taking up paid employment.

However the Kingdom of Spain and the Grand Duchy of Luxembourg may maintain in force until 31 December 1995 the national provisions referred to in the preceding subparagraph with regard to Luxembourg nationals and Spanish nationals respectively.

2. As from 1 January 1991 the Council shall, after receiving a report from the Commission, examine the results of the application of the measures of derogation referred to in paragraph 1.

On completion of this examination, the Council, acting unanimously on a proposal from the Commission may, on the basis of new data, adopt provisions intended to adjust the said measures.

##### *Article 57*

1. Article 11 of Regulation (EEC) No 1612/68 shall apply until 31 December 1990 in Spain with regard to

nationals of the other Member States and in the other Member States with regard to Spanish nationals under the conditions indicated hereinafter:

- (a) The members of workers' families referred to in Article 10 (1) (a) of the said Regulation, installed in accordance with regulations with the worker in the territory of a Member State at the date of signature of this Act, shall have the right, upon accession, to take up any paid employment throughout the territory of that Member State.

However, eligibility for the right referred to above may be limited to the members of Spanish workers' families, installed in another Member State at a previous date defined pursuant to special bilateral arrangements concluded before the date of signature of this Act, concerning the conditions for access to employment of members of the families of Spanish workers after accession.

- (b) The members of workers' families, referred to in Article 10 (1) (a) of the said Regulation, installed in accordance with regulations with the worker in the territory of a Member State after the date of signature of this Act, shall have the right to take up any paid employment there if they have been resident there for at least three years. This period of residence shall be reduced to 18 months as from 1 January 1989.

This paragraph shall be without prejudice to more favourable national provisions or those resulting from bilateral arrangements.

2. The arrangements provided for in paragraph 1 shall also apply to members of the family of a self-employed person installed with him in a Member State.

#### *Article 58*

In so far as certain provisions of Directive 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families may not be dissociated from those of Regulation (EEC) No 1612/68 whose application is deferred pursuant to Article 56, the Kingdom of Spain and the other Member States may derogate from those provisions to the extent necessary for the application of the provisions for derogation which are laid down in Article 56 in connection with the said Regulation.

#### *Article 59*

The Kingdom of Spain and the other Member States shall take, with the assistance of the Commission, the necessary measures so that the application of the Com-

mission Decision of 8 December 1972 on the uniform system established pursuant to Article 15 of Council Regulation (EEC) No 1612/68, known as 'Sedoc' and the Commission Decision of 14 December 1972 on the 'Community plan' for the collection and circulation of information provided for in Article 14 (3) of Regulation (EEC) No 1612/68 may be extended to Spain by 1 January 1993 at the latest.

#### *Article 60*

1. Until the entry into force of the uniform solution for all the Member States referred to in Article 99 of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, and until 31 December 1988 at the latest, Articles 73 (1) and (3), 74 (1) and 75 (1) of Regulation (EEC) No 1408/71, and Articles 86 and 88 of Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71 shall not apply to Spanish workers who are employed in a Member State other than Spain, and the members of whose families are resident in Spain.

Articles 73 (2), 74 (2), 75 (2) and 94 (9) of Regulation (EEC) No 1408/71, and Articles 87, 89, 98 and 120 of Regulation (EEC) No 574/72 shall apply by analogy to these workers.

However, the foregoing is without prejudice to legislative provisions of a Member State whereby family benefits are to be payable in respect of members of the family, whatever their country of residence.

2. Notwithstanding Article 6 of Regulation (EEC) No 1408/71, the following provisions of Social Security Conventions shall continue to apply to Spanish workers during the period referred to in paragraph 1:

(a) *Spain — Belgium*

- Article 20 (2) and (3) of the General Convention of 28 November 1956,
- Articles 59, 60 and 61 of the Administrative Arrangement of 30 July 1969.

(b) *Spain — Germany*

Points 1 to 4 of Article 40 (1) of the Convention of 4 December 1973, as amended by Article 2 of the Modifying Arrangement of 17 December 1975.

(c) *Spain — Italy*

- Articles 25 and 26 of the Convention of 30 October 1979,
- Articles 31 and 32 of the Administrative Arrangement of 30 October 1979.



(d) *Spain — Luxembourg*

- Article 29 of the Convention of 8 May 1969, as amended by Article 3 of the Second Supplementary Agreement of 29 March 1978,
- Article 30 of the Administrative Arrangement of 25 May 1971.

(e) *Spain — Netherlands*

- Article 37 (2) and (5) of the Convention of 5 February 1974,
- Articles 46 and 47 of the Administrative Arrangement of 5 February 1974.

(f) *Spain — Portugal*

- Articles 23 and 24 of the General Convention of 11 June 1969,
- Articles 45 and 46 of the Administrative Arrangement of 22 May 1970.

(g) *Spain — United Kingdom*

- Article 22 of the Convention of 13 September 1974,
- Article 17 of the Agreement of 30 October 1974.

Section II

Capital movements

*Article 61*

1. The Kingdom of Spain may, under the conditions and within the time-limits set out in Articles 62 to 66, postpone the liberalization of capital movements set out in Lists A and B of the First Council Directive of 11 May 1960 for the implementation of Article 67 of the Treaty and of the Second Council Directive of 18 December 1962 adding to and amending the First Directive for the implementation of Article 67 of the EEC Treaty.

2. Appropriate consultations shall take place in due course between the Spanish authorities and the Commission on procedures for applying measures of liberalization or relaxation the implementation of which may be postponed under the following provisions.

*Article 62*

The Kingdom of Spain may postpone:

- (a) until 31 December 1988, the liberalization of direct investments in the undertakings of the other

Member States by persons resident in Spain, having as their object the acquisition and ownership of transferable securities,

- (b) until 31 December 1990, the liberalization of direct investments in the undertakings of the other Member States by persons resident in Spain, having as their object the acquisition, possession or exploitation of immovable property.

*Article 63*

The Kingdom of Spain may postpone, until 31 December 1990, the liberalization of real estate investments in the other Member States by persons resident in Spain, to the extent that these investments are not related to emigration in the context of the freedom of movement for workers or the right of establishment.

*Article 64*

The Kingdom of Spain may postpone, until 31 December 1988, the liberalization of acquisition in the other Member States by persons resident in Spain of foreign securities dealt in on a stock exchange.

However, the liberalization of the acquisition:

- of these securities by insurance companies, deposit banks, industrial banks up to 10 % of the increase of their own resources,
- of these securities by investment funds and companies dealing in personal property, under the conditions laid down by national provisions governing such funds and companies,
- of fixed income securities, issued by the European Communities and the European Investment Bank,

shall take place on accession.

*Article 65*

The Kingdom of Spain shall, circumstances permitting, carry out the liberalization of capital movements provided for in Articles 62, 63 and 64 before the expiry of the time-limits provided for in those Articles.

*Article 66*

For the purposes of applying the provisions of this section, the Commission may consult the Monetary Committee and submit appropriate proposals to the Council.

## CHAPTER 3

### Agriculture

#### Section I

#### General provisions

##### *Article 67*

1. This Chapter concerns agricultural products with the exception of products falling within Regulation (EEC) No 3796/81 on the common organization of the market in fishery products.

2. Save as otherwise provided for in this Chapter, the rules laid down in this Act shall apply to the agricultural products referred to in paragraph 1.

3. Subject to the specific provisions of this Chapter laying down different dates or shorter time-limits, the application of the transitional measures for the agricultural products referred to in paragraph 1 shall terminate at the end of 1995.

##### Sub-section I

#### Price compensation and moves towards price alignment

##### *Article 68*

Before the first move towards price alignment referred to in Article 70, the prices to be applied in Spain shall be fixed, in accordance with the rules provided for in the common organization of the market in the sector in question, at a level corresponding to that of prices fixed in Spain under the previous national system, for a representative period to be determined for each product.

If, for a given product, no definition of the Spanish price exists, the price to be applied in Spain shall be calculated on the basis of the prices actually recorded on Spanish markets during a representative period to be determined.

However, in the absence of price data in respect of certain products on the Spanish market, the price to be applied in Spain shall be calculated on the basis of the prices obtaining in the Community as at present constituted of similar products or groups of similar products, or products with which they are in competition.

##### *Article 69*

1. In the event that, on accession, it is found that the variation between the price level for a product in Spain

and the common price level is minimal, the common price may be applied in Spain for the product in question.

2. The variation referred to in paragraph 1 shall be considered as minimal where it is less than or equal to 3 % of the common price.

##### *Article 70*

1. If the application of Article 68 in Spain results in a price level different from that of the common prices, the prices in respect of which, in Section II, reference is made to this Article shall, subject to paragraph 4, be aligned with the common prices each year at the beginning of the marketing year in accordance with the provisions of paragraphs 2 and 3.

2. Where the price of a product in Spain is lower than the common price, the move towards alignment shall be made in seven stages, the price in Spain, at the time of the first six moves towards alignment, being increased successively, by a seventh, a sixth, a fifth, a quarter, a third and a half of the difference between the price level in that Member State and the common price level which are applicable before each move towards alignment; the price resulting from that calculation shall be increased or reduced proportionately to any rise or fall in the common price for the next marketing year; the common price shall be applied in Spain at the time of the seventh move towards alignment:

3. (a) Where the price of a product in Spain is higher than the common price, the price in that Member State shall be maintained at the level resulting from the application of Article 68, the moves towards alignment resulting from the development of common prices during the seven years following accession.

However, the price in Spain shall be adjusted to the extent necessary to avoid an increase in the variation between that price and the common price.

Moreover, if the Spanish prices, expressed in ECU, fixed under the previous national arrangements for the 1985/86 marketing year have led to an overrun in the variation existing for the 1984/85 marketing year between the Spanish prices and the common prices, the price in Spain resulting from the application of the two preceding subparagraphs shall be reduced by an amount to be determined, equivalent to part of the overrun, so that the overrun is totally absorbed over the first seven marketing years following accession.

Without prejudice to point (b), the common price shall be applied when the seventh move towards adjustment takes place.

- (b) Where the price of a product in Spain is significantly higher than the common price, the Council shall, at the end of the fourth year following accession, carry out an analysis of the development of moves towards price alignment, on the basis of an opinion from the Commission accompanied, where appropriate, by suitable proposals.

The Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, may, in particular, prolong the period for moves towards price alignment within the limits of the maximum duration of the period of application of the transitional measures and decide on other methods of accelerated moves towards price alignment.

4. In the interests of the smooth functioning of the process of integration, it may be decided that, notwithstanding paragraph 2, the price of one or more products in Spain shall, for one marketing year, vary from the prices resulting from the application of that paragraph.

That variation may not exceed 10 % of the amount of the price move to be made.

In that event, the price level for the following marketing year shall be that which would have resulted from applying paragraph 2 if the variation had not been decided upon. A further variation from that price level may, however, be decided upon for that marketing year under the conditions laid down in the first and second subparagraphs.

The derogation laid down in the first subparagraph shall not apply to the last move towards alignment referred to in paragraph 2.

#### *Article 71*

Where, on the date of accession or during the period of application of the transitional measures, the price on the world market for a certain product exceeds the common price, the common price may be applied in Spain for the product in question, unless the price applied in Spain is higher than the common price.

#### *Article 72*

The differences in price levels in respect of which, in Section II, reference is made to this Article shall be compensated for as follows:

1. For products in respect of which prices are fixed in accordance with Articles 68 and 70, the compensatory amounts applicable in trade between the Community as at present constituted and Spain, and

between Spain and third countries, shall be equal to the difference between the prices fixed for Spain and the common prices.

However, the compensatory amount established in accordance with the rules referred to above shall, where appropriate, be corrected to take into account also the incidence of national aid that the Kingdom of Spain is authorized to maintain under Article 80.

2. No compensatory amount shall, however, be fixed if the application of paragraph 1 results in a minimal amount.
3. (a) In trade between Spain and the Community as at present constituted, compensatory amounts shall be levied by the importing State or granted by the exporting State.
- (b) In trade between Spain and third countries, levies or other import charges applied under the common agricultural policy, and, save for express derogation, export refunds, shall be reduced or increased, as the case may be, by the compensatory amounts applicable in trade with the Community as at present constituted.
- Customs duties may not, however, be reduced by the compensatory amount.
4. For products in respect of which the duty in the Common Customs Tariff is bound under the General Agreement on Tariffs and Trade, the binding shall be taken into account.
5. The compensatory amount levied or granted by a Member State in accordance with paragraph 1 may not exceed the total amount levied by that same Member State on imports from third countries, benefiting from the most-favoured-nation clause.
- The Council, acting by a qualified majority on a proposal from the Commission, may derogate from this rule, in particular in order to avoid deflections of trade and distortions of competition.
6. The Council, acting by a qualified majority on a proposal from the Commission, may derogate, in so far as is necessary for the proper functioning of the common agricultural policy, from the first subparagraph of Article 51 (1) for products to which compensatory amounts apply <sup>(1)</sup>.

#### *Article 73*

If the world market price for a product is higher than the price used in calculating the import charge intro-

<sup>(1)</sup> Article 72 (6), as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

duced under the common agricultural policy, less the compensatory amount deducted from the import charge in accordance with Article 72 or, if the refund on exports to third countries is less than the compensatory amount or, if no refund is applicable, appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market.

#### *Article 74*

1. The compensatory amounts granted shall be financed by the Community from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

2. Expenditure to be made by the Kingdom of Spain with regard to intervention on its internal market and to the granting of refunds or subsidies for exports to third countries and the other Member States shall remain national until 31 December 1989 for products falling under Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables.

However, the Community shall participate in financing intervention operations carried out by the Kingdom of Spain during the verification of convergence phase applicable to those products under the conditions set out in Article 133.

As from the second phase, expenditure on intervention in the Spanish domestic market and on the granting of refunds for exports to third countries shall be financed by the Community under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### *Sub-section 2*

#### Free movement and customs union

#### *Article 75*

The following provisions shall apply to products the importation of which from third countries into the Community as at present constituted is subject to customs duties:

1. Without prejudice to paragraphs 4 and 5, customs duties on imports shall be progressively abolished between the Community as at present constituted and Spain in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 87,5 % of the basic duty,

- on 1 January 1987, each duty shall be reduced to 75 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 62,5 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 50 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 37,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 25 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 12,5 % of the basic duty,
- on 1 January 1993, every duty shall be abolished.

However:

(a) for products falling within Regulation (EEC) No 1035/72, tariff dismantling shall take place over a transitional period of 10 years in accordance with the following procedure:

- for products for which a reference price is fixed, the duties shall be progressively abolished in 11 annual instalments in accordance with the following timetable:
  - on 1 March 1986, 10 %,
  - on 1 January 1987, 10 %,
  - on 1 January 1988, 10 %,
  - on 1 January 1989, 10 %,
  - on 1 January 1990, 25 %,
  - on 1 January 1991, 15 %,
  - on 1 January 1992, 4 %,
  - on 1 January 1993, 4 %,
  - on 1 January 1994, 4 %,
  - on 1 January 1995, 4 %,
  - on 1 January 1996, 4 %,
- for the other products, customs duties shall be progressively abolished in accordance with the following timetable:
  - on 1 March 1986, each duty shall be reduced to 90,9 % of the basic duty,
  - on 1 January 1987, each duty shall be reduced to 81,8 % of the basic duty,
  - on 1 January 1988, each duty shall be reduced to 72,7 % of the basic duty,
  - on 1 January 1989, each duty shall be reduced to 63,6 % of the basic duty,
  - on 1 January 1990, each duty shall be reduced to 54,5 % of the basic duty,
  - on 1 January 1991, each duty shall be reduced to 45,4 % of the basic duty,
  - on 1 January 1992, each duty shall be reduced to 36,3 % of the basic duty,

- on 1 January 1993, each duty shall be reduced to 27,2 % of the basic duty,
  - on 1 January 1994, each duty shall be reduced to 18,1 % of the basic duty,
  - on 1 January 1995, each duty shall be reduced to 9 % of the basic duty,
  - on 1 January 1996, every duty shall be abolished;
- (b) for products falling within Regulation (EEC) No 805/68 on the common organization of the market in beef and veal, customs duties on imports shall be progressively abolished in eight stages by 12,5 % at the beginning of each of the eight marketing years following accession;
- (c) for oil seeds and oleagineous fruit falling under subheading 12.01 B of the Common Customs Tariff and for products falling within heading No 12.02 and subheading 23.04 B thereof, import duties shall be progressively abolished between the Community as at present constituted and Spain in accordance with the following timetable:
- on 1 March 1986, each duty shall be reduced to 90,9 % of the basic duty,
  - on 1 January 1987, each duty shall be reduced to 81,8 % of the basic duty,
  - on 1 January 1988, each duty shall be reduced to 72,7 % of the basic duty,
  - on 1 January 1989, each duty shall be reduced to 63,6 % of the basic duty,
  - on 1 January 1990, each duty shall be reduced to 54,5 % of the basic duty,
  - on 1 January 1991, each duty shall be reduced to 45,4 % of the basic duty,
  - on 1 January 1992, each duty shall be reduced to 36,3 % of the basic duty,
  - on 1 January 1993, each duty shall be reduced to 27,2 % of the basic duty,
  - on 1 January 1994, each duty shall be reduced to 18,1 % of the basic duty,
  - on 1 January 1995, each duty shall be reduced to 9 % of the basic duty,
  - on 1 January 1996, every duty shall be abolished;
- (d) for the products referred to in Article 1 (2) (b) of Regulation No 136/66/EEC, with the exception of those falling within heading No 12.02 and subheading 23.04 B of the Common Customs Tariff, the Community as at

present constituted and the Kingdom of Spain shall apply unchanged their respective basic duties and charges having equivalent effect during the period of application in Spain of certain control mechanisms referred to in Article 94.

On the expiry of that period, charges having an equivalent effect to customs duties shall be abolished in their entirety, and the customs duties shall be progressively abolished in accordance with the following timetable:

- on 1 January 1991, each duty shall be reduced to 83,3 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 66,6 % of the basic duty,
- on 1 January 1993, each duty shall be reduced to 49,9 % of the basic duty,
- on 1 January 1994, each duty shall be reduced to 33,2 % of the basic duty,
- on 1 January 1995, each duty shall be reduced to 16,5 % of the basic duty,
- on 1 January 1996, every duty shall be abolished.

2. Without prejudice to paragraphs 4 and 5, for the purposes of the implementation by the Kingdom of Spain of the Common Customs Tariff, the following provisions shall apply:

- (a) For the following products:

- products falling within Regulation (EEC) No 805/68,
- products falling within Regulation (EEC) No 1035/72 and for which, for the whole or part of the marketing year, a reference price is fixed,
- products falling within Regulation (EEC) No 337/79 on the common organization of the market in wine and for which a reference price is fixed,

the Kingdom of Spain shall apply the Common Customs Tariff duties in their entirety from 1 March 1986.

- (b) For oil seeds and oleaginous fruit falling under subheading 12.01 B of the Common Customs Tariff and all the products falling under heading No 12.02 and subheading 23.04 B thereof, so that the Common Customs Tariff may be progressively introduced, the Kingdom of Spain shall amend its tariff applicable to third countries as follows:
- (aa) For the tariff headings for which the basic duties do not vary from the Common Customs Tariff duties by more than 15 % either above or below, these latter duties shall apply.
- (bb) In the other cases the Kingdom of Spain shall apply a duty reducing the variation between the basic duty and the Common

Customs Tariff duty in accordance with the following timetable:

- on 1 March 1986, the variation shall be reduced to 90,9 % of the initial variation,
- on 1 January 1987, the variation shall be reduced to 81,8 % of the initial variation,
- on 1 January 1988, the variation shall be reduced to 72,7 % of the initial variation,
- on 1 January 1989, the variation shall be reduced to 63,6 % of the initial variation,
- on 1 January 1990, the variation shall be reduced to 54,5 % of the initial variation,
- on 1 January 1991, the variation shall be reduced to 45,4 % of the initial variation,
- on 1 January 1992, the variation shall be reduced to 36,3 % of the initial variation,
- on 1 January 1993, the variation shall be reduced to 27,2 % of the initial variation,
- on 1 January 1994, the variation shall be reduced to 18,1 % of the initial variation,
- on 1 January 1995, the variation shall be reduced to 9 % of the initial variation.

The Kingdom of Spain shall apply the Common Customs Tariff in its entirety from 1 January 1996.

- (c) For the products referred to in Article 1 (2) (b) of Regulation No 136/66/EEC, with the exception of those falling within heading No 12.02 and subheading 23.04 B of the Common Customs Tariff, the Kingdom of Spain shall apply unchanged its basic duties and charges having equivalent effect during the period of application in Spain of certain control mechanisms referred to in Article 94.

On the expiry of that period, the Kingdom of Spain shall abolish charges having an equivalent effect to customs duties in their entirety and shall amend its tariff applicable to third countries as follows:

- (aa) For the tariff headings from which the basic duties do not vary from the Common Customs Tariff duties by more than 15 % either above or below, these latter duties shall apply.

- (bb) In other cases the Kingdom of Spain shall reduce the variation between the basic duties and the Common Customs Tariff duties in accordance with the following timetable:

- on 1 January 1991, the variation shall be reduced to 83,3 % of the initial variation,
- on 1 January 1992, the variation shall be reduced to 66,6 % of the initial variation,
- on 1 January 1993, the variation shall be reduced to 49,9 % of the initial variation,
- on 1 January 1994, the variation shall be reduced to 33,2 % of the initial variation.
- on 1 January 1995, the variation shall be reduced to 16,5 % of the initial variation.

The Kingdom of Spain shall apply the Common Customs Tariff in its entirety from 1 January 1996.

- (d) For the other products:

- (aa) The Common Customs Tariff duty shall be applied by the Kingdom of Spain in its entirety from 1 March 1986, if its basic duties are less than or equal to those of the Common Customs Tariff, with the exception of:

- natural honey falling within heading No 04.06 of the Common Customs Tariff and unmanufactured tobacco and tobacco refuse falling within heading No 24.01 thereof, for which the Kingdom of Spain shall reduce the variation between the basic duty and the Common Customs Tariff duty in eight movements of 12,5 %, each movement taking place on 1 March 1986 and 1 January of the years 1987 to 1993,
- cocoa beans, whole or broken, raw or roasted falling within heading No 18.01 of the Common Customs Tariff and coffee, unroasted and not freed of caffeine falling within subheading 09.01 A I a) thereof, for which the Kingdom of Spain shall reduce the variation between the basic duty and the Common Customs Tariff duty in accordance with the following timetable:
  - on 1 March 1986, the variation shall be reduced to 83,3 % of the initial variation,
  - on 1 January 1987, the variation shall be reduced to 66,6 % of the initial variation,

- on 1 January 1988, the variation shall be reduced to 49,9 % of the initial variation,
- on 1 January 1989, the variation shall be reduced to 33,2 % of the initial variation,
- on 1 January 1990, the variation shall be reduced to 16,5 % of the initial variation.

From 1 January 1991 the Kingdom of Spain shall apply the Common Customs Tariff in its entirety.

(bb) If Spanish basic duties are higher than the Common Customs Tariff duties, the Kingdom of Spain shall amend its tariff applicable to third countries as follows:

- (i) For the tariff headings for which the basic duties do not vary from the Common Customs Tariff duties by more than 15 % either above or below, these latter duties shall apply.
- (ii) In the other cases the Kingdom of Spain shall apply a duty reducing the variation between the basic duties and the Common Customs Tariff duties in eight equal instalments of 12,5 %, on the following dates:

- 1 March 1986,
- 1 January 1987,
- 1 January 1988,
- 1 January 1989,
- 1 January 1990,
- 1 January 1991,
- 1 January 1992.

The Kingdom of Spain shall apply the Common Customs Tariff in its entirety from 1 January 1993.

3. Within the meaning of paragraphs 1 and 2, the basic duty shall be that defined in Article 30.

However:

- for the products referred to in Annex VIII, the basic duty shall be that which appears opposite each product,
- for oil seeds and oleaginous fruit falling within subheading 12.01 B of the Common Customs Tariff and for products falling within heading No 12.02 and subheading 23.04 B thereof, subject under the previous national arrangements to the levy on import into Spain of the so-called 'regulatory' or 'variable compensatory' duties, the basic duty shall be fixed at a level to be determined under the conditions laid down in Article 91, representative of the 1984/85 marketing year.

4. For products subject to the common organization of markets, it may be decided, following the procedure laid down in Article 38 of Regulation No 136/66/EEC or, as the case may be, in the corresponding Articles of other Regulations setting up the common organization of agricultural markets, that:

(a) the Kingdom of Spain, at its request, shall:

- abolish the customs duties referred to in paragraph 1 or move towards the alignment with customs duties applicable to products other than those referred to in paragraph 2 (a) at a more rapid rate than laid down there,
- suspend in whole or in part the customs duties on products imported from the present Member States,
- suspend in whole or in part the customs duties on products imported from third countries for products other than those referred to in paragraph 2 (a);

(b) the Community as at present constituted shall:

- abolish the customs duties referred to in paragraph 1 at a more rapid rate than laid down there,
- suspend in whole or in part the customs duties on products imported from Spain.

For products which are not subject to the common organization of markets:

(a) no decision is required for the Kingdom of Spain to apply the measures referred to in the first and second indents of point (a) of the first subparagraph; the Kingdom of Spain shall inform the other Member States and the Commission of the measures taken;

(b) the Commission may suspend in whole or in part the customs duties applicable to products imported from Spain.

The customs duties resulting from an accelerated alignment or suspended customs duties may not be less than the customs duties on imports of the same products from other Member States.

5. Should special difficulties arise on the market of products falling within subheadings 15.17 B II and 23.04 B of the Common Customs Tariff, the Kingdom of Spain may be authorized, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC to:

- (a) defer the reduction to be made, under point 1 (c), to import duties in the Community as at present constituted;
- (b) defer the reduction to be made, under point 2 (b), to the variation existing between its basic duties and the Common Customs Tariff duties;

- (c) increase, during such time as is strictly necessary to eliminate the difficulties encountered, the import duties referred to above in points (a) and (b).

#### Article 76

1. The system applicable in the Community as at present constituted in respect of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect in trade between Spain and the other Member States and between Spain and third countries shall apply in Spain from 1 March 1986, subject to any provision to the contrary in this Chapter, in respect of products covered, on the date of accession, by the common organization of markets.

2. In respect of products not covered, on 1 March 1986, by the common organization of markets, the provisions of Title II of Part Four concerning the elimination of charges having equivalent effect to customs duties and the progressive abolition of quantitative restrictions and measures having equivalent effect shall not apply to those charges, restrictions and measures if they form part of a national market organization in Spain or in another Member State on the date of accession.

This provision shall only apply until the common organization of the market for these products is implemented and not later than 31 December 1995 and to the extent strictly necessary to ensure the maintenance of the national organization.

3. The Kingdom of Spain shall apply the Common Customs Tariff nomenclature as from 1 March 1986.

To the extent that no difficulties arise in the application of the Community rules and, in particular, in the functioning of the common organization of markets and of the transitional mechanisms provided for in this Chapter, the Council, acting by a qualified majority on a proposal from the Commission, may authorize the Kingdom of Spain to include within this nomenclature such existing national subdivisions as would be indispensable for carrying out the progressive moves towards alignment with the Common Customs Tariff or the elimination of the duties within the Community under the conditions laid down in this Act.

#### Article 77

Without prejudice to Article 94, the Kingdom of Spain may, in accordance with detailed rules to be determined, maintain quantitative restrictions on the import from third countries:

- (a) of the following products until 31 December 1989:

CCT heading No	Description
07.01	Vegetables, fresh or chilled: B. Cabbages, cauliflowers and Brussels sprouts: I. Cauliflowers G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots ex H. Onions, shallots and garlic: — Onions and garlic M. Tomatoes
08.02	Citrus fruit, fresh or dried: A. Oranges B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: ex II. Other: — Mandarins (including tangerines and satsumas) C. Lemons
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes



CCT heading No	Description
08.06	Apples, pears and quinces, fresh: A. Apples B. Pears
08.07	Stone fruit, fresh: A. Apricots ex B. Peaches, including nectarines: — Peaches

(b) of the products referred to in Article 1 of Regulation (EEC) No 2759/75 and of the following products until 31 December 1995:

CCT heading No	Description
02.04	Other meat and edible meat offals, fresh, chilled or frozen: ex A. Of domestic pigeons and domestic rabbits: — Meat of domestic rabbits
11.01	Cereal flours: A. Wheat or meslin flour
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: A. Cereal groats and cereal meal B. Hulled grains (shelled or husked), whether or not sliced or kibbled C. Pearled grains D. Grains not otherwise worked than kibbled ex E. Rolled grains; flaked grains: — Rolled grains G. Germ of cereals, whole, rolled, flaked or ground
11.08	Starches; inulin: A. Starches: III. Wheat starch
11.09	Wheat gluten, whether or not dried

(c) of the products subject to the supplementary mechanism applicable to imports into Spain from the Community as at present constituted, referred to Article 81, other than those falling within Regulation (EEC) No 1035/72.

*Article 78*

shall be levied on imports from Spain into the Community as at present constituted.

1. The component for protection of the processing industry which is used in calculating the charge on imports from third countries of products covered by the common organization of the markets in cereals and rice

2. For imports into Spain, the amount of that component shall be determined by separating out, from the protection applied on 1 January 1985, the component or components designed to ensure the protection of the

processing industry; however, this amount may not exceed the level of the Community protection component fixed for that product. If specific difficulties of quantification do not allow the determination of the protection component applicable in Spain, that Member State shall immediately apply the Community protection component.

Such components shall be levied on imports from other Member States; they shall replace, as regards the charge on imports from third countries, the Community protection component.

3. Article 75 shall apply to the component referred to in paragraphs 1 and 2, which shall be considered as the basic component. The reductions or alignments in question shall, however, be made in eight stages by 12,5 % at the beginning of the eight marketing years following accession fixed for the basic product concerned.

### Sub-section 3

#### Aid

##### *Article 79*

1. The provisions of this Article shall apply to aids, premiums or other similar amounts set up under the common agricultural policy in respect of which reference is made to this Article in Section II.

2. For the purposes of applying Community aid in Spain, the following provisions shall apply:

(a) The level of Community aid to be granted for a given product in Spain from 1 March 1986 shall be equal to an amount defined on the basis of aids granted by the Kingdom of Spain, during a representative period to be determined, under the previous national arrangements.

However, that amount may not exceed the amount of aid granted on 1 March 1986 to the Community as at present constituted.

If no similar aid was granted under the previous national arrangements, and subject to the following provisions, no aid shall be granted in Spain on 1 March 1986.

(b) At the start of the first marketing year, or in absence thereof, of the first period of application of the aid following accession:

— either Community aid shall be introduced in Spain at a level representing one-seventh of the amount of Community aid applicable for the ensuing marketing year or period,

— or the level of Community aid in Spain shall, where a difference exists, be aligned on the level of aid applicable in the Community as at present constituted for the ensuing marketing year or period by one-seventh of the difference existing between those two aids.

(c) At the start of the following marketing years or periods of application, the level of Community aid in Spain shall be aligned on the level of aid applicable in the Community as at present constituted for the ensuing marketing year or period successively by one-sixth, one-fifth, one-quarter, one-third and half the difference existing between those two aids.

(d) The level of Community aid shall be applied in its entirety in Spain at the start of the seventh marketing year or period of application of the aid following accession.

### *Article 80*

1. Without prejudice to Article 79, the Kingdom of Spain shall be authorized to maintain national aids, the abolition of which would not fail to have serious consequences both for producer and consumer prices. However, such aids can only be maintained on a transitional and, in principle, degressive basis, until not later than the end of the period of application of the transitional measures.

2. The Council, acting under the conditions set out in Article 91, shall adopt the necessary measures for the implementation of the provisions of this Article. These measures shall include in particular the list and the exact wording of the aids referred to in paragraph 1, the amount of the aids, the timetable of their abolition, any degressivity scale and the detailed rules necessary to ensure the proper functioning of the common agricultural policy; these detailed rules must, in addition, ensure equal access to the Spanish market.

3. Should the need arise, a derogation may be made, during the period of application of the transitional measures, from the degressivity scale referred to in paragraph 2.

### Sub-section 4

#### Supplementary trade mechanism

##### *Article 81*

1. A supplementary mechanism applicable to trade between the Community as at present constituted and Spain shall be set up, hereinafter referred to as 'the STM'.

The STM shall apply from 1 March 1986 to 31 December 1995, with the exception of the products referred to in the first indent of paragraph 2 (a) and point (b) (cc) to which it shall apply from 1 January 1990 to 31 December 1995.

2. The following products shall be subject to the STM:

(a) With regard to imports into the Community as at present constituted:

— products of the fruit and vegetable sector falling within Regulation (EEC) No 1035/72,

— products of the wine sector falling within Regulation (EEC) No 337/79,

— new potatoes falling within subheading 07.01 A II of the Common Customs Tariff.

(b) With regard to imports into Spain, the following products:

(aa) Products of the wine sector falling within Regulation (EEC) No 337/79,

(bb)

CCT heading No	Description
01.02	Live animals of the bovine species: A. Domestic species: ex II. Other: — Excluding animals for bullfights
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals B. Offals: II. Other: b) Of bovine animals
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked: C. Other: I. Of bovine animals
04.01	Milk and cream, fresh, not concentrated or sweetened
04.02	Milk and cream, preserved, concentrated or sweetened: A. Not containing added sugar: ex II. Milk and cream, in powder or granules: — Intended for human consumption B. Containing added sugar: I. Milk and cream, in powder or granules: a) Special milk for infants, in hermetically sealed containers of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % ex b) Other: — Intended for human consumption
04.03	Butter
04.04	Cheese and curd: A. Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and Tête de moine, not grated or powdered B. Glarus herb cheese (known as Schabziger), made from skimmed milk and mixed with finely-ground herbs C. Blue-veined cheese, not grated or powdered D. Processed cheese, not grated or powdered E. Other: I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight of the non-fatty matter:

CCT heading No	Description
04.04 ( <i>cont'd</i> )	E. I. ex a) Not exceeding 47 %: — Excluding curd b) Exceeding 47 % but not exceeding 72 %: 1. Cheddar ex 2. Other: — Excluding curd c) Exceeding 72 %: ex. 1. In immediate packings of a net capacity not exceeding 500 g: — Excluding curd ex. 2. Other: — Excluding curd  II. Other: a) Grated or powdered ex b) Other: — Excluding curd

(cc)

CCT heading No	Description
07.01	Vegetables, fresh or chilled: B. Cabbages, cauliflowers and Brussels sprouts: I. Cauliflowers G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots ex H. Onions, shallots and garlic: — Onions and garlic M. Tomatoes
08.02	Citrus fruit, fresh or dried: A. Oranges B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: ex II. Other: — Mandarins (including tangerines and satsumas) C. Lemons
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes
08.06	Apples, pears and quinces, fresh: A. Apples B. Pears
08.07	Stone fruit, fresh: A. Apricots ex B. Peaches, including nectarines: — Peaches

(dd)

CCT heading No	Description
10.01	Wheat and meslin (mixed wheat and rye): B. Other: ex 1. Common wheat, and meslin: — Common wheat of breadmaking quality

3. In accordance with the procedures set out in Article 82, a decision may be made to withdraw from the list of products subject to the STM:

- (a) Products from the wine sector, new potatoes and milk in powder or granules intended for human consumption at the start of the second year following accession and at the start of each of the following years.
- (b) Fruit and vegetables, at the latest nine months before the expiry of the fourth year following accession and of the start of each of the following years.
- (c) The other products referred to in paragraph 2 (b), as from the fifth year following accession and at the start of each following year.

With regard to those products, account will be taken in particular of the situation at the level of the production and marketing structure of the products in question.

4. A decision may be made, in accordance with the procedure laid down in Article 11 of Regulation (EEC) No 2358/71 on the common organization of the market in seeds, the Management Committee set up by that Regulation having competence in the matter, to submit to the STM, for the period 1 March 1986 to 31 December 1989, imports into Spain of certified seed potatoes of lesser quality falling within subheading ex 07.01 A I of the Common Customs Tariff.

5. Should especial difficulties be experienced a decision may be made, at the request of the Kingdom of Spain and in accordance with the procedure laid down in Article 82, to supplement the list of products subject to the STM on import into Spain with regard to those products falling within Regulation (EEC) No 1035/72 not referred to in paragraph 2 (b).

6. The Commission shall submit at the beginning of each year a report to the Council on the functioning of the STM during the previous year.

#### Article 82

1. An *ad hoc* Committee shall be established consisting of representatives of the Member States and presided over by a representative of the Commission.

2. Within the *ad hoc* Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the EEC Treaty. The chairman shall not vote.

3. Where the procedure laid down in this Article is to be followed, the chairman shall refer the matter to the *ad hoc* Committee, either on his own initiative or at the request of the representative of a Member State.

4. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit set by the chairman according to the urgency of the matter. An opinion shall be delivered by a majority of 54 votes.

5. The Commission shall adopt the measures and shall apply them immediately, where they are in accordance with the opinion of the Committee. If they are not in accordance with the opinion of the Committee or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall adopt the measures on a qualified majority.

If, on the expiry of one month from the date on which the matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately, save in the case where the Council has decided by a simple majority against the said measures.

#### Article 83

1. At the start of each marketing year, a forward estimate shall be drawn up, following the procedure set out in Article 38 of Regulation No 136/66/EEC or, as the case may be, the corresponding Articles of the other Regulations on the common organization of agricultural markets, for each of the products subject to the STM. For new potatoes the estimate shall be drawn up in accordance with the procedure set out in Article 33 of Regulation (EEC) No 1035/72, the Management Committee set up by that Regulation having competence in the matter.

This estimate shall be drawn up on the basis of production and consumption estimates in Spain or in the Community as at present constituted; on the basis of this estimate, a forward timetable shall be drawn up for the marketing year in question in accordance with the same procedure on development in trade and on fixing an indicative import ceiling in the market in question.

A specific estimate shall be drawn up for the period running from 1 March 1986 until the beginning of the 1986/87 marketing year for each of the products or groups of the products.

2. The successive fixing of indicative ceilings must reflect a certain steady progress in relation to traditional trade flows, so as to ensure an harmonious and gradual opening up of the market and the full realization of free movement within the Community on the expiry of the period of application of transitional measures.

To that end, an annual rate of progress for the ceiling shall be determined in accordance with the procedure referred to in paragraph 1. Within the framework of the overall indicative ceiling, ceilings may be fixed corresponding to the different periods of the marketing year in question.

#### Article 84

1. Until 31 December 1989, when the timetable referred to in Article 83 is drawn up, a 'guide' quantity shall be determined, for imports into Spain:

- of the products referred to in Article 81 (2) (b) (bb), with the exception of those falling within heading ex 04.02 of the Common Customs Tariff,
- the products referred to in Article 81 (2) (b) (dd).

2. The 'guide' quantity applicable to 1986 and its progress for each of the following three years in relation to the previous year shall be:

CCT heading No	Description	Guide quantity	Rate of progress
01.02	Live animals of the bovine species: A. Domestic species: ex II. Other: — Excluding animals for bullfights	20 000 tonnes (of which: — live animals 12 000 head — fresh and chilled meat 2 000 tonnes)	10 %, 12,5 %, 15 %
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals B. Offals: II. Other: b) Of bovine animals		
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked: C. Other: I. Of bovine animals		
04.01	Milk and cream, fresh, not concentrated or sweetened	200 000 tonnes (of which 40 000 tonnes for milk and cream in small packings)	10 %, 12,5 %, 15 %
04.03	Butter	1 000 tonnes	15 %, 15 %, 15 %
04.04	Cheese and curd: A. Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and Tête de moine, not grated or powdered	14 000 tonnes	15 %, 15 %, 15 %

CCT heading No	Description	Guide quantity	Rate of progress
04.04 (cont'd)	B. Glarus herb cheese (known as Schabziger), made from skimmed milk and mixed with finely-ground herbs C. Blue-veined cheese, not grated or powdered D. Processed cheese, not grated or powdered E. Other: I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight of the non-fatty matter: ex a) Not exceeding 47 %: — Excluding curd b) Exceeding 47 % but not exceeding 72 %: 1. Cheddar ex 2. Other: — Excluding curd c) Exceeding 72 %: ex 1. In immediate packings of a net capacity not exceeding 500 g: — Excluding curd ex 2. Other: — Excluding curd II. Other: a) Grated or powdered ex b) Other: — Excluding curd		
10.01	Wheat and meslin (mixed wheat and rye):  B. Other: ex I. Common wheat and meslin: — Common wheat of breadmaking quality	175 000 tonnes	15 %, 15 %, 15 %

A decision may be made, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products or, as the case may be, in the corresponding Articles of other common organizations of the market concerned, that the 'guide' quantities referred to above shall be expressed in compliance with the requirements of each common organization of the market taking into account the detailed rules for drawing up the forward estimate referred to in Article 83.

3. If necessary, a division of the 'guide' quantities referred to above between the various products shall be carried out, as the case may be, by following the procedure set out in paragraph 2.

4. During the period concerned, the 'guide' quantity may not be exceeded, unless it is so decided in accordance with, as the case may be, the procedure referred to in paragraph 2.

When such a decision is taken, account shall in particular be taken, in the light of the forward estimate for

the product in question, of the trends in the internal Spanish demand and of the development of market prices in Spain.

#### Article 85

1. Without prejudice to Article 84 (4), should the examination of developments in intra-Community trade show that a significant increase in imports has taken place or is forecast and if that situation should result in the indicative import ceiling for the product being reached or exceeded for the current marketing year or part thereof, the Commission, at the request of a Member State or on its own initiative, shall decide, in accordance with emergency procedures, on:

- the interim protective measures that are necessary and which shall apply until the entry into force of the definitive measures provided for in paragraph 3,

- convening the Management Committee of the sector concerned, with a view to examining appropriate measures.

2. Should the situation referred to in the preceding paragraph cause a serious disturbance on the market, a Member State may request the Commission to take the interim protective measures referred to in paragraph 1 immediately. To that end, the Commission shall take a decision within 24 hours of receiving the request.

If the Commission does not take a decision within that period, the requesting Member State may take interim protective measures, which shall be immediately notified to the Commission.

These measures shall remain applicable until such time as the Commission has acted on the request referred to in the first subparagraph.

3. Definitive measures shall be adopted as soon as possible in accordance with the procedure set out in Article 38 of Regulation No 136/66/EEC or, as the case may be, in the corresponding Articles of other Regulations on the common organization of agricultural markets.

These measures may include:

- (a) either, the revision of the indicative ceiling, if the market in question has not suffered significant disturbances following the development of imports;
- (b) or, based on the seriousness of the situation, assessed in particular on the basis of the trend in market prices and the quantities forming the subject of trade, the limitation or suspension of imports on to the market of the Community as at present constituted or on to the Spanish market.

The restrictive measures referred to in (b) may only be taken to the extent and for such time as is strictly necessary to put an end to the disturbance. With regard to the Community as at present constituted, those measures may be limited to imports intended for certain of its regions, provided that they include appropriate provisions to avoid deflections of trade.

4. The application of the STM may in no event lead to products coming from Spain or from the Community as at present constituted being treated in a less favourable manner than those coming from third countries benefiting from the most-favoured-nation clause, which are sold in the regions concerned.

#### Sub-section 5

#### Other provisions

#### *Article 86*

Any stock of products in free circulation in Spanish territory on 1 March 1986 which in quantity exceeds what

may be considered representative of a normal carry-over stock must be eliminated by and at the expense of the Kingdom of Spain under Community procedures to be specified and within time-limits to be determined under the conditions provided for in Article 91. The concept of normal carry-over stock shall be defined for each product on the basis of criteria and objectives particular to each common organization of the market.

#### *Article 87*

In fixing the level of the various amounts laid down within the common agricultural policy, except for the prices referred to in Article 68, account shall be taken of the compensatory amount applied or, in the absence thereof, of the difference in prices recorded or economically justified and, where appropriate, of the incidence of customs duties, except in the following circumstances:

- where there is no likelihood that trade will be disturbed, or
- where the smooth running of the common agricultural policy requires that this amount, difference or incidence be not taken into account or renders such taking into account undesirable.

#### *Article 88*

1. The Council, acting in accordance with the conditions provided for in Article 91, shall adopt the arrangements applicable by the Kingdom of Spain with regard to the Portuguese Republic.

2. The measures necessary in trade between the new Member States and the Community as at present constituted, for the implementation of the arrangements referred to in paragraph 1, shall be adopted, as the case may be, under the conditions laid down in Article 91 or following the procedure laid down in Article 89 (1).

#### *Article 89*

1. Except where otherwise provided for in specific cases, the Council, acting by a qualified majority on a proposal from the Commission, shall adopt the provisions necessary for implementing this Chapter.

These provisions may in particular lay down adequate measures to avoid deflection of trade in trade between Spain and the other Member States.

2. The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may make the adaptations to the provisions appearing in this Chapter which may prove to be necessary as a result of a modification in Community rules.



### Article 90

1. If transitional measures are necessary to facilitate the passage from the existing arrangements in Spain to those resulting from the application of the common organization of the markets as provided for in this Chapter, particularly if for certain products the implementation of the new arrangements on the scheduled date meets with appreciable difficulties in the Community, such measures shall be adopted following the procedure provided for in Article 38 of Regulation No (EEC) 136/66 or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets. Such measures may be taken during the period up to 31 December 1987, but their application may not extend beyond that date <sup>(1)</sup>.

2. The Council may, acting unanimously on a proposal from the Commission and after consulting the European Parliament, extend the period referred to in paragraph 1.

### Article 91

1. The transitional measures concerning the application of the acts relating to the common agricultural policy and not specified in this Act of Accession, including structures, which are rendered necessary by accession, shall be adopted before accession in accordance with the procedure provided for in paragraph 3 and shall enter into force at the earliest on the date of accession.

2. The transitional measures referred to in paragraph 1 shall be those mentioned in Articles 75 (3), 80, 86, 88, 126 and 144.

3. The Council, acting by a qualified majority on a proposal from the Commission, or the Commission, taking a decision in accordance with the procedure referred to in Article 90 (1), shall adopt the transitional measures referred to in paragraph 1 according to which of these two institutions adopted the original acts to which they refer.

## Section II

### Provisions relating to certain common organizations of markets

#### Sub-section 1

#### Oils and fats

### Article 92

1. For olive oil, the provisions of Articles 68 and 72 shall apply to the intervention price.

<sup>(1)</sup> EDITORIAL NOTE:  
By Council Regulation (EEC) No 4007/87 of 22 December 1987 (OJ of the EC, No L 378 of 31 December 1987), the period referred to in paragraph 1 was extended for Spain until 31 December 1988.

2. During the transitional period of 10 years, the price thus fixed for Spain shall be aligned on the level of the common price each year at the beginning of each marketing year in accordance with the following procedures:

— Until the entry into force of the adjustment of the 'acquis communautaire', the price in Spain shall be aligned each year by one-twentieth of the original variation between this price and the common price.

— As from the entry into force of the adjustment of the 'acquis communautaire', the price in Spain shall be corrected by the difference existing between the price in that Member State and the common price, as applicable before each move towards alignment, divided by the number of marketing years still to run until the end of the period of application of the transitional measures; the price resulting from this calculation shall be adapted in proportion to any change in the common price for the marketing year to come.

3. The Council, acting in accordance with the procedure provided for in Article 43 (2) of the EEC Treaty, shall establish that the condition required for the application of the second indent of paragraph 2 is fulfilled. The move towards alignment of the price shall be effected in accordance with the latter provision from the beginning of the marketing year following such establishment.

4. The compensatory amount resulting from application of Article 72 shall be adapted, should the need arise, on the basis of the difference between Community aid for consumption applicable in the Community as at present constituted and in Spain.

### Article 93

1. For oil seeds, Article 68 shall apply to the target prices for colza, rape and sunflower seeds and to the guide price for soya beans.

For linseed, the guide price applicable in Spain on 1 March 1986 shall be fixed on the basis of the variation existing between the prices of competitive products in rotation cropping in Spain and in the Community as at present constituted, over a reference period to be determined. However, the guide price to be applied in Spain may not be higher than the common price.

2. For the period during which the transitional measures are applied, the prices thus fixed for Spain shall be aligned on the level of the common prices each year at the beginning of the marketing year. The move towards alignment shall take place in 10 stages, the provisions of Article 70 being applied *mutatis mutandis*.

3. The intervention prices for colza, rape and sunflower seeds and the minimum price for soya beans, applicable in Spain, shall be derived respectively from the target price and the guide price, as referred to in the paragraphs 1 and 2, in accordance with the provisions of the common organization of the market concerned.

4. Until 31 December 1990, in trade in processed oil products falling within Regulation No 136/66/EEC, with the exception of processed olive oil products and with the exception of products falling within heading No 15.13 of the Common Customs Tariff, appropriate measures shall be adopted to take account of the difference in the prices of these oils in Spain and in the Community as at present constituted.

#### Article 94

1. The Kingdom of Spain shall apply, until 31 December 1990 and in accordance with detailed rules to be determined, a system for the control of:

(a) quantities of products referred to in:

- point (a), excluding soya beans falling within subheading ex 12.01 B of the Common Customs Tariff,
- point (b), excluding products falling within subheadings 15.17 B II and 23.04 B of the Common Customs Tariff,

of Article 1 (2) of Regulation No 136/66/EEC, on the Spanish domestic market, in order to maintain those quantities at a level established on the basis of average consumption reached in Spain during the years 1983 and 1984, that level being adjusted on the basis of foreseeable trends in supply requirements;

(b) the level of consumer prices for the oils referred to in (a) and for margarine, in such a way as to maintain — until 31 December 1990 — in principle the price level, expressed in ECU, reached during the 1984/85 marketing year.

The control system referred to in (a) consists in the replacement on 1 March 1986 of the trade arrangements applied to imports in Spain by a system of quantitative restrictions on imports opened without discrimination between economic operators, both with regard to the Community as at present constituted and to third countries.

2. Until 31 December 1990, the import of soya beans into Spain shall be subject to an undertaking to export

the oils obtained from their crushing and products beyond the quantity admitted on the Spanish market under paragraph 1 (a).

3. Should exceptional circumstances arise, the control system defined in this Article may be amended, for the products subject thereto, to the extent necessary to avoid imbalances on the markets for the various oils.

These amendments shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC;

#### Article 95

1. Community aid for the production of olive oil shall apply in Spain as from 1 March 1986. This aid shall be fixed for the first time and shall be aligned, for the period during which the transitional measures are applied, on the level of aid granted in the Community as at present constituted, the provisions of Article 79 being applied *mutatis mutandis*.

Community aid for the consumption of olive oil shall be introduced in Spain, from 1 January 1991, following a timetable to be determined, to the extent necessary to reach the common level by the end of the period during which transitional measures are applied.

2. Aid for colza, rape and sunflower seeds, for soya beans and for linseed, produced in Spain, shall be:

- introduced in Spain as from the beginning of the first marketing year following accession, and
- increased thereafter, during the period of application of the control mechanism referred to in Article 94 (1),

on the basis of the move towards alignment, as the case may be, of the target price or the guide price applicable in Spain on the level of the common price.

On expiry of the period referred to in the foregoing subparagraph, the aid granted in Spain shall be equal to the difference between the target price or the guide price applicable in that Member State and the price on the world market, with this difference being reduced by the incidence of the customs duties applied by the Kingdom of Spain on the import of products from third countries.

3. Aid for the seeds and beans referred to in paragraph 2, produced in Spain and processed in the Community as at present constituted, and the aid for the same seeds and beans produced in the Community as

at present constituted and processed in Spain, shall be adjusted to take account of the respective difference between the level of the prices of these seeds and beans and that of seeds and beans imported from third countries.

4. Furthermore, when the aid for colza, rape and sunflower seeds is calculated, account shall be taken of any differential amount which may be applicable.

#### Article 96<sup>(1)</sup>

During the 1986/87 to 1994/95 marketing years, specific guarantee thresholds shall be fixed for colza and rape seeds and for sunflower seeds produced in Spain.

These specific guarantee thresholds shall be determined on the basis of criteria actually comparable to those adopted for the fixing of guarantee thresholds in the Community as at present constituted, taking into consideration the highest level of production recorded during one of the following marketing years: 1982/83, 1983/84 and 1984/85.

Where a specific guarantee threshold is exceeded, the co-responsibility penalties shall be applied according to procedures which are similar to those applied in the Community as at present constituted and with the same ceiling.

#### Article 97

1. Once the control system referred to in Article 94 has expired, the Kingdom of Spain shall apply the preferential, contractual or autonomous arrangements applied by the Community with regard to third countries in the olive oil sector, the oil seeds and oil fruits sector and in that of products derived therefrom.

2. From 1 January 1991, the Kingdom of Spain shall apply a duty reducing the variation between the rate of duty actually applied on 31 December 1990 and the preferential rate of duty in accordance with the following timetable:

- on 1 January 1991, the variation shall be reduced to 83,3 % of the initial variation,
- on 1 January 1992, the variation shall be reduced to 66,6 % of the initial variation,
- on 1 January 1993, the variation shall be reduced to 49,9 % of the initial variation,

(<sup>1</sup>) EDITORIAL NOTE:  
By Council Regulation (EEC) No 1455/86 of 13 May 1986 (OJ of the EC, No L 133 of 21 May 1986) adjusting Articles 96 and 294 of the AA ESP/PORT, provision is made that 'the words "guarantee threshold(s)" shall be replaced each time they occur by "guaranteed maximum quantity" or "guaranteed maximum quantities" '.

- on 1 January 1994, the variation shall be reduced to 33,2 % of the initial variation,
- on 1 January 1995, the variation shall be reduced to 16,5 % of the initial variation.

The Kingdom of Spain shall apply the preferential rates in their entirety from 1 January 1996.

#### Sub-section 2

#### Milk and milk products

#### Article 98

1. Until the first move towards alignment of prices, the intervention prices for butter and for skimmed-milk powder to be applied in Spain shall be fixed at a level which corresponds to that of prices recorded in this Member State under the previous national arrangements for a representative period to be determined.

Subsequently the difference which exists between these prices and the corresponding prices calculated according to the rules provided for in the common organization of the markets on the basis of the guaranteed price for milk applicable in Spain throughout the representative period referred to in the first subparagraph shall be progressively reduced so that it is equal to half the initial difference on the fourth move towards alignment and totally eliminated on the seventh such move.

Article 70 shall apply *mutatis mutandis*; Article 72 shall also apply.

However, the compensatory amount for skimmed milk and skimmed-milk powder intended as a feedingstuff for animals may be reduced in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

2. The compensatory amount for milk products other than butter and skimmed-milk powder shall be fixed with the help of coefficients to be determined.

#### Article 99

1. Subject to the second subparagraph, the Kingdom of Spain may, until 31 December 1986, maintain national exclusive dealing concessions in favour of dairy plants as far as the marketing of pasteurized fresh milk produced in Spain is concerned.

These exclusive dealing concessions may not impede the free marketing in Spain of pasteurized fresh milk imported from the present Member States.

2. The Kingdom of Spain shall inform the Commission, at the latest three months before the date of accession, of the measures taken pursuant to paragraph 1.

#### Sub-section 3

Beef and veal

##### *Article 100*

Article 68 shall apply to the guaranteed prices in Spain and to the intervention purchasing prices in the Community, as at present constituted, valid for comparable qualities determined on the basis of the Community grading scale for carcasses of adult bovine animals. Articles 70 and 72 shall apply to the intervention purchasing price applicable in Spain.

##### *Article 101*

The compensatory amount for the other products referred to in Article 1 (1) (a) of Regulation (EEC) No 805/68 shall be fixed with the help of coefficients to be determined.

##### *Article 102*

Article 79 shall apply to the premium for maintaining suckler cows.

#### Sub-section 4

Tobacco

##### *Article 103*

1. Article 68 and eventually Article 70 shall apply to the intervention price fixed for each variety or group of varieties.

2. The norm price corresponding to the intervention price referred to in paragraph 1 shall be fixed in Spain for the first harvest following accession at a level that shall reflect the relationship existing between the norm price and the intervention price, in accordance with the second subparagraph of Article 2 (2) of Regulation (EEC) No 727/70 on the common organization of the market in raw tobacco.

#### Sub-section 5

Flax and hemp

##### *Article 104*

Article 79 shall apply to the aid for fibre flax and hemp.

#### Sub-section 6

Hops

##### *Article 105*

The aid to hop producers referred to in Article 12 of Regulation (EEC) No 1696/71 shall be applied in full in Spain as from the first harvest following accession.

#### Sub-section 7

Seeds

##### *Article 106*

Article 79 shall apply to the aid for the seeds referred to in Article 3 of Regulation (EEC) No 2358/71.

#### Sub-section 8

Silkworms

##### *Article 107*

Article 79 shall apply to aid for silkworms.

#### Sub-section 9

Sugar and isoglucose

##### *Article 108*

Articles 68, 70 and 72 shall apply to the intervention price for white sugar and to the basic price for beet.

However, the compensatory amount shall be corrected, to the extent necessary for the smooth functioning of the common organization of the market, by the incidence of the compensation levy for storage costs.

#### *Article 109*

For raw sugar and for products, other than fresh beet, in Article 1 (1) (b) and for products in Article 1 (1) (d) and (f) of Regulation (EEC) No 1785/81 on the common organization of the markets in sugar, compensatory amounts may be fixed to the extent necessary to avoid all risk of disturbance in trade between the Community as at present constituted and Spain.

In that case, compensatory amounts shall be derived from the compensatory amount applicable to the basic product in question with the help of coefficients to be determined.

#### *Article 110*

Until 31 December 1995 at the latest, the Kingdom of Spain shall be authorized to grant a national adjustment aid to producers of A and B beet as defined in Regulation (EEC) No 1785/81. The amount of this aid may not exceed 23,64 % of the basic price of beet fixed by the Community for the marketing year in question.

#### Sub-section 10

##### Cereals

#### *Article 111*

1. In the cereals sector, Articles 68, 70 and 72 shall apply to the intervention prices.

2. With regard to the cereals for which an intervention price is not fixed, the compensatory amount applicable shall be derived from that applicable to barley, taking into consideration the relationship which exists between the threshold prices of the cereals concerned.

3. For the products referred to in Article 1 (c) and (d) of Regulation (EEC) No 2727/75 on the common organization of the market in cereals, the compensatory amount shall be derived from that applicable to the cereals to which they are related, with the help of coefficients to be determined (1).

(1) Article 111 (3) as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

#### *Article 112*

The minimum specific weight of barley which may be accepted for intervention in Spain shall be fixed respectively:

- for the period 1 March 1986 until the end of the 1986/87 marketing year, at 60 kilograms per hectolitre,
- for the 1987/88 marketing year, at 61 kilograms per hectolitre,
- for the 1988/89 marketing year, at 62 kilograms per hectolitre.

The reduction made to the intervention price for barley applicable in Spain shall be:

- 4 % for the period 1 March 1986 until the end of the 1986/87 marketing year,
- 3 % for the 1987/88 marketing year,
- 2 % for the 1988/89 marketing year.

#### *Article 113*

Article 79 shall apply to the aid to durum wheat referred to in Article 10 of Regulation (EEC) No 2727/75.

#### Sub-section 11

##### Pigmeat

#### *Article 114*

1. The compensatory amount applicable per kilogram of pig carcase shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one kilogram of pigmeat. However, during the first four marketing years following accession, this amount shall not be applied.

2. For the products other than pig carcasses, referred to in Article 1 (1) of Regulation (EEC) No 2759/75 on the common organization of the market in pigmeat, the compensatory amount shall be derived from that referred to in paragraph 1, with the help of coefficients to be determined.

3. Until 31 December 1989, where there is a risk of too great an intervention being carried out in Spain under aid to private storage or, if need be, public purchases decided on pursuant to Article 20 of Regulation

(EEC) No 2759/75, a decision may be made, in accordance with the procedure laid down in Article 24 of that Regulation, to take the necessary restrictive measures on imports of any provenance, in that Member State, in the pigmeat sector.

#### Sub-section 12

##### Eggs

###### *Article 115*

1. The compensatory amount applicable per kilogram of eggs in shell shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one kilogram of eggs in shell.

2. The compensatory amount applicable per egg for hatching shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one egg for hatching.

3. For the products referred to in Article 1 (1) (b) of Regulation (EEC) No 2771/75 on the common organization of the market in eggs, the compensatory amount shall be derived from that for eggs in shell, with the help of coefficients to be determined.

#### Sub-section 13

##### Poultry

###### *Article 116*

1. The compensatory amount applicable per kilogram of slaughtered poultry shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one kilogram of slaughtered poultry, differentiated on the basis of species.

2. The compensatory amount applicable per chick shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one chick.

3. For the products referred to in Article 1 (2) (d) of Regulation (EEC) No 2777/75 on the common organization of the market in poultrymeat, the compensatory amount shall be derived from the compensatory amount for slaughtered poultry, with the help of coefficients to be determined.

#### Sub-section 14

##### Rice

###### *Article 117*

1. For rice, Articles 68, 70 and 72 shall apply to the intervention price of paddy rice.

2. The compensatory amount for husked rice shall be that applicable to paddy rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.

3. For wholly milled rice, the compensatory amount shall be that applicable to husked rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.

4. For semi-milled rice, the compensatory amount shall be that applicable to wholly milled rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.

5. For the products referred to in Article 1 (1) (c) of Regulation (EEC) No 1418/76 on the common organization of the market in rice, the compensatory amount shall be that applicable to the products to which they are related, with the help of coefficients to be determined.

6. The compensatory amount for broken rice shall be fixed at a level that takes into account the difference existing between the supply price in Spain and the threshold price.

#### Sub-section 15

##### Products processed from fruit and vegetables

###### *Article 118*

For the products benefiting from the aid arrangements provided for in Article 3 of Regulation (EEC) No 516/77 on the common organization of the market in fruit and vegetable processed products, the following provisions shall apply in Spain:

1. Until the first move towards alignment of the prices referred to in Article 70, the minimum price referred to in Article 3b of Regulation (EEC) No 516/77 shall be established on the basis:

— of the price fixed in Spain under the previous national arrangements for the product intended for processing, or

— in the absence of such a price, of the prices paid in Spain to producers for the product intended for processing, as recorded during a representative period to be determined.

2. Where the minimum price referred to in paragraph 1 is:

— lower than the common price, the price in Spain shall be modified at the beginning of each marketing year following accession, according to the procedures provided for in Article 70,

— higher than the common price, the common price shall be adopted on accession for Spain.

3. (a) For processed tomato products for the first four marketing years following accession, the amount of Community aid granted in Spain shall be derived from the aid calculated for the Community as at present constituted, bearing in mind the difference of the minimum producer prices resulting from the application of paragraph 2, before this last mentioned aid is reduced possibly as a result of the guarantee threshold fixed for these products in the Community as at present constituted being exceeded.

Where the threshold in the Community as at present constituted is exceeded, if this proves necessary to ensure normal conditions for competition between Spanish industries and those of the Community, it shall be decided, in accordance with the procedure provided for in Article 20 of Regulation (EEC) No 516/77, that a compensatory amount, at the most equal to the difference between the aid fixed for Spain and that which would have been derived from the fixed Community aid, will be applied in accordance with Article 72 (3) (a) and levied by the Kingdom of Spain on exports to third countries. However, on the expiry of the arrangements referred to in Regulation (EEC) No 1320/85, no compensatory amount shall be levied where it is proved that the Spanish product did not benefit from Community aid granted in Spain.

In no case may the aid applicable in Spain exceed the amount of aid granted in the Community as at present constituted.

(b) During the first four marketing years following accession, the grant of Community aid in Spain shall be limited, for each marketing year, to a quantity of processed products corresponding to a quantity of fresh tomatoes of:

— 370 000 tonnes for the manufacture of tomato concentrate,

— 209 000 tonnes for the manufacture of whole peeled tomatoes,

— 88 000 tonnes for the manufacture of other tomato products.

At the end of this period, the quantities fixed above, adjusted on the basis of any alteration to Community thresholds made during that period, shall be taken into consideration for fixing Community thresholds.

4. During the fifth and sixth marketing years following accession, for tomato-based products, and for the other products during the six marketing years following accession, the amount of the Community aid granted in Spain shall be derived from the aid fixed for the Community as at present constituted, bearing in mind the difference of the minimum prices resulting from the application of paragraph 2.

However, for products other than tomato products, in cases where the processing costs recorded in Spain for a product during a representative period to be determined, under the previous national arrangements, are lower by at least 10 % than the processing costs obtaining in the Community as at present constituted, the aid granted in Spain for this product shall be derived bearing in mind also the difference in the processing costs recorded. The processing costs recorded in Spain shall be progressively aligned on the costs recorded in the Community as at present constituted, in accordance with the same rules as those referred to in Article 70 for the move towards alignment of prices.

5. Community aid shall be applied in full in Spain as from the beginning of the seventh marketing year following accession.

6. For peaches in syrup, for the first four marketing years following accession, the grant of Community aid in Spain shall be limited to a quantity of 80 000 tonnes of the finished product expressed in net weight.

7. For the purposes of applying Article 1, the minimum price, the processing costs and the aid obtaining in the Community as at present constituted shall refer to the amounts obtaining in the Community as at present constituted, excluding Greece.

#### *Article 119*

The minimum price and the financial compensation applicable in Spain, as provided for in Articles 2 and 3

of Regulation (EEC) No 2601/69 laying down special measures to encourage the processing of certain varieties of oranges and in Articles 1 and 2 of Regulation (EEC) No 1035/77 laying down special measures to encourage the marketing of processed lemon products, shall be fixed as follows:

1. Until the first move towards the alignment of the prices referred to in Article 70, the minimum price applicable shall be established on the basis of the prices paid in Spain to producers of citrus fruits intended for processing, recorded over a representative period to be determined. The financial compensation shall be that of the Community as at present constituted less, where appropriate, the difference between on the one hand the common minimum price and on the other the minimum price applicable in Spain.
2. For subsequent price fixing, the minimum price applicable in Spain shall be aligned on the common minimum price according to the provisions of Article 70. The financial compensation applicable in Spain at each stage of the move towards alignment shall be that of the Community as at present constituted less, where appropriate, the difference between on the one hand the common minimum price and on the other the minimum price applicable in Spain.
3. However, where the minimum price resulting from the application of paragraph 1 or 2 is higher than the common minimum price, the latter price may be adopted definitively for Spain.
4. For the first four marketing years following accession, the quantities eligible for aid for processing shall be limited to a quantity of processed products corresponding to a quantity of raw materials amounting to:
  - 30 000 tonnes for oranges of the 'bianca comune' variety,
  - 7 600 tonnes for blood oranges,
  - 26 000 tonnes for lemons.

#### Sub-section 16

##### Dried fodder

##### *Article 120*

1. The guide price referred to in Article 4 of Regulation (EEC) No 1117/78 on the common organization of the market in dried fodder, applicable in Spain on 1 March 1986, shall be fixed on the basis of the variations which exist between the prices of competitive products in rotation cropping in Spain and in the Com-

munity as at present constituted over a reference period to be determined.

Article 70 shall apply to the guide price calculated in accordance with the first subparagraph. However, the guide price to be applied in Spain may not exceed the common guide price.

2. The supplementary aid applicable in Spain shall be adjusted by an amount equal to:
  - the difference which exists, where appropriate, between the guide price in Spain and the common guide price, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, and
  - the incidence of customs duties applicable in Spain on the import of the said products from third countries.
3. Article 79 shall apply to the flat-rate aid referred to in Article 3 of Regulation (EEC) No 1117/78.

#### Sub-section 17

##### Peas, field beans and sweet lupins

##### *Article 121*

1. For peas, field beans and sweet lupins used in the manufacture of animal feed, Articles 68 and 70 shall apply to the activating threshold price. For peas and field beans not so used, the guide price applicable in Spain on 1 March 1986 shall be fixed on the basis of the variation which exists between the prices of competitive products in rotation cropping in Spain and in the Community as at present constituted over a reference period to be determined.

Article 70 shall apply to the guide price for these products. However, the guide price to be applied in Spain may not be higher than the common guide price.

2. For products harvested in Spain and used in the manufacture of animal feed, falling within Regulation (EEC) No 1431/82 laying down special measures for peas, field beans and sweet lupins, the amount of the aid referred to in Article 3 (1) of that Regulation shall be reduced by the incidence of the difference which exists, where appropriate, between the threshold activating price applied in Spain and the common price.

Without prejudice to the application of the first subparagraph, the amount of the aid concerned for a product processed in Spain shall be reduced by the incidence of the customs duties applied in Spain on the import of soya cake from third countries.



The deductions referred to in the first and second subparagraphs shall be the result of the application of the percentages referred to in Article 3 (1) of Regulation (EEC) No 1431/82.

3. The amount of the aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 for peas and field beans harvested in Spain and used in human or animal consumption otherwise than as provided for in paragraph 1 of that Article, shall be reduced by an amount equal to the difference which exists, where one arises, between the guide price applied in Spain and the common guide price.

Without prejudice to the application of the first subparagraph, the amount of the aid concerned for a product processed in Spain shall be reduced by the incidence of the customs duties applied in Spain on the import of these products from third countries.

#### Sub-section 18

#### Wine

#### Article 122

1. Until the first move towards alignment of the prices referred to in Article 70:

- the guide price applicable in Spain for white table wine shall be fixed at a level in such a way that the relationship between the purchase price for table wine to be delivered for compulsory distillation in that Member State and the guide price is 50 %,
- the guide price applicable in Spain for red table wine shall be derived from the guide price for white table wine by applying the same relationship as that existing in the Community as at present constituted between the guide prices of table wines of types A I and R I,
- the purchase price for the table wines referred to in the first indent shall be fixed at the level of the regulatory compulsory distillation price applied in Spain under the previous national arrangements over a representative period to be determined,
- the guaranteed minimum price referred to in Article 3a of Regulation (EEC) No 337/79 shall be equal to 72 % of the guide price of each type of table wine,
- the price of wine which undergoes the distillation referred to in Article 12a of Regulation (EEC) No 337/79 shall be equal to:
  - 80 % of the guide price for white table wine,
  - 81,5 % of the guide price for red table wine.

2. Article 70 shall apply to the guide price for table wines. During the 1986/87 to 1990/91 wine growing years:

- the relationship between the guide price and the prices referred to in the third, fourth and fifth indents of paragraph 1 applicable in Spain shall be aligned in stages, by equal instalments, on the relationship which exists between these prices in the Community as at present constituted,
- without prejudice to the first indent of Article 41 (6) of Regulation (EEC) No 337/79, as concerns the relationship between the guide price and the price referred to in the third indent of paragraph 1, the level of the price corresponding to the 40 % referred to in the second indent of Article 41 (6) of Regulation (EEC) No 337/79 shall be attained in accordance with the rate referred to in the first indent of this paragraph.

#### Article 123

1. A mechanism for regulatory amounts shall be set up, on import into the Community as at present constituted, for the products referred to in paragraph 2 coming from Spain which are subject to reference price fixing under the common organization of the market.

2. This mechanism shall be governed by the following rules:

- (a) For table wines, a regulatory amount equal to the difference between the guide prices in Spain and in the Community as at present constituted shall be levied. However, the level of this amount may be adapted according to the procedure provided for in Article 67 of Regulation (EEC) No 337/79 to take account of the situation of market prices as assessed according to the different categories of wines and on the basis of their quality.
- (b) For wines with an appellation as to origin and for the other products likely to create disturbances on the market, a regulatory amount may be fixed according to the procedure provided for under (a). This regulatory amount shall be derived from that applicable to table wines according to procedures to be determined.

3. The regulatory amount shall be fixed at a level which ensures conditions under which treatment is no less favourable than those in force under the arrangements prior to accession. To this end, this amount shall be calculated in such a way that the amount obtained by increasing the guide price in Spain for the product concerned by the regulatory amount and by the customs duty applicable to it does not exceed the reference price in force for the product during the wine growing year concerned.

4. Bearing in mind the special situation of the market in the various products referred to in paragraph 2, a

decision may be taken according to the procedure provided for in Article 67 of Regulation (EEC) No 337/79, to fix a regulatory amount for the export of one or more of these products from the Community as at present constituted to Spain.

The amount shall be fixed at a level ensuring a normal trade pattern between the Community as at present constituted and Spain, which does not create any disturbances on the Spanish market for the products concerned.

5. The regulatory amount granted shall be financed by the Community by means of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### *Article 124*

For the purposes of applying, until the 1989/90 marketing year expires, the compulsory distillation referred to in Article 41 of Regulation (EEC) No 337/79, the amount of average production of table wines and of products upstream of the table wine intended for the wine-making stage, obtained in the various production regions in Spain over the three consecutive reference years, shall be fixed at 27,5 million hectolitres.

#### *Article 125*

1. During the period 1 March 1986 to 31 December 1989, coupage of a wine suitable for yielding white table wine or of a white wine with a wine suitable for yielding a red table wine or with a red table wine shall be allowed in Spanish territory. The product of this coupage may circulate only in Spanish territory.

2. For the period referred to in paragraph 1, coupage, in the Community as at present constituted, of Spanish wines other than white table wines, with wines of the other Member States, shall be prohibited, save in exceptional cases to be determined.

During this period the Spanish wines referred to above may form the subject of trade with the other Member States only on condition that they are made subject to provisions enabling their origin to be determined and their commercial movements to be followed.

#### *Article 126*

1. Until the end of 1995, table wines coming from areas under vines on 1 January 1985 in the regions of Asturias, Cantabria, Galicia, Guipúzcoa and Vizcaya, and for which the list is to be determined under the conditions laid down in Article 91, may have an actual alcoholic strength of not less than 7 % vol.

For wines whose actual alcoholic strength is less than 9 % vol, an indication of that strength must appear on the labelling.

2. Table wines referred to in paragraph 1 may circulate only in Spanish territory.

#### *Article 127*

Until 31 December 1990, table wines produced in Spain and released to the market of that Member State may have a total acidity content of not less than 3,5 grams per litre, expressed in tartaric acid.

#### *Article 128*

Until the end of the 1992/93 marketing year, the amount, applicable in Spain, of aid for concentrated grape musts and rectified concentrated grape musts, referred to in Article 14 of Regulation (EEC) No 337/79, shall be fixed taking into account the difference in cost, for that Member State, between the enrichment obtained from the abovementioned products and the enrichment obtained from sucrose.

#### *Article 129*

Until 31 December 1995, the use of the composite terms 'British Sherry', 'Irish Sherry' and 'Cyprus Sherry' shall be authorized on the domestic markets of the United Kingdom and Ireland. In 1995, the Council shall review these arrangements and decide under Article 43 of the Treaty establishing the EEC on any modifications to them on the basis of proposals from the Commission taking account of the interests of all concerned.

### Sub-section 19

#### Sheepmeat and goatmeat

#### *Article 130*

In the sheepmeat sector, Article 68 shall be applicable to the basic price.

### Section III

#### Fruit and vegetables

#### *Article 131*

Fruit and vegetables falling within Regulation (EEC) No 1035/72 shall be subject to specific transitional arrangements, which shall consist of two phases:

- the first phase, called the verification of convergence phase, shall begin on 1 March 1986 and end on 31 December 1989,
- the second phase shall begin on 1 January 1990 and end on 31 December 1995.

The transition from the first to the second phase shall take place automatically.

#### Sub-section 1

##### First phase

##### A. Spanish domestic market

##### *Article 132*

1. During the first phase, the Kingdom of Spain shall be authorized to maintain, for the products referred to in Article 131, the rules in force under its previous national arrangements for the organization of its domestic agricultural market, under the conditions laid down in Articles 133 to 135.

2. As a consequence thereof, and by way of derogation from Article 394, the application in Spain of the Community rules on the organization of the internal market shall be postponed until the end of the first phase.

Furthermore, the application to the Community as at present constituted and to the Kingdom of Spain of amendments made to the Community rules under Article 396 shall be postponed until the end of the first phase.

##### *Article 133*

1. In order that the Spanish fruit and vegetables sector may be harmoniously and completely integrated into the framework of the common agricultural policy at the end of the first phase, the Kingdom of Spain shall progressively adjust the organization of its domestic market on the basis of the general objectives defined in paragraph 2.

2. The general objectives to be achieved shall be the following:

- the progressive application of quality standards to all the products concerned and strict application of the requirements arising therefrom,
- the development of producer groups within the meaning of Community rules,
- the setting up of a body and creation of a material and human infrastructure suitable for carrying out

public intervention operations provided for under Community rules,

- the setting up of a network for the daily recording of prices on representative markets to be defined on the basis of the various products,
- the liberalization of trade with a view to introducing a system of free competition and of free access to the Spanish market and of adaptation of the 'sectoral trade adjustments' to exports in order to make them compatible with the requirements of freedom of movement.

3. In order to favour the realization of the general objectives:

- (a) the Community rules in the socio-structural field, including those relating to producer organizations shall apply in Spain from accession;
- (b) the Community shall participate in financing intervention operations carried out in Spain during the first phase by producer organizations for products complying with common quality standards.

However, the rate of this Community financial participation shall be limited for each product to the rate of production covered by producer organizations in Spain, which are recognized by the Commission as complying with Community rules both with regard to the terms of their constitution and the conditions of their operation.

The Commission shall record for each marketing year the rate of cover referred to in the previous subparagraph; to that end it shall carry out on-the-spot checks in cooperation with the Spanish authorities.

##### *Article 134*

1. In order to realize the general objectives, the Commission shall, during the interim period and in close cooperation with the Spanish authorities, draw up an action programme.

2. Thereafter the Commission shall closely follow the development of the situation in Spain in the light of:

- progress made in the realization of the objectives fixed,
- results obtained by the implementation of horizontal or specific structural measures.

3. The Commission shall express its opinion on that development in reports that it shall forward to the Council:

- at the end of the interim period with a view to establishing a record of the development that occurred before the date of accession,

- in good time before the end of the fourth year following accession,
- at any other time it may deem it useful or necessary.

4. Taking special account of the Council's discussions on the reports referred to in paragraph 3, the Commission may, if necessary, make recommendations to the Kingdom of Spain with regard to measures that should be undertaken in order to achieve the objectives in question.

#### *Article 135*

During the first phase, the Kingdom of Spain shall apply the following disciplines:

##### 1. A price discipline:

(a) The Kingdom of Spain shall fix, on accession, institutional prices for the products for which common prices exist in accordance with criteria that are as close as possible to those defined under the common organization of markets on the basis of a reference period to be determined at a level corresponding to economic realities.

(b) Where these Spanish prices, expressed in ECU, are less than or equal to the common prices, the annual price increases may not, as a rule, exceed in value the increase in common prices.

In no event may the Spanish prices exceed the level of common prices.

(c) Where the Spanish prices, expressed in ECU, are higher than the common prices, they may not be increased in relation to their previous level. Furthermore the Kingdom of Spain shall adjust its prices to the extent necessary to avoid an increase in the variation between its prices and the common prices.

(d) The Kingdom of Spain may adjust its prices where market interventions reach an unjustified volume. In that case the adjusted price shall replace the original price for the application of the rules appearing in (b) and (c).

(e) The Commission shall ensure the observance of the rules referred to above. Any overrun of the price level resulting from the application of these rules shall not be taken into considera-

tion for the determination of the price level to be adopted as the starting level for moves towards price alignment during the second phase referred to in Article 148.

##### 2. An aid discipline:

Under this discipline, the Kingdom of Spain shall be authorized to maintain its national aid during the first phase.

However, during that period, the Kingdom of Spain shall ensure that a certain dismantling of national aids which do not comply with Community law takes place and that the Community aid plan is progressively introduced in the organization of its domestic market without the level of such aids exceeding the common level.

##### 3. A production discipline:

Under this discipline, the Kingdom of Spain shall apply the same production disciplines as those which are, where appropriate, applicable in the other Member States or in those Member States which find themselves in a comparable situation with regard to such a discipline.

##### B. *Arrangements applicable in trade between the Community as at present constituted and Spain*

#### *Article 136*

1. Subject to Articles 75 and 137 to 139, the Kingdom of Spain shall be authorized to apply in its trade with the Community as at present constituted, during the first phase, for the products referred to in Article 131, the arrangements in force before its accession for that trade, both with regard to imports and exports.

2. During the first phase, and subject to Articles 75 (2) and 140, the Community as at present constituted shall apply, to the import of the products referred to in Article 131 coming from Spain, the arrangements which it applied to Spain before accession.

3. During the first phase, and subject to Article 141, the Community as at present constituted shall apply, to the export of the products referred to in Article 131 to Spain, the arrangements which it applies to exports to third countries.

#### *Article 137*

1. Subject to the provisions of paragraph 2, the Kingdom of Spain shall, from 1 March 1986, eliminate the application of all quantitative restrictions and all mea-

asures having equivalent effect and all charges having equivalent effect to customs duties on imports of products referred to in Article 131 coming from the Community as at present constituted.

2. Until 31 December 1989, the Kingdom of Spain may maintain quantitative restrictions on imports coming from the Community as at present constituted of the following products and for periods of application during the marketing year to be determined:

CCT heading No	Description
07.01	Vegetables, fresh or chilled: B. Cabbages, cauliflowers and Brussels sprouts: I. Cauliflowers G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots ex H. Onions, shallots and garlic: — Onions and garlic M. Tomatoes
08.02	Citrus fruit, fresh or dried: A. Oranges B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids: ex II. Other: — Mandarins (including tangerines and satsumas) C. Lemons
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes
08.06	Apples, pears and quinces, fresh: A. Apples B. Pears
08.07	Stone fruit, fresh: A. Apricots ex B. Peaches, including nectarines: — Peaches

3. (a) The quantitative restrictions referred to in paragraph 2 shall consist of quotas opened without discrimination between economic operators.

(c) The minimum rate of progressive increase of the quotas shall be 10% at the beginning of each year.

(b) The initial quota for each product expressed in volume terms shall be fixed for 1986:

The increase shall be added to each quota and the following increase shall be calculated on the total figure obtained.

— either at 3% of the average of Spanish production, over the past three years before accession for which statistics are available,

(d) Where imports into Spain during two consecutive years are less than 90% of the annual quota opened, the Kingdom of Spain shall abolish the quantitative restrictions in force.

— or at the average of Spanish imports made over the past three years before accession for which statistics are available, if this latter criterion results in a greater volume.

(e) For the period 1 March to 31 December 1986, the applicable quota shall be equal to the initial quota reduced by one-sixth.

4. Within the framework of the quantitative restrictions referred to in paragraph 2, imports into Spain of the following products shall be subject to the applica-

tion of a timetable containing import quantities defined in relation to the quota fixed for each year:

CCT heading No	Description	Quantity expressed as a percentage of the annual quota
08.06	<p>Apples, pears and quinces, fresh:</p> <p>A. Apples:</p> <p>ex I. Cider apples in bulk from 16 September to 15 December</p> <p>— From 16 September to 30 November</p> <p>II. Other:</p> <p>ex a) From 1 August to 31 December</p> <p>— From 1 September to 30 November</p> <p>B. Pears:</p> <p>ex I. Perry pears in bulk from 1 August to 31 December:</p> <p>— From 1 August to 16 December</p> <p>II. Other:</p> <p>c) From 16 to 31 July</p> <p>ex d) From 1 August to 31 December</p> <p>— From 1 August to 16 December</p>	<p>15 %</p> <p>25 %</p>
08.07	<p>Stone fruits, fresh:</p> <p>ex A. Apricots:</p> <p>— From 1 May to 31 July</p> <p>ex B. Peaches, including nectarines:</p> <p>— Peaches from 15 June to 15 September</p>	<p>25 %</p> <p>25 %</p>

#### Article 138

During the first phase, the Kingdom of Spain shall not, in principle, grant for the products referred to in Article 131 exported to the present Member States, export aids or subsidies.

However, where the grant of such aids or subsidies appears necessary, the amount thereof shall be limited to not more than the variation between institutional prices or, in the absence thereof, to the variation between prices recorded in Spain and in the Community as at present constituted and, where appropriate, to the amount of customs duty.

Such aids or subsidies may not be fixed until the consultation procedure referred to in Article 142 has taken place.

#### Article 139

1. The Kingdom of Spain shall from 1 March 1986 eliminate the application of all quantitative restrictions or all measures having equivalent effect on exports of products referred to in Article 131 to the Community as at present constituted.

2. However, during the first phase, the Kingdom of Spain may maintain the sectoral trade adjustments that it applies to exports whilst adapting them during that phase so as to make them compatible with the requirements of freedom of movement at the end of that phase.

#### Article 140

1. Notwithstanding Article 136 (2), any countervailing charges on the import of products from Spain, resulting from the application of Regulation (EEC) No 1035/72 shall be reduced by:

- 2 % in the first year,
- 4 % in the second year,
- 6 % in the third year,
- 8 % in the fourth year,

following the date of accession.

2. In trade between the Community as at present constituted and third countries, during the first phase, the

prices of Spanish products shall not be used for the purpose of calculating reference prices.

#### *Article 141*

1. During the first phase, the Community as at present constituted shall not, in principle grant export refunds on exports of products referred to in Article 131 to Spain.

However, where the granting of such refunds appears necessary the amount thereof shall be limited to not more than the variation between institutional prices or, in the absence thereof, to the variation between prices recorded in the Community as at present constituted and Spain and, where appropriate, to the amount of customs duty.

Such refunds may not be fixed until the consultation procedure referred to in Article 142 has taken place.

2. The refunds referred to in this Article shall be financed by the Community under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### *Article 142*

The implementation by the Kingdom of Spain of the aids or subsidies referred to in Article 138 or by the Community of the refunds referred to in Article 141 shall be subject to prior consultations which shall take place in accordance with the following procedure:

1. Any proposal for fixing:

- a subsidy for exports from Spain to the Community as at present constituted or to third countries, or
- a refund for exports from the Community as at present constituted to Spain,

shall form the subject of an exchange of views within the framework of periodical meetings of the Management Committee set up by Regulation (EEC) No 1035/72.

2. The Commission representative shall submit the proposal referred to in point 1 for examination; this examination shall concern itself in particular with the economic aspect of the exports envisaged and with the situation and the level of prices on the Spanish market, on that of the Community as at present constituted or on the world market.
3. The Committee shall deliver an opinion on the proposal within a time-limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by a majority of 54 votes.

The opinion shall be forthwith forwarded to the competent authority for fixing, namely the Kingdom of Spain or the Commission, as the case may be.

#### *C. Arrangements applicable in trade between Spain and third countries*

#### *Article 143*

For the products referred to in Article 131 and subject to the provisions referred to in Article 137, the Kingdom of Spain shall apply, from 1 March 1986, the Community rules on the arrangements applicable to importation into the Community of products imported from third countries.

However, in respect of reference prices, the Kingdom of Spain shall apply to imports from third countries the arrangements applied under Article 140 (2) by the Community as at present constituted (1).

#### *Article 144*

Until 31 December 1989, the Kingdom of Spain may maintain, in accordance with detailed rules to be determined following the procedure referred to in Article 91, quantitative restrictions on imports from third countries of the products referred to in Article 137 (2).

#### *Article 145*

For the products referred to in Article 131, the Kingdom of Spain shall be authorized to postpone until the beginning of the second phase the progressive application, to imports, of preferences granted, unilaterally or by agreement, by the Community to certain third countries.

#### *Article 146*

1. For the products referred to in Article 131 and subject to the provisions referred to in paragraph 2, the Kingdom of Spain shall be authorized to maintain, during the first phase, for exports to third countries, the arrangements in force before its accession for such trade.

2. The amount of aids or subsidies granted, where appropriate, by the Kingdom of Spain for exports to third countries must be limited to the amount that is strictly necessary in order to ensure the disposal of the product in question on the market of destination.

Such aid or subsidies may not be implemented until the procedure referred to in Article 142 has taken place. These consultations shall concern, in particular, the economic aspects of the envisaged exports, the prices

(1) Article 143, second paragraph, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

adopted for their calculation and the situation of the markets of origin and of destination.

Sub-section 2  
Second phase

*Article 147*

As from the second phase, Community rules relating to the products referred to in Article 131 shall apply in full in Spain subject to Articles 75, 81, 82, 83, 85 and 148 to 153.

*Article 148*

1. Until the first move towards alignment, without prejudice to Article 135 (1) (e), of the prices referred to in Article 149, the prices to be applied in Spain as from 1 January 1990 shall be fixed in accordance with the rules provided for in the common organization of the markets concerned at the level of the prices fixed in Spain at the end of the first phase.

2. Where, at the beginning of the second phase, it is noted that the variation between the price level for a product in Spain and that of the common price is minimal, the common price may be applied in Spain for the product concerned.

Price variation shall be deemed to be minimal when it is lower than, or equal to, 3 % of the common price.

*Article 149*

If application of the provisions of Article 148 (1) results, in Spain, in a price level which is different from that of the common prices, the prices applicable in Spain shall be aligned on the common prices as from the beginning of the 1990/91 marketing year in six stages and the provisions of Article 70 shall be applied *mutatis mutandis*.

The common prices shall be applied in Spain when the sixth move towards alignment occurs.

*Article 150*

Articles 76 (1), 80, 87 and 90 shall apply in Spain as from 1 January 1990.

However, '31 December 1987' in Article 90 shall be replaced by '31 December 1991'.

*Article 151*

Where an aid is instituted in the context of the common agricultural policy during the first phase, it shall

be introduced in Spain or the level of the similar aid existing in Spain shall be aligned on the common level in six stages applying, by analogy, the provisions of Article 79.

*Article 152*

1. During the second phase, a compensation mechanism shall be introduced on import into the Community as at present constituted for those fruit and vegetables coming from Spain for which a reference price is fixed with regard to third countries.

2. This mechanism shall be governed by the following rules:

(a) A comparison shall be made between an offer price of the Spanish product, as calculated under (b), and a Community offer price. This latter price shall be calculated annually:

- on the basis of the arithmetic mean of the producer prices of each Member State of the Community as at present constituted, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community,
- bearing in mind developments in the cost of production.

The above producer prices shall correspond to the average of the rates recorded during the three years which precede the date on which the Community offer price is fixed.

The Community offer price may not exceed the level of the reference price applied with regard to third countries.

(b) The Spanish offer price shall be calculated every marketing day, on the basis of the representative rates recorded or reduced to the importing-wholesale stage in the Community as at present constituted. The price for a product coming from Spain shall be equal to the lowest representative rate or to the average of the lowest representative rates recorded for at least 30 % of the quantities of the provenance concerned marketed on all the representative markets for which rates are available. This rate or these rates shall be reduced beforehand:

- by the customs duties calculated in accordance with the provisions of (c),
- by any correcting amount introduced in accordance with the provisions of (d).

(c) The customs duty to be deducted from the rates of the Spanish product shall be the Common Customs Tariff duty progressively reduced each year at the



beginning of the marketing year by one-sixth of its amount. However, for 1990, the reduction shall take place on 1 January.

(d) If the price of the Spanish product, calculated in accordance with the provisions of (b), is lower than the Community offer price referred to in (a), a correcting amount equal to the difference between these two prices shall be levied on import into the Community as at present constituted by the importing Member State.

(e) The correcting amount shall be levied until the assessment carried out shows that the price of the Spanish product is equal to, or higher than, the Community price referred to in (a).

3. Should the Spanish market be disturbed as a result of imports from the Community as at present constituted, appropriate measures which may make provision for the application of a compensatory amount in accordance with detailed rules to be determined, may be decided upon with regard to imports into Spain of those fruit and vegetables coming from the Community as at present constituted for which a reference price is fixed.

#### *Article 153*

1. The Kingdom of Spain shall apply progressively, to imports of the products referred to in Article 131 as from 1 January 1990, the preferences accorded, either autonomously or by agreement, by the Community to certain third countries.

2. To this end the Kingdom of Spain shall apply a duty reducing the variation between the rate of duty actually applied on 31 December 1989 and the preferential rate of duty according to the following rates:

- on 1 January 1990, the variation shall be reduced to 85,7 % of the original variation,
- on 1 January 1991, the variation shall be reduced to 71,4 % of the original variation,
- on 1 January 1992, the variation shall be reduced to 57,1 % of the original variation,
- on 1 January 1993, the variation shall be reduced to 42,8 % of the original variation,
- on 1 January 1994, the variation shall be reduced to 28,5 % of the original variation,
- on 1 January 1995, the variation shall be reduced to 14,2 % of the original variation.

The Kingdom of Spain shall apply the preferential rates in their entirety from 1 January 1996.

## CHAPTER 4

### Fisheries

#### Section I

#### General provisions

#### *Article 154*

1. Unless any provision of this Chapter states otherwise, the rules laid down by this Act shall apply to the fisheries sector.

2. Articles 89 (2) and 90 shall apply to fishery products.

#### *Article 155*

1. Subject to paragraph 2 and without prejudice to Protocol 2, the common fisheries policy shall not apply to the Canary Islands nor to Ceuta and Melilla.

2. The Council, acting by a qualified majority on a proposal from the Commission:

(a) shall determine the Community structural measures which may be adopted in favour of the territories referred to in paragraph 1;

(b) shall determine the procedures appropriate to take into consideration all or part of the interests of the territories referred to in paragraph 1 when it adopts decisions, case by case, with a view to the negotiations by the Community aimed at the resumption or conclusion of fisheries agreements with third countries and to the specific interests of these territories within international conventions concerning fisheries, to which the Community is a contracting party.

3. The Council, acting unanimously on a proposal from the Commission, shall determine, where appropriate, the possibilities and conditions of mutual access to respective fishing zones and to the resources thereof.

#### Section II

#### Access to waters and resources

#### *Article 156*

For the purposes of their integration into the Community system for the conservation and management of fishery resources established by Regulation (EEC) No 170/83, access to the waters falling under the sovereignty or within the jurisdiction of the present Member States and covered by the International Council for the Exploration of the Sea (ICES) by vessels flying the flag of Spain and recorded and/or registered in a port situated in the territory to which the common

fisheries policy applies shall be subject to the system defined in this section.

#### Article 157

Only those vessels referred to in Articles 158, 159 and 160 may engage in fishing activities and may do so solely in the zones and under the conditions that are specified in those Articles.

#### Article 158

1. 300 vessels, specified together with their technical characteristics in the list of names in Annex IX, known as the 'basic list', may be authorized to fish in ICES divisions V b, VI, VII, VIII a, b, d, excluding, during the period from the date of accession to 31 December 1995, the zone situated to the south of latitude 56° 30' N, to the east of longitude 12 °W and to the north of latitude 50° 30' N.

2. Only 150 standard vessels, of which five may be allocated only for fishing for species other than demersal, taken from the basic list, shall be authorized to fish at the same time provided that they appear on a periodical list adopted by the Commission, up to the following limits:

- (a) 23 in ICES divisions V b and VI,
- (b) 70 in ICES division VII,
- (c) 57 in ICES division VIII a, b, d.

'Standard vessel' means a vessel having a brake horsepower equal to 700 horsepower (bhp). The conversion rates for vessels having a different engine power shall be as follows:

- less than 300 hp: 0,57,
- equal to or more than 300 hp, but less than 400 hp: 0,76,
- equal to or more than 400 hp, but less than 500 hp: 0,85,
- equal to or more than 500 hp, but less than 600 hp: 0,90,
- equal to or more than 600 hp, but less than 700 hp: 0,96,
- equal to or more than 700 hp, but less than 800 hp: 1,00,
- equal to or more than 800 hp, but less than 1 000 hp: 1,07,
- equal to or more than 1 000 hp, but not more than 1 200 hp: 1,11 (1),

(1) Article 158 (2), second subparagraph, eighth indent, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

- more than 1 200 hp: 2,25,
- long liners other than those referred to in Article 160 (b): 1,00,
- long liners other than those referred to in Article 160 (b) and equipped with gear allowing the automatic baiting or mechanical lifting of long lines: 2,00.

For the purposes of applying these conversion rates to vessels carrying out fishing operations known as 'parejas' and 'trios', the engine power of the participating vessels shall be added together.

3. Any adjustments to the basic list resulting from the laying up, occurring before accession, of a vessel for reasons of *force majeure* shall be adopted at the latest by 1 January 1986 according to the procedure of Article 14 of Regulation (EEC) No 170/83. These adjustments may not affect the number of vessels and their allocation between each of the categories, nor bring about an increase in overall tonnage or total power for each category. Further, vessels designated as replacements may be chosen only from among those listed in Annex X.

#### Article 159

1. The number of standard vessels referred to in Article 158 (2) may be increased on the basis of the development of overall fishing possibilities allocated to Spain for stocks subject to the total allowable catch system, hereinafter referred to as 'TAC', in accordance with the procedure laid down in Article 11 of Regulation (EEC) No 170/83.

2. As and when vessels referred to in the basic list are laid up and deleted from the basic list, they may be replaced by vessels of the same category having half the engine power of the vessels thus deleted from the basic list, until the basic list is established at such a level with respect to the allocated fish resources as to ensure normal exploitation.

The conditions of replacement referred to in the first subparagraph shall only apply in so far as the capacity of the fleet of the Community as at present constituted is not increased in the Community waters of the Atlantic.

#### Article 160

1. The following forms of specialized fishing shall be authorized:

Type of fishing	Zone	Total number of authorized vessels (basic list)	Number of vessels authorized to fish at the same time (periodical list)	Period of fishing authorization
(a) Sardine boats (using Seine nets, less than 100 grt)	VIII a, b, d	71	40	1 January to 28 February and 1 July to 31 December
(b) Long liners less than 100 grt	VIII a	25	10	Year round
(c) Fishing from vessels not exceeding 50 grt carried out exclusively with fishing rods	VIII a, b, d	—	64 <sup>(1)</sup>	Year round
(d) Vessels fishing for anchovy as their main fishing activity	VIII a, b, d	—	160	1 March to 30 June
(e) Vessels fishing for anchovy for live bait	VIII a, b, d	—	120	1 July to 31 October
(f) Tuna fishing	All zones	—	Unlimited	Year round
(g) Vessels fishing for Ray's bream	VII g, h, j, k	—	25	1 October to 31 December

<sup>(1)</sup> Article 160 (1) (c), fourth column, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

2. As from 1 January 1986, all the provisions concerning fishing activities referred to in paragraph 1 shall remain identical to those applicable immediately before entry into force of this Act.

However, the fishing activities referred to in paragraph 1 (c) may be exercised in the ICES divisions concerned everywhere beyond the 12 nautical-mile limit calculated from the base lines.

#### Article 161

1. The TAC share, for species subject to TAC and quotas, to be allocated to Spain shall be fixed by species and by zone as follows:

Species	ICES division	Spanish share (%)
(a) Hake	V b, VI, VII, VIII a, b	30
(b) Monkfish	V b, VI	3,846
	VII	3,672
	VIII a, b, d	15,233
	VIII c, IX	99,9 <sup>(1)</sup>
(c) Megrin	V b, VI	11,363
	VII	30
	VIII a, b, d	55,334
(d) Norway lobster	V b, VI	0,2
	VII	6
	VIII a, b	6
	VIII c	96
	VIII d	0
(e) Pollack	V b, VI	0,2
	VII	0,2
	VIII a, b	17
	VIII c	90
	VIII d	0
(f) Anchovy	VIII	90

<sup>(1)</sup> Including the share to be allocated to Portugal.

2. In addition to the TAC shares for hake referred to in paragraph 1 (a), an additional flat rate quantity of 4 500 tonnes shall be allocated annually for a period of three years as from 1 January 1986.

Should the overall level of these TAC exceed 45 000 tonnes, this additional flat rate quantity shall be reduced so as to bring the overall quota allocated to Spain to a level not exceeding 18 000 tonnes.

3. The quantity to be allocated to Spain of species subject to TAC without apportionment of quotas shall be fixed on a flat rate basis as follows by species and by division:

Species	ICES division	Spanish share
(a) Blue whiting	V b, VI, VII, VIII a, b, d	30 000 tonnes
(b) Horse mackerel	V b, VI, VII, VIII a, b, d	31 000 tonnes

4. The fishing possibilities laid down for Spain and the resulting quotas for the other Member States of the Community shall be fixed annually and for the first time before 1 January 1986, in accordance with Article 11 of Regulation (EEC) No 170/83.

#### *Article 162*

Before 31 December 1992, the Commission shall submit to the Council a report concerning the situation and prospects with regard to fishing in the Community on the basis of the application of Articles 158 and 161. On the basis of that report, the adjustments to the arrangement provided for in Article 158, the first subparagraph of Article 159 (2) and in Article 161 (1), (2) and (3) which prove to be necessary, including those concerning access to zones other than those mentioned in Article 158 (1), shall be adopted before 31 December 1993 in accordance with the procedure laid down in Article 43 of the EEC Treaty and shall take effect on 1 January 1996.

#### *Article 163*

1. The Spanish authorities shall draw up basic lists for the fishing activities referred to in Article 160 (1) (a) and (b) and a list indicating the technical characteristics of each vessel for the other fishing activities referred to in Article 160 (1).

They shall submit to the Commission drafts of the periodical lists referred to in Articles 158 (2) and 160 (1).

2. For the vessels referred to in Articles 158 and 160 (1) (g), the periodical lists shall cover a period of at least one month.

For the other categories of vessels, fishing activity procedures shall be fixed in accordance with Article 160 (2) and pursuant to the procedure referred to in the second subparagraph of paragraph 3 of this Article.

After having been checked, these lists shall be approved by the Commission which shall forward them to the Spanish authorities and to the supervisory authorities of the other Member States concerned.

3. Provisions aimed at ensuring that operators comply with the rules provided for in this Article, including those aimed at the possibility of not authorizing the vessel concerned to fish for a certain period shall be adopted before 1 January 1986 according to the procedure provided for in Article 11 of Regulation (EEC) No 170/83.

The technical procedures which prove necessary in order to ensure the application of Articles 156 to 162, and those contained in Annex XI, shall be adopted before 1 January 1986 according to the procedure provided for in Article 14 of Regulation (EEC) No 170/83.

#### *Article 164*

1. The number of vessels flying the flag of a present Member State authorized to fish in the waters of the Atlantic Ocean falling under the sovereignty or within the jurisdiction of the Kingdom of Spain and covered by the ICES shall be fixed each year:

- (a) for the species subject to TAC and quotas, on the basis of the fishing possibilities allocated;
- (b) for the species not subject to TAC and quotas, taking into account the relative stability and the necessity of ensuring the conservation of stocks.

2. The specialized fishing activities of vessels flying the flag of a present Member State in the waters referred to in paragraph 1 shall be carried out within the same quantitative limits and in accordance with the same access and control procedures as those specified for Spanish vessels authorized to carry out their fishing activities in the fishing zones of the present Member States, and in compliance with other provisions concerning the conservation of resources.

3. The general rules for implementing this Article, and in particular the annual fixing of the number of vessels, shall be adopted in accordance with the procedure laid down in Article 11 of Regulation (EEC) No 170/83 and for the first time before 1 January 1986.
4. The procedures for applying this Article shall be adopted before 1 January 1986 in accordance with the procedure of Article 14 of Regulation (EEC) No 170/83.

#### Article 165

1. For the purposes of their integration into the Community system for the conservation and management

of fishery resources established by Regulation (EEC) No 170/83, access of vessels flying the flag of Portugal to waters falling under the sovereignty or within the jurisdiction of the Kingdom of Spain covered by the ICES and the Fishery Committee for the Eastern Central Atlantic (CECAF) shall be subject until 31 December 1995 to the regime referred to in paragraphs 2 to 8, without prejudice to the specific provisions referred to in Article 155.

2. The following activities may be carried out by the vessels referred to in paragraph 1 as their main activity (1):

Species	Quantity (tonnes)	Zone	Authorized fishing gear	Period fishing authorization	Total number of authorized vessels (basic list)	Number of vessels authorized to fish at the same time (periodical list)
<i>Demersal species</i>	850	ICES VIII + IX + CECAF (mainland coast)	Trawl	Year round	North of the Rio Mino frontier: 17	North of the Rio Mino frontier: 9
— Hake						
— Others	ICES VIII + IX + CECAF (mainland coast)	Trawl	Year round			
<i>Pelagic species</i>	2 250	ICES VIII + IX + CECAF (mainland coast)	Trawl	Year round		
— Horse mackerel						
— Large migrants other than tuna (sword fish, blue shark, Ray's bream)						
— Albacore tuna	ICES VIII + IX + CECAF (mainland coast)	Troll line	From May to July			To be decided

3. The use of gill nets shall be prohibited.

4. Each long liner may not cast more than two long lines per day: the maximum length of each of these long lines shall be fixed at 20 nautical miles; the distance between hooks may not be less than, 2,70 metres.

5. Fishing for crustaceans shall not be authorized. However, catches shall be permitted when fishing directed at hake and other demersal species takes place, up to limit of 10% of the volume of catches of these species kept on board.

6. The number of vessels authorized to fish for Albacore tuna shall be decided upon before 1 March 1986 according to the procedure provided for in Article 11 of Regulation (EEC) No 170/83.

7. The detailed rules for applying this Article shall be adopted by analogy with those contained in Annex XI, before 1 January 1986, in accordance with the procedure provided for in Article 14 of Regulation (EEC) No 170/83 (2).

8. The provisions aimed at ensuring that operators comply with the rules provided for in this Article, including those aimed at the possibility of not authorizing the vessel concerned to fish for a certain period shall be adopted before 1 January 1986 according to the procedure provided for in Article 11 of Regulation (EEC) No 170/83.

#### Article 166

The regime defined in Articles 156 to 164, including the adjustments which the Council will be able to adopt pursuant to Article 162, shall remain in force until the date of expiry of the period laid down in Article 8 (3) of Regulation (EEC) No 170/83.

#### (1) EDITORIAL NOTES:

(2) The second column of the table appearing in Article 165 (2) was amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 261 of 13 September 1986.

(3) Article 165 (7) as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

Section III  
External resources

*Article 167*

1. Upon accession, the administration of fisheries agreements concluded by the Kingdom of Spain with third countries shall be the responsibility of the Community.

2. The rights and obligations flowing from the agreements referred to in the first paragraph for the Kingdom of Spain shall not be affected during the period when the provisions of such agreements are provisionally maintained.

Period during which quotas are open	Authorized zero duty global (tonnes)	Reduction (%)
From 1 March to 31 December 1986	66 300	
From 1 January to 31 December 1987	62 985	5
From 1 January to 31 December 1988	56 355	10,5
From 1 January to 31 December 1989	46 410	17,6
From 1 January to 31 December 1990	34 808	24,9
From 1 January to 31 December 1991	23 206	33,3
From 1 January to 31 December 1992	11 603	50
As from 1 January 1993	0	100

2. Within the global quantities authorized each year, the allocation of quotas by Common Customs Tariff heading or subheading shall be made proportionally in accordance with the allocation existing in 1983.

3. Products imported under this arrangement may not be considered as being in free circulation within the meaning of Article 10 of the EEC Treaty when they are re-exported to another Member State.

4. Only products from joint ventures and vessels operated by such ventures, the list of which is given in Annex XII, may benefit from the measures laid down in this Article.

5. The detailed implementing rules of this Article, and in particular the annual quota quantities by Common Customs Tariff heading or subheading shall be adopted in accordance with the procedure of Article 33 of Regulation (EEC) No 3796/81.

Section IV  
Common organization of markets

*Article 169*

1. The guide prices applicable in Spain to Atlantic sardines and to anchovies and the guide prices appli-

3. As soon as possible, and in any event before the expiry of the agreements referred to in paragraph 1, the decisions appropriate for the continuation of fishing activities resulting therefrom shall be adopted in each case by the Council, acting by a qualified majority on a proposal from the Commission, including the possibility of prolonging certain agreements for periods not exceeding one year.

*Article 168*

1. Exemptions, suspensions or tariff quotas granted by the Kingdom of Spain for fishery products coming from joint ventures set up between natural or legal persons from Spain and from other countries shall be eliminated over a period of seven years as follows:

cable in the Community as at present constituted shall be subject to alignment in accordance with paragraphs 2 and 3, the first move towards alignment taking place on 1 March 1986.

2. With regard to Atlantic sardines, the guide prices applicable in Spain, on the one hand, and in the Community as at present constituted, on the other, shall be the subject of alignment, in 10 annual stages, towards the level of the guide price for Mediterranean sardines, on the basis of 1984 prices, successively by a tenth, a ninth, an eighth, a seventh, a sixth, a fifth, a quarter, a third, and half of the difference between these guide-prices applicable before each move towards alignment; the price resulting from this calculation shall be modulated proportionately on the basis of any adjustment to the guide price for the future fishing year; the common price shall be applied from the date of the tenth move towards alignment.

3. With regard to anchovies, the guide prices that apply to Spain and to the other Member States respectively shall be the subject of alignment, in five annual stages, successively by a fifth, a quarter, a third and half the difference between these guide prices, this alignment being applied half to one and half to the other of these prices by increasing the lower price and reducing the higher price; the price resulting from this calculation shall be modulated proportionately on the

basis of any adjustment to the guide price for the next fishing year; the common price shall be applied from the date of the fifth move towards alignment.

## Section V

### Arrangements applicable to trade

#### Article 170

1. During the period of moves towards price alignment referred to in Article 169, a monitoring system shall be introduced based on the reference prices applicable to:

- imports of Atlantic sardines into the Community as at present constituted from Spain,
- imports of anchovies into Spain from other Member States of the Community.

2. At each stage of price alignment, the reference prices referred to in paragraph 1 shall be fixed at the level of withdrawal prices applicable in Spain for anchovies and in the other Member States for Mediterranean sardines respectively.

3. Should the market be disturbed as a result of imports referred to in paragraph 1 being made at prices lower than the reference prices, analogous measures to those laid down in Article 21 of Regulation (EEC) No 3796/81 may be taken in accordance with the procedure of Article 33 of the said Regulation.

4. The detailed implementing rules of this Article shall be adopted in accordance with the procedure of Article 33 of Regulation (EEC) No 3796/81.

#### Article 171

1. As from accession a system of compensatory indemnities shall be set up for sardine producers of the Community as at present constituted in relation to the special system for the move towards alignment of the prices applicable to this species pursuant to Article 169 (2).

2. Before the end of the period of the move towards price alignment, the Council, acting by a qualified majority on a proposal from the Commission, shall decide if, and where appropriate, how far, the system referred to in this Article should be extended.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt, before 31 December 1985, the procedure for applying this Article.

#### Article 172

During the period of the move towards alignment of prices, the conversion factors applicable in 1984 to sardines, provided for in Article 12 (1) of Regulation (EEC) No 3796/81, shall not be amended.

#### Article 173

1. By way of derogation from Article 31, customs duties on the import of fisheries products falling within heading Nos 03.01, 03.02, 03.03, 16.04 and 16.05 and subheadings 05.15 A and 23.01 B of the Common Customs Tariff between the Community as at present constituted and Spain shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 87,5 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 75 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 62,5 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 50 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 37,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 25 % of the basic duty,
- on 1 January 1992, each duty be reduced to 12,5 % of the basic duty,
- the last reduction of 12,5 % shall be made on 1 January 1993.

2. By way of derogation from paragraph 1, customs duties on the import of sardine preparations and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff between Spain and the other Member States of the Community shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 90,9 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 81,8 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 72,7 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 63,6 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 54,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 45,4 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 36,3 % of the basic duty,
- on 1 January 1993, each duty shall be reduced to 27,2 % of the basic duty,
- on 1 January 1994, each duty shall be reduced to 18,1 % of the basic duty,

- on 1 January 1995, each duty shall be reduced to 9 % of the basic duty,
- the last reduction of 9 % shall be made on 1 January 1996.

3. The Kingdom of Spain shall, on accession, eliminate all countervailing charges on imports into Spain of the products referred to in paragraph 1 coming from the other Member States of the Community.

4. By way of derogation from Article 37, the Kingdom of Spain, for the fisheries products referred to in paragraph 1, shall modify its tariff applicable to third countries by reducing the variation between the basic duties and the Common Customs Tariff duties according to the following timetable:

- As from 1 March 1986, the Kingdom of Spain shall apply a duty reducing, by 12,5 %, the variation between the basic duty and that of the Common Customs Tariff.

- As from 1 January 1987:

(a) for the tariff headings for which the basic duties do not vary by more than 15 %, above or below, from the Common Customs Tariff duties the latter duties shall be applied:

(b) in the remaining cases, the Kingdom of Spain shall apply a duty reducing the variation between the basic duties and the Common Customs Tariff duties in seven equal instalments of 12,5 % on the following dates:

- 1 January 1987,
- 1 January 1988,
- 1 January 1989,
- 1 January 1990,
- 1 January 1991,
- 1 January 1992.

The Kingdom of Spain shall apply the Common Customs Tariff in full as from 1 January 1993.

#### *Article 174*

1. Until 31 December 1992, imports into Spain of products appearing in Annex XIII from other Member States shall be subject to a supplementary trade mechanism defined in this Article.

2. Furthermore, until 31 December 1990, imports into Spain of preserved sardines falling within subheading 16.04 D of the Common Customs Tariff from Portugal shall be subject to the mechanism referred to in paragraph 1.

3. A forward supply estimate for Spain shall be established for each product concerned before the beginning of each year on the basis of imports made over the three preceding years. This estimate shall show not

only imports from the other Member States but also those from third countries. The intra-Community share in this estimate shall be increased each year by a progressive factor of 15 %.

4. Beyond the threshold of the intra-Community share, measures limiting or suspending imports may be taken.

5. Beyond the threshold fixed for the overall supply estimate, the Kingdom of Spain may take interim protective measures that are immediately applicable. Such measures shall be notified without delay to the Commission which may suspend their application in the month following that notification.

6. The detailed implementing rules shall be adopted in accordance with the procedure of Article 33 of Regulation (EEC) No 3796/81.

#### *Article 175*

1. Quantitative restrictions applicable in the Community as at present constituted to products from Spain, under the conditions of Article 19 (4) of Regulation (EEC) No 3796/81, shall be progressively abolished and eliminated on 1 January 1993 as concerns preserved tuna fish and on 1 January 1996 as concerns preserved sardines.

2. The detailed implementing rules of paragraph 1 shall be adopted in accordance with the procedure of Article 33 of Regulation (EEC) No 3796/81.

#### *Article 176*

1. Until 31 December 1992, the Kingdom of Spain may maintain, with regard to third countries, quantitative restrictions for the products appearing in Annex XIV within the limits and according to the procedures defined by the Council acting by a qualified majority on a proposal from the Commission.

2. The Community mechanism for reference prices shall apply to each product once the quantitative restrictions relating thereto have been abolished.

### CHAPTER 5

#### External relations

##### Section 1

#### Common commercial policy

#### *Article 177*

1. The Kingdom of Spain shall retain with regard to third countries quantitative restrictions on imports of



products not yet liberalized with regard to the Community as at present constituted. It shall not grant to third countries any other advantage in relation to the Community as at present constituted with respect to the quotas fixed for those products.

These quantitative restrictions shall remain in force for at least such time as quantitative restrictions obtain for the same products with regard to the Community as at present constituted.

2. The Kingdom of Spain shall retain, with regard to the State-trading countries referred to by Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83, quantitative restrictions on imports for products not yet liberalized with regard to countries to which Regulation (EEC) No 288/82 applies. It shall not grant the State-trading countries any other advantage in relation to the countries to which Regulation (EEC) No 288/82 applies with regard to the quotas fixed for those products.

These quantitative restrictions shall remain in force for at least such time as quantitative restrictions obtain for the same products with regard to the countries referred to in Regulation (EEC) No 288/82.

Any amendments to the import arrangements in Spain for products which are not liberalized by the Community with regard to State-trading countries must be made in accordance with the rules and procedures laid down in Regulation (EEC) No 3420/83, and without prejudice to the first subparagraph.

The Kingdom of Spain is not however required to re-introduce with regard to State-trading countries quantitative restrictions on imports for products liberalized with regard to those countries and which are still subject to quantitative restrictions with regard to member countries of the General Agreement on Tariffs and Trade.

3. Until 31 December 1991 the Kingdom of Spain may retain, without prejudice to paragraphs 1 and 2, quantitative restrictions on imports in the form of quotas for the products and amounts listed in Annex XV as temporary derogations from the common liberalization lists for imports contained in Regulations (EEC) No 288/82, (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3419/83, as amended by Regulation (EEC) No 453/84, provided that, as far as the countries which are members of the General Agreement on Tariffs and Trade are concerned, these restrictions have been notified, before accession, in the context of that Agreement.

Imports of those products shall be subject in their entirety to the common liberalization lists in force on 1 January 1992. The quotas shall be progressively

increased until that date, in accordance with paragraph 4.

4. The minimum rate of progressive increase of quotas referred to in paragraph 3 shall be 17 % at the beginning of each year for quotas expressed in ECU and 12 % at the beginning of each year for quotas expressed in terms of volume. The increase shall be added to each quota and the following increase calculated on the total figure obtained.

Without prejudice to paragraphs 1 and 2, where imports made in the course of two consecutive years are less than 90 % of the annual quotas opened in accordance with paragraph 3, the Kingdom of Spain shall abolish the quantitative restrictions in force.

5. The Kingdom of Spain shall retain quantitative restrictions on imports in the form of quotas with respect to all third countries for the products listed in Annex XVI which are not liberalized by the Community with regard to third countries and for which it retains quantitative restrictions on imports with regard to the Community as at present constituted, in respect of the amounts and at least until the dates laid down in that Annex.

Any amendments to the import arrangements in Spain for products referred to in the first subparagraph shall be made in accordance with the rules and procedures laid down by Regulation (EEC) No 288/82 and (EEC) No 3420/83 and without prejudice to paragraphs 1 and 2.

6. In order to comply with the obligations which devolve upon the Community under the General Agreement on Tariffs and Trade with regard to State-trading countries that are members of that Agreement, the Kingdom of Spain shall, where appropriate and in so far as is necessary, extend to the said countries the liberalizing measures it must take with regard to the other third country members of the Agreement, whilst taking into account agreed transitional measures.

#### *Article 178*

1. From 1 March 1986, the Kingdom of Spain shall progressively apply the generalized preference system for products other than those listed in Annex II to the EEC Treaty starting from the basic duties referred to in Article 30 (1). However, as regards the products listed in Annex XVII, the Kingdom of Spain shall progressively align itself by 31 December 1992 on the rates of the generalized preference system starting from the basic duties referred to in Article 30 (2). The timetable of these alignments shall be the same as that referred to in Article 37.

2. (a) As far as the products listed in Annex II to the Treaty are concerned, the preferential rates provided for or calculated shall be applied pro-

gressively to the duties actually levied by the Kingdom of Spain with regard to third countries, following the general procedures referred to under (b) or the special procedures referred to in Articles 97 and 153.

(b) The Kingdom of Spain shall apply, as from 1 March 1986, a duty which reduces the variation between the rate of the basic duty and the rate of the preferential duty in accordance with the following timetable:

- on 1 March 1986, the variation shall be reduced to 90,9 % of the original variation,
- on 1 January 1987, the variation shall be reduced to 81,8 % of the original variation,
- on 1 January 1988, the variation shall be reduced to 72,7 % of the original variation,
- on 1 January 1989, the variation shall be reduced to 63,6 % of the original variation,
- on 1 January 1990, the variation shall be reduced to 54,5 % of the original variation,
- on 1 January 1991, the variation shall be reduced to 45,4 % of the original variation,
- on 1 January 1992, the variation shall be reduced to 36,3 % of the original variation,
- on 1 January 1993, the variation shall be reduced to 27,2 % of the original variation,
- on 1 January 1994, the variation shall be reduced to 18,1 % of the original variation,
- on 1 January 1995, the variation shall be reduced to 9 % of the original variation.

The Kingdom of Spain shall apply the preferential rates in full as from 1 January 1996.

(c) By way of derogation from point (b), for fisheries products falling within heading Nos 03.01, 03.02, 03.03, 16.04 and 16.05 and subheadings 05.15 A and 23.01 B of the Common Customs Tariff, the Kingdom of Spain shall apply, as from 1 March 1986, a duty reducing the variation between the rate of the basic duty and the rate of the preferential duty according to the following system:

- on 1 March 1986, the variation shall be reduced to 87,5 % of the original variation,
- on 1 January 1987, the variation shall be reduced to 75 % of the original variation,
- on 1 January 1988, the variation shall be reduced to 62,5 % of the original variation,
- on 1 January 1989, the variation shall be reduced to 50 % of the original variation,
- on 1 January 1990, the variation shall be reduced to 37,5 % of the original variation,

- on 1 January 1991, the variation shall be reduced to 25 % of the original variation,
- on 1 January 1992, the variation shall be reduced to 12,5 % of the original variation.

The Kingdom of Spain shall apply the preferential rates in full as from 1 January 1993.

## Section II

### Agreements of the Communities with certain third countries

#### Article 179

1. As from 1 January 1986, the Kingdom of Spain shall apply the provisions of the agreements referred to in Article 181.

The transitional measures and any adjustments shall be the subject of protocols concluded with the co-contracting countries and annexed to those agreements.

2. These transitional measures shall be designed to ensure, on their expiry, the application by the Community of a common system for its relations with each co-contracting third country as well as the identity of the rights and obligations of the Member States.

3. These transitional measures applicable to the countries listed in Article 181 shall not, in any field, result in the Kingdom of Spain granting from more favourable treatment than will apply to the Community as at present constituted.

In particular, all products subject to transitional measures in respect of quantitative restrictions applicable to the Community as at present constituted shall be subject to such measures *vis-à-vis* all the countries listed in Article 181, and for an identical period of time.

4. These transitional measures applicable to the countries listed in Article 181 shall not result in the Kingdom of Spain giving less favourable treatment to those countries than to other third countries. In particular, transitional measures in respect of quantitative restrictions cannot be envisaged for the countries listed in Article 181 in respect of products which will be free of such restrictions when imported into Spain from other third countries.

*Article 180*

1. If the protocols referred to in Article 179 (1) are not concluded by 1 January 1988, the Community shall take the necessary measures to deal with this situation on accession.

In any case, most-favoured-nation treatment shall be applied as from 1 January 1986 by the Kingdom of Spain to the countries listed in Article 181.

2. With regard to the measures referred to in paragraph 1 the following arrangements shall apply:

- (i) Should the abovementioned protocols not be concluded by the date of accession, for reasons outside the control of the Community or the Kingdom of Spain, the measures to be taken by the Community shall in any event provide for the application by the Kingdom of Spain, from the date of accession, of most-favoured-nation treatment to the preferential co-contracting countries or those associated with the Community and shall also take into account the arrangements that the third countries in question will apply to the Kingdom of Spain on that date.
- (ii) Should the abovementioned protocols not be concluded by the date of accession, for reasons other than those referred to in point (i), the Community, in order to adopt the measures referred to in paragraph 1, shall take as its basis the transitional measures and the adjustments agreed within the Conference and shall take into account, where appropriate, the result arrived at in negotiations with the third countries concerned.

*Article 181*

1. Articles 179 and 180 shall apply to:

- the Agreements concluded with Algeria, Austria, Cyprus, Egypt, Finland, Iceland, Israel, Jordan, Lebanon, Malta, Morocco, Norway, Sweden, Switzerland, Syria, Tunisia, Turkey and Yugoslavia, and to other Agreements concluded with third countries and concerning exclusively trade in the products of Annex II of the EEC Treaty,
- the new Agreement between the Community and the African, Caribbean and Pacific countries, signed on 8 December 1984.

2. The arrangements resulting from the Second ACP-EEC Convention and the Agreement on products within the province of the European Coal and Steel Community, signed on 31 October 1979, shall not apply in relations between the Kingdom of Spain and the African, Caribbean and Pacific States.

*Article 182*

The Kingdom of Spain shall denounce, with effect from 1 January 1986, the Agreement signed on 26 June 1979 with the countries of the European Free Trade Association.

Section III

**Textiles**

*Article 183*

1. As from 1 January 1986, the Kingdom of Spain shall apply the arrangement of 20 December 1973 regarding international trade in textiles as well as the bilateral agreements concluded by the Community under that arrangement, or with other third countries. Protocol of adjustment of those agreements shall be negotiated by the Community with third countries, that are parties to the agreements, in order to provide for voluntary restraint on exports to Spain in the case of products and origins for which there are limitations on exports to the Community.

2. Should these protocols not have been concluded by 1 January 1986, the Community shall take measures designed to deal with this situation and concerning the necessary transitional adjustments to ensure that the agreements are implemented by the Community.

CHAPTER 6

**Financial provisions**

*Article 184*

1. The Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources, hereinafter referred to as 'the Decision of 21 April 1970', shall be applied in accordance with Articles 185 to 188.

2. Any reference to the Decision of 21 April 1970 made in the Articles of this Chapter shall be understood as referring to the Council Decision of 7 May 1985 on the Communities' system of own resources, as from the entry into force of that Decision.

*Article 185*

The revenue designated as 'agricultural levies' referred to in the first paragraph of Article 2 (a) of the Decision of 21 April 1970 shall also include the revenue from

any amount recorded on import in trade between Spain and the other Member States and between Spain and third countries under Articles 67 to 153, 50 (3) and 53.

However, that revenue shall include only from 1 January 1990 the compensatory charges recorded for the fruit and vegetables falling within Regulation (EEC) No 1035/72 imported into Spain.

That revenue shall not include any amounts levied on imports into the Canary Islands or Ceuta and Melilla.

#### *Article 186*

The revenue designated as 'customs duties' referred to in the first paragraph of Article 2 (b) of the Decision of 21 April 1970 shall include, until 31 December 1992, customs duties calculated as if the Kingdom of Spain applied, from accession, in trade with third countries, the rates resulting from the Common Customs Tariff and the reduced rates resulting from any tariff preference applied by the Community. For the customs duties relating to oil seeds and oleaginous fruits and products derived therefrom falling within Regulation No 136/66/EEC and to the fruit and vegetables falling within Regulation (EEC) No 1035/72, the same rule shall apply until 31 December 1995.

However, that revenue shall include only from 1 January 1990 the customs duties thus calculated for fruit and vegetables falling within Regulation (EEC) No 1035/72 imported into Spain.

Where the provisions adopted by the Commission under Article 50 (3) of this Act are applied, and by way of derogation from the first subparagraph, the customs duties shall correspond to the amount calculated in accordance with the rate of the compensatory levy fixed by those provisions for third country products incorporated in the manufacture.

That revenue shall not include any amounts levied on imports into the Canary Islands or Ceuta and Melilla.

The Kingdom of Spain shall make a monthly calculation of these customs duties on the basis of customs declarations of a single month. The calculation thus obtained for the customs duties on the basis of recordings during the month in question shall be made available to the Commission under the conditions defined in Regulation (EEC, Euratom, ECSC) No 2891/77.

From 1 January 1993, the total amount of the customs duties recorded shall be due in its entirety. However, with regard to the fruit and vegetables falling within Regulation (EEC) No 1035/72 and to oil seeds and oleaginous fruit and products derived therefrom falling within Regulation No 136/66/EEC, the total amount of those duties shall be due in its entirety from 1 January 1996.

#### *Article 187*

The amount of duties recorded under own resources accruing from value-added tax shall be due in its entirety from 1 January 1986.

That amount shall be calculated and checked as if the Canary Islands and Ceuta and Melilla were included in the territorial field of application of Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment.

The Community shall refund to the Kingdom of Spain, as an item of expenditure under the general budget of the European Communities, during the month following its availability to the Commission, a proportion of the amount of payments under own resources accruing from value-added tax in accordance with the following procedure:

- 87 % in 1986,
- 70 % in 1987,
- 55 % in 1988,
- 40 % in 1989,
- 25 % in 1990,
- 5 % in 1991.

The percentage of this graduated refund shall not apply to the amount corresponding to the share to be borne by Spain in financing the deduction provided for in Article 3 (3) (b) and (c) of the Council Decision of 7 May 1985 on the Communities' system of own resources, in favour of the United Kingdom.

#### *Article 188*

In order to prevent the Kingdom of Spain from bearing the cost of reimbursement of advances granted to the Community by its Member States before 1 January 1986, the Kingdom of Spain shall benefit from financial compensation in respect of that reimbursement.

### TITLE III

## TRANSITIONAL MEASURES CONCERNING PORTUGAL

### CHAPTER I

#### Free movement of goods

##### Section 1

##### Tariff provisions

###### Article 189

1. The basic duty to which the successive reductions provided for in Articles 190, 243 (1) and 360 (1), (2) and (3) are to be applied shall, for each product, be the duty actually applied on 1 January 1985 to products originating in the Community as at present constituted and Portugal within the context of their trade.

2. The basic duty used for the moves towards alignment on the Common Customs Tariff and the ECSC unified tariff provided for in Articles 197, 243 (2) and 360 (4) shall, for each product, be the duty actually applied by the Portuguese Republic on 1 January 1985.

3. However, if after that date and before accession a tariff reduction is applied, such reduced duty shall be considered as a basic duty.

4. The Portuguese Republic shall take the necessary measures to ensure that, upon accession, its maximum customs tariff and the occasional suspensions of its customs duties are abolished.

The customs duties of the maximum tariff and the customs duties of the occasional suspensions are not the basic duties referred to in paragraphs 1 and 2. Where such duties are actually supplied, the basic duties are the minimum customs tariff duties, or, where applicable, conventional duties.

5. The Community as at present constituted and the Portuguese Republic shall inform each other of their respective basic duties.

6. Notwithstanding paragraph 1, for the products appearing in Protocol No 15, the basic duties shall be those set out in the said Protocol opposite each product.

###### Article 190

1. Customs duties on imports between the Community as at present constituted and the Portuguese

Republic shall be progressively abolished in accordance with the following timetable:

— on 1 March 1986, each duty shall be reduced to 90 % of the basic duty,

— on 1 January 1987, each duty shall be reduced to 80 % of the basic duty,

— on 1 January 1988, each duty shall be reduced to 65 % of the basic duty,

— on 1 January 1989, each duty shall be reduced to 50 % of the basic duty,

— on 1 January 1990, each duty shall be reduced to 40 % of the basic duty,

— on 1 January 1991, each duty shall be reduced to 30 % of the basic duty,

— the two other reductions of 15 % each shall be made on 1 January 1992 and 1 January 1993.

2. Notwithstanding paragraph 1, duty-free entry shall apply from 1 March 1986 to:

(a) imports which benefit from the provisions relating to tax exemptions applicable to persons travelling from one Member State to another;

(b) imports of goods sent in small consignments, not of a commercial nature, which benefit from the provisions relating to tax exemptions applicable between Member States.

3. The rate of duty calculated in accordance with paragraph 1 shall be applied by rounding down to the first decimal place by deleting the second decimal.

###### Article 191

In no case shall customs duties higher than those applied to third countries enjoying most-favoured-nation treatment be applied within the Community.

In the event of the Common Customs Tariff duties being amended or suspended, or the Portuguese Republic applying Article 201, or of the coexistence in Portugal of specific duties *vis-à-vis* the Community as at present constituted and *ad valorem* duties with regard to third countries for the same tariff heading or subheading, the Council, acting by a qualified majority on a proposal from the Commission, may take the necessary measures for the maintenance of Community preference.

In the event of the ECSC unified tariff duties being amended or suspended, or the Portuguese Republic applying Article 201, or of the coexistence in Portugal

of specific duties *vis-à-vis* the Community as at present constituted and *ad valorem* duties with regard to third countries for the same tariff heading or subheading, the Commission may take the necessary measures for the maintenance of Community preference.

*Article 192*

The Portuguese Republic may suspend in whole or in part the levying of duties on products imported from the Community as at present constituted. It shall inform the other Member States and the Commission thereof.

The Council, acting by a qualified majority on a proposal from the Commission, may suspend in whole or in part the levying of duties on products imported from Portugal.

*Article 193*

Any charge having equivalent effect to a customs duty on imports in trade between the Community as at present constituted and Portugal shall be abolished on 1 March 1986.

*Article 194*

The following charges applied by Portugal in trade with the Community as at present constituted shall be progressively abolished in accordance with the following timetable:

- (a) The *ad valorem* charge of 0,4 % applied to:
- goods imported temporarily,
  - goods reimported (excluding containers),

— goods imported under the inward processing arrangements characterized by the rebate of duties levied on the import of goods used after export of the products obtained ('drawback'), shall be:

- reduced to 0,2 % on 1 January 1987, and
- abolished on 1 January 1988.

- (b) The *ad valorem* charge of 0,9 % applied to goods imported for home use shall be:

- reduced to 0,6 % on 1 January 1989,
- reduced to 0,3 % on 1 January 1990, and
- abolished on 1 January 1991.

*Article 195*

Customs duties on exports and charges having equivalent effect in trade between the Community as at present constituted and Portugal shall be abolished on 1 March 1986.

*Article 196*

1. The Portuguese Republic shall eliminate from 1 March 1986 customs duties of a fiscal nature or the fiscal component of customs duties existing on that date on imports from the Community as at present constituted.

2. For the following products customs duties of a fiscal nature or the fiscal component of the customs duties applied by the Portuguese Republic shall be eliminated in accordance with the timetable laid down in Article 190.

CCT heading No	Description	Customs duties	
		Fiscal component	Protective component
17.04	Sugar confectionery, not containing cocoa: A. Liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances	5 Esc/kg	12 Esc/kg
21.03	Mustard flour and prepared mustard: A. Mustard flour, in immediate packings B. Prepared mustard	13 % 13 %	22 % 22 %
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: B. Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher, in containers holding: — Two litres or less  — More than two litres	280 Esc per hl of pure alcohol  214 Esc per hl of pure alcohol	2 190 Esc per hl of pure alcohol  2 256 Esc per hl of pure alcohol

CCT heading No	Description	Customs duties	
		Fiscal component	Protective component
24.02	Manufactured tobacco; tobacco extracts and essences:		
	A. Cigarettes	180 Esc/kg	Free
	ex B. Cigars:		
	— With outer-wrapper leaf in tobacco	200 Esc/kg	Free
	ex C. Smoking tobacco:		
	— Shredded tobacco	170 Esc/kg	Free
	ex D. Chewing tobacco and snuff:		
	— Shredded tobacco	170 Esc/kg	Free
	ex E. Other, including agglomerated tobacco in the form of sheets or strip:		
	— Shredded tobacco	170 Esc/kg	Free

3. The Portuguese Republic shall retain the option of replacing any customs duty of a fiscal nature or the fiscal component of such a duty by an internal charge conforming to the provisions of Article 95 of the EEC Treaty.

If the Portuguese Republic exercises this option, any component that may not be covered by the internal charge shall represent the basic duty provided for in Article 189. This component shall be abolished in trade with the Community and shall be aligned on the Common Customs Tariff and the ECSC unified tariff in accordance with the timetable set out in Articles 190 and 197.

#### *Article 197*

1. For the purpose of the progressive introduction of the Common Customs Tariff and the ECSC unified tariff, the Portuguese Republic shall amend its tariff applicable to third countries as follows:

— From 1 March 1986, the Portuguese Republic shall apply a duty reducing by 10 % the difference between the basic duty and the duty in the Common Customs Tariff or the ECSC unified tariff.

— From 1 January 1987:

(a) in the case of tariff headings in respect of which the basic duties do not differ by more than 15 % in either direction from the duties in the Common Customs Tariff or the ECSC unified tariff, these latter duties shall be applied;

(b) in other cases, the Portuguese Republic shall apply a duty reducing the difference between the basic duty and the duty in the Common Customs Tariff or the ECSC unified tariff in accordance with the following timetable:

- on 1 January 1987, a reduction of 10 %,
- on 1 January 1988, a reduction of 15 %,
- on 1 January 1989, a reduction of 15 %,
- on 1 January 1990, a reduction of 10 %,
- on 1 January 1991, a reduction of 10 %,
- on 1 January 1992, a reduction of 15 %.

The Portuguese Republic shall apply the Common Customs Tariff and the ECSC unified tariff as from 1 January 1993 in their entirety.

2. Notwithstanding paragraph 1, for the products listed in the Annex to the Agreement on trade in civil aircraft concluded in the context of the 1973 to 1979 trade negotiations of the General Agreement on Tariffs and Trade, the Portuguese Republic shall apply the Common Customs Tariff from 1 March 1986 in its entirety.

#### *Article 198*

The autonomous duties entered in the Community Common Customs Tariff shall be autonomous duties of the Community as at present constituted. The con-

ventional duties of the EEC Common Customs Tariff and of the ECSC unified tariff shall be the conventional duties of the EEC and of the ECSC, as at present constituted, with the exception of the adjustments to be made to take into account the fact that the duties in force in the Spanish and Portuguese tariffs are, on the whole, higher than the duties in force in the tariffs of the EEC and ECSC as at present constituted.

That adjustment which will be the subject of negotiation within the General Agreement on Tariffs and Trade, shall remain within the limits of the possibilities opened by Article XXIV of that Agreement.

#### *Article 199*

1. Where duties in the customs tariff of the Portuguese Republic differ in nature from the corresponding duties in the Common Customs Tariff or the ECSC unified tariff, the progressive alignment of the former on the latter shall be effected by adding the components of the Portuguese basic duty to those of the Common Customs Tariff or the ECSC unified tariff, the Portuguese basic duty being reduced to zero progressively, in accordance with the timetable set out in Articles 197 and 243 (2) and the duty in the Common Customs Tariff or ECSC unified tariff increasing from zero to reach the full amount progressively in accordance with the same timetable.

2. From 1 March 1986, if certain duties in the Common Customs Tariff or the ECSC unified tariff are altered or suspended, the Portuguese Republic shall simultaneously amend or suspend its tariff in the proportion resulting from the implementation of Article 197.

3. The Portuguese Republic shall apply the Common Customs Tariff and ECSC unified tariff nomenclatures from 1 March 1986.

The Portuguese Republic may include within these nomenclatures national subdivisions existing at the time of accession which are indispensable in order that the progressive alignment of its customs duties with those in the Common Customs Tariff and the ECSC unified tariff be carried out under the conditions laid down in this Act.

Where amendments are made to the nomenclature of the Common Customs Tariff or the ECSC unified tariff in respect of products referred to in this Act, the Council may, acting by a qualified majority on a proposal from the Commission, adapt the nomenclature of those products as indicated in this Act.

4. With a view to implementing paragraph 3 and to facilitating the progressive introduction of the Com-

mon Customs Tariff and the ECSC unified tariff by the Portuguese Republic and the progressive abolition of customs duties between the Community as at present constituted and the Portuguese Republic, the Commission shall determine, if necessary, the implementing provisions whereby the Portuguese Republic alters its customs duties; those implementing provisions may not however entail any amendment to Articles 189 and 197.

5. The rate of duty calculated in accordance with Article 197 shall be applied by rounding up or down to the first decimal place.

Rounding down shall be effected by deleting the second decimal where Portuguese duties are being aligned on Common Customs Tariff or ECSC unified tariff duties which are less than the Portuguese basic duties. In other cases rounding up shall be effected by applying the higher decimal.

#### *Article 200*

1. For the products contained in the list appearing in Annex XVIII, the basic duties adopted for alignment on the Common Customs Tariff and the ECSC unified tariff shall be the duties resulting from the application by the Portuguese Republic, on 1 January 1985, of tariff exemptions (total suspensions) and tariff reductions (partial suspensions).

2. From 1 March 1986, the Portuguese Republic shall apply a duty reducing the difference between the basic duties referred to in paragraph 1 and the duties in the Common Customs Tariff or the ECSC unified tariff in accordance with the timetable set out in Article 197.

3. The Portuguese Republic may waive tariff abolition or adopt the Common Customs Tariff rate of duty more rapidly.

4. Upon accession, no remaining customs duty shall continue to be applied by the Portuguese Republic to the products in question imported from the Community as at present constituted and no customs duty on these products shall be reintroduced with regard to the Community.

5. Upon accession, the Portuguese Republic shall apply without discrimination the exemptions and tariff reductions that are progressively aligned on the Common Customs Tariff and on the ECSC unified tariff.

#### *Article 201*

In order to bring its tariff into line with the Common Customs Tariff and the ECSC unified tariff, the Portuguese Republic shall remain free to alter its customs duties more rapidly than is provided for in Article 197. It shall inform the other Member States and the Commission thereof.



**Elimination of quantitative restrictions and measures having equivalent effect***Article 202*

Quantitative restrictions on imports and exports and any measures having equivalent effect shall, from 1 January 1986, be abolished between the Community as at present constituted and the Portuguese Republic.

*Article 203*

Notwithstanding Article 202, the present Member States and the Portuguese Republic may retain restrictions on exports of waste and scrap metal of iron or steel falling within heading No 73.03 of the Common Customs Tariff in their mutual trade.

These arrangements may be retained until 31 December 1988 with regard to exports from the Member States of the Community as at present constituted to Portugal and until 31 December 1990 with regard to exports from Portugal to the present Member States, provided that these arrangements are not more restrictive than those applied to exports to third countries.

*Article 204*

1. Notwithstanding Article 202, the Portuguese Republic may, until 31 December 1988, continue to require on imports or exports, exclusively for statistical purposes, the prior registration of products other than those covered by Annex II of the EEC Treaty and those covered by the ECSC Treaty.

2. The registration note shall be issued automatically within a period of five working days from the submission of the request. Should it not be issued within this period, the goods in question may be freely imported or exported.

3. The requirement of any prior recording by the importer or exporter shall be abolished upon accession.

*Article 205*

Notwithstanding Article 202, the Portuguese Republic shall abolish the discriminatory variation existing between the rate of reimbursement by the social security institutions for pharmaceutical products produced in Portugal and the rate of reimbursement for pharmaceutical products imported from the present Member States in three annual stages of equal size occurring on the following dates:

- 1 January 1987,
- 1 January 1988,
- 1 January 1989.

*Article 206*

Notwithstanding Article 202, trade in certain textile products between Portugal and the other Member States of the Community shall be subject to the arrangements described in Protocol 17.

*Article 207*

Notwithstanding Article 202, the Portuguese Republic shall be authorized to retain until 31 December 1987 the quantitative restrictions on imports from the other Member States of motor vehicles referred to in Protocol No 18 and within the limits of the import quota system described in that Protocol.

*Article 208*

1. Without prejudice to paragraph 2 of this Article, the Portuguese Republic shall, from 1 January 1986, progressively adjust State monopolies of a commercial character within the meaning of Article 37 (1) of the EEC Treaty so as to ensure that by 1 January 1993 no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States.

The present Member States shall have equivalent obligations in relation to the Portuguese Republic.

The Commission shall make recommendations as to the manner in which and the timetable according to which the adjustment provided for in the first paragraph must be carried out, it being understood that the manner and timetable must be the same for the Portuguese Republic and the present Member States.

2. With regard to motor spirit, kerosene, gas oils and fuel oils falling within subheadings 27.10 A III, 27.10 B III, 27.10 C I and 27.10 C II of the Common Customs Tariff, the adjustment of the exclusive marketing right shall begin from the date of accession. The existing Portuguese marketing quotas allocated to current beneficiary companies other than the public undertaking Petrogal shall be abolished on 1 January 1986. The total liberalization of the markets for these products shall be completed on 31 December 1992.

The Commission shall make its recommendations for adjustment concerning the execution of this liberalization by taking as the starting reference point the lowest annual market share per product held by the public undertaking Petrogal during the period 1 January 1981 to 31 December 1985.

Upon accession the Portuguese Republic shall open for each product concerned a quota equal to the total marketing quotas held before that date by undertakings other than Petrogal. This quota shall be progressively increased by the quantities liberalized following the Commission's recommendations.

### Article 209

1. Notwithstanding Article 202, the holder, or his beneficiary, of a patent for a chemical or pharmaceutical product or a product relating to plant health, filed in a Member State at a time when a product patent could not be obtained in Portugal for that product may rely upon the rights granted by that patent in order to prevent the import and marketing of that product in the Member State or States where that product enjoys patent protection even if that product was put on the market in Portugal for the first time by him or with his consent.

2. This right may be invoked for the products referred to in paragraph 1 until the end of the third year after Portugal has made these products patentable.

### Section III

#### Other provisions

### Article 210

1. The Commission shall, with due regard for the provisions in force, in particular those relating to Community transit, determine the methods of administrative cooperation designed to ensure that goods fulfilling the requisite conditions benefit, from 1 March 1986, from the abolition of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect, laid down by this Act.

2. Until 28 February 1986, the provisions of the 1972 Agreement between the European Economic Community and the Portuguese Republic and subsequent Protocols, relating to customs arrangements, shall continue to apply to trade between the Community as at present constituted and Portugal.

3. The Commission shall lay down the provisions applicable from 1 March 1986 to trade within the Community, in goods obtained in the Community in the manufacture of which have been incorporated:

- products on which the customs duties or charges having equivalent effect which were applicable to them in the Community as at present constituted or in Portugal have not been levied, or which have benefited from a total or partial drawback of such duties or charges,
- agricultural products which do not fulfil the conditions required for admission to free movement in the Community as at present constituted or in Portugal <sup>(1)</sup>.

In adopting these provisions, the Commission shall take into account the rules laid down in this Act for the

(1) Article 210 (3), second indent, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

elimination of customs duties between the Community as at present constituted and Portugal, and for the progressive application by the Portuguese Republic of the Common Customs Tariff and provisions concerning the common agricultural policy.

### Article 211

1. Save as otherwise provided in this Act, the provisions in force with regard to customs legislation for trade with third countries shall apply under the same conditions to trade within the Community, for such time as customs duties are levied in that trade.

For the purpose of establishing the customs value in respect of trade within the Community, and trade with third countries, until:

- 31 December 1992 for industrial products, and
- 31 December 1995 for agricultural products,

the customs territory to be taken into consideration shall be that defined by the provisions existing in the Community and in the Portuguese Republic on 31 December 1985.

2. The Portuguese Republic shall apply the Common Custom Tariff and ECSC unified tariff nomenclatures in trade within the Community from 1 March 1986.

The Portuguese Republic may include within these nomenclatures national subdivisions existing at the time of accession which are indispensable in order that the progressive elimination of its customs duties within the Community be carried out under the conditions laid down in this Act.

### Article 212

During a period of five years from the date of accession, the Portuguese Republic shall complete the restructuring of its iron and steel industry under the conditions defined in Protocol No 20.

The period indicated above may be shortened and the detailed rules set out in the said Protocol may be amended by the Commission with the assent of the Council on the basis of:

- the state of progression of the Portuguese restructuring plan, taking into account significant factors in the re-establishment of the viability of the undertaking,
- iron and steel measures in force in the Community after the date of accession; in that case, the arrangements applicable after accession to Portuguese deliveries to the Community as at present constituted should not lead to major differences in treatment between Portugal and the other Member States.

### Article 213

1. Where the compensatory amounts referred to in Article 240 or the compensatory mechanism referred to in Article 270 are applied in trade between the Community as at present constituted and the Portuguese Republic to one or more of the basic products considered as having been used in the manufacture of goods 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, the following transitional measures shall be applied:

- A compensatory amount calculated on the basis of the compensatory amounts referred to in Article 240 or of the compensatory mechanism referred to in Article 270 and in accordance with the rules laid down by Regulation (EEC) No 3033/80 for calculating the variable component applicable to the goods covered by this Regulation shall be applied on importation of those goods into the Community as at present constituted from Portugal.
- When the goods covered by Regulation (EEC) No 3033/80 are imported from third countries into Portugal the variable component laid down by this Regulation shall be increased or reduced as the case may be by the compensatory amount referred to in the first indent.
- A compensatory amount determined on the basis of the compensatory amounts referred to in Article 240 or of the compensatory mechanism referred to in Article 270 fixed for the basic products and in accordance with the rules applicable for the calculation of the refunds provided for in Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds shall, for the goods covered by this Regulation, be applied on exportation of those goods from the Community as at present constituted into Portugal.
- Where products covered by Regulation (EEC) No 3035/80 are exported from the Portuguese Republic to third countries, they shall be subject to the compensatory amount referred to in the third indent.

2. The customs duty constituting the fixed component of the charge applicable, as from the date of accession, to imports into Portugal from the Community as at present constituted of goods covered by Regulation (EEC) No 3033/80 shall be determined by deducting from the basic customs duty applied by the Portuguese Republic to products originating in the Community as at present constituted a variable component equal to

the variable component laid down in application of Regulation (EEC) No 3033/80, increased or reduced, as the case may be, by the compensatory amount referred to in the first and third indents of paragraph 1.

However, in cases where, for the products mentioned in Annex XIX, the customs duty constituting the fixed component of the charge, calculated in accordance with the foregoing subparagraph, is lower than the duties listed in the said Annex, the latter duties shall apply.

3. The customs duty constituting the fixed component of the charge applicable as from the date of accession to imports into Portugal from third countries of the goods covered by Regulation (EEC) No 3033/80 shall be equal to the higher of the two amounts determined as follows:

- The amount obtained by deducting from the basic customs duty applied by the Portuguese Republic to imports from third countries a variable component equal to the variable component fixed in application of Regulation (EEC) No 3033/80, increased or decreased, as the case may be, by the compensatory amount referred to in the first and third indents of paragraph 1.
- The amount obtained by adding together the fixed component applicable to imports into Portugal from the Community as at present constituted and the fixed component of the Common Customs Tariff duty (or with regard to third countries benefiting from the Community generalized system of preferences, the fixed preferential component which the Community applies, where appropriate, to imports from those countries).

4. By way of derogation from Article 189, the customs duties applied by the Portuguese Republic to imports from the Community and third countries shall be converted, as from the date of accession, into the type of duty and the units entered in the Common Customs Tariff. Conversion shall be made on the basis of the value of the goods imported to Portugal during the last four three-month periods for which information is available or, in the absence of imports of the goods concerned into Portugal, on the basis of the unit value of the same goods imported into the Community as at present constituted.

5. Every fixed component applied in trade between the Community as at present constituted and the Portuguese Republic shall be eliminated in accordance with Article 190.

Every fixed component applied by the Portuguese Republic to imports from third countries shall be aligned on the fixed component of the Common Customs Tariff duty (or, where appropriate, on the fixed preferential component provided for in the Community generalized system of preferences), in accordance with Articles 197 and 201.

6. Where a reduction in the variable component of the Common Customs Tariff duty is granted to third countries benefiting from the Community generalized system of preferences, the Portuguese Republic shall apply this variable preferential component as from the date on which, during the first year of the second stage of the transitional arrangements, the rules of the second stage begin to be applied to the basic products whose marketing year starts the last.

#### Section IV

### Trade between the Portuguese Republic and the Kingdom of Spain

#### Article 214

The Portuguese Republic shall apply Articles 189 to 213 in its trade with the Kingdom of Spain, subject to the conditions set out in Protocol No 3.

## CHAPTER 2

### Free movement of persons, services and capital

#### Section I

#### Workers

#### Article 215

Article 48 of the EEC Treaty shall only apply, in relation to the freedom of movement of workers between Portugal and the other Member States, subject to the traditional provisions laid down in Articles 216 to 219 of this Act.

#### Article 216

1. Articles 1 to 6 of Regulation (EEC) No 1612/68 on the freedom of movement of workers within the Community shall apply in Portugal with regard to nationals of the other Member States and in the other Member States with regard to Portuguese nationals only as from 1 January 1993.

The Portuguese Republic and the other Member States may maintain in force until 31 December 1992, with regard to nationals of the other Member States and to Portuguese nationals respectively, national provisions or those resulting from bilateral arrangements making prior authorization a requirement for immigration with a view to pursuing an activity as an employed person and/or taking up paid employment.

However, the Portuguese Republic and the Grand Duchy of Luxembourg may maintain in force until 31 December 1995 the national provisions referred to in the preceding subparagraph in force on the date of signing of this Act with regard to Luxembourg nationals and Portuguese nationals respectively.

2. As from 1 January 1991 the Council shall, after receiving a report from the Commission, examine the results of the application of the measures of derogation referred to in paragraph 1.

On completion of this examination, the Council, acting unanimously on a proposal from the Commission may, on the basis of new data, adopt provisions intended to adjust the said measures.

#### Article 217

1. Article 11 of Regulation (EEC) No 1612/68 shall apply until 31 December 1990 in Portugal with regard to nationals of the other Member States and in the other Member States with regard to Portuguese nationals under the conditions indicated hereinafter:

- (a) The members of workers' families referred to in Article 10 (1) (a) of the said Regulation, installed in accordance with regulations with the worker in the territory of a Member State at the date of signature of this Act, shall have the right, upon accession, to take up any paid employment throughout the territory of that Member State.
- (b) The members of workers' families, referred to in Article 10 (1) (a) of the said Regulation, installed in accordance with regulations with the worker in the territory of a Member State after the date of signature of this Act, shall have the right to take up any paid employment there if they have been resident there for at least three years. This period of residence shall be reduced to 18 months as from 1 January 1989.

This paragraph shall be without prejudice to more favourable national provisions, or those resulting from bilateral arrangements.

2. The arrangements provided for in paragraph 1 shall also apply to members of the family of a self-employed person installed with him in a Member State.

#### Article 218

In so far as certain provisions of Directive 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families, may not be dissociated

from those of Regulation (EEC) No 1612/68 whose application is deferred pursuant to Article 216, the Portuguese Republic and the other Member States may derogate from those provisions, to the extent necessary for the application of the provisions for derogation which are laid down in Article 216 in connection with the said Regulation.

#### *Article 219*

The Portuguese Republic and the other Member States shall take, with the assistance of the Commission, the necessary measures so that the application of the Commission Decision of 8 December 1972 on the uniform system established pursuant to Article 15 of Council Regulation (EEC) No 1612/68, known as 'Sedoc' and the Commission Decision of 14 December 1972 on the 'Community plan' for the collection and circulation of information provided for in Article 14 (3) of Council Regulation (EEC) No 1612/68 may be extended to Portugal by 1 January 1993 at the latest.

#### *Article 220*

1. Until the entry into force of the uniform solution for all the Member States referred to in Article 99 of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, and until 31 December 1988 at the latest, Articles 73 (1) and (3), 74 (1) and 75 (1) of Regulation (EEC) No 1408/71 and Articles 86 and 88 of Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71 shall not apply to Portuguese workers who are employed in a Member State other than Portugal and the members of those families are resident in Portugal.

Articles 73 (2), 74 (2), 75 (2) and 94 (9) of Regulation (EEC) No 1408/71, and Articles 87, 89, 98 and 120 of Regulation (EEC) No 574/72 shall apply by analogy to these workers.

However, the foregoing is without prejudice to legislative provisions of a Member State whereby family benefits are to be payable in respect of members of the family, whatever their country of residence.

2. Notwithstanding Article 6 of Regulation (EEC) No 1408/71, the following provisions of Social Security Conventions shall continue to apply to Portuguese workers during the period referred to in paragraph 1:

##### (a) *Portugal — Belgium*

- Article 28 (2) of the General Convention of 14 September 1970.

- Articles 57, 58 and 59 of the Administrative Arrangement of 14 September 1970.

##### (b) *Portugal — Germany*

- Article 27 (1), (2) and (3) of the Convention of 6 November 1964, as amended by Article 1 of the Modifying Arrangement of 30 September 1974.

##### (c) *Portugal — Spain*

- Articles 23 and 24 of the General Convention of 11 June 1969.
- Articles 45 and 46 of the Administrative Arrangement of 22 May 1970.

##### (d) *Portugal — Luxembourg*

- Article 23 of the Convention of 12 February 1965, as amended by Article 13 of the Second Additional Agreement of 20 May 1977.
- Article 15 of the Second Additional Agreement of 21 May 1979 concerning the General Administrative Arrangement of 20 October 1966.

##### (e) *Portugal — Netherlands*

- Article 33 (2) of the Convention of 19 July 1979.
- Articles 36 and 37 of the Administrative Arrangement of 9 May 1980.

## Section II

### **Right of establishment, services, capital movements and invisible transactions**

#### *Article 221*

The Portuguese Republic may maintain restrictions on the right of establishment and of the freedom to provide services:

- until 31 December 1988, for activities falling within the travel and tourist agencies sector,
- until 31 December 1990, for activities falling within the cinema sector.

#### *Article 222*

1. Until 31 December 1989, the Portuguese Republic may maintain a system of advance authorization for direct investments, within the meaning of the First Council Directive of 11 May 1960 for the implementation of Article 67 of the EEC Treaty, as amended and added to by Second Council Directive 63/21/EEC of

18 December 1962 and by the 1972 Act of Accession, carried out in Portugal by nationals of other Member States and connected with the exercise of the right of establishment and the freedom to provide services and whose overall value exceeds the following amounts:

- during 1986: 1,5 million ECU,
- during 1987: 1,8 million ECU,
- during 1988: 2,1 million ECU,
- during 1989: 2,4 million ECU.

2. The provisions of paragraph 1 shall not apply to direct investments concerning the credit institutions sector.

3. For every investment project subject to advance authorization pursuant to paragraph 1, the Portuguese authorities must take a decision at the latest two months after the application has been made. If no decision is taken within this time-limit, the proposed investment shall be deemed to be authorized.

4. The investors covered by paragraph 1 may not be treated differently from one another nor be granted less favourable treatment than that granted to nationals of third countries.

#### *Article 223*

1. The Portuguese Republic may, under the conditions and within the time-limits set out in Articles 224 to 229, postpone the liberalization of capital movements set out in Lists A and B of the First Council Directive of 11 May 1960 for the implementation of Article 67 of the EEC Treaty and of the Second Council Directive of 18 December 1962 adding to and amending the First Directive for the implementation of Article 67 of the EEC Treaty.

2. Appropriate consultations shall take place in due course between the Portuguese authorities and the Commission on procedures for applying measures of liberalization or relaxation, the implementation of which may be postponed under the following provisions.

#### *Article 224*

The Portuguese Republic may postpone until 31 December 1992 the liberalization of direct investments in the other Member States made by persons resident in Portugal.

#### *Article 225*

1. The Portuguese Republic may postpone until 31 December 1990 the liberalization of transfers relating to purchases, made in Portugal by residents of the other Member States, or buildings constructed and intended for residential accommodation, as well as of

land already used as agricultural land or classed as agricultural land under Portuguese legislation on the date of accession.

2. The temporary derogation referred to in paragraph 1 shall not apply:

- to residents of the other Member States who fall within the category of those emigrating as part of the free movement of employed or self-employed workers,
- to the purchases referred to in paragraph 1 which are connected with the exercise of the right of establishment by self-employed workers who are residents of the other Member States and who emigrate to Portugal.

#### *Article 226*

1. The Portuguese Republic may maintain, until 31 December 1990 and under the conditions defined in paragraph 2, restrictions on the transfer of the proceeds of the liquidation of real estate investments made in Portugal by persons resident in the other Member States.

2. (a) Transfers of the proceeds relating to a liquidation shall be liberalized respectively:
- from 1 January 1986, up to an amount of 100 000 ECU,
  - from 1 January 1987, up to an amount of 120 000 ECU,
  - from 1 January 1988, up to an amount of 140 000 ECU,
  - from 1 January 1989, up to an amount of 160 000 ECU,
  - from 1 January 1990, up to an amount of 180 000 ECU.

- (b) In the case of a liquidation which exceeds the amount defined under (a), the transfer of the balance shall be liberalized by five equal annual instalments, the first instalment at the time when transfer of the proceeds of liquidation is applied for and the other four in the four following years.

3. Throughout the period of application of this transitional measure, any special or general facilities concerning the free transfer of the proceeds of the liquidation of the real estate investments defined in paragraph 1 which may exist pursuant to Portuguese provisions or agreements governing the relations between the Portuguese Republic and any of the other Member States or third countries shall be maintained and applied on a non-discriminatory basis to all the other Member States.

#### *Article 227*

The Portuguese Republic may postpone, until 31 December 1992, the liberalization of transfers relating to real estate investment in another Member State:

- by persons resident in Portugal who do not fall within the category of those emigrating in the context of the free movement of employed and self-employed workers;
- by self-employed workers who are residents of Portugal and who emigrate, to the extent that the investments in question are not concerned with their establishment.

#### *Article 228*

1. The Portuguese Republic may, until 31 December 1990 and under the conditions defined in paragraph 2, maintain restrictions on the transactions listed in Section X under B, C, D, E, F and H of List A annexed to the Directives referred to in Article 223 and carried out towards the other Member States.

2. On 1 January 1986, transfers shall be liberalized up to an amount of 25 000 ECU for the transactions under C, D and F, and 10 000 ECU for the transactions under B, E and H. Each of these amounts shall be fixed respectively:

- from 1 January 1987, at 30 000 and 12 000 ECU,
- from 1 January 1988, at 35 000 and 14 000 ECU,
- from 1 January 1989, at 40 000 and 16 000 ECU,
- from 1 January 1990, at 45 000 and 18 000 ECU.

#### *Article 229*

The Portuguese Republic may postpone, until 31 December 1990, the liberalization of the transactions appearing in List B (IV B (1) and (3)) annexed to the Directives referred to in Article 223 and carried out by residents of Portugal.

However, transactions in securities issued by the European Communities and the European Investment Bank, carried out by persons resident in Portugal, shall be the subject of progressive liberalization over this period as follows:

- from 1 January 1986, the liberalization ceiling for the subscription of the securities shall be fixed at 15 million ECU,
- from 1 January 1987, this ceiling shall be fixed at 18 million ECU,
- from 1 January 1988, this ceiling shall be fixed at 21 million ECU,
- from 1 January 1989, this ceiling shall be fixed at 24 million ECU,
- from 1 January 1990, this ceiling shall be fixed at 27 million ECU.

#### *Article 230*

1. The Portuguese Republic may, until 31 December 1990 and under the conditions set out in paragraph 2, maintain restrictions on transfers relating to tourism.

2. The annual tourist allowance per person may not be less than respectively:

- 500 ECU for 1986,
- 600 ECU for 1987,
- 700 ECU for 1988,
- 800 ECU for 1989,
- 900 ECU for 1990.

#### *Article 231*

The Portuguese Republic shall, circumstances permitting, carry out the liberalization of capital movements and invisible transactions referred to in Articles 224 to 230 before expiry of the time-limits laid down in those Articles.

#### *Article 232*

For the purpose of applying Articles 223 to 231, the Commission may consult the Monetary Committee and submit appropriate proposals to the Council.

### CHAPTER 3

#### **Agriculture**

##### Section I

#### **General provisions**

#### *Article 233*

1. This Chapter concerns agricultural products with the exception of products falling within Regulation (EEC) No 3796/81 on the common organization of the market in fishery products.

2. Save as otherwise provided for in this Chapter, the rules laid down in this Act shall apply to the agricultural products referred to in paragraph 1.

3. Subject to the specific provisions of this Chapter laying down different dates or different time-limits, the application of the transitional measures for the agricultural products referred to in paragraph 1 shall terminate at the end of 1995.

#### *Article 234*

1. The application of Community rules to products covered by this Chapter shall be carried out in accordance with a 'classic' transition or a transition by 'stages', the general rules of which are defined in Sections II and III respectively and the specific detailed rules of which, depending on product sector, in Sections IV and V.

2. Unless otherwise provided for in specific cases, the Council, acting by a qualified majority on a proposal from the Commission, shall adopt the provisions necessary to implement the provisions of this Chapter.

These provisions may in particular comprise adequate measures to avoid deflections of trade in the trade between Portugal and the other Member States.

3. The Council, acting unanimously on a proposal from the Commission after consulting the European Parliament, may make the adjustment to the provisions appearing in this Chapter which may prove to be necessary as a result of an amendment to Community rules.

#### Section II

#### Classic transition

#### Sub-section 1

#### Scope

#### *Article 235*

All the agricultural products referred to in Article 233, with the exception of those referred to in Article 259, shall be subject to the provisions of this Section.

#### Sub-section 2

Price compensation and moves towards price alignment

#### *Article 236*

Before the first move towards price alignment referred to in Article 238, the prices to be applied in Portugal shall be fixed, in accordance with the rules provided for in the common organization of the market in the sector in question, at a level corresponding to that of prices fixed in Portugal under the previous national system, for a representative period to be determined for each product.

However, should application of the foregoing subparagraph lead to Portuguese prices being fixed at a level higher than that of the common prices, the level to be adopted for fixing Portuguese prices shall be that corresponding to the prices fixed in Portugal, under the previous national arrangements, for the 1985/86 marketing year, converted by means of the conversion rate into ECU which obtained at the beginning of the marketing year of the product concerned.

If, for a given product, there is no definition of the Portuguese price, the price to be applied in Portugal shall be fixed on the basis of the prices actually recorded on Portuguese markets over a representative period to be determined.

However, in the absence of price data in respect of certain products on the Portuguese market, the price to be applied in Portugal shall be calculated on the basis of the prices obtaining in the Community as at present constituted of similar products or groups of similar products, or products with which they are in competition.

#### *Article 237*

1. Should it be found, on accession, that the variation between the price level for a product in Portugal and the common price level is minimal, the common price may be applied in Portugal for the product in question.

2. The variation referred to in paragraph 1 shall be considered as minimal where it is less than, or equal to, 3% of the common price.

#### *Article 238*

1. If the application of the provisions of Article 236 in Portugal results in a price level different from that of the common prices, the prices in respect of which, in Section IV, reference is made to this Article shall, subject to paragraph 4, be aligned on the common prices each year at the beginning of the marketing year in accordance with paragraphs 2 and 3.

2. Where the price of a product in Portugal is lower than the common price, the move towards alignment shall be made in seven stages, the price in Portugal, at the time of the first six moves towards alignment, being increased successively, by a seventh, a sixth, a fifth, a quarter, a third and a half of the difference between the price level in that Member State and the common price level which is applicable before each move towards alignment; the price resulting from that calculation shall be increased or reduced proportionately to any rise or fall in the common price for the next marketing year; the common price shall be applied in Portugal at the time of the seventh move towards alignment.



3. (a) Where the price of a product in Portugal is higher than the common price, the price in that Member State shall be maintained at the level resulting from the application of Article 236, the moves towards alignment resulting from the development of common prices during the seven years following accession.

However, the price in Portugal shall be adjusted to the extent necessary to avoid an increase in the variation between that price and the common price.

Furthermore, if the Portuguese prices, expressed in ECU, fixed under the previous national arrangements for the 1985/86 marketing year, lead to the variation existing for the 1984/85 marketing year between the Portuguese prices and the common prices being exceeded, the price in Portugal resulting from the application of the two preceding subparagraphs shall be reduced by an amount to be determined which is equivalent to a part of the excess, in such a way that the excess is absorbed in full at the latest at the beginning of the fifth marketing year following accession.

Without prejudice to point (b), the common price shall be applied in Portugal at the time of the seventh move towards alignment.

- (b) At the end of the fifth year from the date of accession, the Council shall carry out an analysis of the development of moves towards price alignment. To that end, the Commission shall forward to the Council, within the framework of the reports referred to in Article 264 (2) (c), an opinion together with, where appropriate, adequate proposals.

If this analysis shows:

- that the variation between Portuguese prices and common prices, while being too great to be absorbed over the period still to run for price alignment under paragraph 2, can, nevertheless, seemingly be made up within a limited timespan, the period for price alignment initially laid down may be extended: in that case, prices shall be maintained at their previous level in accordance with the rule set out in (a) above,
- that the variation between Portuguese prices and common prices is too great to be made up solely by extending the period for price alignment initially laid down, it may be decided that, in addition to that extension, alignment shall be made by a progressive reduction in Portuguese prices, expressed in real terms, accompanied, if necessary, by indirect, temporary and degressive aid in order to alleviate the degressive effect of those prices. The burden of financing such aid shall fall upon the Portuguese budget.

The Council, acting by a qualified majority and on a proposal from the Commission after consulting the European Parliament, shall adopt the measures referred to in the subparagraph.

4. In the interests of the smooth functioning of the process of integration, it may be decided that, notwithstanding paragraph 2, the price of one or more products in Portugal shall for one marketing year vary from the prices resulting from the application of that paragraph.

The variation may not exceed 10 % of the amount of the price move to be made.

In that event, the price level for the following marketing year shall be that which would have resulted from applying paragraph 2 if the variation had not been decided upon. A further variation from that price level may, however, be decided upon for that marketing year in accordance with the conditions in the first and second subparagraphs.

The derogation laid down in the first subparagraph shall not apply to the last move towards alignment referred to in paragraph 2.

#### *Article 239*

Where, on the date of accession or during the period of application of the transitional measures, the price on the world market for a certain product exceeds the common price, the common price may be applied in Portugal for the product in question except where the price applied in Portugal is higher than the common price.

#### *Article 240*

The differences in price levels in respect of which, in Section IV, reference is made to this Article shall be compensated for as follows:

1. For products in respect of which prices are fixed in accordance with Articles 236 and 238, the compensatory amounts applicable in trade between the Community as at present constituted and Portugal, and between Portugal and third countries, shall be equal to the difference between the prices fixed for Portugal and the common prices.

However, the compensatory amount established pursuant to the rules referred to above shall, should the need arise, be corrected by the incidence of national aids which the Portuguese Republic is authorized to maintain by virtue of Articles 247 and 248.

2. No compensatory amount shall be fixed if the application of paragraph 1 results in a minimal amount.

3. (a) In trade between Portugal and the Community as at present constituted, compensatory amounts shall be levied by the importing State or granted by the exporting State.

(b) In trade between Portugal and third countries, levies or other import charges applied under the common agricultural policy, and, save for express derogation, export refunds, shall be reduced or increased, as the case may be, by the compensatory amounts applicable in trade with the Community as at present constituted.

Customs duties may not, however, be reduced by the compensatory amount.

4. For products in respect of which the duty in the Common Customs Tariff is bound under the General Agreement on Tariffs and Trade, the binding shall be taken into account.

5. The compensatory amount levied or granted by a Member State in accordance with paragraph 1 may not exceed the total amount levied by that same Member State on imports from third countries, benefiting from the most-favoured-nation clause.

The Council, acting by a qualified majority on a proposal from the Commission, may derogate from this rule, in particular in order to avoid deflections of trade and distortions of competition.

6. The Council, acting by a qualified majority on a proposal from the Commission, may derogate, in so far as is necessary for the proper functioning of the common agricultural policy, from the first subparagraph of Article 211 (1) for products to which compensatory amounts apply.

#### *Article 241*

If the world market price for a product is higher than the price used in calculating the import charge introduced under the common agricultural policy, less the compensatory amount deducted from the import charge in accordance with Article 240, or if the refund on exports to third countries is less than the compensatory amount, or if no refund is applicable, appropriate measures may be taken with a view to ensuring the

proper functioning of the common organization of the market.

#### *Article 242*

1. The compensatory amounts granted shall be financed by the Community from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

2. Expenditure to be made by the Portuguese Republic with regard to intervention on its internal market and to the granting of refunds or subsidies for exports to third countries and other Member States shall remain national until the end of the first stage for the products referred to in Article 259.

From the second stage, this expenditure on intervention on the Portuguese internal market and on the granting of export refunds to third countries shall be financed by the Community from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### Sub-section 3

#### Free movement and customs union

#### *Article 243*

The following provisions shall apply to products the importation of which from third countries into the Community as at present constituted is subject to customs duties:

1. (a) Without prejudice to point 4, customs duties on imports into the Community as at present constituted for products from Portugal shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 85,7 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 71,4 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 57,1 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 42,8 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 28,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 14,2 % of the basic duty,
- on 1 January 1992, every duty shall be abolished.

However:

- for orchids, anthuriums, strelitzias and proteaceae falling within subheading ex 06.03 A of the Common Customs Tariff,

— for tomato preparations or preserves falling within subheading 20.02 C of the Common Customs Tariff,

the Community as at present constituted shall reduce its basic duties in five successive instalments of 20 % on the following dates:

- 1 March 1986,
- 1 January 1987,
- 1 January 1988,
- 1 January 1989,
- 1 January 1990.

(b) Without prejudice to point 4, customs duties on imports into Portugal for products from the Community as at present constituted shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 87,5 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 75 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 62,5 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 50 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 37,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 25 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 12,5 % of the basic duty,
- on 1 January 1993, every duty shall be abolished.

(c) Without prejudice to point 4, and by derogation from the foregoing (a) and (b), for oil seeds and oleaginous fruit and products derived therefrom falling under Regulation No 136/66/EEC — except for vegetable oils, other than olive oil, intended for human consumption — customs duties on import shall be progressively abolished between the Community as at present constituted and Portugal in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 90,9 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 81,8 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 72,7 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 63,6 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 54,5 % of the basic duty,

— on 1 January 1991, each duty shall be reduced to 45,4 % of the basic duty,

— on 1 January 1992, each duty shall be reduced to 36,3 % of the basic duty,

— on 1 January 1993, each duty shall be reduced to 27,2 % of the basic duty,

— on 1 January 1994, each duty shall be reduced to 18,1 % of the basic duty,

— on 1 January 1995, each duty shall be reduced to 9 % of the basic duty,

— on 1 January 1996, every duty shall be abolished.

(d) Without prejudice to point 4, for vegetable oils, other than olive oil, intended for human consumption, the Community as at present constituted and the Portuguese Republic shall apply without change their respective basic duties during the period of application to Portugal of certain control mechanisms referred to in Article 292. On expiry of that period, the basic duties shall be progressively abolished in accordance with the following timetable:

— on 1 January 1991, each duty shall be reduced to 83,3 % of the basic duty,

— on 1 January 1992, each duty shall be reduced to 66,6 % of the basic duty,

— on 1 January 1993, each duty shall be reduced to 49,9 % of the basic duty,

— on 1 January 1994, each duty shall be reduced to 33,2 % of the basic duty,

— on 1 January 1995, each duty shall be reduced to 16,5 % of the basic duty,

— on 1 January 1996, every duty shall be abolished.

2. For the purposes of introducing the Common Customs Tariff, the Portuguese Republic shall apply in full Common Customs Tariff duties as from 1 March 1986, except for:

(a) Without prejudice to point 4, products referred to in Annex XX and products for which Portuguese basic duties are higher than those of the Common Customs Tariff, for which, for the purpose of the progressive introduction of the Common Customs Tariff, the Portuguese Republic shall amend its tariff applicable to third countries as follows:

(aa) For the tariff positions for which the basic duties do not vary by more than 15 % from the Common Customs Tariff duties, these latter duties shall apply.

(bb) In the other cases, the Portuguese Republic shall apply a duty reducing the variation between the basic duties and the Common Customs Tariff duties in eight equal instalments of 12,5 % on the following dates:

- 1 March 1986,
- 1 January 1987,
- 1 January 1988,
- 1 January 1989,
- 1 January 1990,
- 1 January 1991,
- 1 January 1992.

The Portuguese Republic shall apply the Common Customs Tariff in its entirety from 1 January 1993.

- (b) Without prejudice to point 4, oil seeds and oleaginous fruit and products derived therefrom falling under Regulation No 136/66/EEC — except for vegetable oils, other than olive oil, intended for human consumption — for which, so that the Common Customs Tariff may be progressively introduced, the Portuguese Republic shall amend its tariff applicable to third countries as follows:

- (aa) For the tariff headings for which the basic duties do not vary by more than 15 % from the Common Customs Tariff duties, these latter duties shall apply.

- (bb) In the other cases, the Portuguese Republic shall apply a duty reducing the variation between the basic duty and the Common Customs Tariff duty in accordance with the following timetable:

- on 1 March 1986, the variation shall be reduced to 90,9 % of the initial variation,
- on 1 January 1987, the variation shall be reduced to 81,8 % of the initial variation,
- on 1 January 1988, the variation shall be reduced to 72,7 % of the initial variation,
- on 1 January 1989, the variation shall be reduced to 63,6 % of the initial variation,
- on 1 January 1990, the variation shall be reduced to 54,5 % of the initial variation,
- on 1 January 1991, the variation shall be reduced to 45,4 % of the initial variation,
- on 1 January 1992, the variation shall be reduced to 36,3 % of the initial variation,
- on 1 January 1993, the variation shall be reduced to 27,2 % of the initial variation,
- on 1 January 1994, the variation shall be reduced to 18,1 % of the initial variation,

- on 1 January 1995, the variation shall be reduced to 9 % of the initial variation.

The Portuguese Republic shall apply the Common Customs Tariff in its entirety from 1 January 1996.

- (c) Without prejudice to point 4, for vegetable oils, other than olive oil, intended for human consumption, the Portuguese Republic shall apply unchanged its basic duties throughout the period of application in Portugal of certain control mechanisms referred to in Article 292.

On the expiry of that period, the Portuguese Republic shall amend its tariff applicable to third countries as follows:

- (aa) For the tariff headings for which the basic duties do not vary by more than 15 % from the Common Customs Tariff duties, the latter duties shall apply.

- (bb) In the remaining cases, the Portuguese Republic shall reduce the variation between the basic duties and the Common Customs Tariff duties according to the following timetable:

- on 1 January 1991, the variation shall be reduced to 83,3 % of the initial variation,
- on 1 January 1992, the variation shall be reduced to 66,6 % of the initial variation,
- on 1 January 1993, the variation shall be reduced to 49,9 % of the initial variation,
- on 1 January 1994, the variation shall be reduced to 33,2 % of the initial variation,
- on 1 January 1995, the variation shall be reduced to 16,5 % of the initial variation.

The Portuguese Republic shall apply the Common Customs Tariff in its entirety from 1 January 1996.

3. Within the meaning of points 1 and 2, the basic duty shall be that defined in Article 189.

4. For products subject to the common organization of markets, it may be decided, following the procedure laid down in Article 38 of Regulation No 136/66/EEC or, as the case may be, in the corresponding Articles of other Regulations setting up the common organization of agricultural markets, that:

- (a) the Portuguese Republic, at its request, shall:
- abolish the customs duties referred to in point 1 (b), (c) and (d) or move towards the alignment referred to in point 2 (a), (b) and (c) at a more rapid rate than laid down therein,

- suspend in whole or in part the customs duties referred to in point 1 (b), (c) and (d) applicable to products imported from the present Member States,
- suspend in whole or in part the customs duties on products imported from third countries as referred to in point 2 (a), (b) and (c):

(b) the Community as at present constituted shall:

- abolish the customs duties referred to in point 1 (a), (c) and (d) at a more rapid rate than laid down therein,
- suspend in whole or in part the customs duties referred to in point 1 (a), (c) and (d) applicable to products imported from Portugal.

For products which are not subject to the common organization of markets:

- (a) no decision is required for the Portuguese Republic to apply the measures referred to in the first and second indents of point (a) of the first subparagraph; the Portuguese Republic shall inform the other Member States and the Commission of the measures taken;
- (b) the Commission may suspend in whole or in part the customs duties applicable to products imported from Portugal.

The customs duties resulting from an accelerated alignment or the suspended customs duties may not be less than the customs duties on imports of the same products from other Member States.

#### *Article 244*

1. In trade between Portugal and the other Member States and between Portugal and third countries the system applicable in the Community as at present constituted in respect of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect shall apply in Portugal from 1 March 1986, subject to any provision to the contrary in this Chapter in respect of products covered, on the date of accession by the common organization of markets.

2. In respect of products not covered, on 1 March 1986, by the common organization of markets, the abolition of charges having equivalent effect to customs duties and of quantitative restrictions and measures having equivalent effect shall take place on that date, unless they form an integral part of a national market organization in Portugal or in another Member State on the date of accession.

This provision shall apply only until the common organization of the market for these products is imple-

mented and not later than 31 December 1995 and to the extent strictly necessary to ensure the maintenance of the national organization.

3. The Portuguese Republic shall apply the Common Customs Tariff nomenclature as from 1 March 1986.

To the extent that no difficulties arise in the application of the Community rules and, in particular, in the functioning of the common organization of markets and of the transitional mechanisms provided for in this Chapter, the Council, acting by a qualified majority on a proposal from the Commission, may authorize the Portuguese Republic to include within this nomenclature such existing national subdivisions as would be indispensable for carrying out the progressive moves towards alignment with the Common Customs Tariff or the elimination of the duties in the Community under the conditions laid down in this Act.

#### *Article 245*

1. Until 31 December 1992, the Portuguese Republic may apply quantitative restrictions to the import from third countries of products referred to in Annex XXI.

2. (a) The quantitative restrictions referred to in paragraph 1 shall consist of annual quotas opened without discrimination between economic operators.

(b) The initial quota in 1986 for each product, expressed, as the case may be, in ECU, shall be fixed:

- either at 3 % of the average of Portuguese annual production over the last three years before accession for which statistics are available,
- or at the average of Portuguese imports realized over the last three years before accession for which statistics are available, if this latter criterion were to lead to a higher volume or amount.

3. The minimum rate of progressive increase of the quotas shall be 20 % at the beginning of each year with respect to the quotas expressed in terms of value, and 15 % at the beginning of each year with respect to the quotas expressed in terms of volume.

The increase shall be added to each quota and the subsequent increase shall be calculated on the basis of the total figure obtained.

4. Where imports made to Portugal over two consecutive years are less than 90 % of the annual quota opened, the quantitative restrictions in force in Portugal shall be abolished.

5. For the period 1 March to 31 December 1986 the applicable quota shall be equal to the initial quota reduced by one-sixth.

#### Sub-section 4

#### Aid

#### Article 246

1. The provisions of this Article shall apply to aid, premiums or other similar amounts set up under the common agricultural policy in respect of which reference is made to this Article in Section IV.

2. For the purposes of applying Community aid in Portugal, the following provisions shall apply:

(a) The level of Community aid to be granted for a given product in Portugal from 1 March 1986 shall be equal to an amount defined on the basis of aids granted by the Portuguese Republic, during a representative period to be determined, under the previous national arrangements. However, that amount may not exceed the amount of aid granted on 1 March 1986 to the Community as at present constituted. If no similar aid was granted under the previous national arrangements, and subject to the following provisions, no aid shall be granted in Portugal on 1 March 1986.

(b) At the start of the first marketing year or, in the absence thereof, during the first period of application of the aid following accession:

- either Community aid shall be introduced in Portugal at a level representing one-seventh of the amount of Community aid applicable for the ensuing marketing year or period,
- or the level of Community aid in Portugal shall, where a difference exists, be aligned on the level of aid applicable in the Community as at present constituted for the ensuing marketing year or period by one-seventh of the difference existing between those two aids.

(c) At the start of the following marketing years or periods of application, the level of Community aid in Portugal shall be aligned on the level of aid applicable in the Community as at present constituted for the ensuing marketing year or period successively by one-sixth, one-fifth, one-quarter, one-third and half the difference existing between those two aids.

(d) The level of Community aid shall be applied in its entirety in Portugal at the start of the seventh mar-

keting year or period of application of the aid following accession.

#### Article 247

1. Without prejudice to Article 246, the Portuguese Republic shall be authorized to maintain national aids, the abolition of which would not fail to have serious consequences for both producer and consumer prices. However, such aids can only be maintained on a transitional and, in principal, degressive basis, until not later than the end of the period of application of the transitional measures.

2. The Council, acting in accordance with Article 258, shall adopt the necessary measures for the implementation of the provisions of this Article. These measures shall include, in particular, the list and the exact wording of the aids referred to in paragraph 1, the amount of the aids, the timetable of their abolition, any degressivity scale and the detailed rules necessary to ensure the proper functioning of the common agricultural policy; these detailed rules must, in addition, ensure equal access to the Portuguese market.

3. Should the need arise, a derogation may be made, during the period of application of the transitional measures, from the degressivity scale referred to in paragraph 2.

#### Article 248

1. In exceptional and duly substantiated cases, the Portuguese Republic shall be authorized to reintroduce, chargeable to its budget, temporary production aids, provided that such aids were granted under the previous national arrangements and that abolition thereof before accession proves to have had serious consequences on production.

2. The national aids referred to in paragraph 1 may only be re-introduced on a temporary and, in principle, degressive basis until the end of the period of application of the transitional measures at the latest.

The Council, acting by a qualified majority on a proposal from the Commission shall adopt, where necessary, the necessary measures which should contain the same detailed rules and elements as those referred to in Article 247 (2).

#### Sub-section 5

#### Supplementary trade mechanism

#### Article 249

1. A supplementary mechanism applicable to trade between the Community as at present constituted and

Portugal shall be set up, hereinafter referred to as 'the STM' (supplementary trade mechanism).

The STM shall apply from 1 March 1986 to 31 December 1995.

2. Products appearing on the list in Annex XXII shall be subject to the STM.

The list referred to in Annex XXII may be supplemented, in accordance with the procedure laid down in Article 250, during the first three years following accession.

3. The Commission shall submit at the beginning of each year a report to the Council on the functioning of the STM during the previous year.

#### Article 250

1. An *ad hoc* Committee shall be established consisting of representatives of the Member States and chaired by a representative of the Commission.

2. Within the *ad hoc* Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the EEC Treaty. The chairman shall not vote.

3. Where the procedure laid down in this Article is referred to, the chairman shall forthwith refer the matter to the Committee, either on his own initiative or at the request of a Member State.

4. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on those measures within a time-limit set by the chairman according to the urgency of the issues submitted to him for examination. The Committee shall take a decision by a majority of 54 votes.

5. The Commission shall adopt measures and shall apply them immediately where they are in accordance with the opinion of the Committee. If they are not in accordance with the opinion of the Committee, or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall adopt the measures on a qualified majority.

If, on the expiry of one month from the date on which the matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately, save in the case where the Council has decided by a simple majority against the said measures.

#### Article 251

1. As a general rule, at the start of each marketing year, a forward estimate shall be drawn up, in accordance with the procedure set out in Article 38 of Regulation No 136/66/EEC or, as the case may be, in the corresponding Articles of the other Regulations on the

common organization of agricultural markets, for each of the products or groups of products subject to the STM.

This estimate shall be drawn up on the basis of production and consumption estimates in Portugal or in the Community as at present constituted; on the basis of this estimate, a forward timetable shall be drawn up for the marketing year in question in accordance with the same procedure on development in trade and on fixing a target import ceiling in the market in question.

For the period 1 March 1986 until the beginning of the 1986/87 marketing year, for each of the products or groups of products, a specific estimate shall be drawn up.

2. The successive fixings of target ceilings must reflect a certain progress in relation to traditional trade flows, so as to ensure a harmonious and gradual opening up of the market and the full realization of free movement within the Community on the expiry of the period of application of transitional measures.

To that end, an annual rate of progress for the ceiling shall be determined in accordance with the procedure referred to in paragraph 1. Within the framework of the overall target ceiling, ceilings may be fixed corresponding to the different periods of the marketing year in question.

#### Article 252

1. Should the examination of developments in intra-Community trade show that a significant increase in imports has taken place or is forecast and if that situation should result in the target import ceiling for the product being reached or exceeded for the current marketing year or part thereof, the Commission, at the request of a Member State or on its own initiative, shall decide, in accordance with emergency procedures, on:

- the interim protective measures that are necessary and which shall apply until the entry into force of the definitive measures provided for in paragraph 3,
- convening the Management Committee of the sector concerned, with a view to examining appropriate measures.

2. Should the situation referred to in paragraph 1 cause a serious disturbance on the market, a Member State may request the Commission to take the interim protective measures referred to in paragraph 1 immediately. To that end the Commission shall take a decision within 24 hours of receiving the request.

Should the Commission not take a decision within that period, the requesting Member State may take interim protective measures, which shall be immediately notified to the Commission.

These measures shall remain applicable until such time as the Commission has acted on the request referred to in the first subparagraph.

3. Definitive measures shall be adopted as soon as possible following the procedure set out in Article 38 of Regulation No 136/66/EEC or, as the case may be, in the corresponding Articles of other Regulations on the common organization of agricultural markets.

These measures may include, in particular:

- (a) the revision of the target ceiling, if the market in question has not suffered significant disturbances following the development of imports;
- (b) based on the seriousness of the situation, assessed in particular on the basis of the trend in market prices and in the quantities which form the subject of trade, the limitation or suspension of imports on to the market of the Community as at present constituted or on to the Portuguese market.

The restrictive measures referred to in (b) may be taken only to the extent, and for such time as is strictly necessary, to put an end to the disturbance. With regard to the Community as at present constituted, those measures may be limited to imports intended for certain of its regions, provided that they include appropriate provisions to avoid deflections of trade.

4. The application of the STM may in no event lead to products coming from Portugal or from the Community as at present constituted being treated in a less favourable manner than those coming from third countries benefiting from the most-favoured-nation clause, which are sold in the regions concerned.

#### Sub-section 6

#### Other provisions

#### *Article 253*

In order to improve the structural situation in Portugal the following measures shall apply:

- (a) the implementation, from the interim period, of definite preparatory measures for adopting and applying the 'acquis communautaire' particularly in the field of production, processing and marketing structures and in that of producers' associations;

- (b) the application in Portugal, from the date of accession, of Community rules in the socio-structural field including those relating to producers' associations;

- (c) the extension, to the advantage of Portugal, within the framework of the rules referred to in (b), of the most favourable specific provisions existing at that date, in horizontal Community rules, to the least-favoured areas of the Community as at present constituted;

- (d) in addition, the implementation of additional structural measures in favour of Portugal in the form of a specific programme for the development of Portuguese agriculture.

The Council, acting under the conditions laid down in Article 258, shall adopt, if necessary, the measures or the detailed rules of such measures referred to in the first paragraph.

#### *Article 254*

Any stock of products in free circulation in Portuguese territory on 1 March 1986 which in quantity exceeds what may be considered representative of a normal carry-over stock must be eliminated by and at the expense of the Portuguese Republic under Community procedures to be specified, and within the time-limits to be determined, under the conditions provided for in Article 258. The concept of normal carry-over stock shall be defined for each product on the basis of the criteria and objectives particular to each common organization of the markets.

#### *Article 255*

In fixing the level of the various amounts laid down within the common agricultural policy, except for the prices referred to in Article 236, account shall be taken of the compensatory amount applied or, in the absence thereof, of the difference in prices recorded or economically justified and, where appropriate, of the incidence of customs duties, except in the following circumstances:

- where there is no likelihood that trade will be disturbed, or
- where the smooth running of the common agricultural policy requires that this amount, difference or incidence be not taken into account or renders such taking into account undesirable.

#### *Article 256*

1. The Council, acting in accordance with the conditions provided for in Article 258, shall adopt the arrangements applicable by the Portuguese Republic with regard to the Kingdom of Spain.

2. The measures made necessary in trade between the new Member States and the Community as at present constituted, for the implementation of the arrangements referred to in paragraph 1, shall be adopted, as



the case may be, under the conditions laid down in Article 258 or following the procedure laid down in Article 234 (2).

#### *Article 257*

1. If transitional measures are necessary to facilitate the passage from the existing arrangements in Portugal to those resulting from the application of the common organization of the markets as provided for in this Title, particularly if for certain products the implementation of the new arrangements on the scheduled date meets with appreciable difficulties in the Community, such measures shall be adopted following the procedure provided for in Article 38 of Regulation No 136/66/EEC or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets. Such measures may be taken during the period up to 31 December 1987, but their application may not extend beyond that date (1).

2. The Council may, acting unanimously on a proposal from the Commission and after consulting the European Parliament, extend the period referred to in paragraph 1.

#### *Article 258*

1. The transitional measures relating to the application of acts concerning the common agricultural policy and not specified in this Act, including the field of structures, which are rendered necessary by the accession shall be adopted before accession in accordance with the procedure laid down in paragraph 3 and shall enter into force on the date of accession at the earliest.

2. The transitional measures referred to in paragraph 1 shall be those indicated in Articles 247, 253, 254, 256, 263 (2) and 280.

3. The Council, acting by a qualified majority on a proposal from the Commission, or the Commission, deciding in accordance with the procedure referred to in Article 257 (1), shall adopt the transitional measures referred to in paragraph 1 of this Article depending on which of those institutions adopted the initial acts, affected by those measures.

### Section III

#### Transition by stages

##### Sub-section 1

#### Scope

#### *Article 259*

1. Products falling within the following acts shall be subject to a transition by stages:

(1) EDITORIAL NOTE:  
By Council Regulation (EEC) No 4007/87 of 22 December 1987 (OJ of the EC, No L 378 of 31 December 1987), the period referred to in paragraph 1 was extended for Portugal until 31 December 1990.

— Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products,

— Regulation (EEC) No 805/68 on the common organization of the market in beef and veal,

— Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables,

— Regulation (EEC) No 2727/75 on the common organization of the market in cereals,

— Regulation (EEC) No 2759/75 on the common organization of the market in pigmeat,

— Regulation (EEC) No 2771/75 on the common organization of the market in eggs,

— Regulation (EEC) No 2777/75 on the common organization of the market in poultrymeat,

— Regulation (EEC) No 1418/76 on the common organization of the market in rice,

— Regulation (EEC) No 337/79 on the common organization of the market in wine.

2. Glucose and lactose falling under Regulation (EEC) No 2730/75 and ovalbumin and lactalbumin falling under Regulation (EEC) No 2783/75 shall be subject to the same transitional arrangements as those applicable to the corresponding agricultural products.

#### *Article 260*

1. The transition by stages shall consist of two periods of five years:

— the first stage shall begin on 1 March 1986 and end on 31 December 1990,

— the second stage shall begin on 1 January 1991 and end on 31 December 1995.

The transition from the first to the second stage shall take place automatically.

2. Notwithstanding paragraph 1, the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, may reduce the length of the first stage to a period of three years expiring on 31 December 1988. In that case,

the second stage shall begin on 1 January 1989 and end on 31 December 1995.

## Sub-section 2

### First stage

#### A. Portuguese domestic market

##### Article 261

1. During the first stage, the Portuguese Republic shall be authorized to maintain, for the products referred to in Article 259, the rules in force under its previous national arrangements for the organization of its domestic agricultural market, under the conditions laid down in Articles 262 to 265 and subject to the special provisions of the section concerning certain products.

2. As a consequence thereof, and by way of derogation from Article 394, the application to Portugal of the Community rules on the organization of the internal market shall be postponed until the end of the first stage.

Furthermore, and unless provision is made otherwise in specific cases, the application to the Community as at present constituted and to Portugal of amendments made to the Community rules under Article 396 shall be postponed until the end of the first stage.

##### Article 262

In order that Portuguese agriculture may be harmoniously integrated into the framework of the common agricultural policy at the end of the first stage, the Portuguese Republic shall progressively adjust the organization of its market on the basis of a certain number of general objectives supplemented by variable specific objectives according to the sectors concerned.

##### Article 263

1. The general objectives referred to in Article 262 consist in achieving:

- an appreciable improvement in the conditions of production, processing and marketing of agricultural products in Portugal,
- an overall improvement in the structural situation of the Portuguese agricultural sector.

2. In order to further the achievement of the general objectives, the following measures shall apply for the products referred to in Article 259:

- (a) the implementation, from the interim period, of concrete preparatory measures for adopting and

applying the 'acquis communautaire' particularly in the field of production, processing and marketing structures and in that of producers' organizations;

- (b) the application in Portugal, from the date of accession, of Community rules in the socio-structural field, including those relating to producers' organizations;
- (c) the extension, to the advantage of Portugal, within the framework of the rules referred to under (b), of the most favourable specific provisions existing at that date, in horizontal Community rules, to the least-favoured areas of the Community as at present constituted;
- (d) in addition, the implementation of structural measures in favour of Portugal in the form of a specific programme for the development of Portuguese agriculture.

The Council, acting under the conditions laid down in Article 258, shall adopt, if necessary, the measures or the detailed rules of such measures referred to in the first paragraph.

##### Article 264

1. The specific objectives referred to in Article 262 appear, according to the product sector concerned, in Section V.

- 2. (a) For the purposes of achieving the specific objectives, the Commission shall draw up during the interim period, in close cooperation with the Portuguese authorities, an action programme.

(b) Thereafter the Commission shall follow closely the development of the situation in Portugal in the light of:

- progress made towards achievement of the set objectives,
- results obtained through the implementation of horizontal specific structural measures.

(c) The Commission shall express its opinion on this development in reports which it shall forward to the Council:

- at the end of the interim period with a view to establishing a record of the developments that occurred before the date of accession,
- in good time before the end of the third year following accession,
- at any other time it may deem it useful or necessary.

(d) Taking into account, in particular, Council discussions on the reports referred to in (c), the Commission may formulate, if necessary, recommendations to the Portuguese Republic with regard to measures which should be taken with a view to achieving the objectives in question.

## Article 265

During the first stage the Portuguese Republic shall apply the following disciplines:

### 1. A price discipline:

(a) Where Portuguese prices, expressed in ECU, are less than or equal to the common prices:

— without prejudice to price harmonization in the milk and milk products sector referred to in Article 309 (d), annual increases in prices may not exceed, in value, the increase in common prices,

— however:

(aa) in the event that Portuguese prices are lower than the common prices and where, in accordance with the aid discipline referred to in point 2, the abolition of certain aids — either granted directly to products at primary production level, or granted to the means of production — leads to a reduction in income for Portuguese producers, an increase supplementary to that referred to in the first indent, limited to the impact, on the producers' income, of the abolished aids, may be applied <sup>(1)</sup>;

(bb) with regard to products falling within heading No 22.05 of the Common Customs Tariff, for which institutional prices are fixed, the annual increase in Portuguese prices may reach, without exceeding it, the level of the instalment resulting from a price alignment made over 10 years.

In no event may Portuguese prices exceed the level of common prices.

For the purposes of applying the price discipline defined in this paragraph (a), the level of Portuguese prices to be taken into account in the first marketing year following accession shall be the level of Portuguese prices fixed for the 1985/86 marketing year, converted into ECU at the rate valid at the start of that marketing year for the products in question.

(b) Should the length of the first stage not be reduced in accordance with Article 260 (2), and where Portuguese prices are less than common prices, the Portuguese Republic shall, during the fifth year of the first stage, at the start of

the marketing year of the product in question, make a price alignment move towards the level of common prices applicable for the same year, following detailed rules to be determined.

To that end, the Portuguese prices to be aligned shall be the prices expressed in ECU, at the level reached on 31 December 1989, in accordance with the rules of the price discipline referred to in paragraph (a).

(c) Where the level reached by Portuguese prices for the 1985/86 marketing year, expressed in ECU by means of the conversion rate which was valid at the start of the marketing year of the product concerned, is higher than the level of the common prices, the level of the Portuguese prices may not be increased in relation to its previous level.

Furthermore, if the Portuguese prices, expressed in ECU, fixed under the previous national arrangements for the 1985/86 marketing year, lead to the variation existing for the 1984/85 marketing year between the Portuguese prices and the common prices being exceeded, the Portuguese Republic shall fix its prices for subsequent marketing years in such a way that this variation is totally absorbed during the first seven marketing years following accession.

Furthermore, Portugal shall adjust its prices to the extent necessary to avoid an increase in the variation between its prices and the common prices.

(d) The Commission shall ensure the observance of the rules referred to above. Any price movement overrun which may arise therefrom shall not be taken into consideration when determining the price level to be adopted as the starting level for moves towards price alignment during the second phase referred to in Article 285.

### 2. An aid discipline:

Under this discipline, and without prejudice to Article 248, the Portuguese Republic shall be authorized to maintain its national aid during the first stage.

However, during that period, the Portuguese Republic shall ensure that a certain dismantling of national aid, which does not comply with Community law, takes place and that the Community aid plan is progressively introduced in the organization of its domestic market without the level of that aid exceeding the common level.

### 3. A production discipline:

Under this discipline the Portuguese Republic shall take the necessary measures to avoid a situation

<sup>(1)</sup> Article 265, point 1 (a), second indent, (aa), as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

whereby, in sectors for which Community regulations establish production discipline rules:

- any production increases occurring in its territory during the first stage lead to a worsening of the overall Community production situation,
- the adoption of the 'acquis communautaire' from the start of the second phase is made more difficult.

#### *Article 266*

1. Before the end of the first stage at the latest:
  - the Commission shall, if necessary, forward a report to the Council, together with proposals, on the development of the situation in one or several sectors referred to in Article 259 in relation to the objectives set for the duration of the first stage,
  - the Council, acting unanimously on proposals from the Commission and after consulting the European Parliament, shall decide on any necessary adjustments to the transition procedure within the maximum period of 10 years laid down for the application of the transitional measures, and for such period of time as is strictly necessary in order to ensure the functioning of the common organization of the markets.
2. Paragraph 1 shall not affect the automatic nature of the transition from the first to the second stage provided for in Article 260(1) and may not lead to an amendment of Articles 371 to 375.

#### *B. Arrangements applicable in trade between the Community as at present constituted and Portugal*

#### *Article 267*

Subject to Articles 268 to 276 and Section V, the Portuguese Republic shall be authorized to apply in its trade with the Community as at present constituted, during the first stage and for the products referred to in Article 259, the arrangements in force before its accession for that trade, both with regard to imports and exports.

#### *Article 268*

1. Subject to paragraph 2, the Portuguese Republic shall eliminate, from 1 March 1986, any levy of customs duties and of charges having equivalent effect on the import of products from the Community as at present constituted.

2. For the products referred to in Article 259, for which imports from third countries into the Community as at present constituted are subject to the application of customs duties, the following provisions shall apply with a view to a progressive abolition of those duties over the first and second stages:

- (a) Customs duties applicable to imports into the Community as at present constituted of products from Portugal shall be abolished in accordance with the following timetable:
  - on 1 March 1986, each duty shall be reduced to 88,9 % of the basic duty,
  - on 1 January 1987, each duty shall be reduced to 77,8 % of the basic duty,
  - on 1 January 1988, each duty shall be reduced to 66,7 % of the basic duty,
  - on 1 January 1989, each duty shall be reduced to 55,6 % of the basic duty,
  - on 1 January 1990, each duty shall be reduced to 44,5 % of the basic duty,
  - on 1 January 1991, each duty shall be reduced to 33,4 % of the basic duty,
  - on 1 January 1992, each duty shall be reduced to 22,3 % of the basic duty,
  - on 1 January 1993, each duty shall be reduced to 11,2 % of the basic duty,
  - on 1 January 1994, every duty shall be abolished.

However:

- for quality liqueur wines produced in specified regions, falling within heading No 22.05 of the Common Customs Tariff, the Community as at present constituted shall reduce its basic duties in three instalments in accordance with the following timetable:
  - on 1 March 1986, each duty shall be reduced to 66,7 % of the basic duty,
  - on 1 January 1987, each duty shall be reduced to 33,4 % of the basic duty,
  - on 1 January 1988, every duty shall be abolished,
- for 'vinhos verdes' and Dão wines falling within heading No 22.05 of the Common Customs Tariff, the Community as at present constituted shall reduce its basic duties in four equal successive instalments of 25 % on the following dates:
  - 1 March 1986,
  - 1 January 1987,
  - 1 January 1988,
  - 1 January 1989,
- for other wines treated in the same way as quality wines psr, falling within heading No

22.05 of the Common Customs Tariff, the Community as at present constituted shall reduce its basic duties in six instalments in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 83,3 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 66,6 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 49,9 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 33,2 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 16,5 % of the basic duty,
- on 1 January 1991, every duty shall be abolished.

(b) Customs duties applicable to imports into Portugal of products referred to in Article 259 from the Community as at present constituted shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 90,9 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 81,8 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 72,7 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 63,6 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 54,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 45,4 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 36,3 % of the basic duty,
- on 1 January 1993, each duty shall be reduced to 27,2 % of the basic duty,
- on 1 January 1994, each duty shall be reduced to 18,1 % of the basic duty,
- on 1 January 1995, each duty shall be reduced to 9 % of the basic duty,
- on 1 January 1996, every duty shall be abolished.

However:

- where, during the first stage, for one of the products referred to in Annex XXIII, a ceiling is placed on the duty resulting from the application of the preceding subparagraph in accordance with Article 191 at the level of duty applicable on import into Portugal from a third country benefiting from the most-favoured nation clause, and
- where the situation persists at the beginning of the second stage,

the progressive abolition of the residual duty shall take place during the second stage starting from the level of duty actually applied at the beginning of the second stage in accordance with a timetable to be determined.

3. Within the meaning of paragraphs 1 and 2, the basic duty shall be that defined in Article 189.

However:

- for the application of paragraph 2 (b), and with the exception of the basic duty applicable to products referred to in Annex XXIII, the basic duty may not exceed the level of the Common Customs Tariff duty,
- for quality liqueur wines produced in specified regions for 'vinhos verdes' and Dão wines, the basic duties shall be those actually applied under the tariff quotas of the previous arrangements. The tariff quotas applied under these previous arrangements shall be abolished from 1 March 1986.

4. The provisions of Article 243 (4) shall apply *mutatis mutandis* during the period of abolition of the customs duties referred to in paragraph 2. However, where Article 243 (4) makes provision, with regard to the Portuguese Republic, for a decision following the procedure described in the first subparagraph of that paragraph, the Portuguese Republic may act without that procedure; in that case it shall inform the other Member States and the Commission of the measures taken.

Unless this Article or Article 243 (4) provide otherwise, Articles 189 to 195 shall also apply.

#### Article 269

1. Subject to paragraph 2, the Portuguese Republic shall, from 1 March 1986, eliminate the application of all quantitative restrictions and all measures having equivalent effect on imports of products referred to in Article 259 coming from the Community as at present constituted.

2. (a) Until the end of the first stage, the Portuguese Republic may maintain quantitative restrictions on imports coming from the Community as at present constituted of the products referred to in Annex XXIII.

(b) The quantitative restrictions referred to in (a) shall consist of annual quotas opened without discrimination between economic operators.

The initial quota in 1986 for each product, expressed as the case may be in terms of volume or in ECU, shall be fixed:

- either at 3 % of the average of Portuguese annual production during the last three years before accession for which statistics are available,

— or at the average of Portuguese imports made over the last three years before accession for which statistics are available, where this criterion results in a greater volume or amount.

- (c) The minimum rate of progressive increase of the quotas shall be 15 % at the beginning of each year with respect to the quotas expressed in terms of value, and 10 % at the beginning of each year with respect to the quotas expressed in terms of volume.

The increase shall be added to each quota and the following increase shall be calculated on the basis of the total figure obtained.

- (d) Where imports into Portugal during two consecutive years are less than 90 % of the annual quota opened, Portugal shall abolish the quantitative restrictions in force.
- (e) For the period running from 1 March to 31 December 1986 the applicable quota shall be equal to the initial quota reduced by one-sixth.

#### *Article 270*

1. During the first stage, the Portuguese Republic shall apply to the import of products referred to in Article 259 from the Community as at present constituted a system of price equalization or, of specific protection, such as that laid down by Community rules for imports from third countries. This system must be based on criteria identical to those adopted by Community rules to determine the parameters of price equalization or of the level of specific protection.

2. For those of the products referred to in Article 259 which are not subject to restrictions in trade between Portugal and the present Member States or between Portugal and third countries under Articles 269 and 280, respectively, the Portuguese Republic may apply until 31 December 1988 a system of statistical information prior to import. However, this system, which includes the issue of a national import document, must provide for the automatic issue of that document within a time limit of four working days from the date of lodging the request; should the document not be delivered within the set time-limit, the import may take place without let or hindrance.

Within the framework of the report referred to in the second indent of Article 264 (2) (c), the Commission shall, where appropriate, submit proposals to the Council regarding the retention of that system during the remaining period of the first stage for products for which such retention proves necessary.

3. The Portuguese Republic shall communicate to the Commission, at the latest three months before the date of accession, the detailed rules of the systems referred to in paragraphs 1 and 2.

After having examined it, the Commission shall forward this communication to the other Member States.

#### *Article 271*

During the first stage, the Portuguese Republic may grant, for the products referred to in Article 259 exported to the present Member States, export aids or subsidies.

However, the amount of any such aids or subsidies shall be limited to not more than the variation between prices recorded in Portugal and in the Community as at present constituted and, where appropriate, to the amount of customs duty.

Such aids or subsidies may not be fixed until the consultation procedure referred to in Article 276 has taken place.

#### *Article 272*

1. During the first stage and subject to the provisions of Articles 268 (2) (a) and 316, the Community as at present constituted shall apply to the import of products referred to in Article 259 from Portugal the arrangements that it applied to Portugal before accession.

2. However, for products subject to a Community system of import levies, account shall be taken, when levies applicable to products imported from Portugal are fixed, of any price alignment that may have taken place and, where appropriate, the amount of national aid granted in Portugal.

3. In trade between the Community as at present constituted and third countries, during the first stage, statistics relating to the Portuguese market shall not be adopted for the purposes of calculating the common prices which serve to determine the amounts levied on imports.

#### *Article 273*

1. During the first stage, the fixed component intended to ensure the protection of the processing industry which forms part of the calculation of the charge on imports from third countries of products falling under the common organization of the markets in the cereals and rice sectors shall be levied on the import into Portugal of products coming from the present Member States.

2. Notwithstanding paragraph 1, the protection component to be levied during the first stage on the import into Portugal of the products referred to in Annex XXIV shall be fixed opposite each entry.

#### *Article 274*

1. Without prejudice to the application of the general protective clause referred to in Article 379, the Portuguese Republic shall be authorized to adopt protective measures against the import of products referred to in Article 259 coming from the present Member States under the conditions and on the basis of criteria comparable to those existing under the framework of each common organization of markets for the application of protective measures with regard to third countries.

2. The Portuguese Republic shall, without delay, notify the Commission of these measures so as to allow it to make, where appropriate, remarks as to the justification, the nature or the duration of the protective measures decided upon.

The procedure shall be without prejudice to the applicability of the means of redress provided under the EEC Treaty.

3. No protective measure may be adopted if, at least, the same measure is not, at the same time, applicable to imports into Portugal of the same products from third countries.

#### *Article 275*

1. During the first stage the Community as at present constituted shall apply to the export of products referred to in Article 259 to Portugal the arrangements that it applies to exports with regard to third countries.

2. However, the amount of any applicable refund shall be limited to not more than the variation between prices recorded in the Community as at present constituted and Portugal and, where appropriate, to the amount of customs duty.

Such refunds may not be fixed until the consultation procedure referred to in Article 276 has taken place.

3. The refunds referred to in this Article shall be financed by the Community under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### *Article 276*

The implementation by the Portuguese Republic of the aids or subsidies referred to in Article 271 or by the

Community of the refunds referred to in Article 275 shall be subject to prior consultations which shall take place in accordance with the following procedure:

1. Any proposal for fixing:

- a subsidy for exports from Portugal to the Community as at present constituted or to third countries, or
- a refund for exports from the Community as at present constituted to Portugal

shall form the subject of an exchange of views within the framework of periodical meetings of the Management Committee set up by the common organization of the market within which the product in question falls.

2. The Commission representative shall submit the proposal referred to in point 1 for examination; this examination shall concern itself in particular with the economic aspects of the envisaged exports and with the situation and the level of prices on the Portuguese market, on that of the Community as at present constituted and on the world market.

3. The Committee shall deliver an opinion on the proposal within a time-limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by a majority of 54 votes.

The opinion shall be forthwith forwarded to the authority competent for fixing, namely the Portuguese Republic or the Commission, as the case may be.

4. In the event of a negative opinion the competent authority:

- may not apply a fixing measure which does not comply with the opinion until after the expiry of a period of 10 working days calculated from the date on which the Committee delivered its opinion.
- shall immediately communicate the fixing measure to the Council, which may discuss it and recommend the competent authority to amend its fixing proposal or decision.

C. *Arrangements applicable in trade between Portugal and third countries*

#### *Article 277*

1. For the products referred to in Article 259 and, subject to Articles 278 to 282, the Portuguese Republic shall apply, from 1 March 1986, the Community rules on the arrangements applicable to importation into the

Community of products imported from third countries, as defined in Article 272 (3).

2. However, the levies applicable on import shall, where appropriate, be increased by the variation which exists between the prices applicable in Portugal and the common prices.

#### Article 278

1. The Portuguese Republic shall apply the Common Customs Tariff duties in their entirety from 1 March 1986 for the products referred to in Article 259 with the exception of products appearing in Annex XXV to which the Common Customs Tariff shall be applied at the beginning of the second stage at the latest.

2. Point 4 of Article 243 shall apply *mutatis mutandis* during the first stage to products appearing in Annex XXV.

Unless this Article or point 4 of Article 243 provides otherwise, Articles 197 to 201 shall also apply.

#### Article 279

The components intended to ensure the protection of the processing industry referred to in Article 273 and appearing in Annex XXIV shall replace, during the first stage, with regard to the charge levied by Portugal on imports from third countries, the Community protection component.

#### Article 280

Until 31 December 1995 the Portuguese Republic may maintain, in accordance with detailed rules to be determined by the Council acting under the conditions laid down in Article 258, quantitative restrictions on imports from third countries of the products referred to in Annex XXVI.

#### Article 281

Articles 270 (2) and 274 shall apply *mutatis mutandis* to trade between Portugal and third countries.

#### Article 282

The Portuguese Republic shall be authorized to postpone until the beginning of the second stage the progressive application to imports of preferences granted, unilaterally or by agreement, by the Community to certain third countries.

#### Article 283

1. For the products referred to in Article 259, and subject to paragraph 2 of this Article, the Portuguese Republic shall be authorized to maintain, during the first stage, for exports to third countries, the arrangements in force before its accession for such trade.

2. The amount of aid or subsidies granted, where appropriate, by the Portuguese Republic for exports to third countries must be limited to the amount that is strictly necessary in order to ensure the disposal of the product in question on the market of destination.

Such aid or subsidies may not be implemented until the procedure referred to in Article 276 has taken place. These consultations shall concern, in particular, the economic aspects of the envisaged exports, the prices adopted for their calculation and the situation of the markets of origin and of destination.

#### Sub-section 3

##### Second stage

#### Article 284

1. As from the second stage, Community rules relating to the products referred to in Article 259 shall apply in full subject to Articles 239, 240, 241, 242 (1), 249 to 253, 255, 256, 268, 279, 285 to 288 and to the specific provisions applicable to certain products, referred to in Section V.

2. However, the compensatory amount established in accordance with the rules of Article 240 shall, where appropriate, be corrected by the amount of national aid which the Portuguese Republic is authorized to maintain pursuant to Article 286.

#### Article 285

1. (a) Where, in accordance with Article 260 (1), the second stage is of five years' duration, the prices to be applied in Portugal shall be fixed, until the first of the moves towards alignment referred to in paragraph 2 of this Article, at the same level as that resulting from application of Article 265 (1).

(b) Where, in accordance with Article 260 (2), the second stage is of seven years' duration, the prices to be applied in Portugal shall be, until the first of the moves towards alignment referred to in paragraph 2 of this Article, the prices, expressed in ECU, fixed in accordance with the rules provided for under the common organization of the markets in the sector concerned, at the level reached on 31 December 1988 in accordance with the rules for prices discipline set out in point 1 of Article 265.



2. If application of paragraph 1 results in Portugal in a price level which is different from that of the common prices, the prices for which reference is made in Section V to this Article shall, subject to paragraph 6, be aligned on the common prices, each year at the beginning of the marketing year pursuant to paragraphs 3 and 4.

3. Where, for a given product, the price in Portugal is lower than the common price, the move towards alignment shall be carried out:

- in five years, when the second stage is of five years' duration; in this case, the price in Portugal shall be increased during the four first moves to alignment successively by one-fifth, one-quarter, one-third and by one-half of the difference between the level of the Portuguese price and the level of the common prices which are applicable before each move to alignment,
- in seven years, when the second stage is of seven years' duration; in this case, the price in Portugal shall be increased during the first six moves to alignment successively by one-seventh, one-sixth, one-fifth, one-quarter, one-third and by one-half of the difference between the level of the Portuguese price and the level of the common prices which are applicable before each move to alignment.

The price resulting from the calculation carried out under one of the foregoing two indents shall be increased or decreased in proportion to the increase or decrease, if any, in the common price for the marketing year to come.

The common price shall be applied in Portugal in 1995 at the beginning of the marketing year for the product concerned.

4. (a) Where, for a given product, the price in Portugal is higher than the common price, the price in that Member State shall be maintained at the level referred to in paragraph 1, with the move to alignment resulting from the development in common prices, as the case may be, over the five or seven years respectively of the second stage.

However, the price in Portugal shall be adjusted to the extent necessary to avoid any increase in the variation between this price and the common price.

Without prejudice to paragraph (b), the common price shall be applied in Portugal in 1995, at the beginning of the marketing year for the product concerned.

(b) Before the end of the eighth year following the date of accession, the Council shall carry out an analysis of the development in the moves to price alignment. To this end, the Commission shall forward to the Council, within the framework of the reports referred to in Article 264 (2) (c), an opinion accompanied, where appropriate, by adequate proposals.

If this analysis shows:

- that the variation between the Portuguese prices and the common prices, while being too great to be absorbed over the period still to be run for the move to the alignment of prices pursuant to paragraph 2, nevertheless appears capable of being made up within a limited period of time, the period of the move towards alignment of prices, as originally envisaged, may be extended; in this case, the prices shall be maintained at their previous level in accordance with the rule provided for in paragraph (a),
- that the variation between the Portuguese prices and the common prices is too great to be made up solely by extending the period of the move towards alignment of prices, as originally envisaged, a decision may be taken that, in addition to this extension, the move towards alignment will take place by a progressive lowering of the Portuguese prices, expressed in real terms, accompanied, if necessary, by indirect, temporary and degressive aid in order to mitigate the effect of the phased price reduction. Such aid shall be financed by the Portuguese budget.

The Council, acting on a qualified majority on a proposal from the Commission and after consulting the European Parliament, shall adopt the measures referred to in the previous subparagraph.

5. When, at the beginning of the second stage, it is noted that the variation between the level of the price for a product in Portugal and that of the common price does not exceed 3 % of the common price, the common price may be applied to Portugal for the product concerned.

6. In the interests of the harmonious operation of integration, it may be decided that, by way of derogation from paragraph 3, the price of one or more products for Portugal shall vary, for one marketing year, as compared with the prices resulting from application of this paragraph.

Such variation may not exceed 10 % of the amount of the price movement to be carried out.

In this case, the price level for the following marketing year shall be that which would have resulted from application of paragraph 3 had variation not been decided upon. However, for this marketing year, a new variation may be decided upon as compared with this level, under the conditions provided for in the first and second subparagraphs.

The derogation provided for in the first subparagraph shall not apply to the last move to alignment referred to in paragraph 3.

#### *Article 286*

1. From the beginning of the second stage the following provisions shall be applicable in Portugal:

- Article 244 (1), subject to Articles 268, 280 and 285 and to specific provisions applicable to certain products referred to in Section V,
- Article 247, with Council decisions being adopted according to the procedure referred to in Article 234 (2),
- Article 248,
- Article 254, with the date 1 March 1986 being replaced by that on which the second stage begins,
- Article 257, with the date 31 December 1987 being replaced by that of 31 December of the second year of the second stage.

2. The STM referred to in Article 249 shall apply under the conditions laid down in Articles 250 to 252 from the beginning of the second stage until 31 December 1995. The list of products to be submitted to the STM shall be drawn up before the end of the first stage. This list may be added to, in accordance with the procedure laid down in Article 250, during the first two years of the second stage.

At the beginning of each year, the Commission shall submit a report to the Council on the operation of the STM during the previous year.

3. The fixed components intended to ensure the protection of the processing industry referred to in Article 273 (1) and (2) shall be progressively abolished from the beginning of the second stage in accordance with the following timetable:

- on 1 January 1991, each fixed component shall be reduced to 83,3 % of the basic fixed component,
- on 1 January 1992, each fixed component shall be reduced to 66,6 % of the basic fixed component,
- on 1 January 1993, each fixed component shall be reduced to 49,9 % of the basic fixed component,
- on 1 January 1994, each fixed component shall be reduced to 33,2 % of the basic fixed component,
- on 1 January 1995, each fixed component shall be reduced to 16,5 % of the basic fixed component,
- on 1 January 1996, every fixed component shall be abolished.

#### *Article 287*

1. By way of derogation from Articles 240 (3) (b) and 284, in trade between Portugal and third countries, levies or other import charges applied under the common agricultural policy shall not be reduced by compensa-

tory amounts applicable in trade with the Community as at present constituted.

2. From the beginning of the second stage, the variation between the fixed components intended to ensure the protection of the processing industry referred to in Article 279 and those which form part of the calculation of the charge on imports from third countries shall be reduced in accordance with the same timetable as that given in Article 286 (3).

From 1 January 1996 the Portuguese Republic shall apply the fixed component intended to ensure the protection of the processing industry which forms part of the calculation of the charge on imports from third countries of products covered by the common organization of the markets in the cereals and rice sectors.

#### *Article 288*

Aid, premiums or other similar amounts instituted under the common agricultural policy for which reference is made to this Article in Section V shall be applied to Portugal according to the following provisions:

(a) The level of Community aid to be granted for a given product to Portugal at the beginning of the second stage shall be equal to the amount of the aid granted at the end of the first stage.

If no similar aid was granted during the first stage, and subject to the following provisions, no aid shall be granted to Portugal at the beginning of the second stage.

(b) At the beginning of the first marketing year or, failing this, of the first period of application of aid following the beginning of the second stage, the following conditions shall apply:

(aa) either Community aid shall be introduced in Portugal at a level which represents:

- a fifth of the amount of Community aid applicable for the coming marketing year or period when the second stage is of five years' duration,
- a seventh of the amount of Community aid applicable for the coming marketing year or period when the second stage is of seven years' duration;

(bb) or, Community aid for Portugal shall be, where there is a difference, aligned on the level of the aid applicable in the Community as at present constituted for the coming marketing year or period:

- by one-fifth of the difference which exists between these two types of aid when the second stage is of five years' duration,

- by one-seventh of the difference which exists between these two types of aid when the second stage is of seven years' duration.
- (c) At the beginning of the following marketing years or periods of application, the level of Community aid to Portugal shall be aligned on the level of the aid applicable in the Community as at present constituted, for the coming marketing year or period, successively:
- by one-quarter, one-third and by half the difference which exists between these two types of aid when the second stage is of five years' duration,
  - by one-sixth, one-fifth, one-quarter, one-third and by half the difference which exists between these two types of aid when the second stage is of seven years' duration.
- (d) The level of Community aid shall be applied in full to Portugal in 1995 at the beginning of the marketing year or period during which aid is applied.

#### *Article 289*

1. The Portuguese Republic shall apply progressively to imports, as from the beginning of the second stage, the preferences accorded, either autonomously or by agreement, by the Community to certain third countries.
2. To this end, the Portuguese Republic shall apply a duty reducing the variation between the rate of duty actually applied at the end of the first stage and the preferential rate of duty according to the following timetable:
  - (a) When the second stage is of five years' duration:
    - on 1 January 1991, the variation shall be reduced to 83,3 % of the original variation,
    - on 1 January 1992, the variation shall be reduced to 66,6 % of the original variation,
    - on 1 January 1993, the variation shall be reduced to 49,9 % of the original variation,
    - on 1 January 1994, the variation shall be reduced to 33,2 % of the original variation,
    - on 1 January 1995, the variation shall be reduced to 16,5 % of the original variation.
  - (b) When the second stage is of seven years' duration:
    - on 1 January 1989, the variation shall be reduced to 87,5 % of the original variation,
    - on 1 January 1990, the variation shall be reduced to 75 % of the original variation,

- on 1 January 1991, the variation shall be reduced to 62,5 % of the original variation,
  - on 1 January 1992 the variation shall be reduced to 50 % of the original variation,
  - on 1 January 1993, the variation shall be reduced to 37,5 % of the original variation,
  - on 1 January 1994, the variation shall be reduced to 25 % of the original variation,
  - on 1 January 1995, the variation shall be reduced to 12,5 % of the original variation.
- (c) The Portuguese Republic shall apply the preferential rates in full on 1 January 1996.

#### Section IV

#### Provisions relating to certain common organizations of markets subject to classic transition

#### Sub-section 1

#### Oils and fats

#### *Article 290*

1. For olive oil, Articles 236 and 240 shall apply to the intervention price.
2. During the transitional period of 10 years, the price thus fixed for Portugal shall be aligned on the level of the common price each year at the beginning of each marketing year in accordance with the following procedures:
  - Until the entry into force of the adjustment of the 'acquis communautaire', the price in Portugal shall be aligned each year by one-twentieth of the original variation between this price and the common price.
  - As from the entry into force of the adjustment of the 'acquis communautaire', the price in Portugal shall be corrected by the difference between the price in this Member State and the common price, as applicable before each move towards alignment, divided by the number of marketing years still to run until the end of the period of application of the transitional measures; the price resulting from this calculation shall be adapted in proportion to any change in the common price for the marketing year to come.
3. The Council, acting in accordance with the procedure provided for in Article 43 (2) of the Treaty establishing the European Economic Community, shall note that the condition required for the application of the second indent of paragraph 2 of this Article is fulfilled. The move towards alignment of the price shall be effected in accordance with the said provision, as from the beginning of the marketing year following this finding.

4. The compensatory amount resulting from application of Article 240 shall be adapted, should the need arise, on the basis of the difference between Community aid for consumption applicable in the Community as at present constituted and in Portugal.

#### Article 291

1. Article 236 shall apply to the target price for sunflower seeds.

For colza and rape seeds, for soya beans and linseed, the target or guide price applicable in Portugal on 1 March 1986 shall be fixed on the basis of the variation existing between the prices of competitive products in rotation cropping in Portugal and in the Community as at present constituted, over a reference period to be determined. However, the target or guide price to be applied to Portugal may not be higher than the common price.

2. For the period during which the transitional measures are applied, the prices thus fixed for Portugal shall be aligned on the level of the common prices each year at the beginning of the marketing year. The move towards alignment shall take place in 10 stages, Article 238 being applied *mutatis mutandis*.

3. The intervention prices of colza, rape and sunflower seeds and the minimum price of soya beans, applicable in Portugal, shall be derived respectively from the target price and the guide price, as referred to in paragraphs 1 and 2, in accordance with the provisions of the common organization of the market concerned.

4. Until 31 December 1990, in trade in processed vegetable oil products intended for human consumption, with the exception of olive oil products, appropriate measures shall be adopted to take account of the differences in the prices of these oils in Portugal and in the Community as at present constituted.

#### Article 292

1. The Portuguese Republic shall apply, until 31 December 1990 and according to procedures to be determined, a mechanism for the control of:

(a) the quantities of oil seeds and oil fruits, as well as of flour from which the oil has not been extracted and of all vegetable oils, with the exception of olive oil, intended for human consumption on the Portuguese domestic market, in order to avoid any worsening of the conditions for competition between the various vegetable oils. The volume of

the quantities placed on the Portuguese market for consumption shall be established on the basis of consumption in Portugal and the level of this consumption will be assessed within the framework of a report drawn up for each marketing year according to the procedure provided for in Article 38 of Regulation No 136/66/EEC on the basis of:

— Portuguese consumption recorded over the period 1980 to 1983,

— the foreseeable trend in demand.

Following the same procedure, this report may be updated during the marketing year;

(b) the level of consumer prices for the vegetable oils referred to in paragraph (a), in such a way as to maintain — until 31 December 1990 — in principle the price level, expressed in ECU, reached during the 1984/85 marketing year.

The control mechanism referred to in paragraph (a) shall include the replacement, on 1 March 1986, of the trade arrangements applied on imports into Portugal by a system of quantitative import restrictions opened without discrimination between economic operators, both with regard to the Community as at present constituted and with regard to third countries.

2. In exceptional circumstances, the control mechanism defined in this Article may be modified, for those products subjected to it, as far as necessary to avoid imbalances in the markets for the different oils.

These modifications shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

#### Article 293

1. Community aid for the production of olive oil shall be instituted in Portugal at the beginning of the first marketing year following accession and shall be aligned, during the period of application of the transitional measures, on the level of the aid granted in the Community as at present constituted. Article 246 shall apply *mutatis mutandis*.

Community aid for the consumption of olive oil shall be instituted in Portugal as from 1 January 1991, according to a timetable to be determined, to the extent necessary to reach a common level at the end of the period of application of the transitional measures.

2. Aid for colza, rape and sunflower seeds, for soya beans and for linseed, produced in Portugal, shall be:

— introduced in Portugal as from the beginning of the first marketing year following accession, and

— increased thereafter, during the period of application of the control mechanism referred to in Article 292 (1),

on the basis of the move towards alignment, as the case may be, of the target price or the guide price applicable in Portugal, on the level of the common price.

On expiry of the period referred to in the foregoing subparagraph, the aid granted to Portugal shall be equal to the difference that exists between the target price or the guide price applicable in that Member State and the price on the world market, with this difference being reduced by the incidence of the customs duty applied by Portugal on imports of products from third countries.

3. Aid for the seeds and beans referred to in paragraph 2 produced in Portugal and processed in the Community as at present constituted, and the aid for the same seeds and beans produced in the Community as at present constituted and processed in Portugal, shall be adjusted to take account of the difference between the level of the prices of these seeds and beans and that of seeds and beans imported from third countries.

4. Furthermore, when the aid for colza, rape and sunflower seeds is calculated, account shall be taken of any differential amount which may be applicable.

#### *Article 294 (1)*

During the 1986/87 to 1994/95 marketing years, specific guarantee thresholds shall be fixed for colza and rape seeds and for sunflower seeds produced in Portugal.

For the 1986/87 marketing year these thresholds shall be fixed at:

- 1 000 tonnes for colza and rape seeds,
- 48 000 tonnes for sunflower seeds.

For the following marketing years these specific guarantee thresholds shall be determined according to criteria comparable to those adopted for fixing the guarantee thresholds in the Community as at present constituted.

When a specific guarantee threshold is exceeded, the co-responsibility penalties shall be applied according to procedures which are similar to those applied in the Community as at present constituted and with the same ceiling.

#### *Article 295*

1. The Portuguese Republic shall postpone, until the control mechanism referred to in Article 292 expires,

(1) EDITORIAL NOTE:

By Council Regulation (EEC) No 1455/86 of 13 May 1986 (OJ of the EC, No L 133 of 21 May 1986) adjusting Articles 96 and 294 of the AA ESP/PORT, provision is made that 'the words "guarantee threshold(s)" shall be replaced each time they occur by "guaranteed maximum quantity" or "guaranteed maximum quantities" '.

the application of preferential arrangements, be they contractual or autonomous, applied by the Community with regard to third countries in the olive oil sector, the oil seeds and oil fruits sector and in that of products derived therefrom.

2. As from 1 January 1991, the Portuguese Republic shall apply a duty reducing the variation between the rate of duty actually applied on 31 December 1990 and the rate of preferential duty according to the following timetable:

- on 1 January 1991, the variation shall be reduced to 83,3 % of the original variation,
- on 1 January 1992, the variation shall be reduced to 66,6 % of the original variation,
- on 1 January 1993, the variation shall be reduced to 49,9 % of the original variation,
- on 1 January 1994, the variation shall be reduced to 33,2 % of the original variation,
- on 1 January 1995, the variation shall be reduced to 16,5 % of the original variation.

The Portuguese Republic shall apply the preferential rates in full from 1 January 1996.

#### Sub-section 2

##### Tobacco

#### *Article 296*

Article 236 and, where appropriate, Article 238 shall apply to the intervention price fixed for each variety or group of varieties.

#### *Article 297*

The norm price corresponding to the intervention price referred to in Article 296 shall be fixed in Portugal for the first harvest following accession at a level that shall reflect the relationship existing between the norm price and the intervention price, in accordance with the second subparagraph of Article 2 (2), of Regulation (EEC) No 727/70 on the common organization of the market in raw tobacco.

#### Sub-section 3

##### Flax and hemp

#### *Article 298*

Article 246 shall apply to aid for fibre flax and hemp.

#### Sub-section 4

##### Hops

###### *Article 299*

The aid to hop producers referred to in Article 12 of Regulation (EEC) No 1696/71 shall be applied in full in Portugal as from the first harvest following accession.

#### Sub-section 5

##### Seeds

###### *Article 300*

Article 246 shall apply to the aid for the seeds referred to in Article 3 of Regulation (EEC) No 2358/71.

#### Sub-section 6

##### Silkworms

###### *Article 301*

Article 246 shall apply to aid for silkworms.

#### Sub-section 7

##### Sugar and isoglucose

###### *Article 302*

1. Articles 236, 238 and 240 shall apply to the intervention price for white sugar and to the basic price for beet.

However, the accession compensatory amount shall be corrected, to the extent necessary for the smooth running of the common organization of the markets, by the incidence of the compensatory levy for storage costs.

2. For raw sugar and for products other than fresh beet, appearing in Article 1 (b), and for the products appearing in Article 1 (1) (d) and (f) of Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector, compensatory amounts may be fixed to the extent necessary to avoid all risk of

disturbance in trade between the Community as at present constituted and Portugal.

In this case, the compensatory amounts shall be derived from the compensatory amount applicable to the primary product in question, with the help of coefficients to be determined.

###### *Article 303*

During the period of seven years following accession, the levy on raw cane sugar originating in the Ivory Coast, Malawi, Zimbabwe and Swaziland, which is imported into Portugal up to a maximum quantity annually of 75 000 tonnes expressed as white sugar, shall be equal to the amount of the levy on raw sugar calculated in accordance with the rules of the common organization of the markets, reduced by the difference between the threshold price and the intervention price for raw sugar.

For the period 1 March to 1 July 1986 and for the period 1 July to 31 December 1992, the maximum annual quantity referred to above shall be reduced in proportion to the length of those periods.

Where, during the above periods:

- (a) the Community forward estimate for raw sugar for a given marketing year or part thereof shows that the availability of raw sugar is insufficient to ensure adequate supply of Portuguese refineries, or
- (b) exceptional and unforeseeable circumstances justify it during the marketing year or part thereof,

the Portuguese Republic may be authorized, according to the procedure provided for in Article 41 of Regulation (EEC) No 1785/81, to import from third countries under the marketing year or part thereof concerned, the quantities which it is estimated are lacking, under the same conditions regarding the reduced levy as those provided for in respect of the quantity referred to in the first paragraph.

#### Sub-section 8

##### Processed fruit and vegetables

###### *Article 304*

For the products benefiting from the aid arrangements provided for in Article 3 of Regulation (EEC) No 516/77 on the common organization of the markets in fruit and vegetable processed products, the following provisions shall apply to Portugal:

1. Until the first move towards alignment of the prices referred to in Article 238, the minimum price referred to in Article 3b of Regulation (EEC) No 516/77 shall be established on the basis:

- of the price fixed in Portugal under the preceding national arrangements for the product intended for processing, or
- in the absence of such a price, of the prices paid in Portugal to producers for the product intended for processing, as recorded during a representative period to be determined.

2. Where the minimum price referred to in paragraph 1 is:

- lower than the common price, the price in Portugal shall be modified at the beginning of each marketing year following accession, according to the procedures provided for in Article 238,
- higher than the common price, the common price shall be adopted on accession for Portugal.

3. (a) For processed tomato products, for the first five marketing years following accession or, where Article 260 (2) is applied during the first three marketing years following accession, the amount of Community aid granted to Portugal shall be derived from the aid calculated for the Community as at present constituted, bearing in mind the difference of the minimum producer prices resulting from the application of point 2 of this Article, before this last-mentioned aid is reduced, possibly as a result of the guarantee threshold fixed for these products in the Community as at present constituted being exceeded.

Where the threshold in the Community as at present constituted is exceeded, if this proves necessary to ensure normal conditions for competition between Portuguese industries and those of the Community, it shall be decided, in accordance with the procedure provided for in Article 20 of Regulation (EEC) No 516/77, that a compensatory amount, at the most equal to the difference between the aid fixed for Portugal and that which would have been derived from the Community aid fixed, will be applied in accordance with Article 240 (3) (a) and levied by the Portuguese Republic on exports to third countries.

However, on expiry of the arrangements under Regulation (EEC) No 1320/85, no compensatory amount shall be levied where it is proved that the Portuguese product has not benefited from Community aid granted to Portugal.

In no case may the aid applicable to Portugal exceed the amount of aid granted in the Community as at present constituted.

(b) During the period referred to in (a), the grant of Community aid to Portugal shall be limited,

for each marketing year, to a quantity of processed products corresponding to a quantity of fresh tomatoes of:

- 685 000 tonnes for the manufacture of tomato concentrate,
- 9 600 tonnes for the manufacture of whole peeled tomatoes,
- 137 tonnes for other tomato products.

At the end of that period, the quantities fixed above, adjusted to accommodate any changes made to Community thresholds during the same period, shall be taken into consideration when fixing Community thresholds.

4. For tomato products on expiry of the period referred to in point 3 (a) and for the other products during the six marketing years following accession, the amount of the Community aid granted to Portugal shall be derived from the aid fixed for the Community as at present constituted, bearing in mind the difference of the minimum prices resulting from the application of point 2.

5. Community aid shall be applied in full in Portugal as from the beginning of the seventh marketing year following accession.

6. For the purposes of applying this Article, the minimum price and the aid obtaining in the Community as at present constituted shall refer to the amounts obtaining in the Community as at present constituted excluding Greece.

#### Article 305

The minimum price and the financial compensation applicable in Portugal, as provided for in Articles 2 and 3 of Regulation (EEC) No 2601/69 laying down special measures to encourage the processing of certain varieties of oranges and in Articles 1 and 2 of Regulation (EEC) No 1035/77 laying down special measures to encourage the marketing of processed lemon products, shall be fixed as follows:

1. Until the first move towards the alignment of the prices referred to in Article 238, the minimum price applicable shall be established on the basis of the prices paid in Portugal to producers of citrus fruits intended for processing, recorded over a representative period to be determined. The financial compensation shall be that of the Community as at present constituted less, where appropriate, the difference which exists between, on the one hand, the common minimum price and, on the other, the minimum price applicable in Portugal.

2. For subsequent price fixing, the minimum price applicable in Portugal shall be aligned on the common minimum price in accordance with the provisions of Article 238. The financial compensation applicable in Portugal at each stage of the move towards alignment shall be that of the Community as at present constituted less, where appropriate, the difference between, on the one hand, the common minimum price and, on the other, the minimum price applicable in Portugal.
3. However, where the minimum price resulting from the application of point 1 or 2 is higher than the common minimum price, the latter price may be adopted definitively for Portugal.

#### Sub-section 9

##### Dried fodder

###### *Article 306*

1. The guide price referred to in Article 4 of Regulation (EEC) No 1117/78 on the common organization of the market in dried fodder, applicable in Portugal on 1 March 1986, shall be fixed on the basis of the variations which exist between the prices of competitive products in rotation cropping in Portugal and in the Community as at present constituted over a reference period to be determined.

Article 238 shall apply to the guide price calculated in accordance with the first subparagraph. However, the guide price to be applied in Portugal may not exceed the common guide price.

2. The supplementary aid applicable to Portugal shall be adjusted by an amount equal to:

- the difference which exists, where this arises, between the guide price in Portugal and the common guide price, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, and
- the incidence of customs duties applicable in Portugal on the import of the said products from third countries.

3. Article 246 shall apply to the flat-rate aid referred to in Article 3 of Regulation (EEC) No 1117/78.

#### Sub-section 10

##### Peas, field beans and sweet lupins

###### *Article 307*

1. The activating threshold price of peas, field beans and sweet lupins used in the manufacture of animal

feed, and the guide price of other peas and field beans, applicable in Portugal on 1 March 1986, shall be fixed on the basis of the variation which exists between the prices of competitive products in rotation cropping in Portugal and in the Community as at present constituted over a reference period to be determined.

Article 238 shall apply to the activating threshold price or to the guide price for products. However, the activating threshold price or the guide price to be applied in Portugal may not exceed the common price.

2. For products harvested in Portugal and used in the manufacture of feed, falling within Regulation (EEC) No 1431/82 laying down special measures for peas, field beans and sweet lupins, the amount of the aid referred to in Article 3 (1) of that Regulation shall be reduced by the amount of the difference which exists, where this arises, between the activating threshold price in Portugal and the common price.

Without prejudice to the application of the first subparagraph, the amount of the aid concerned for a product processed in Portugal shall be reduced by the incidence of the customs duties applied in Portugal on import of soya cake coming from third countries.

The deductions referred to in the first and second subparagraphs shall result from application of the percentages referred to in Article 3 (1) of Regulation (EEC) No 1431/82.

3. The amount of the aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 for peas and field beans harvested in Portugal and used in human and animal consumption for a purpose other than that provided for in paragraph 1 of that Article shall be reduced by an amount equal to the difference which exists, where this arises, between the guide price applied in Portugal and the common guide price.

Without prejudice to the application of the first subparagraph, the amount of the aid concerned for a product processed in Portugal shall be reduced by the incidence of the customs duties applied in Portugal on import of these products from third countries.

#### Sub-section 11

##### Sheepmeat and goatmeat

###### *Article 308*

In the sheepmeat sector, Article 236 shall apply to the basic price.



Section V

Provisions relating to certain common organizations of markets  
subject to transition by stages

Sub-section 1

Milk and milk products

A. *First stage*

*Article 309*

The specific objectives referred to in Article 264 and to be attained by the Portuguese Republic during the first stage in the milk and milk products sector shall be the following:

- (a) abolition of the Junta Nacional dos Produtos Pecuários (JNPP) as a State body at the end of the first stage and the progressive liberalization of internal trade, imports and exports with a view to setting up an arrangement for free competition and free access to the Portuguese market;
- (b) creation of an intervention agency and the formation of a material and human infrastructure to facilitate intervention operations;
- (c) modification of the existing prices structure so as to enable their free formation on the market and modification of the relation as to value between the fat part and the protein part of milk used in Portugal to align it on the relation retained in the Community;
- (d) harmonization of domestic prices for milk, butter and dried milk obtaining in mainland Portugal with those obtaining in the Azores;
- (e) elimination, as far as possible, of national aid which is incompatible with Community law, and the progressive introduction of the scheme for Community aid;
- (f) abolition of the exclusiveness of milk collection zones and of the exclusiveness of pasteurization;
- (g) creation of an information service for agricultural markets with a view to the recording of price levels and an appropriate formation of administrative departments, these being essential for the smooth running of the common organization of the markets in the sector concerned;
- (h) implementation of measures intended to promote the modernization of production, processing and marketing structures.

B. *Second stage*

*Article 310*

1. Until the first move towards alignment, the intervention prices for butter and skimmed-milk powder, applicable in Portugal, shall be calculated according to the rules provided for and on the basis of the data taken into consideration in the common organization of the markets.

Articles 285 (2) to (6) and 287 shall apply to the intervention prices thus calculated.

Should the intervention prices applicable in the mainland part of Portugal and the intervention prices applicable in the Azores not be equalized at the end of the first stage, the move towards alignment of these prices with the common prices shall take place according to procedures to be determined.

2. For the products referred to in paragraph 1, the compensatory amounts applicable in trade between the Community as at present constituted and Portugal and between Portugal and third countries shall be equal to the difference between the common prices and the prices fixed in Portugal as corrected, where appropriate, to take account of the market prices recorded in this Member State.

Articles 240 (2) to (6), 241, 242 and 255 shall be applicable.

*Article 311*

The compensatory amount for dairy products other than butter and skimmed-milk powder shall be fixed with the help of coefficients to be determined.

Sub-section 2

Beef and veal

A. *First stage*

*Article 312*

The specific objectives referred to in Article 264, to be achieved by the Portuguese Republic during the first stage in the beef and veal sector, shall be as follows:

- (a) elimination of the JNPP as a State body at the end of the first stage, and the liberalization of imports and exports and the progressive liberalization of domestic trade with a view to introducing a system of free competition and of free access to the Portuguese market;

- (b) creation of an intervention body and formation of a material and human infrastructure to facilitate intervention operations and the appropriate training of the administrative departments, which are indispensable to the smooth functioning of the common organization of the markets in the sector in question;
- (c) free formation of prices on representative markets to be established;
- (d) creation of an information service on agricultural markets in order to record prices and the introduction of the Community grading scale for carcasses with a view to quotation comparability;
- (e) implementation of measures intended to promote the modernization of production, processing and marketing structures aiming at increasing the productivity of stock farming and better profitability for the sector;
- (f) trade liberalization on the zootechnical level.

**B. *Second stage***

*Article 313*

1. In the beef and veal sector, Articles 240, 285 and 287 shall apply to the intervention purchasing prices in Portugal and in the Community as at present constituted, valid for comparable qualities determined on the basis of the Community grading scale for carcasses of adult bovine animals.

2. Articles 241, 242 and 255 shall also apply in this sector.

3. The compensatory amount for the other products referred to in Article 1 (1) (a) of Regulation (EEC) No 805/68 shall be fixed with the help of coefficients to be determined.

*Article 314*

Article 288 shall apply to the suckler cow herd maintenance premium.

**Sub-section 3  
Fruit and vegetables**

**A. *First stage***

*Article 315*

1. The specific objectives referred to in Article 264, to be achieved by the Portuguese Republic during the first

stage in the fruit and vegetable sector, shall be as follows:

- (a) elimination of the Junta Nacional das Frutas (JNF) as a State body at the end of the first stage;
- (b) development of producer organizations within the meaning of the Community rules;
- (c) progressive and generalized application of common quality standards;
- (d) setting up an intervention body and creating a material and human infrastructure to facilitate intervention operations;
- (e) free formation of prices and their daily recording on representative markets to be defined on the basis of the different products;
- (f) creation of an information service on agricultural markets in order to record rates daily and the appropriate training of the administrative departments, which are indispensable to the smooth functioning of the common organization of the markets.

2. In order to encourage producers or their organizations to market products in accordance with quality standards, the Portuguese Republic shall participate during the first stage, by means of appropriate aid, in the cost of packaging and presentation of such products.

*Article 316*

Notwithstanding Article 272 (1), the reference price applied by the Community as at present constituted with regard to Portugal shall be fixed in accordance with the provisions of Regulation (EEC) No 1035/72 in force on 31 December 1985.

Any countervailing charges on the import of products from Portugal resulting from the application of Regulation (EEC) No 1035/72 shall be reduced by:

- 2 % in the first year,
- 4 % in the second year,
- 6 % in the third year,
- where appropriate, 8 % in the fourth and fifth years,

following the date of accession.

**B. *Second stage***

*Article 317*

In the fruit and vegetable sector, Article 285 shall apply to the basic price.

Article 255 shall also apply in this sector.

### Article 318

During the second stage, a compensation mechanism shall be introduced for imports into the Community as at present constituted of those fruit and vegetables coming from Portugal for which a reference price is fixed with regard to third countries.

1. This mechanism shall be governed by the following rules:

(a) A comparison shall be made between an offer price of the Portuguese product, calculated in accordance with (b), and a Community offer price. This latter price shall be calculated annually:

- on the basis of the arithmetic mean of the producer prices of each Member State of the Community as at present constituted, plus transport and packaging costs incurred by the products from the production regions to the representative consumption centres of the Community,
- bearing in mind developments in the costs of production.

The above producer prices shall correspond to the average of the rates recorded during the three years which precede the date on which the Community offer price is fixed.

The Community offer price may not exceed the level of the reference price applied with regard to third countries.

(b) The Portuguese offer price shall be calculated every marketing day, on the basis of the representative rates recorded or reduced to the importing-wholesale stage in the Community as at present constituted. The price for a product coming from Portugal shall be equal to the lowest representative rate or to the average of the lowest representative rates recorded for at least 30 % of the quantities of the provenance concerned marketed on all the representative markets for which rates are available. This rate or these rates shall be reduced beforehand:

- by the customs duties calculated in accordance with (c),
- by any correcting amount introduced in accordance with (d).

(c) The customs duty to be deducted from the rates of the Portuguese product shall be the Common Customs Tariff duty progressively reduced each year at the beginning of the marketing year:

- by one-fifth of its amount where the second stage lasts five years,

- by one-seventh of its amount where the second stage lasts seven years.

However, the first reduction shall occur at the beginning of the second stage.

(d) If the price of the Portuguese product, calculated in accordance with (b), is lower than the Community offer price referred to in (a), a corrective amount equal to the difference between these two prices shall be levied on import into the Community as at present constituted by the importing Member State.

(e) The corrective amount shall be levied until the information ascertained shows that the price of the Portuguese product is equal to, or higher than, the Community price referred to in (a).

2. Should the Portuguese market be disturbed as a result of imports from the Community as at present constituted, appropriate measures, which may *inter alia* make provision for a corrective amount to be applied according to procedures to be determined, may be decided upon with regard to imports into Portugal of those fruit and vegetables coming from the Community as at present constituted for which a reference price is fixed.

### Sub-section 4

#### Cereals

#### A. First stage

### Article 319

The specific objectives referred to in Article 264, to be achieved by the Portuguese Republic during the first stage in the cereals sector, shall be as follows:

- (a) dismantling of the marketing monopoly held by the Empresa Pública de Abastecimento de Cereais (EPAC) at the end of the first stage at the latest and the progressive liberalization of domestic trade with a view to introducing a system of free competition to the Portuguese market;
- (b) progressive elimination of the import monopoly held by EPAC over a period of four years;
- (c) setting up an intervention body and creating a material and human infrastructure to facilitate intervention operations;
- (d) free price formation;
- (e) creation of an information service on agricultural markets in order to record prices and the appropriate training of the administrative services indis-

pensable to the smooth functioning of the common organization of markets.

*Article 320*

1. The Portuguese Republic shall progressively adjust, during the first four years following accession, the monopoly held by EPAC for importing and marketing cereals in Portugal so as to ensure that, on expiry of the fourth year, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of Member States.

2. To that end, the Portuguese Republic shall adapt its rules referred to in Article 261 and may, notwithstanding Article 277, apply to imports a system organized as follows:

(a) Imports of cereals into Portugal shall be carried out as a percentage of the annual quantities imported during the preceding year at the following percentages by EPAC and by private operators respectively:

Year	EPAC	Private operators
1986	80 %	20 %
1987	60 %	40 %
1988	40 %	60 %
1989	20 %	80 %
1990	—	100 %

(b) The imports referred to in (a) to be carried out by private operators shall be awarded by open tender without discrimination between economic operators.

Within the framework of these invitations to tender, tenders relating to products of Community origin shall be corrected by:

- the difference between the Community market prices and the world market price, and
- an amount corresponding to a flat-rate preference equal to 5 ECU per tonne.

(c) If imports of products of Community origin do not represent, per year, a minimum quantity of 15 % of the total quantity of cereals imported during that year, EPAC shall buy during the following year, in the Community as at present constituted, the quantity lacking in relation to the 15 % quantity referred to above. That quantity shall then be added to the obligatory purchase of 15 % for the new year.

An intermediate estimate shall be drawn up at the end of the 1988/89 marketing year; if it appears, on the basis of this estimate, that the obligatory purchase for 1989 is unlikely to be made, the necessary measures may be adopted in order to ensure compliance with that obligation.

*B. Second stage*

*Article 321*

In the cereals sector, Articles 240, 285 and 287 shall apply to the intervention prices.

Articles 241, 242 and 255 shall also apply in this sector.

*Article 322*

1. With regard to the cereals for which no intervention price is fixed, the compensatory amount applicable shall be derived from that applicable to barley, taking into consideration the relationship which exists between the threshold prices of the cereals concerned.

2. For the products referred to in Article 1 (c) and (d) of Regulation (EEC) No 2727/75 on the common organization of the market in cereals, the compensatory amount shall be derived from that applicable to the cereals to which they are related, with the help of coefficients to be determined <sup>(1)</sup>.

*Article 323*

Article 288 shall apply to the aid for durum wheat referred to in Article 10 of Regulation (EEC) No 2727/75.

*Sub-section 5*

*Pigmeat*

*A. First stage*

*Article 324*

The specific objectives referred to in Article 264, to be achieved by the Portuguese Republic during the first stage in the pigmeat sector, shall be as follows:

(a) elimination of the JNPP as a State body at the end of the first stage, and the progressive liberalization of domestic trade, imports and exports with a view to ensuring a system of free competition and free access to the Portuguese market;

(b) creation of an intervention body and formation of a material and human infrastructure facilitating intervention operations, adapted to the new conditions of the Portuguese market;

<sup>(1)</sup> Article 322 (2) as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

- (c) free formation of prices on representative markets to be established;
- (d) creation of an information service on agricultural markets in order to record prices and the appropriate training of the administrative departments, which are indispensable to the smooth functioning of the common organization of markets;
- (e) implementation of measures intended to promote the modernization of production, processing and marketing structures aiming at better profitability for the sector;
- (f) pursuit and intensification of the campaign against African swine fever and in particular the development of closed circuit production units.

B. *Second stage*

*Article 325*

1. In the pigmeat sector, the compensatory amount shall be calculated on the basis of the compensatory amounts applicable to feed-grain. To that end, the compensatory amount applicable per kilogram of pig carcass shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of a kilogram of pigmeat.

However, should this amount not be representative, the provisions of Articles 240, 285 and 287 shall apply to the price of that product in Portugal and in the Community as at present constituted.

2. Articles 241, 242 and 255 shall also apply in this sector.

3. For the products other than pig carcasses referred to in Article 1 (1) of Regulation (EEC) No 2759/75, the compensatory amount shall be derived from that applied in accordance with paragraphs 1 or 2, with the help of coefficients to be determined.

Sub-section 6

Eggs

A. *First stage*

*Article 326*

The specific objectives referred to in Article 264, to be achieved by the Portuguese Republic during the first stage in the egg sector, shall be as follows:

- (a) elimination of the JNPP as a State body at the end of the first stage, liberalization of imports and exports with a view to introducing a system of free competition and free access to the Portuguese market and the progressive liberalization of the domestic market;
- (b) free price formation;
- (c) creation of an information service on agricultural markets in order to record prices;
- (d) implementation of measures intended to promote the modernization of production and processing structures.

B. *Second stage*

*Article 327*

1. The provisions of Articles 240, 241, 242 and 255 shall apply to the egg sector subject to the following paragraphs.

2. The compensatory amount applicable per kilogram of eggs in shell shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production, in the Community, of one kilogram of eggs in shell.

3. The compensatory amount applicable per egg for hatching shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production, in the Community, of one egg for hatching.

4. For the products referred to in Article 1 (1) (b) of Regulation (EEC) No 2771/75 on the common organization of the market in eggs, the compensatory amount shall be derived from that for eggs in shell, with the help of coefficients to be determined.

Sub-section 7

Poultrymeat

A. *First stage*

*Article 328*

The specific objectives referred to in Article 264 to be achieved by the Portuguese Republic during the first stage in the poultrymeat sector shall be the same as those indicated for eggs in Article 326.

B. *Second stage*

*Article 329*

1. Articles 240, 241, 242 and 255 shall apply in the poultrymeat sector subject to the following paragraphs.
2. The compensatory amount applicable per kilogram of slaughtered poultry shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production, in the Community, of one kilogram of slaughtered poultry, differentiated on the basis of species.
3. The compensatory amount applicable to a chick shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production, in the Community, of one chick.
4. For the products referred to in Article 1 (2) (d) of Regulation (EEC) No 2777/75 on the common organization of the market in poultrymeat, the compensatory amount shall be derived from that applicable to slaughtered poultry, with the help of coefficients to be determined.

Sub-section 8

Rice

A. *First stage*

*Article 330*

The specific objectives referred to in Article 264, to be achieved by the Portuguese Republic during the first stage in the rice sector shall be the same as those indicated for cereals in Article 319.

*Article 331*

1. The Portuguese Republic shall progressively adjust, during the first stage, the monopoly held by EPAC for importing and marketing rice in Portugal, so as to ensure that, on expiry of the first stage, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of Member States.
2. Article 320 shall apply *mutatis mutandis* to rice imports into Portugal.

B. *Second stage*

*Article 332*

1. For rice, Articles 240, 285 and 287 shall apply to the intervention price for paddy rice.

Articles 241, 242 and 255 shall also apply in this sector.

2. The compensatory amount for husked rice shall be that applicable to paddy rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.
3. For wholly milled rice, the compensatory amount shall be that applicable to husked rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.
4. For semi-milled rice, the compensatory amount shall be that applicable to wholly milled rice, converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC.
5. For the products referred to in Article 1 (1) (c) of Regulation (EEC) No 1418/76 on the common organization of the markets in rice, the compensatory amount shall be derived from that applicable to the products to which they are related, with the help of coefficients to be determined.
6. The compensatory amount for broken rice shall be fixed at a level that takes into account the difference existing between the supply price in Portugal and the threshold price.

Sub-section 9

Wine

A. *First stage*

*Article 333*

The specific objectives referred to in Article 264 to be attained by the Portuguese Republic during the first stage in the wine sector shall be the following:

- (a) the abolition of the Junta Nacional do Vinho (JNV) as a State body at the end of the first stage, and the adaptation of the other public bodies in the wine sector, during the first stage, and the liberal-

ization of domestic trade, imports and exports and the transfer of State-controlled activities with regard to storage and distillation, to producers and producer associations;

- (b) the progressive introduction of the arrangements for, and the control of, planting, similar to the Community arrangements and control, enabling efficient vine-planting rules to be established;
- (c) the realization of a project for ampelography (the classification of vine varieties) and for synonymy (equivalence between names of varieties of vines in Portugal on the one hand and equivalence between Portuguese names and names used in the Community as at present constituted on the other), to take place before the introduction of a system of statistical surveys on areas under vines within the meaning of Community rules and the realization of specific work on the viticultural land register;
- (d) the creation or transfer of distillation centres in sufficient numbers and of sufficient capacity to enable wine deliveries to be accomplished;
- (e) the creation of an information service for agricultural markets entailing in particular the ascertainment of prices and a regular statistical analysis;
- (f) the training of the administrative departments indispensable to the smooth running of the common organization of the market in wine;
- (g) the progressive adaptation of the Portuguese price system to the Community price system;
- (h) the prohibition of irrigation of wine grape vineyards and all new planting in irrigated areas;
- (i) the implementation, in the context of the planting rules, of a plan to restructure and convert Portuguese vineyards in line with the objectives of the common policy on wine.

#### *Article 334*

The Portuguese Republic shall take all adequate measures in order to avoid all extension, during the first stage, of the area of vineyards producing wine having a natural alcoholic strength equal to 7 % vol or less.

#### *Article 335*

By derogation from the Community rules on the maximum sulphur dioxide content of wines, the Portuguese Republic shall be authorized to apply, during the first stage, to wines produced in its territory, the limits applied under the previous national arrangements.

However, the Portuguese Republic shall adopt adequate measures to ensure that, during this first stage, the sulphur dioxide content is lowered progressively down to the Community levels so that these levels are respected in full as from the beginning of the second stage.

#### *Article 336*

During the first stage, the Portuguese Republic shall establish, on the basis of the ampelographical and synonymical study referred to in Article 333, a classification of wine varieties for Portuguese vineyards in accordance with Article 31 of Regulation (EEC) No 337/79 and the implementing provisions of the latter Article.

#### *B. Second stage*

#### *Article 337*

In the wine sector, Articles 285 and 287 shall apply to the guide price of table wines.

#### *Article 338*

1. A mechanism of regulatory amounts shall be set up for imports into the Community as at present constituted of the products referred to in paragraph 2, coming from Portugal, for which reference prices are fixed in the context of the common organization of markets.

2. This mechanism shall be governed by the following rules:

- (a) For table wines, a regulatory amount equal to the difference which exists between the guide prices in Portugal and in the Community as at present constituted shall be levied. However, the level of this amount may be adjusted, according to the procedure provided for in Article 67 of Regulation (EEC) No 337/79, to take account of the situation of market prices assessed in accordance with the different wine categories and on the basis of their quality.
- (b) For certain wines of designated origin and for other products likely to create disturbances on the market, a regulatory amount may be fixed according to the procedure provided for under (a). This regulatory amount shall be derived from that applicable to table wines according to procedures to be determined.

3. A ceiling level shall be fixed for the regulatory amount ensuring conditions of treatment not less favourable than those in force under the arrangements prior to accession. To that end, this amount shall be calculated so that the amount obtained by increasing

the guide price applicable in Portugal for the product in question by the regulatory amount and the customs duties which are applicable to it shall not exceed the reference price in force for that product during the wine-growing year in question.

4. In view of the special situation of the market in the different products referred to in paragraph 2, it may be decided, in accordance with the procedure provided for in Article 67 of Regulation (EEC) No 337/79, to fix a regulatory amount for exports of one or more of those products from the Community as at present constituted to Portugal.

This amount shall be fixed at a level such as will ensure a normal pattern of trade between the Community as at present constituted and Portugal, that will not cause disturbances on the Portuguese market for the products in question.

5. The regulatory amount granted shall be financed by the Community by means of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

#### *Article 339*

Article 288 shall apply to aid for the use of grape must and concentrated grape must in making grape juice.

#### *Article 340*

1. During the second stage, the Portuguese Republic shall embark upon the elimination of the cultivation of vineyards planted with varieties temporarily authorized according to the classification established in accordance with Article 333.

2. During the second stage, the Portuguese Republic shall embark upon the elimination of the cultivation of vineyards planted with direct producer hybrids which are not included in the classification according to the provisions of Regulation (EEC) No 3800/81.

Until the end of the second stage, these hybrids shall be deemed to be temporarily authorized vine varieties.

3. By way of derogation from Article 49 of Regulation (EEC) No 337/79, grapes of varieties temporarily authorized under paragraphs 1 and 2 may, until the end of the second stage, be used for making the products referred to in that Article.

#### *Article 341*

Until the end of 1995, wines produced in the 'vinho verde' region, having an alcoholic content of less than

8,5 % vol, may circulate in bulk only in their production region.

For these wines, an indication of the actual alcoholic strength must appear on the label.

### Section VI

#### Other provisions

##### Sub-section 1

##### Veterinary measures

#### *Article 342*

With regard to the trade in fresh poultrymeat within its territory, the Portuguese Republic shall be authorized to postpone, until 31 December 1988 at the latest, the application of Directive No 71/118/EEC concerning health problems with regard to trade in fresh poultrymeat.

#### *Article 343*

The Portuguese Republic shall be authorized to maintain, until 31 December 1990 at the latest, import restrictions for pure-bred breeding animals of the bovine species, where the breeds concerned do not appear on the list of breeds authorized in Portugal.

##### Sub-section 2

##### Measures on seed and plant legislation

#### *Article 344*

1. The Portuguese Republic shall be authorized to postpone the application in its territory of the following Directives, in accordance with the following timetable:

(a) until 31 December 1988 at the latest, as far as the following Directives are concerned:

— 66/401/EEC on the marketing of fodder plant seed, for the species *Lolium multiflorum lam.*, *Lolium perenne L.* and *Vicia sativa L.*;

— 66/402/EEC on the marketing of cereal seed, for the species *Hordeum vulgare L.*, *Oryza*



*sativa L., Triticum aestivum L., emend. Fiori and Paol. Triticum durum desf. and Zea maïs L.;*

- 70/457/EEC on the common catalogue of varieties of species of agricultural seedlings, for the species referred to in the foregoing indents;
- (b) until 31 December 1990 at the latest, as far as the following Directives are concerned:
- 66/400/EEC on the marketing of beet seed,
  - 66/401/EEC, for the species other than those referred to in the first indent of (a),
  - 66/402/EEC, for the species other than those referred to in the second indent of (a),
  - 66/403/EEC on the marketing of seed potatoes,
  - 66/404/EEC on the marketing of forest reproductive material,
  - 68/193/EEC on the marketing of the material for the vegetative propagation of the vine,
  - 69/208/EEC on the marketing of seed of oil and fibre plants,
  - 70/457/EEC, for the species other than those referred to in the third indent of (a),
  - 70/458/EEC on the marketing of vegetable seed,
  - 71/161/EEC on external quality standards for forest reproductive material marketed within the Community.

2. The Portuguese Republic:

- (a) shall take all the necessary measures to conform progressively, and at the latest on the expiry of the periods referred to in paragraph 1, with the provisions of the Directives mentioned in that paragraph;
- (b) may limit, before expiry of the periods referred to in paragraph 1, either totally or in part, the marketing of seeds or seedlings to the varieties admitted for marketing in its territory. As far as the species referred to by Directives 70/457/EEC and 70/458/EEC are concerned, the varieties admitted for marketing in its territory as from 1 March 1986 shall be those appearing on the list notified in the Conference.

Throughout the periods granted to the Portuguese Republic for it to conform to the two above-mentioned Directives, that Member State shall extend the list each year in such a way as to ensure that the Portuguese market is progressively opened to the other varieties entered in the common catalogues;

- (c) shall export to the territory of the present Member States only those seeds and seedlings which conform with Community provisions;

(d) shall subject seeds and seedlings imported from third countries:

- to Community conditions established on the basis of equivalence, and
- as far as variety is concerned, at least to the same marketing restrictions as those applied to the varieties entered in the common catalogues.

3. Throughout the duration of the derogations referred to in paragraph 1, the progressive liberalization of trade in seeds and seedlings of certain species between Portugal and the Community as at present constituted may be decided upon according to the procedure of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry. This liberalization shall concern in the first instance seeds which are the subject, before accession, of a Community decision on equivalence. This liberalization shall concern other species once it appears that the conditions necessary for such liberalization have been met.

Sub-section 3

Measures relating to plant health

Article 345

The Portuguese Republic shall be authorized to postpone until 31 December 1990, at the latest, the application of Directive 69/465/EEC on control of potato cyst eelworm.

CHAPTER 4

Fisheries

Section I

General provisions

Article 346

1. Unless any provision of this Chapter states otherwise, the rules laid down by this Act shall apply to the fisheries sector.

2. Articles 234 (3), 253 (c) and 257 shall apply to fishery products.

Section II  
Access to waters and resources

*Article 347*

For the purposes of their integration into the Community system for the conservation and management of fishery resources established by Regulation (EEC) No 170/83, access to the waters falling under the sovereignty or within the jurisdiction of the present Member States and covered by the International Council for the Exploration of the Seas (ICES) by vessels flying the flag of Portugal shall be subject to the system defined in this Section.

*Article 348*

Only those vessels referred to in Article 349 may fish and may do so solely in the zones and under the conditions that are specified in that Article.

*Article 349*

1. Fishing by Portuguese vessels shall be restricted to ICES divisions V b, VI, VII, VIII a, b and d, excluding, during the period from the date of accession to 31 December 1995, the zone situated to the south of latitude 56°30'N, to the east of longitude 12°W and to the north of latitude 50°30'N, and within the limits and under the conditions defined in paragraphs 2, 3 and 4.
2. Fishing possibilities limited to catches of blue whiting and horse mackerel, the corresponding number of vessels and their procedures for access and control shall be fixed annually in accordance with Article 11 of Regulation (EEC) No 170/83, and for the first time before 1 January 1986.
3. In addition, fishing possibilities for species which are not subject to the total allowable catch system, hereinafter called 'the TAC', and the corresponding number of vessels may be determined in accordance with Article 11 of Regulation (EEC) No 170/83 on the basis of the existing situation of Portuguese fishing activities in the waters of the Community as at present constituted, throughout the period immediately preceding accession, and of the need to ensure the conservation of stocks as well as taking into account limits imposed on fishing by vessels of the present Member States in Portuguese waters for similar species.
4. The conditions for the exercise of specialized fisheries activity shall conform with those provided for fishing of the same species, in Article 160.
5. Provisions aimed at ensuring that operators comply with the rules provided for in this Article, including those aimed at the possibility of not authorizing the

vessel concerned to fish for a certain period shall be adopted before 1 January 1986 according to the procedure provided for in Article 11 of Regulation (EEC) No 170/83.

The technical procedures which correspond to those referred to in the second subparagraph of Article 163 (3) shall be adopted before 1 January 1986 in accordance with the procedure provided for in Article 14 of Regulation (EEC) No 170/83.

6. The detailed rules for applying this Article shall be adopted before 1 January 1986, in accordance with the procedure provided for in Article 14 of Regulation (EEC) No 170/83.

*Article 350*

Before 31 December 1992, the Commission shall present to the Council a report concerning the situation and prospects with regard to fishing in the Community on the basis of the application of Articles 349 and 351. On the basis of this report, the adjustments to the arrangements provided for in Articles 349 and 351 which prove to be necessary, including those relating to access to zones other than those mentioned in Article 349 (1), shall be adopted before 31 December 1993 in accordance with the procedure laid down in Article 43 of the EEC Treaty and shall take effect on 1 January 1996.

*Article 351*

1. Only vessels flying the flag of a present Member State, covered by this Article, may exercise their fishing activities in waters falling under the sovereignty or within the jurisdiction of the Portuguese Republic and only in the zones and under the conditions defined in accordance with the following paragraphs.
2. The number of vessels authorized to fish for pelagic species not subject to TAC and quotas other than highly migratory species, in ICES divisions IX, X and in CECAF, shall be fixed each year in accordance with Article 11 of Regulation (EEC) No 170/83 on the basis of the existing situation of fishing activities in the Community as at present constituted, in Portuguese waters, for the period immediately preceding accession and of the need to ensure stock conservation, taking account moreover of the restrictions placed on fishing by Portuguese vessels in waters of the Community as at present constituted for similar species and for the first time before 1 January 1986.

The conditions for exercising specialized fishing activities shall conform to those provided for fishing of the same species in Article 160.

3. Until 31 December 1995, in ICES division X and the CECAF zone, without prejudice to paragraph 4 and on the basis of fishing practices by the present Member States during the years preceding accession, fishing for Albacore tuna shall be authorized only for a period not exceeding eight weeks, occurring between 1 May and

31 August of the year concerned, by vessels with lines not exceeding 26 metres between the perpendiculars, using exclusively troll lines. The list of authorized vessels shall be notified to the Commission by the Member States concerned at the latest on the 30th day preceding the opening of the fishing period.

4. For tropical tuna, fishing shall be limited until 31 December 1995 for ICES division X to the south of 36°30'N and for the CEECAF zone to the south of 31°N and to the north of this parallel to the west of 17°30'W.

5. The provisions aimed at ensuring that operators comply with the rules provided for in this Article, including those aimed at the possibility of not authorizing the vessel concerned to fish for a certain period shall be adopted before 1 January 1986 according to the procedure provided for in Article 11 of Regulation (EEC) No 170/83.

The technical procedures corresponding to those referred to in the second subparagraph of Article 163 (3) shall be adopted before 1 January 1986 according to

the procedure provided for in Article 14 of Regulation (EEC) No 170/83.

6. The detailed rules for applying this Article shall be adopted before 1 January 1986 in accordance with the procedure provided for in Article 14 of Regulation (EEC) No 170/83.

#### Article 352

1. For the purpose of their integration into the Community system for the conservation and management of fishery resources established by Regulation (EEC) No 170/83, access of vessels flying the flag of Spain and listed and/or registered in a port situated in the territory to which the common fisheries policy applies to the waters falling under the sovereignty or within the jurisdiction of Portugal covered by ICES and CEECAF, shall, until 31 December 1995, be subject to the system defined in paragraphs 2 to 9.

2. The following activities may be carried out by the vessels referred to in paragraph 1 as their main fishing activity (1):

Species	Quantity (tonnes)	Zone	Authorized fishing gear	Period of fishing authorization	Total number of authorized vessels (basic list)	Number of vessels authorized to fish at the same time (periodical list)
<i>Demersal species</i> — Hake	850	ICES IX + CEECAF (mainland coast)	Trawl	Year round	North of the Peniche parallel (Cabo Carvoeiro): 17	North of the Peniche parallel (Cabo Carvoeiro): 9
		ICES IX + CEECAF (mainland coast)	Trawl	Year round	South of the Peniche parallel (Cabo Carvoeiro): 4	South of the Peniche parallel (Cabo Carvoeiro): 2
<i>Pelagic species</i> — Horse mackerel	2 250	ICES IX + CEECAF (mainland coast)	Trawl	Year round		
— Large migrants other than tuna (sword fish, blue shark, Ray's bream)		ICES IX + CEECAF (mainland coast)	Surface long line	Year round		North of the Peniche parallel (Cabo Carvoeiro): 75 South of the Peniche parallel (Cabo Carvoeiro): 15
— Albacore tuna		ICES IX + CEECAF (mainland coast)	Troll line	From May to July		To be decided

3. The use of gill nets shall be prohibited.

4. Each long liner may not cast more than two long lines per day: the maximum length of each of these long lines shall be fixed at 20 nautical miles; the distance between hooks may not be less than 2,70 metres.

5. Fishing for crustaceans shall not be authorized. However, catches shall be permitted when fishing

directed at hake and other demersal species is carried out up to a limit of 10 % of the volume of catches of these species held on board.

#### (1) EDITORIAL NOTE:

The second column of the table appearing in paragraph 2 was amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 261 of 13 September 1986.

6. The number of vessels authorized to fish for Albacore tuna shall be decided upon before 1 March 1986 according to the procedure provided for in Article 11 of Regulation (EEC) No 170/83.

7. The possibilities and conditions of access to the waters falling under the sovereignty and within the jurisdiction of Portugal in ICES division X and in the CECAF zone shall be adopted according to the procedure laid down in Article 155 (3).

8. The technical procedures for applying this Article shall be adopted, by analogy with those contained in Annex XI, before 1 January 1986 in accordance with the procedure provided for in Article 14 of Regulation (EEC) No 170/83.

9. The provisions aimed at ensuring that operators comply with the rules provided for in this Article, including those aimed at the possibility of not authorizing the vessel concerned to fish for a certain period, shall be adopted before 1 January 1986 according to the procedure provided for in Article 11 of Regulation (EEC) No 170/83.

#### *Article 353*

The arrangements defined in Articles 347 and 350, including the adjustments which the Council will be able to adopt pursuant to Article 350, shall remain in force until the date of expiry of the period laid down in Article 8 (3) of Regulation (EEC) No 170/83.

#### Section III

#### **External resources**

#### *Article 354*

1. Upon accession, the administration of fisheries agreements concluded by the Portuguese Republic with third countries shall be responsibility of the Community.

2. The rights and obligations flowing from the agreements referred to in the first paragraph for the Portuguese Republic shall not be affected during the period for which the provisions of such agreements are provisionally maintained.

3. As soon as possible, and in any event before the expiry of the agreements referred to in paragraph 1, the decisions appropriate for the continuation of fishing activities resulting therefrom shall be adopted in each case by the Council, acting by a qualified majority on a proposal from the Commission, including the possibility of prolonging certain agreements for periods not exceeding one year.

#### *Article 355*

1. Exemptions, suspensions or tariff quotas granted by the Portuguese Republic for fresh fishery products originating in Morocco and coming from joint fisheries ventures set up between natural or legal persons from Portugal and Morocco, when they are landed directly in Portugal, shall be eliminated on 31 December 1992 at the latest.

2. Products imported under these arrangements may not be considered as being in free circulation within the meaning of Article 10 of the EEC Treaty when they are re-exported to another Member State.

3. Only the products referred to in paragraph 1 from joint Portuguese-Moroccan ventures and vessels operated by such ventures, a list of which is given in Annex XXVII, may benefit from the measures laid down in this Article.

The vessels concerned may in no event be replaced in the case of sale, disappearance or scrapping.

4. The detailed rules for the implementation of this Article shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 3796/81.

#### Section IV

#### **Common organization of markets**

#### *Article 356*

1. The guide prices applicable to Atlantic sardines in Portugal, on the one hand, and in the Community as at present constituted, on the other, shall be the subject of a move towards alignment in accordance with paragraph 2, the first move towards alignment taking place on 1 March 1986.

2. The guide prices applicable in Portugal, on the one hand, and in the Community as at present constituted, on the other, shall be the subject of alignment, in 10 annual stages, towards the level of the guide price for Mediterranean sardines, on the basis of 1984 prices, successively by a tenth, a ninth, an eighth, a seventh, a sixth, a fifth, a quarter, a third and half of the difference between these guide prices applicable before each move towards alignment; the prices resulting from this calculation shall be modulated proportionately on the basis of any adjustment to the guide price for the next fishing year; the common price shall be applied from the date of the tenth move towards alignment.

#### *Article 357*

1. During the period of moves towards price alignment referred to in Article 356, a monitoring system

shall be introduced based on the reference prices applicable to imports of Atlantic sardines into the Community, as at present constituted, from Portugal.

2. At each stage of price alignment, the reference prices referred to in paragraph 1 shall be fixed at the level of withdrawal prices applicable in the other Member States for Mediterranean sardines.

3. Should the market be disturbed as a result of imports referred to in paragraph 1 being made at prices lower than the reference prices, analogous measures to those laid down in Article 21 of Regulation (EEC) No 3796/81 may be taken in accordance with the procedure laid down in Article 33 of the said Regulation.

4. The detailed implementing rules of this Article shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 3796/81.

#### *Article 358*

1. Upon accession, a compensatory indemnity system shall be introduced for sardine producers of the Community, as at present constituted, in relation with the specific price alignment system applicable to that species under Article 356.

2. Before the end of the period of price alignment, the Council, acting by a qualified majority on a proposal from the Commission, shall decide if and, where appropriate, to what extent the system referred to in this Article shall be prolonged.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt, before 31 December 1985, the detailed rules for implementing this Article.

#### *Article 359*

During the period of price alignment, the conversion factors applicable in 1984 to sardines, provided for in Article 12(1) of Regulation (EEC) No 3796/81, shall not be amended.

### Section V

#### **Regime applicable to trade**

#### *Article 360*

1. By way of derogation from Article 190, customs duties applicable to fishery products falling within

heading Nos 03.01, 03.02, 03.03, 16.04 and 16.05 and subheadings 05.15 A and 23.01 B of the Common Customs Tariff shall be progressively abolished in accordance with the following timetable:

(a) With regard to products imported into the other Member States of the Community from Portugal:

- on 1 March 1986, each duty shall be reduced to 85,7 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 71,4 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 57,1 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 42,8 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 28,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 14,2 % of the basic duty,
- the last reduction of 14,2 % shall be made on 1 January 1992.

(b) With regard to products imported into Portugal from the other Member States of the Community:

- on 1 March 1986, each duty shall be reduced to 87,5 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 75 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 62,5 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 50 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 37,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 25 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 12,5 % of the basic duty,
- the last reduction of 12,5 % shall be made on 1 January 1993.

2. Notwithstanding paragraph 1, customs duties on imports applicable to prepared or preserved sardines, falling within subheading 16.04 D of the Common Customs Tariff, between Portugal and the other Member States of the Community, shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 90,9 % of the basic duty,
- on 1 January 1987, each duty shall be reduced to 81,8 % of the basic duty,
- on 1 January 1988, each duty shall be reduced to 72,7 % of the basic duty,

- on 1 January 1989, each duty shall be reduced to 63,6 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 54,5 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 45,4 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 36,3% of the basic duty,
- on 1 January 1993, each duty shall be reduced to 27,2 % of the basic duty,
- on 1 January 1994, each duty shall be reduced to 18,1 % of the basic duty,
- on 1 January 1995, each duty shall be reduced to 9 % of the basic duty.
- the last reduction of 9 % shall be made on 1 January 1996.

3. Notwithstanding paragraph 1, customs duties on imports in the Member States of the Community from Portugal for fresh, chilled or frozen sardines falling within subheading 03.01 B I d) of the Common Customs Tariff and prepared or preserved tuna and anchovies falling within subheadings 16.04 E and 16.04 ex F of the Common Customs Tariff, shall be progressively abolished in accordance with the following timetable:

- on 1 March 1986, each duty shall be reduced to 87,5 % of the basic duty,
- on 1 January 1987 each duty shall be reduced to 75 % of the basic duty,
- on 1 January 1988 each duty shall be reduced to 62,5 % of the basic duty,
- on 1 January 1989 each duty shall be reduced to 50 % of the basic duty,
- on 1 January 1990 each duty shall be reduced to 37,5 % of the basic duty,
- on 1 January 1991 each duty shall be reduced to 25 % of the basic duty,
- on 1 January 1992 each duty shall be reduced to 12,5 % of the basic duty,
- the last reduction of 12,5 % shall be made on 1 January 1993.

4. Notwithstanding Article 197, the Portuguese Republic shall, for the fishery products referred to in paragraph 1, alter its tariff applicable to third countries by reducing the variation between the basic duties and the Common Customs Tariff duties in accordance with the following detailed rules:

- From 1 March 1986, the Portuguese Republic shall apply a duty reducing by 12,5 % the variation between the basic duty and that of the Common Customs Tariff.

— From 1 January 1987:

- (a) for tariff headings for which the basic duties do not vary by more than 15 % either above or below the Common Customs Tariff duties, these latter duties shall apply;
- (b) in the other cases, the Portuguese Republic shall apply a duty reducing the variation between the basic duties and the Common Customs Tariff duties in seven equal instalments of 12,5 % on the following dates:
  - 1 January 1987,
  - 1 January 1988,
  - 1 January 1989,
  - 1 January 1990,
  - 1 January 1991,
  - 1 January 1992.

The Portuguese Republic shall apply the Common Customs Tariff in its entirety from 1 January 1993.

#### *Article 361*

1. Until 31 December 1992, imports into Portugal of products appearing in Annex XXVIII (a) from other Member States shall be subject to a supplementary trade mechanism defined in this Article.

2. Furthermore, until 31 December 1990, imports into Portugal of the products appearing in Annex XXVIII (b) from Spain shall be subject to the mechanism referred to in paragraph 1.

3. A forward supply estimate for Portugal shall be established for each product concerned before the beginning of each year on the basis of imports made over the three preceding years. This estimate shall show not only imports from the other Member States but also those from third countries. The intra-Community share in this estimate shall be increased each year by a progressive factor of 15 %.

4. Beyond the threshold of the intra-Community share, measures limiting or suspending imports may be taken.

5. Beyond the threshold fixed for the overall supply estimate, the Portuguese Republic may take interim protective measures that are immediately applicable, such measures shall be notified without delay to the Commission which may suspend their application in the month following that notification.

6. The detailed implementing rules shall be adopted in accordance with the procedure of Article 33 of Regulation (EEC) No 3796/81.

### Article 362

During the period of progressive elimination of customs duties between the Community as at present constituted and Portugal, the following products coming from Portugal may be imported annually into the Community, as at present constituted, with the Common Customs Tariff duties being entirely suspended up to the limits indicated hereafter:

CCT heading No	Description	Quantities (tonnes)
16.04	Prepared or preserved fish, including caviar and caviar substitutes:	
	D. Sardines	5 000
	E. Tunny	1 000
	ex F. Bonito ( <i>Sarda</i> spp.), mackerel and anchovies:	
	— Mackerel	1 000

### Article 363

1. Until 31 December 1992, the Portuguese Republic may maintain with regard to third countries the quantitative restrictions for the product appearing in Annex XXIX, within the limits and the procedures defined by the Council acting by a qualified majority on a proposal from the Commission.

2. The Community reference price mechanism shall apply to each product once the quantitative restrictions referring thereto are abolished.

## CHAPTER 5

### External relations

#### Section I

#### Common commercial policy

### Article 364

1. The Portuguese Republic shall retain, with regard to third countries, quantitative restrictions on imports of products not yet liberalized with regard to the Community as at present constituted. It shall not grant to third countries any other advantage in relation to the Community as at present constituted with respect to the quotas fixed for those products.

These quantitative restrictions shall remain in force for at least such time as quantitative restrictions obtain for

the same products with regard to the Community as at present constituted.

2. The Portuguese Republic shall retain, with regard to the State-trading countries referred to in Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83, quantitative restrictions on imports for products not yet liberalized with regard to countries to which Regulation (EEC) No 288/82 applies. It shall not grant the State-trading countries any other advantage in relation to the countries to which Regulation (EEC) No 288/82 applies with regard to the quotas fixed for those products.

These quantitative restrictions shall remain in force for at least such time as quantitative restrictions obtain for the same products with regard to the countries referred to in Regulation (EEC) No 288/82.

Any amendments to the import arrangements in Portugal for products which are not liberalized by the Community, with regard to State-trading countries, must be made in accordance with the rules and procedures laid down in Regulation (EEC) No 3420/83, and without prejudice to the first subparagraph.

The Portuguese Republic is not, however, required to reintroduce, with regard to State-trading countries, quantitative restrictions on imports for products liberalized with regard to those countries and which are still subject to quantitative restrictions with regard to member countries of the General Agreement on Tariffs and Trade.

3. Until 31 December 1992, the Portuguese Republic may retain, without prejudice to paragraphs 1 and 2, quantitative restrictions on imports in the form of quotas for the products and amounts listed in Annex XXX as temporary derogations from the common liberalization lists for imports contained in Regulations (EEC) No 288/82, (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3419/83, as amended by Regulation (EEC) No 453/84, provided that, as far as the countries which are members of the General Agreement on Tariffs and Trade are concerned, these restrictions have been notified, before accession, in the context of that Agreement.

Imports of those products shall be subject in their entirety to the common liberalization lists in force on 1 January 1993. The quotas shall be progressively increased until that date, in accordance with paragraph 4.

4. The minimum rate of progressive increase of quotas referred to in paragraph 3 shall be 25 % at the beginning of each year for quotas expressed in ECU and 20 % at the beginning of each year for quotas expressed in terms of volume. The increase shall be added to each quota and the following increase calculated on the total figure obtained.

Without prejudice to paragraphs 1 and 2, if, while the transitional measures are being applied, imports made

in the course of two consecutive years are less than 90 % of the annual quotas opened in accordance with paragraph 3, the Portuguese Republic shall abolish the quantitative restrictions in force.

5. The Portuguese Republic shall retain quantitative restrictions on imports in the form of quotas with respect to all third countries for the products listed in Protocol No 23 which are not liberalized by the Community with regard to third countries and for which it retains quantitative restrictions on imports with regard to the Community as at present constituted, in respect of the amounts and at least until the dates laid down in that Protocol.

Any amendment to the import arrangements in Portugal for products referred to in the first subparagraph shall be made in accordance with the rules and procedures laid down by Regulations (EEC) No 288/82 and (EEC) No 3420/83 and without prejudice to paragraphs 1 and 2.

6. In order to comply with the obligations which devolve upon the Community under the General Agreement on Tariffs and Trade with regard to State-trading countries that are members of that Agreement, the Portuguese Republic shall, where appropriate and in so far as is necessary, extend to the said countries the liberalizing measures it must take with regard to the other third country members of the Agreement, while taking into account agreed transitional measures.

#### *Article 365*

1. From 1 March 1986, the Portuguese Republic shall apply the generalized preference system for products other than those listed in Annex II to the EEC Treaty. However, as regards the products listed in Annex XXXI, the Portuguese Republic shall progressively align itself by 31 December 1992 on the rates of the generalized preference system starting from the basic duties referred to in Article 189 (2). The timetable of these alignments shall be the same as that referred to in Article 197.

2. (a) As far as the products listed in Annex II to the Treaty are concerned, the preferential rates provided for or calculated shall be applied progressively to the duties actually levied by the Portuguese Republic with regard to third countries, following the general procedures referred to under (b) or the special procedures referred to in Articles 289 and 295.

(b) The Portuguese Republic shall apply, as from 1 March 1986, a duty which reduces the variation between the rate of the basic duty and the rate of the preferential duty in accordance with the following timetable:

- on 1 March 1986, the variation shall be reduced to 90,9 % of the original variation,
- on 1 January 1987, the variation shall be reduced to 81,8 % of the original variation,

- on 1 January 1988, the variation shall be reduced to 72,7 % of the original variation,
- on 1 January 1989, the variation shall be reduced to 63,6 % of the original variation,
- on 1 January 1990, the variation shall be reduced to 54,5 % of the original variation,
- on 1 January 1991, the variation shall be reduced to 45,4 % of the original variation,
- on 1 January 1992, the variation shall be reduced to 36,3 % of the original variation,
- on 1 January 1993, the variation shall be reduced to 27,2 % of the original variation,
- on 1 January 1994, the variation shall be reduced to 18,1 % of the original variation,
- on 1 January 1995, the variation shall be reduced to 9 % of the original variation.

The Portuguese Republic shall apply the preferential rates in full as from 1 January 1996.

(c) By way of derogation from point (b), for fisheries products falling within heading Nos 03.01, 03.02, 03.03, 16.04 and 16.05 and subheadings 05.15 A and 23.01 B of the Common Customs Tariff, the Portuguese Republic shall apply, as from 1 March 1986, a duty reducing the variation between the rate of the basic duty and the rate of the preferential duty according to the following system:

- on 1 March 1986, the variation shall be reduced to 87,5 % of the original variation,
- on 1 January 1987, the variation shall be reduced to 75 % of the original variation,
- on 1 January 1988, the variation shall be reduced to 62,5 % of the original variation,
- on 1 January 1989, the variation shall be reduced to 50 % of the original variation,
- on 1 January 1990, the variation shall be reduced to 37,5 % of the original variation,
- on 1 January 1991, the variation shall be reduced to 25 % of the original variation,
- on 1 January 1992, the variation shall be reduced to 12,5 % of the original variation.

The Portuguese Republic shall apply the preferential rates in full as from 1 January 1993.

#### Section II

#### **Agreements of the Communities with certain third countries**

#### *Article 366*

1. As from 1 January 1986, the Portuguese Republic shall apply the provisions of the agreements referred to in Article 368.



The transitional measures and any adjustments shall be the subject of protocols concluded with the co-contracting countries and annexed to those agreements.

2. These transitional measures shall be designed to ensure, after their expiry, the application by the Community of a single system for its relations with the co-contracting third countries as well as the identity of the rights and obligations of the Member States.

3. These transitional measures applicable to the countries listed in Article 368 shall not, in any field, result in the Portuguese Republic granting them more favourable treatment than will apply to the Community as at present constituted.

In particular, all products subject to transitional measures in respect of quantitative restrictions applicable to the Community as at present constituted shall be subject to such measures *vis-à-vis* all the countries listed in Article 368, and for an identical period of time subject to any specific derogations.

4. These transitional measures applicable to the countries listed in Article 368 shall not result in the Portuguese Republic giving less favourable treatment to those countries than to other third countries. In particular, transitional measures in respect of quantitative restrictions cannot be envisaged for the countries listed in Article 368 in respect of products which will be free of such restrictions when imported into Portugal from other third countries.

#### *Article 367*

If the protocols referred to in Article 366 (1) are not, for reasons outside the control of the Community or the Portuguese Republic, concluded by 1 January 1986, the Community shall take the necessary measures to deal with this situation on accession.

In any case, most-favoured-nation treatment shall be applied as from 1 January 1986 by the Portuguese Republic to the countries listed in Article 368.

#### *Article 368*

1. Articles 366 and 367 shall apply to:

— the Agreements concluded with Algeria, Austria, Cyprus, Egypt, Finland, Iceland, Israel, Jordan, Lebanon, Malta, Morocco, Norway, Sweden, Switzerland, Syria, Tunisia, Turkey and Yugoslavia, and to other Agreements concluded with third countries and concerning exclusively trade in the products of Annex II of the EEC Treaty;

— the new Agreement between the Community and the African, Caribbean and Pacific countries, signed on 8 December 1984.

2. The agreements resulting from the Second ACP-EEC Convention and the Agreement on products within the province of the European Coal and Steel Community, signed on 31 October 1979, shall not apply in relations between the Portuguese Republic and the African, Caribbean and Pacific States.

#### *Article 369*

The Portuguese Republic shall withdraw, with effect from 1 January 1986, from the Convention establishing the European Free Trade Association signed on 4 January 1960.

### Section III

#### Textiles

#### *Article 370*

1. As from 1 January 1986, the Portuguese Republic shall apply the Arrangement of 20 December 1973 regarding International Trade in Textiles as well as the bilateral agreements concluded by the Community under that Arrangement, or with other third countries. Protocols of adjustment of these agreements shall be negotiated by the Community with third countries, that are parties to the agreements, in order to provide for voluntary restraint on exports to Portugal in the case of products and origins for which there are limitations on exports to the Community.

2. Should these protocols not have been concluded by 1 January 1986, the Community shall take measures designed to deal with this situation and concerning the necessary transitional adjustments to ensure that the agreements are implemented by the Community.

### CHAPTER 6

#### Financial provisions

#### *Article 371*

1. The Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources, hereinafter referred to as 'the Decision of 21 April 1970', shall be applied in accordance with Articles 372 to 375.

2. Any reference to the Decision of 21 April 1970 made in the Articles of this Chapter shall be under-

stood as referring to the Council Decision of 7 May 1985 on the Communities' system of own resources, as from the entry into force of that Decision.

#### *Article 372*

The revenue designated as 'agricultural levies' referred to in the first paragraph of Article 2 (a) of the Decision of 21 April 1970 shall also include the revenue from any amount recorded on import in trade between Portugal and the other Member States and between Portugal and third countries under Articles 233 to 345, 210 (3) and 213.

However, that revenue shall include only from the beginning of the second stage the levies and other amounts referred to in the preceding paragraph, recorded for products subject to transitional arrangements by stages under Articles 309 to 341.

Notwithstanding the provisions of the preceding paragraph, the Council, acting unanimously on a proposal from the Commission, may decide before the end of the first stage to refund to Portugal, within the limits and in accordance with procedures to be defined and for a period not exceeding two years, revenue from 'accession' compensatory amounts applied by Portugal to imports of cereals from the other Member States.

#### *Article 373*

The revenue designated as 'customs duties' referred to in the first paragraph of Article 2 (b) of the Decision of 21 April 1970 shall include, until 31 December 1992, customs duties calculated as if the Portuguese Republic applied, from accession, in trade with third countries the rates resulting from the Common Customs Tariff and the reduced rates resulting from any tariff preference applied by the Community. For the customs duties relating to oilseeds and oleaginous fruits and products derived therefrom, falling within Regulation No 136/66/EEC, and for the agricultural products subject to transitional arrangements by stages under Articles 309 to 341, the same rule shall apply until 31 December 1995.

However, this revenue shall not include, during the first stage, the customs duties imposed on agricultural products imported into Portugal and subject to the transitional arrangements by stages under Articles 309 to 341.

Where the provisions adopted by the Commission under Article 210 (3) of this Act are applied, and by

way of derogation from the first subparagraph, the customs duties shall correspond to the amount calculated in accordance with the rate of the compensatory levy fixed by those provisions for third-country products incorporated in the manufacture.

The Portuguese Republic shall make a monthly calculation of these customs duties on the basis of customs declarations of a single month. The calculation thus obtained for the customs duties on the basis of recordings during the month in question shall be made available to the Commission under the conditions defined in Regulation (EEC, Euratom, ECSC) No 2891/77.

As from 1 January 1993, the total amount of the customs duties recorded shall be due in its entirety. However, with regard to the products referred to in Articles 309 to 341 subject to transitional arrangements by stages, and with regard to oilseeds and oleaginous fruit and products derived therefrom, falling within Regulation 136/66/EEC, the total amount of those duties shall be due in its entirety from 1 January 1996.

#### *Article 374*

The amount of duties established under own resources accruing from value-added tax or from financial contributions based upon the gross national product pursuant to Article 4 (1) to (5) of the Decision of 21 April 1970 shall be due in its entirety as from 1 January 1986.

The derogation referred to in point 15 of Article 15 of Sixth Council Directive 77/388/EEC shall not affect the amount of duties due under the first paragraph.

The Community shall refund to the Portuguese Republic, as an item of expenditure under the general budget of the European Communities, during the month following its availability to the Commission, a proportion of the amount of payments under own resources accruing from value-added tax or from financial contributions based on the gross national product in accordance with the following procedure:

- 87 % in 1986,
- 70 % in 1987,
- 55 % in 1988,
- 40 % in 1989,
- 25 % in 1990,
- 5 % in 1991.

The percentage of this graduated refund shall not apply to the amount corresponding to the share borne by Portugal in financing the deduction provided for in Article 3 (3) (b), (c) and (d) of the Council Decision of 7 May 1985 on the Communities' system of own resources, in favour of the United Kingdom.

#### *Article 375*

In order to prevent the Portuguese Republic from bearing the cost of reimbursement of advances granted to the Community by its Member States before 1 January 1986, the Portuguese Republic shall benefit from financial compensation in respect of that reimbursement.

### CHAPTER 7

#### **Other provisions**

#### *Article 376*

Notwithstanding Article 60 of the ECSC Treaty and its implementing provisions, Portuguese steel undertakings may apply, in the autonomous regions of the Azores and Madeira, until 31 December 1992, a cif port of destination price equal to a basing price in force on the mainland territory of the Portuguese Republic.

#### *Article 377*

The Portuguese Republic may, until 31 December 1992, derogate from the provisions of Article 95 of the EEC Treaty with regard to excise duties on manufactured tobacco produced in the autonomous regions of the Azores and Madeira, under the conditions defined in Annex XXXII for the application of Council Directive 72/464/EEC of 19 December 1972.

### TITLE IV

#### **OTHER PROVISIONS**

#### *Article 378*

1. The Acts listed in Annex XXXII to this Act shall apply in respect of the new Member States under the conditions laid down in that Annex.

2. At the duly substantiated request of the Kingdom of Spain or the Portuguese Republic, the Council, acting unanimously on a proposal from the Commission, may, before 1 January 1986, take measures consisting of temporary derogations from acts of the institutions of the Communities adopted between 1 January 1985 and the date of signature of this Act.

#### *Article 379*

1. If, before 31 December 1992, the difficulties arise which are serious and liable to persist in any sector of the economy or which could bring about serious deterioration in the economic situation of a given area, a new Member State may apply for authorization to take protective measures in order to rectify the situation and

adjust the sector concerned to the economy of the common market.

In the same circumstances, any present Member State may apply for authorization to take protective measures with regard to one or both of the new Member States.

This provision shall apply until 31 December 1995 for products or sectors in respect of which this Act allows transitional derogations of equivalent duration.

2. On application by the State concerned, the Commission shall, by emergency procedures, determine the protective measures which it considers necessary specifying the circumstances and the manner in which they are to be put into effect.

In the event of serious economic difficulties and at the express request of the Member State concerned, the Commission shall act within five working days of the receipt of the request, accompanied by the relevant background information. The measures thus decided on shall be applicable forthwith.

In the agricultural and fisheries sector, without prejudice to the provisions of Chapter 3 of Titles II and III, where trade between the Community as at present constituted and one or other new Member State or between them causes or threatens to cause serious disturbances on the market of a Member State, the Commission shall act upon a request by the Member State concerned for the application of such protective measures as it considers necessary within 24 hours of receiving such request. The measures thus decided on shall be applicable forthwith and shall take account of the interests of all parties concerned and, in particular, transport problems.

3. The measures authorized under paragraph 2 may involve derogations from the rules of the EEC Treaty and the ECSC Treaty, and of this Act to such an extent and for such periods as are strictly necessary in order to attain the objectives referred to in paragraph 1. Priority shall be given to such measures as will least disturb the functioning of the common market.

4. If difficulties rise which are serious and liable to persist in the employment market of the Grand Duchy of Luxembourg, that State may apply for authorization, in accordance with the procedure set out in the first and second subparagraphs of paragraph 2 and under the conditions defined in paragraph 3, to apply provisionally until 31 December 1995 protective measures within the framework of national provisions governing change in employment, with regard to workers who are nationals of a new Member State allowed to immigrate to the Grand Duchy after the date of that authorization with a view to taking up employment there.

*Article 380*

1. If, before the expiry of the period of application of the transitional measures laid down under this Act for each case, the Commission, on application by a Member State or by any other interested party and in accordance with rules of procedure to be adopted upon accession by the Council acting by a qualified majority on a proposal from the Commission, finds that dumping is being practised between the Community as at present constituted and the new Member States or between the new Member States, it shall address recommendations to the person or persons with whom such practices originate for the purpose of putting an end to them.

Should the practices continue, the Commission shall authorize the injured Member State or States to take protective measures, the conditions and details of which the Commission shall determine.

2. For the application of this Article to the products listed in Annex II to the EEC Treaty, the Commission

shall evaluate all relevant factors, in particular the level of prices at which these products are imported into the market in question from elsewhere, account being taken of the provisions of the EEC Treaty relating to agriculture and in particular Article 39.

3. The measures adopted before accession under Regulation (EEC) No 2176/84 and Decision 2177/84/ECSC) with regard to the new Member States, and those adopted before accession under the anti-dumping legislation of the new Member States with regard to the Community as at present constituted, shall remain provisionally in force and shall be re-examined by the Commission which shall decide whether to amend or repeal them. Such amendment or repeal shall be implemented by the Commission or the national authorities concerned, as the case may be. Proceedings instituted before accession in Spain, Portugal or in the Community as at present constituted shall be pursued in accordance with the provisions of paragraph 1.

PART FIVE

PROVISIONS RELATING TO THE IMPLEMENTATION OF THIS ACT

TITLE I

SETTING UP OF THE INSTITUTIONS

*Article 381*

The European Parliament shall meet no later than one month after the accession. It shall make such adaptations to its rules of procedure as are rendered necessary by that accession.

*Article 382*

The Council shall make such adaptations to its rules of procedure as are rendered necessary by accession.

*Article 383*

1. Upon accession, the Commission shall be enlarged by the appointment of three supplementary members and the designation of a sixth vice-president from among the members of the enlarged Commission. The term of office of the members appointed shall expire at the same time as that of the members holding office on the date of accession.

The term of office of the sixth vice-president appointed shall expire on the same date as that of the five other vice-presidents.

2. Before 31 December 1986, the Council shall examine for the first time whether the fourth subparagraph

of Article 14 of the Treaty establishing a single Council and a single Commission of the European Communities should be applied.

3. The Commission shall make those changes to its rules of procedure which are rendered necessary as a result of accession.

*Article 384*

1. Upon accession, two judges shall be appointed to the Court of Justice.

2. The term of office of one of the judges appointed in accordance with paragraph 1 shall expire on 6 October 1988. That judge shall be chosen by lot. The term of office of the other judge shall expire on 6 October 1991.

3. Upon accession, a sixth advocate-general shall be appointed. His term of office shall expire on 6 October 1988.

4. The Court shall make such adaptations to its rules of procedure as are rendered necessary by the accession. The rules of procedure as adapted shall require the unanimous approval of the Council.

5. In order to try cases pending before the Court on 1 January 1986 in respect of which oral proceedings have started before that date, the full Court or the

Chambers shall be composed as before the accession and shall apply the rules of procedure in force on 31 December 1985.

*Article 385*

Upon accession, the Court of Auditors shall be enlarged by the appointment of two additional members. The term of office of the members so appointed shall expire on 17 October 1987.

*Article 386*

Upon accession, the Economic and Social Committee shall be enlarged by the appointment of 33 members representing the various categories of economic and social activity in the new Member States. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 387*

Upon accession, the Consultative Committee of the European Coal and Steel Community shall be enlarged by the appointment of additional members. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 388*

Upon accession, the Scientific and Technical Committee shall be enlarged by the appointment of five additional members. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

*Article 389*

Upon accession, the Monetary Committee shall be enlarged by the appointment of members representing the new Member States. Their terms of office shall expire at the same time as those of the members in office at the time of accession.

*Article 390*

Adaptations to the rules of the Committees established by the original Treaties and to their rules of procedure, necessitated by the accession, shall be made as soon as possible after accession.

*Article 391*

1. The terms of office of the new members of the Committees listed in Annex XXXIII shall expire at the same time as those of the members in office at the time of accession.

2. Upon accession, the membership of the Committees listed in Annex XXXIV shall be completely renewed.

TITLE II

APPLICABILITY OF THE ACTS OF THE INSTITUTIONS

*Article 392*

Upon accession, the new Member States shall be considered as being addressees of and as having received notification of Directives and Decisions within the meaning of Article 189 of the EEC Treaty and of Article 161 of the Euratom Treaty, and of recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, provided that those directives, recommendations and decisions have been notified to all the present Member States.

*Article 393*

The application in each of the new Member States of the acts listed in Annex XXXV to this Act shall be postponed until the dates specified in that list.

*Article 394*

1. The following shall be postponed until 1 March 1986:

(a) the application to the new Member States of the Community rules introduced for the production of and trade in agricultural products and for the trade in certain goods resulting from the processing of agricultural products subject to special arrangements; and

(b) the application to the Community as at present constituted of amendments made to those rules by this Act, including those resulting from Article 396.

2. Paragraph 1 shall not apply to the adjustments to the acts of the Community institutions falling within the common agricultural policy which will be effected, in accordance with Article 396, with a view to determining the number of votes which shall express, on accession, the qualified majority within the framework of the procedure of Management Committees or other similar Committees set up in the sphere of agriculture.

3. The arrangements applicable to trade between a new Member State on the one hand, and the Com-

munity as at present constituted, the other new Member State or third countries, on the other hand shall, until 28 February 1986, be those that applied before accession.

#### *Article 395*

The new Member States shall put into effect the measures necessary for them to comply, from the date of accession, with the provisions of Directives and Decisions within the meaning of Article 189 of the EEC Treaty and of Article 161 of the Euratom Treaty, and with recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, unless a time-limit is provided for in the list of Annex XXXVI or in any other provisions of this Act.

#### *Article 396*

1. Adaptations to the acts of the institutions of the Communities not included in this Act or its Annexes, made by the institutions before accession, in accordance with the procedure set out in paragraph 2 to bring those acts into line with the provisions of this Act, in particular those of Part Four, shall enter into force as from the accession.

2. The Council, acting by a qualified majority on a proposal from the Commission, or the Commission, according to which of these two institutions adopted the original acts, shall to this end draw up the necessary texts.

#### *Article 397*

The texts of the acts of the institutions of the Communities adopted before the accession and drawn up by the Council or the Commission in the Spanish and Portuguese languages shall, from the date of accession, be authentic under the same conditions as the texts drawn up in the present seven languages. They shall be published in the *Official Journal of the European Communities* if the texts in the present languages were so published.

#### *Article 398*

Agreements, Decisions and concerted practices in existence at the time of accession which come within the scope of Article 65 of the ECSC Treaty by reason of the accession must be notified to the Commission within three months of accession. Only Agreements and Decisions which have been notified shall remain provisionally in force until a Decision has been taken by the Commission.

#### *Article 399*

Provisions laid down by law, regulation or administrative action designed to ensure the protection of the health of workers and the general public in the territory of the Member States against the dangers arising from ionizing radiations shall, in accordance with Article 33 of the Euratom Treaty, be communicated by those States to the Commission within three months of accession.

### TITLE III

## FINAL PROVISIONS

#### *Article 400*

Annexes I to XXXVI and Protocols I to 25 attached to this Act, shall form an integral part thereof.

#### *Article 401*

The Government of the French Republic shall remit a certified copy of the Treaty establishing the European Coal and Steel Community and the Treaties amending that Treaty to the Governments of the Kingdom of Spain and of the Portuguese Republic.

#### *Article 402*

The Government of the Italian Republic shall remit to the Governments of the Kingdom of Spain and of the Portuguese Republic a certified copy of the Treaty establishing the European Economic Community, the Treaty establishing the European Atomic Energy Community and the Treaties amending or supplementing them, including the Treaties concerning the accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland and of the Hellenic Republic to the European Economic Community and the European Atomic Energy Community, in the Danish, Dutch, English, French, German, Greek, Irish and Italian languages.

The texts of those Treaties, drawn up in the Spanish and Portuguese languages, shall be annexed to this Act. Those texts shall be authentic under the same conditions as the texts of the Treaties referred to in the first paragraph, drawn up in the present languages.

#### *Article 403*

A certified copy of the international agreements deposited in the archives of the General Secretariat of the Council of the European Communities shall be remitted to the Governments of the new Member States by the Secretary-General.

## ANNEXES





## ANNEX I

### List provided for in Article 26 of the Act of Accession

#### I. CUSTOMS LEGISLATION

1. In the following Acts and in the Articles indicated, the number 'forty-five' is replaced by 'fifty-four':
  - (a) Council Regulation (EEC) No 802/68 of 27 June 1968 (OJ No L 148, 28. 6. 1968, p. 1), as amended by:
    - Council Regulation (EEC) No 1318/71 of 21 June 1971 (OJ No L 139, 25. 6. 1971, p. 6),
    - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
    - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):Article 14 (2).
  - (b) Council Regulation (EEC) No 222/77 of 13 December 1976 (OJ No L 38, 9. 2. 1977, p. 1), as amended by:
    - Council Regulation (EEC) No 983/79 of 14 May 1979 (OJ No L 123, 19. 5. 1979, p. 1),
    - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
    - Council Regulation (EEC) No 3813/81 of 15 December 1981 (OJ No L 383, 31. 12. 1981, p. 28),
    - Council Regulation (EEC) No 3617/82 of 17 December 1982 (OJ No L 382, 31. 12. 1982, p. 6):Article 57 (2).
  - (c) Council Regulation (EEC) No 1224/80 of 28 May 1980 (OJ No L 134, 31. 5. 1980, p. 1), as amended by Council Regulation (EEC) No 3193/80 of 8 December 1980 (OJ No L 333, 11. 12. 1980, p. 1):
  - Article 19 (2).
  - (d) Council Regulation (EEC) No 636/82 of 16 March 1982 (OJ No L 76, 20. 3. 1982, p. 1):
  - Article 12 (3) (a).
  - (e) Council Regulation (EEC) No 918/83 of 28 March 1983 (OJ No L 105, 23. 4. 1983, p. 1):
  - Article 143 (2).
  - (f) Council Regulation (EEC) No 3/84 of 19 December 1983 (OJ No L 2, 4. 1. 1984, p. 1), as amended by Council Regulation (EEC) No 1568/84 of 4 June 1984 (OJ No L 151, 7. 6. 1984, p. 5):
  - Article 15 (2).
  - (g) Council Directive 69/73/EEC of 4 March 1969 (OJ No L 58, 8. 3. 1969, p. 1), as amended by:
    - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
    - Council Directive 72/242/EEC of 27 June 1972 (OJ No L 151, 5. 7. 1972, p. 16),
    - Council Directive 76/119/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 58),
    - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
    - Council Directive 83/89/EEC of 7 February 1983 (OJ No L 59, 5. 3. 1983, p. 1),
    - Council Directive 83/307/EEC of 13 June 1983 (OJ No L 162, 22. 6. 1983, p. 20), as corrected in OJ No L 272, 5. 10. 1983, p. 22,
    - Commission Directive 84/444/EEC of 26 July 1984 (OJ No L 245, 14. 9. 1984, p. 28):Article 28 (2).
  - (h) Council Directive 76/308/EEC of 15 March 1976 (OJ No L 73, 19. 3. 1976, p. 18), as amended by:
    - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
    - Council Directive 79/1071/EEC of 6 December 1979 (OJ No L 331, 27. 12. 1979, p. 10).Article 22 (2).

(i) Council Directive 79/695/EEC of 24 July 1979 (OJ No L 205, 13. 8. 1979, p. 19), as amended by:

— Council Directive 81/465/EEC of 24 June 1981 (OJ No L 183, 4. 7. 1981, p. 34),

— Council Directive 81/853/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 1):

Article 26 (2).

2. Commission Regulation (EEC) No 1062/69 of 6 June 1969 (OJ No L 141, 12. 6. 1969, p. 31), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In the Annex, the text of the 'Certificate' form is replaced by the following:

CERTIFIKAT / BESCHEINIGUNG / ΠΙΣΤΟΠΟΙΗΤΙΚΟ / CERTIFICATE / CERTIFICADO /  
CERTIFICAT / CERTIFICATO / CERTIFICAAT / CERTIFICADO

nr. / Nr. / αριθ. / No / n° / n° / n. / nr. / n°.

for tilberedte produkter betegnet »oste-fondue« i engangsemballage med et nettoindhold på mindre end eller lig med 1 kg

für „Käsefondue“ genannte Zubereitungen in unmittelbaren Umschließungen mit einem Gewicht des Inhalts von 1 kg oder weniger

για τα παρασκευάσματα υπό την ονομασία «Τετηγμένοι τυροί» παρουσιάζόμενα σε άμεσες συσκευασίες καθαρού περιεχομένου κατωτέρου ή ίσου προς 1 kg.

for preparations known as 'cheese fondues' put up in immediate packings of a net capacity of one kilogram or less

para las preparaciones llamadas «fondues» presentadas en envases inmediatos con un contenido neto inferior o igual a 1 kg

pour les préparations dites «fondues» présentées en emballages immédiats d'un contenu net inférieur ou égal à 1 kilogramme

per le preparazioni dette «fondute» presentate in imballaggi immediati di un contenuto netto inferiore o uguale a 1 kg

voor de preparaten „fondues“ genaamd, in onmiddellijke verpakking, met een netto-inhoud van 1 kg of minder

para as preparacões denominadas «fondues» apresentadas em embalagens imediatas com um conteúdo líquido inferior ou igual a 1 kg

Vedkommende myndighed / Die zuständige Stelle / Η αρμόδια αρχή / The competent authority /  
La autoridad competente / L'autorité compétente / L'autorità competente / De bevoegde autoriteit /  
A autoridade competente

.....  
bekræfter, at sendingen på  
bescheinigt, daß die Sendung von  
πιστοποιεί ότι η αποστολή  
certifies that the parcel of  
certifica que la partida de  
certifie que le lot de  
certifica che la partita di  
bevestigt dat de partij van  
certifica que o lote de

kilogram af produktet, omhandlet i faktura nr. ... af  
Kilogramm, für welche die Rechnung Nr. ... vom  
χιλιογράμμων προϊόντος, περιλαμβανομένου στο τιμολόγιο αριθ. ... της  
kilograms of product covered by invoice No ... of  
kilogramos, objeto de la factura n° ... de  
kilogrammes de produit faisant l'objet de la facture n° ... du  
chilogrammi di prodotto, oggetto della fattura n. ... del  
kilogram van het produkt, waarvoor factuur nr. ... van  
quilogramas de produto a que se refere a factura n° ... de

udstedt af / ausgestellt wurde durch / εκδοθέν από / issued by / expedida por / délivrée par / emessa da /  
afgegeven door / emitida por:

oprindelsesland / Ursprungsland / χώρα καταγωγής / country of origin / país de origen / pays d'origine / paese d'origine / land van oorsprong / país de origem:

bestemmelsesland / Bestimmungsland / χώρα προορισμού / country of destination / país de destino / pays de destination / paese destinatario / land van bestemming / país de destino:

svarer til følgende karakteristika:

folgende Merkmale aufweist:

ανταποκρίνεται στα ακόλουθα χαρακτηριστικά:

has the following characteristics:

responde a las características siguientes:

répond aux caractéristiques suivantes:

risponde alle seguenti caratteristiche:

de volgende kenmerken vertoont:

satisfaz as características seguintes:

Dette produkt har et vægtindhold af mælkefedt på mindst 12 og højst 18 procent.

Dieses Erzeugnis hat einen Gehalt an Milchfett von 12 oder mehr, jedoch weniger als 18 Gewichtshundertteilen.

Το προϊόν αυτό περιέχει κατά βάρος λιπαρές ουσίες προερχόμενες από το γάλα ίσες ή ανώτερες του 12 % και κατώτερες του 18 %.

This product has a milk fat content equal to or exceeding 12 % and less than 18 % by weight.

Este producto tiene un contenido en peso de materias grasas procedente de la leche igual o superior al 12 % e inferior al 18 %.

Ce produit a une teneur en poids en matières grasses provenant du lait égale ou supérieure à 12 % et inférieure à 18 %.

Tale prodotto ha un tenore in peso di materie grasse provenienti dal latte uguale o superiore a 12 % e inferiore a 18 %.

Dit produkt heeft een gehalte aan van melk afkomstige vetstoffen gelijk aan of hoger dan 12 %, doch lager dan 18 %.

Este produto tem um teor, em peso, de matérias gordas provenientes do leite igual ou superior a 12 % e inferior a 18 %.

Fremstillet af smelteost, ved hvis fabrikation der ikke er anvendt andre ostesorter end Emmentaler eller Gruyère,

Es ist hergestellt aus Schmelzkäse, zu dessen Erzeugung keine anderen Käsesorten als Emmentaler oder Greyerzer verwendet wurden,

Παρασκευάστηκε με δάση τετηγμένους τυρούς, στην παρασκευή των οποίων δεν χρησιμοποιήθηκαν άλλα τυριά παρά μόνο Emmental και Γραβιέρα,

It is prepared with processed cheeses made exclusively from Emmental or Gruyère cheese,

Ha sido obtenido a partir de quesos fundidos en cuya fabricación se han utilizado solamente Emmental o Gruyère,

Il a été obtenu à partir de fromages fondus dans la fabrication desquels ne sont entrés d'autres fromages que l'emmental ou le gruyère,

È stato ottenuto con formaggi fusi per la cui fabbricazione sono stati utilizzati solamente Emmental o Gruviera,

Het werd verkregen uit gesmolten kaas, waarin bij de fabricatie ervan geen andere kaassoorten dan Emmental of Gruyère werden verwerkt,

Foi obtido a partir de queijos fundidos em cujo fabrico só entram os queijos Emmental ou Gruyère,

med tilsætning af hvidvin, kirsebærbrændevin (kirsch), stivelse og krydderier.

mit Zusätzen von Weißwein, Kirschwasser, Stärke und Gewürzen.

με προσθήκη λευκού οίνου, αποστάγματος κερασιών, αμύλου και μπαχαρικών.

with added white wine, kirsch, starch and spices.

con la adición de vino blanco, aguardiente de cerezas (kirsch), fécula y especias.

avec adjonction de vin blanc, d'eau-de-vie de cerises (kirsch), de fécule et d'épices.  
con l'aggiunta di vino bianco, acquavite di ciliege (kirsch), fecola e spezie.  
met toevoeging van witte wijn, brandewijn van kersen (kirsch), zetmeel en specerijen.  
com adição de vinho branco, aguardente de cerejas (kirsch), fécula e especiarias.

De ved fabrikationen anvendte Emmentaler- eller Gruyère-oste er fremstillet i eksportlandet.  
Die zu seiner Herstellung verwendeten Käsesorten Emmentaler oder Greyerzer sind im Ausfuhrland erzeugt worden.  
Τα τυριά Emmental ή Γραβιέρα που χρησιμοποιήθηκαν κατά την παρασκευή παρήχθησαν στην εξαγούσα χώρα.  
The Emmental and Gruyère cheeses used in its manufacture were made in the exporting country.  
Los quesos Emmental o Gruyère utilizados en su fabricación han sido obtenidos en el país exportador.  
Les fromages emmental ou gruyère utilisés à sa fabrication ont été fabriqués dans le pays exportateur.  
I formaggi Emmental o Gruviera utilizzati per la sua fabbricazione sono stati fabbricati nel paese esportatore.  
De voor de bereiding ervan verwerkte Emmentaler of Gruyère kaassoorten werden in het uitvoerland bereid.  
Os queijos Emmental ou Gruyère utilizados no seu fabrico foram produzidos no país exportador.

Sted og dato for udstedelsen:

Ausstellungsort und -datum:

Τόπος και ημερομηνία εκδόσεως:

Place and date of issue:

Lugar y fecha de expedición:

Lieu et date d'émission:

Luogo e data d'emissione:

Plaats en datum van afgifte:

Local e data de emissão:

Den udstedende myndigheds stempel:

Stempel der ausstellenden Stelle:

Σφραγίδα του εκδίδοντος οργανισμού:

Stamp of issuing body:

Sello del organismo expedidor:

Cachet de l'organisme émetteur:

Timbro dell'organismo emittente:

Stempel van het met de afgifte belaste bureau:

Carimbo do organismo emissor:

Underskrift(er):

Unterschrift(en):

Υπογραφή(ες):

Signature(s):

Firma(s):

Signature(s):

Firma(e):

Handtekening(en):

Assinatura(s):

3. Commission Regulation (EEC) No 2552/69 of 17 December 1969 (OJ No L 320, 20. 12. 1969, p. 19), as amended by:
  - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Commission Regulation (EEC) No 768/73 of 26 February 1973 (OJ No L 77, 26. 3. 1973, p. 25),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Annex I, the text of the 'Certificate of authenticity' form is replaced by the following:

Ægtheds certifikat / Echtheitszeugnis / Πιστοποιητικό γνησιότητας / Certificate of authenticity /  
Certificado de autenticidad / Certificat d'authenticité / Certificato di autenticità / Certificaat  
van echtheid / Certificado de autenticidade

(nr. / Nr. / αριθ. / No / n° / n. / nr. / n°)

BOURBON WHISKEY

Afsender (navn og adresse) . . . . .	Forsendelsesmåde, skib/fly . . . . .
Absender (Name und Adresse) . . . . .	Verschifft durch M/S — versandt durch Flugzeug . . . . .
Αποστολέας (Όνομα και διεύθυνση) . . . . .	Αποστολή αεροπορικής — αεροπορικής . . . . .
Consignor (name and address) . . . . .	Shipped by S/S — by air . . . . .
Remitente (nombre y dirección) . . . . .	Remitido por barco — por avión . . . . .
Expéditeur (nom et adresse) . . . . .	Expédié par bateau — par avion . . . . .
Speditore (cognome e indirizzo) . . . . .	Spedito per nave — con aeroplano . . . . .
Afzender (naam en adres) . . . . .	Verscheept per schip — verzonden per vliegtuig . . . . .
Expedidor (nome e endereço) . . . . .	Expedido por barco — por avião . . . . .
Modtager (navn og adresse) . . . . .	Destinataire (nom et adresse) . . . . .
Empfänger (Name und Adresse) . . . . .	Destinatario (cognome e indirizzo) . . . . .
Παραλήπτης (Όνομα και διεύθυνση) . . . . .	Geadresseerde (naam en adres) . . . . .
Consignee (name and address) . . . . .	Destinatário (nome e endereço) . . . . .
Destinatario (nombre y dirección) . . . . .	

Ανταλ κολλι Anzahl der Packstücke Αριθ. Κόλλων Number of packages Numero de bultos Nombre de colis Numero dei colli Aantal colli Quantidade de volumes	Μάρκερ og numre Zeichen und Nummern Σημεία και αριθμοί Serial numbers and marks Marcas y números Marches numéros Marche e numeri Merken en nummers Marcas e números	Ανταλ / Anzahl / Αριθμός / Quantity / Cantidad / Nombre / Quantità / Aantal / Quantidade		Vægt / Gewicht / Βάρος / Weight / Peso / Poids / Peso / Gewicht / Peso		Κβανταμ Menge Ποσότητα Cantidad Quantité Quantità Hoeveelheid Quantidade (l)	Βεμάρκνινγκερ Bemerkungen Παρατηρήσεις Observaciones Observations Osservazioni Opmerkingen Observações
		Fade Fässer Βαρελιών Casks Barriles Fûts Fusti Fusten Cascos	Flasker Flaschen Φιαλών Bottles Botellas Bouteilles Bottiglie Flessen Garrafas	brutto brutto μεικτό gross bruto brut lordo bruto bruto	netto netto καθαρό net neto net netto netto liquido		

The Bureau of Alcohol, Tobacco and Firearms bekræfter, at forannævnte Bourbon-whisky med en styrke på højst 160° proof (80° Gay-Lussac) er fremstillet i USA i en arbejdsgang udelukkende ved destillering af gæret urt af en kornblanding indeholdende mindst 51 % majs, og at den er lagret i mindst 2 år i nye, indvendigt forkullede egetræsfade.

Das Bureau of Alcohol, Tobacco and Firearms bestätigt, daß der obengenannte Bourbon-Whiskey in den USA unmittelbar mit einer Stärke von höchstens 160° proof (80° Gay-Lussac) durch Destillation aus vergorener Getreidemaische mit einem Anteil an Mais von mindestens 51 Gewichtshundertteilen hergestellt wurde und daß er mindestens 2 Jahre in neuen, innen angekohlten Eichenfässern gelagert hat.

To Bureau of Alcohol, Tobacco and Firearms πιστοποιεί ότι το ούίσκυ Bourbon που περιγράφεται ανωτέρω παρήχθη στις ΗΠΑ κατ'ευθείαν σε 160° proof (80° Gay-Lussac), κατά μέγιστο όριο, αποκλειστικά από απόσταξη γλεύκων ζυµωθέντων από μίγμα δημητριακών που περιέχει τουλάχιστον 51 % σπόρους αραβοσίτου και έχει ωριμάσει επί δύο έτη, τουλάχιστον, μέσα σε καινούργια βαρέλια δρύινα, τα οποία εξωτερικώς έχουν επανθρακωθεί.

The Bureau of Alcohol, Tobacco and Firearms certifies that the above Bourbon whiskey was distilled in the United States at not exceeding 160° proof (80° Gay-Lussac) from a fermented mash of grain of which not less than 51 % was corn grain (maize) and aged for not less than two years in charred new oak containers.

El Bureau of Alcohol, Tobacco and Firearms certifica que el whisky Bourbon descrito anteriormente ha sido obtenido en USA directamente a 160° proof (80° Gay-Lussac) como máximo, exclusivamente por destilación de mostos fermentados de una mezcla de cereales que contienen como mínimo 51 % de maíz y que ha envejecido al menos durante dos años en barriles de roble nuevos, superficialmente carbonizados.

Le Bureau of Alcohol, Tobacco and Firearms certifie que le whisky Bourbon décrit ci-dessus a été obtenu aux États-Unis directement à 160 degrés *proof* (80 degrés Gay-Lussac) au maximum, exclusivement par distillation de moûts fermentés d'un mélange de céréales contenant au moins 51 % de grains de maïs et qu'il a vieilli pendant au moins deux ans en fûts de chêne neufs superficiellement carbonisés.

Il Bureau of Alcohol, Tobacco and Firearms, certifica che il whiskey Bourbon sopra descritto è stato ottenuto negli USA direttamente a non più di 160° *proof* (80° Gay-Lussac) esclusivamente per distillazione di mosti fermentati di una miscela di cereali contenente almeno 51 % di granturco e che è stato invecchiato per almeno due anni in fusti nuovi di quercia carbonizzati superficialmente.

Het Bureau of Alcohol, Tobacco and Firearms verklaart dat de hierboven omschreven Bourbon whiskey met een sterkte van niet meer dan 160° proof (80° Gay-Lussac) in de Verenigde Staten van Noord-Amerika in één produktiegang is verkregen uitsluitend door distillatie van gegist beslag van gemengde granen bestaande uit ten minste 51 gewichtspersenten (%) maïs en dat deze whiskey gedurende ten minste twee jaar is gelagerd in nieuwe, aan de binnenzijde verkoolde, eikehouten vaten.

O Bureau of Alcohol, Tobacco and Firearms certifica que o whisky Bourbon acima descrito foi obtido nos U.S.A., directamente a 160° proof (80° Gay-Lussac), no máximo, exclusivamente por destilação de mostos fermentados de uma mistura de cereais que contem, no mínimo, 51 % de milho e que foi envelhecido pelo menos durante dois anos em cascos de carvalho, novos e superficialmente carbonizados.

Sted og dato for udstedelsen

Ort und Datum der Ausstellung

Τόπος και ημερομηνία εκδόσεως

Place and date of issue:

Lugar y fecha de expedición:

Lieu et date d'émission

Luogo e data di emissione

Plaats en datum van afgifte

Local e data de emissão:

United States Department of the Treasury

Bureau of Alcohol, Tobacco and Firearms



(Underskrift af autoriseret embedsmand)  
(Unterschrift des Zeichnungsberechtigten)  
(Υπογραφή του εξουσιοδοτημένου υπαλλήλου)  
(Signature of authorized Bureau Officer)  
(Firma del funcionario habilitado)  
(Signature du fonctionnaire habilité)  
(Firma del funzionario abilitato)  
(Handtekening van de gemachtigde ambtenaar)  
(Assinatura do funcionario competente)

Department of the Treasury's stempel  
Stempel des Department of the Treasury  
Σφραγίδα του Department of the Treasury  
Seal of the Department of the Treasury  
Sella del Department of the Treasury  
Sceau du Department of the Treasury  
Timbro del Department of the Treasury  
Stempel van het Department of the Treasury  
Carimbo do Department of the Treasury

4. Commission Regulation (EEC) No 3184/74 of 6 December 1974 (OJ No L 344, 23. 12. 1974, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17), as corrected in OJ No L 346, 2. 12. 1981, p. 24.

The following is added:

- to the second subparagraph of Article 29 (2): 'EXPEDIDO A POSTERIORI' and 'EMITIDO A POSTERIORI',
  - to the first paragraph of Article 30: 'DUPLICADO' and 'SEGUNDA VIA',
  - to Article 36 (2): 'Procedimiento simplificado' and 'Procedimiento simplificado'.
5. Commission Regulation (EEC) No 1120/75 of 17 April 1975 (OJ No L 111, 30. 4. 1975, p. 19), as amended by:
- Commission Regulation (EEC) No 3277/75 of 15 December 1975 (OJ No L 325, 17. 12. 1975, p. 16),
  - Commission Regulation (EEC) No 1379/76 of 16 June 1976 (OJ No L 156, 17. 6. 1976, p. 13),
  - Commission Regulation (EEC) No 1216/77 of 7 June 1977 (OJ No L 140, 8. 6. 1977, p. 16),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Commission Regulation (EEC) No 3391/83 of 28 November 1983 (OJ No L 336, 1. 12. 1983, p. 55).

The following is added to Annex I:

*'ANEXO I*

1. Exportador
2. Número
4. Destinatario
5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN
6. Medio de transporte
7. VINO DE OPORTO
8. Lugar de descarga
9. Marcas y números, número y naturaleza de los bultos
10. Peso bruto
11. Litros
12. Litros (en letras)
13. Visado del organismo expedidor (ver traducción en el nº 15)
14. Visado de la aduana
15. Se certifica que el vino descrito en este documento se ha producido en la región delimitada

del Duero y se considera según las leyes portuguesas auténtico VINO DE OPORTO.

Este vino responde a la definición de vino generoso prevista en la nota complementaria 4 c) del capítulo 22 del Arancel Aduanero Común de la Comunidad Económica Europea.

16. (1) Espacio reservado para otras indicaciones del país exportador.'

The following is added to Annex II:

*'ANEXO II*

1. Exportador
2. Número
4. Destinatario
5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN
6. Medio de transporte
7. VINO DE MADEIRA
8. Lugar de descarga
9. Marcas y números, número y naturaleza de los bultos
10. Peso bruto
11. Litros
12. Litros (en letras)
13. Visado del organismo expedidor (ver traducción en el nº 15)
14. Visado de la aduana
15. Se certifica que el vino descrito en este documento se ha producido en la región delimitada de Madeira y se considera según las leyes portuguesas auténtico VINO DE MADEIRA.

Este vino responde a la definición de vino generoso prevista en la nota complementaria 4 c) del capítulo 22 del Arancel Aduanero Común de la Comunidad Económica Europea.

16. (1) Espacio reservado para otras indicaciones del país exportador.'

The following is added to Annex III:

*'ANEXO III*

1. Exportador
2. Número
4. Destinatario
5. CERTIFICADO DE DENOMINAÇÃO DE ORIGEM
6. Meio de transporte
7. VINHO DE XERÊS
8. Lugar de descarga
9. Marcas e números, quantidade e tipo das vasilhas
10. Peso bruto
11. Litros
12. Litros (por extenso)

13. Visto do organismo emissor (ver tradução no nº 15)
14. Visto da alfândega
15. Certifica-se que o vinho descrito neste certificado foi produzido na região do Jerez (Xerês) e é considerado, nos termos da lei espanhola, como tendo direito à denominação de origem "JEREZ-XERÊS-SHERRY". O álcool adicionado a este vinho é de origem vinica.
16. (1) Espaço reservado para outras especificações do país exportador.'

The following is added to Annex IV:

'ANEXO IV

1. Exportador
2. Número
4. Destinatario
5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN
6. Medio de transporte
7. VINO MOSCATEL DE SETÚBAL
8. Lugar de descarga
9. Marcas y números, número y naturaleza de los bultos
10. Peso bruto
11. Litros
12. Litros (en letras)
13. Visado del organismo expedidor (ver traducción en el nº 15)
14. Visado de la aduana
15. Se certifica que el vino descrito en este documento se ha producido en la región delimitada de Setúbal y se considera según las leyes portuguesas auténtico MOSCATEL DE SETÚBAL.

Este vino responde a la definición de vino generoso prevista en la nota complementaria 4 c) del capítulo 22 del Arancel Aduanero Común de la Comunidad Económica Europea.

16. (1) Espaço reservado para outras indicações del país exportador.'

The following is added to Annex V:

'ANEXO V / ANEXO V

1. Exportador / Exportador
2. Número / Número
4. Destinatario / Destinatário
5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN / CERTIFICADO DE DENOMINAÇÃO DE ORIGEM
6. Medio de transporte / Meio de transporte
7. VINO DE TOKAY (ASZU, SZAMORODNI) / VINHO DE TOKAY (ASZU, SZAMORODNI)
8. Lugar de descarga / Lugar de descarga

9. Marcas y números, número y naturaleza de los bultos / Marcas e números, quantidade e tipo das vasilhas
10. Peso bruto / Peso bruto
11. Litros / Litros
12. Litros (en letras) / Litros (por extenso)
13. Visado del organismo expedidor (ver traducción en el nº 14) / Visto do organismo emissor (ver tradução no nº 14)
14. Se certifica que el vino descrito en este documento se ha producido en la región delimitada de Tokay y se considera según las leyes húngaras auténtico VINO DE TOKAY (ASZU, SZAMORODNI).

Este vino responde a la definición de vino generoso prevista en la nota complementaria 4 c) del capítulo 22 del Arancel Aduanero Común de la Comunidad Económica Europea.

Certifica-se que o vinho descrito neste certificado foi produzido na região demarcada do vinho de Tokay e é considerado, nos termos da lei húngara, como auténtico VINHO DE TOKAY (ASZU, SZAMORODNI).

Este vinho corresponde à definição de vinho licoroso prevista na nota complementar 4 c) do capítulo 22 da Pauta Aduaneira Comum da Comunidade Económica Europeia.

15. (1) Espaço reservado para outras indicações del país exportador.
- (1) Espaço reservado a outras especificações do país exportador.'

6. Commission Regulation (EEC) No 2945/76 of 26 November 1976 (OJ No L 335, 4. 12. 1976, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added:

— to the second paragraph of Article 3 (1) (b):

'— "Mercancías admitidas con el beneficio del régimen devolución en aplicación del apartado 2, artículo 2 del Reglamento (CEE) nº 754/76",

— "Mercadorias admitidas ao beneficio do regime de retorno por aplicação do nº 2 do artigo 2º do Regulamento (CEE) nº 754/76".'

— to Article 7 (2):

'— "Sin concesión de restituciones u otras cantidades a la exportación",

— "Sem concessão de restituições ou outros montantes na exportação".'

— to Article 7 (3):

'— "Restituciones y otras cantidades a la exportación reintegradas por... (cantidad)",

— “Restituições e outros montantes na exportação reembolsados para ... (quantidade)”.

and

— “Título de pago de restituciones u otras cantidades a la exportación anulado por ... (cantidad)”.

— “Título de pagamento de restituições de direitos ou outros montantes na exportação anulado para ... (quantidade)”.

— to the first paragraph of Article 13:

‘duplicado’ and ‘segunda via’.

7. Council Regulation (EEC) No 222/77 of 13 December 1976 (OJ No L 38, 9. 2. 1977, p. 1), as amended by:

— Council Regulation (EEC) No 983/79 of 14 May 1979 (OJ No L 123, 19. 5. 1979, p. 1),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Regulation (EEC) No 3813/81 of 15 December 1981 (OJ No L 383, 31. 12. 1981, p. 28),

— Council Regulation (EEC) No 3617/82 of 17 December 1982 (OJ No L 382, 31. 12. 1982, p. 6).

In the Annex at point I.1 of specimens I, II and III of the Community transit guarantee, ‘the Kingdom of Spain’ is added after ‘the Hellenic Republic’ and ‘the Portuguese Republic’ is added after ‘the Kingdom of the Netherlands’.

8. Commission Regulation (EEC) No 223/77 of 22 December 1976 (OJ No L 38, 9. 2. 1977, p. 20), as amended by:

— Commission Regulation (EEC) No 1601/77 of 11 July 1977 (OJ No L 182, 22. 7. 1977, p. 1),

— Commission Regulation (EEC) No 526/79 of 20 March 1979 (OJ No L 74, 24. 3. 1979, p. 1),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Commission Regulation (EEC) No 1964/79 of 6 September 1979 (OJ No L 227, 7. 9. 1979, p. 12),

— Commission Regulation (EEC) No 137/80 of 9 January 1980 (OJ No L 18, 24. 1. 1980, p. 13),

— Commission Regulation (EEC) No 902/80 of 14 April 1980 (OJ No L 97, 15. 4. 1980, p. 20), as corrected in OJ No L 254, 27. 9. 1980, p. 47,

— Commission Regulation (EEC) No 3298/80 of 18 December 1980 (OJ No L 344, 19. 12. 1980, p. 16),

— Commission Regulation (EEC) No 1664/81 of 23 June 1981 (OJ No L 166, 24. 6. 1981, p. 11), as corrected in OJ No L 243, 26. 8. 1981, p. 18,

— Commission Regulation (EEC) No 2105/81 of 16 July 1981 (OJ No L 207, 27. 7. 1981, p. 1),

— Commission Regulation (EEC) No 3220/81 of 11 November 1981 (OJ No L 324, 12. 12. 1981, p. 9),

— Commission Regulation (EEC) No 1499/82 of 11 June 1982 (OJ No L 161, 12. 6. 1982, p. 11),

— Commission Regulation (EEC) No 1482/83 of 8 June 1983 (OJ No L 151, 9. 6. 1983, p. 29), as corrected in OJ No L 285, 18. 10. 1983, p. 24.

The following is added:

— to the second subparagraph of Article 13a (4):

— Extracto del ejemplar de control: .....  
.....  
(número, fecha, aduana y país de expedición)

— Extracto do exemplar de controlo: .....  
.....  
(número, data, estância aduaneira, país de emissão),

— to the first subparagraph of Article 13a (5):

— (número) extractos expedidos — copias adjuntas,

— (quantidade) extractos emitidos — cópias juntas,

— to the first subparagraph of Article 23 (1):

‘VALIDEZ LIMITADA; APLICATION ART. 23 AP. 1 PAR. 2 REGL. (CEE) 223/77,

VALIDADE LIMITADA; APLICAÇÃO DO SEGUNDO PARÁGRAFO DO N.º 1 DO ART.º 23.º DO REG. (CEE) 223/77,’

— to the first indent of Article 28:

— “Salida de la Comunidad sometida a restricciones”,

— Saída da Comunidade sujeita a restrições”.

— to the second indent of Article 28:

— “Salida de la Comunidad sujeta a pago de derechos”,

- “Saída da Comunidade sujeita a pagamento de imposições”.
  - to Articles 40 and 50 (g):  
‘Aduana/Alfândega’,
  - to Article 71 (3):  
‘— “Expedido a posteriori”,  
— “Emitido a posteriori”.’
  - to Annexes I and III, on the back of copy No 3 of the Community transit declaration T:  
‘Devolver a:’;
  - to Annex VI, on the front of the original of control copy T No 5:  
‘Devolver a:’;
  - to Annex VII:  
‘AVISO DE PASO  
AVISO DE PASSAGEM’,
  - to Annex VIII:  
‘RECIBO’,
  - to box 7 in Annex IX:  
‘ESPAÑA  
PORTUGAL’.
9. Commission Regulation (EEC) No 1535/77 of 4 July 1977 (OJ No L 171, 9. 7. 1977, p. 1), as amended by:
- Commission Regulation (EEC) No 2697/77 of 7 December 1977 (OJ No L 314, 8. 12. 1977, p. 21),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Commission Regulation (EEC) No 3036/79 of 21 December 1979 (OJ No L 341, 31. 12. 1979, p. 32).

The following is added to Article 9:

- to paragraph 2:  
‘— DESTINO ESPECIAL’,
- to the second indent of the second subparagraph of paragraph 3:  
‘— DESTINO ESPECIAL: REGLAMENTO (CEE) N° 1535/77,  
— DESTINO ESPECIAL: REGULAMENTO (CEE) N° 1535/77.’
- to paragraph 6:  
‘— MERCANCIAS PUESTAS A DISPOSICIÓN DEL CESIONARIO EL ..... (2)  
— MERCADORIAS POSTAS À DISPOSIÇÃO DO CESSIONÁRIO EM .... (2)’.

10. Commission Regulation (EEC) No 2695/77 of 7 December 1977 (OJ No L 314, 8. 12. 1977, p. 14), as amended by:

- Commission Regulation (EEC) No 2788/78 of 29 November 1978 (OJ No L 333, 30. 11. 1978, p. 25),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Commission Regulation (EEC) No 3037/79 of 21 December 1979 (OJ No L 341, 31. 12. 1979, p. 42).

The following is added to the third paragraph of Article 4:

‘- T/2 - destino especial’.

11. Commission Regulation (EEC) No 2826/77 of 5 December 1977 (OJ No L 333, 24. 12. 1977, p. 1), as amended by:

- Commission Regulation (EEC) No 607/78 of 29 March 1978 (OJ No L 83, 30. 3. 1978, p. 17),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Commission Regulation (EEC) No 1653/79 of 25 July 1979 (OJ No L 192, 31. 7. 1979, p. 32),
- Commission Regulation (EEC) No 1976/80 of 25 July 1980 (OJ No L 192, 26. 7. 1980, p. 23),
- Commission Regulation (EEC) No 2966/82 of 5 November 1982 (OJ No L 310, 6. 11. 1982, p. 11),
- Commission Regulation (EEC) No 3026/84 of 30 October 1984 (OJ No L 287, 31. 10. 1984, p. 7).

The following is added to copy No 3 of the document appearing in the Annex:

‘Devolver a:’.

12. Commission Regulation (EEC) No 3034/79 of 20 December 1979 (OJ No L 341, 31. 12. 1979, p. 20), as amended by Commission Regulation (EEC) No 3298/80 of 18 December 1980 (OJ No L 344, 19. 12. 1980, p. 16).

The following is added to point 13 of Article I:

‘Certifico que las uvas reseñadas en este certificado son uvas frescas de mesa de la variedad «Emperador» (*Vitis vinifera cv.*)’.

‘Certifico que as uvas mencionadas no presente certificado são uvas de mesa, frescas, da variedade «Empereur» (*Vitis vinifera cv.*)’.

13. Commission Regulation (EEC) No 3035/79 of 20 December 1979 (OJ No L 341, 31. 12. 1979, p. 26), as amended by:

- Commission Regulation (EEC) No 1466/80 of 9 June 1980 (OJ No L 146, 12. 6. 1980, p. 15),
- Commission Regulation (EEC) No 3298/80 of 18 December 1980 (OJ No L 344, 19. 12. 1980, p. 16),
- Commission Regulation (EEC) No 3344/80 of 22 December 1980 (OJ No L 351, 24. 12. 1980, p. 11),
- Commission Regulation (EEC) No 1541/81 of 5 June 1981 (OJ No L 151, 10. 6. 1981, p. 7),
- Commission Regulation (EEC) No 3355/81 of 23 November 1981 (OJ No L 339, 26. 11. 1981, p. 13),
- Commission Regulation (EEC) No 3187/82 of 25 November 1982 (OJ No L 338, 30. 11. 1982, p. 7),
- Commission Regulation (EEC) No 3390/83 of 29 November 1983 (OJ No L 336, 1. 12. 1983, p. 54),
- Commission Regulation (EEC) No 3454/84 of 5 December 1984 (OJ No L 319, 8. 12. 1984, p. 5).

The following is added to point 12 of Annex 1:

‘Certifico que el tabaco reseñado en este certificado es tabaco «flue-cured» del tipo Virginia — tabaco «light air-cured» del tipo Burley (incluidos los híbridos de Burley) — tabaco «light air-cured» del tipo Maryland — tabaco «fire-cured» de acuerdo con el apartado 2 del artículo 1 del Reglamento (CEE) n° 3035/79.

Certifico que o tabaco mencionado no presente certificado é tabaco «flue-cured» do tipo Virginia — tabaco «light air-cured» do tipo Burley (incluindo o híbrido de Burley) — tabaco «light air-cured» do tipo Maryland — tabaco «fire-cured» nos termos do n° 2 do artigo 1° do Regulamento (CEE) n° 3035/79.’

14. Commission Regulation (EEC) No 3039/79 of 21 December 1979 (OJ No L 341, 31. 12. 1979, p. 46), as amended by:

- Commission Regulation No 3298/80 of 18 December 1980 (OJ No L 344, 19. 12. 1980, p. 16),
- Commission Regulation (EEC) No 122/82 of 19 January 1982 (OJ No L 16, 22. 1. 1982, p. 10).

The following is added to Annex 1:

1. Expedidor
2. Número
4. Destinatário
5. CERTIFICADO DE QUALIDADE
6. Porto de embarque
7. NITRATO DO CHILE
8. Navio
9. Conhecimento
10. Em sacos  
Marcas  
Números  
Quantidade  
A granel
11. Quantidade (1) em números
12. Quantidade (1) por extenso
13. VISTO DO ORGANISMO EMISSOR  
Carimbo Assinatura  
(ver a tradução no n° 14)
14. O «Servicio de Minas del Estado» certifica que o carregamento de nitrato descrito anteriormente é constituído por:
  - nitrato de sódio natural do Chile de um teor em azoto não superior, em peso, a 16,3 %,
  - nitrato de sódio potássico natural do Chile, consistindo numa mistura natural de nitrato do sódio e de nitrato de potássio (a proporção deste último elemento podendo atingir 44 %) de um teor global em azoto não superior, em peso, a 16,3 %, produzido no Chile e obtido por tratamento do mineral de nitrato em solução aquosa de lixívia, chamada «caliche», seguido de cristalização o fraccionada mediante arrefecimento e/ou evaporação ao sol.

(1) Em toneladas métricas.’

15. Commission Regulation (EEC) No 37/80 of 9 January 1980 (OJ No L 6, 10. 1. 1980, p. 13), as amended by Commission Regulation (EEC) No 3298/80 of 18 December 1980 (OJ No L 344, 19. 12. 1980, p. 16).

The following is added to the second paragraph of Article 2:

- “Organización Internacional del Café — Certificado R de reexportacion n° . . .”,
- “Organização Internacional do Café — Certificado R de reexportação n° . . .”.

16. Commission Regulation (EEC) No 1469/80 of 11 June 1980 (OJ No L 154, 21. 6. 1980, p. 16), as amended by:

- Commission Regulation (EEC) No 3180/80 of 5 December 1980 (OJ No L 335, 12. 12. 1980, p. 64),
- Commission Regulation (EEC) No 3462/83 of 6 December 1983 (OJ No L 345, 8. 12. 1983, p. 14).

The following is added to Article 2:

'280 000 Ptas, 280 000 Esc.'

17. Council Regulation (EEC) No 918/83 of 25 March 1983 (OJ No L 105, 23. 4. 1983, p. 1).

Article 135 (b) is replaced by the following:

'(b) by Spain and France, until the entry into force of arrangements governing trade relations between the Community and Andorra, of the relief resulting from the Conventions of 13 July 1867 and 22 and 23 November 1867 respectively between those countries and Andorra.'

18. Commission Regulation (EEC) No 2289/83 of 29 July 1983 (OJ No L 220, 11. 8. 1983, p. 15),

The following is added to Article 3 (2):

— "Objeto destinado a personas minusválidas, en franquicia de derechos de importación (Unesco).

Aplicación del parrafo segundo del apartado 2 del artículo 77 del Reglamento (CEE) n° 918/83".

— "Objectos destinados a pessoas deficientes com franquia de direitos de importação (Unesco).

Aplicação do segundo parágrafo do n° 2 do artigo 77º do Regulamento (CEE) n° 918/83".

19. Commission Regulation (EEC) No 2290/83 of 29 July 1983 (OJ No L 220, 11. 8. 1983, p. 20).

The following is added to Article 3 (2):

— "Objeto en franquicia de derechos de importación (Unesco).

Aplicación del apartado 2 del artículo 57 del Reglamento (CEE) n° 918/83".

— "Objectos com franquia de direitos de importação (Unesco).

Aplicação do n° 2 do artigo 57º do Regulamento (CEE) n° 918/83".

20. Commission Regulation (EEC) No 1751/84 of 13 June 1984 (OJ No L 171, 29. 6. 1984, p. 1).

The following is added to Article 17 (2):

— Mercancías IT,

— Mercadorias IT.'

21. Council Regulation (EEC) No 2151/84 of 23 July 1984 (OJ No L 197, 27. 7. 1984, p. 1), as amended by Council Regulation (EEC) No 319/85 of 6 February 1985 (OJ No L 34, 7. 2. 1984, p. 32).

Article 1 (1) is replaced by the following:

'1. The customs territory of the Community shall comprise the following:

- the territory of the Kingdom of Belgium,
- the territory of the Kingdom of Denmark, except for the Faeroe Islands and Greenland,
- the German territories to which the Treaty establishing the European Economic Community applies, except for the Island of Heligoland and the territory of Büsingen (Treaty of 23 November 1964 between the Federal Republic of Germany and the Swiss Confederation),
- the territory of the Kingdom of Spain except for the Canary Islands, Ceuta and Melilla,
- the territory of the Hellenic Republic,
- the territory of the French Republic, except for the overseas territories,
- the territory of Ireland,
- the territory of the Italian Republic, except for the communes of Livigno and Campione d'Italia and the national waters of Lake Lugano which are between the bank and the political frontier of the area between Ponte Tresa and Porto Ceresio,
- the territory of the Grand Duchy of Luxembourg,
- the territory of the Kingdom of the Netherlands in Europe,
- the territory of the Portuguese Republic,
- the territory of the United Kingdom of Great Britain and Northern Ireland and of the Channel Islands and the Isle of Man.'

22. Commission Regulation (EEC) No 2364/84 of 31 July 1984 (OJ No L 222, 20. 8. 1984, p. 1).

In point 5 of Annex II, the second sentence is replaced by the following:

'This number shall be preceded by the following letters depending on the Member State of departure: BE for Belgium, DK for Denmark, DE for Germany, ES for Spain, FR for France, GR for Greece, IE for Ireland, IT for Italy, LU for Luxembourg, NL for the Netherlands, PT for Portugal and UK for the United Kingdom.'

23. Council Directive 68/312/EEC of 30 July 1968 (OJ No L 194, 6. 8. 1968, p. 13), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to the Annex:

9. *Spain*

Recintos de las Aduanas públicos y privados (Ordenanzas de Aduanas, artículo 35; Orden Ministerial de 29. 7. 65 y Real Decreto 1192/79 de 4 de abril)

10. *Portugal*<sup>(1)</sup>

Depósitos reais (Reforma Aduaneira, artigos 116º a 125º)  
Depósitos de trânsito (Reforma Aduaneira, artigos 134º a 139º)  
Depósitos de baldeação (Reforma Aduaneira, artigos 134º a 139º)  
Depósitos das encomendas postais (Reforma Aduaneira, artigos 140º e 142º)  
Depósitos da Casa da Moeda (Reforma Aduaneira, artigos 140º e 142º).

24. Council Directive 69/74/EEC of 4 March 1969 (OJ No L 58, 8. 3, 1969, p. 7), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- Council Directive 76/634/EEC of 22 July 1976 (OJ No L 223, 16. 8. 1976, p. 17),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to the Annex:

10. *Spain*<sup>(2)</sup>

— Depósitos de comercio Artículos 205, 206 a 213 y 247 a 256 de las Ordenanzas de Aduanas  
— Depósitos flotantes de carbón y combustibles  
— Depósitos intervenidos bajo control aduanero Real Decreto 1192/1979 de 4 de abril

11. *Portugal*<sup>(2)</sup>

Depósitos “alfandegados” (Reforma Aduaneira, artigos 126º a 133º)  
Depósitos “afiançados” (Reforma Aduaneira, artigos 126º a 133º)  
Depósitos do Arsenal da Marinha (Reforma Aduaneira, artigos 140º a 142º)  
Depósitos de Aeronáutica Militar (Reforma Aduaneira, artigos 140º a 142º)  
Depósitos das estações de caminho-de-ferro (Reforma Aduaneira, artigos 140º e 142º)  
Depósitos TIR (Reforma Aduaneira, artigos 140º e 142º)  
Depósitos aeroportuários (Reforma Aduaneira, artigos 140º e 142º)  
Depósitos gerais francos (Reforma Aduaneira, artigos 143º a 150º)  
Depósitos francos (Reforma Aduaneira, artigo 151º)  
Zonas francas (Reforma Aduaneira, artigo 151º)  
Terminais de carga (Portarias nº 344/74, de 31 de Maio e 794/82 de 21 de Agosto).

(1) EDITORIAL NOTES:

Annex I, point I (Customs legislation), paragraph 23, point 10, as amended by the Corrigendum to Council Directive 68/312/EEC (OJ of the EC, No L 266 of 18 September 1986). This Directive had been amended by the AA ESP/PORT.

(2) Annex I, point I (Customs legislation), paragraph 24, points ‘9. Spain’ and ‘10. Portugal’, as amended by the Corrigendum to Council Directive 69/74/EEC (OJ of the EC, No L 266 of 18 September 1986). This Directive had been amended by the AA ESP/PORT.



25. Council Directive 69/75/EEC of 4 March 1969 (OJ No L 58, 8. 3. 1969, p. 11), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 76/634/EEC of 22 July 1976 (OJ No L 223, 16. 8. 1976, p. 17),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to the Annex:

9. *Spain*

- Zonas francas  
(Real Decreto-Ley de 11 de junio de 1929 y artículos 225 a 246 de las Ordenanzas de Aduanas)
- Depósitos francos  
(Real Decreto-Ley de 11 junio de 1929 y artículos 7, 205 y 214 a 224 de las Ordenanzas de Aduanas)

10. *Portugal*

- Zona Franca de Cabo Ruivo (Petrogal)  
(Decreto nº 29034 de 1. 10. 1938)
- Zona Franca de Matosinhos (Petrogal)  
(Decreto nº 436/72 de 6. 11. 1972)
- Zona Franca de Sines  
(Decreto-Lei nº 333/78 de 14. 11. 1978)
- Zona Franca na Região Autónoma da Madeira  
(Decreto-Lei nº 500/80 de 20. 10. 1980)
- Zona Franca na Ilha de Santa Maria na Região Autónoma dos Açores  
(Decreto-Lei nº 34/82 de 4. 2. 1982)'.

26. Commission Directive 76/447/EEC of 4 May 1976 (OJ No L 121, 8. 5. 1976, p. 52), as amended by:
- Commission Directive 78/765/EEC of 7 September 1978 (OJ No L 257, 20. 9. 1978, p. 7),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added:

- to Article 6 (2):  
'DUPLICADO  
SEGUNDA VIA',
- to note B.18 of the Annex:  
'PT for Spanish pesetas,  
EP for Portuguese escudos.'

27. Council Decision 80/1186/EEC of 16 December 1980 (OJ No L 361, 31. 12. 1980, p. 1), as amended by:

- Council Decision 81/559/EEC of 13 July 1981 (OJ No L 203, 23. 7. 1981, p. 49),
- Council Decision 81/880/EEC of 26 October 1981 (OJ No L 326, 13. 11. 1981, p. 31),
- Council Decision 83/370/EEC of 25 July 1983 (OJ No L 204, 28. 7. 1983, p. 61),
- Council Decision 83/544/EEC of 4 November 1983 (OJ No L 309, 10. 11. 1983, p. 29),
- Council Decision 84/471/EEC of 3 October 1984 (OJ No L 266, 6. 10. 1984, p. 18).

The following is added to Annex II:

- to the second subparagraph of Article 18 (2):  
'“EXPEDIDO A POSTERIORI”  
“EMITIDO A POSTERIORI”',
- to Article 19:  
'“DUPLICADO”,  
“SEGUNDA VIA”.'

28. Commission Directive 84/318/EEC of 23 May 1984 (OJ No L 166, 26. 6. 1984, p. 19), as corrected in OJ No L 218, 15. 8. 1984, p. 26.

The following is added:

- to Article 2 (1):  
'— Mercancías PA,  
— Mercadorias AA.'
- to Article 2 (2):  
'— Política comercial,  
— Política comercial.'
- to note B.11 of the notes appearing on the back of information sheet INF 1:  
'PT for Spanish pesetas,  
EP for Portuguese escudos.'

## II. RIGHT OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES

### (a) Commercial activities, including those of intermediaries

Council Directive 64/224/EEC of 25 February 1964 (OJ No 56, 4. 4. 1964, p. 869/64), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to the table appearing at the end of Article 3:

	<i>For self-employed persons</i>	<i>For employed persons</i>
<i>'In Spain:</i>	Agente commercial Comisionista Agente exclusivista Asentador	Representante de Comercio Viajante de Comercio
<i>In Portugal:</i>	Agente comercial Corretor Comissário Vendedor em leilões	Caixeiro viajante Caixeiro de praça Representantes comerciais'

(b) **Service undertakings**

1. Council Directive 67/43/EEC of 12 January 1967 (OJ No 10, 19. 1. 1967, p. 140/67), as amended by:
  - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 2 (3):

*'In Spain:*

- agentes de la propiedad inmobiliaria
- administradores de fincas urbanas
- agencias inmobiliarias y de alquiler
- promotoras inmobiliarias
- sociedades y empresas inmobiliarias
- expertos inmobiliarios

*In Portugal:*

- agências imobiliárias
- sociedades imobiliárias
- administradores de imóveis
- peritos imobiliários
- loteadores'

2. Council Directive 82/470/EEC of 29 June 1982 (OJ No L 213, 21. 7. 1982, p. 1).

In Article 3, the following is inserted after the entries for Denmark:

*'Spain*

- A. Agente de transportes  
Agente de servicios complementarios del transporte ferroviario  
Consignatario de buques  
Consignatario  
Agente de aduanas  
Transitario
- B. Agente de viajes
- C. Depositario  
Almacenista
- D. Pesador y medidor oficial  
Pesador y medidor público',

and the following after the entries for the Netherlands:

*'Portugal*

- A. Transitário  
Agente de navegação  
Corretor de navios

- B. Agente de viagens  
Agente de transporte aéreo
- C. Depositário
- D. (none)'

(c) **Banks and other financial establishments, insurance**

1. First Council Directive 73/239/EEC of 24 July 1973 (OJ No L 228, 16. 8. 1973, p. 3), as amended by:

- Council Directive 76/580/EEC of 29 June 1976 (OJ No L 189, 13. 7. 1976, p. 13),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 84/641/EEC of 10 December 1984 (OJ No L 339, 27. 12. 1984, p. 21).

(a) The following is added to Article 4:

*'(g) In Spain*

The following institutions:

1. Comisaría de Seguro Obligatorio de Viajeros,
2. Consorcio de Compensación de Seguros,
3. Fondo Nacional de Garantía de Riesgos de la Circulación.'

(b) The following is added to Article 8 (1) (a):

- in the case of the Kingdom of Spain:  
"sociedad anónima", "sociedad mutua", "sociedad cooperativa",
- in the case of the Portuguese Republic:  
"sociedade anónima de responsabilidade limitada", "mútua de seguros".'

2. Council Directive 77/92/EEC of 13 December 1976 (OJ No L 26, 31. 1. 1977, p. 14), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 2 (2):

(a) — *in Spain:*

- Agentes libres de seguros,
- Corredores de reaseguro;

— *in Portugal:*

- Corretor de seguros,
- Corretor de resseguros.'

(b) — *in Spain:*

- Agentes afectos de seguros (representantes y no representantes);

— *in Portugal*:

— Agente de seguros.'

(c) — *in Spain*:

— Subagentes de seguros;

— *in Portugal*:

— Submediador.'

3. First Council Directive 77/780/EEC of 12 December 1977 (OJ No L 322, 17. 12. 1977, p. 30), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 2 (2):

'— *in Spain*, the Instituto de Crédito Oficial, with the exception of its subsidiaries,

— *in Portugal*, Caixas Económicas existing on 1 January 1986 and which are not incorporated as limited companies.'

4. First Council Directive 79/267/EEC of 5 March 1979 (OJ No L 63, 13. 3. 1979, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 8 (1) (a):

'— *in the case of the Kingdom of Spain*:

sociedad anónima, sociedad mutua,

— *in the case of the Portuguese Republic*:

sociedade anónima.'

5. Council Directive 79/279/EEC of 5 March 1979 (OJ No L 66, 16. 3. 1979, p. 21), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 82/148/EEC of 3 March 1982 (OJ No L 62, 5. 3. 1982, p. 22).

In Article 21 (1), 'forty-five' is replaced by 'fifty-four'.

#### (d) Company law

1. First Council Directive 68/151/EEC of 9 March 1968 (OJ No L 65, 14. 3. 1968, p. 8), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

(a) The following is added to Article 1:

— *in Spain*:

la sociedad anónima, la sociedad comanditaria por acciones, la sociedad de responsabilidad limitada;

— *in Portugal*:

a sociedade anónima de responsabilidade limitada, a sociedade em comandita por acções, a sociedade por quotas de responsabilidade limitada.'

(b) Article 2 (1) (f) is replaced by the following:

'(f) The balance sheet and the profit and loss account for each financial year. The document containing the balance sheet must give details of the persons who are required by law to certify it. However, in respect of the Gesellschaft mit beschränkter Haftung, société de personnes à responsabilité limitée, personenvennootschap met beperkte aansprakelijkheid, société à responsabilité limitée, εταιρία περιορισμένης ευθύνης, società a responsabilità limitata and sociedade em comandita por acções under German, Belgian, French, Greek, Italian, Luxembourg or Portuguese law referred to in Article 1, the besloten naamloze vennootschap under Netherlands law, the private company under the law of Ireland and the private company under the law of Northern Ireland, the compulsory application of this provision shall be postponed until the date of implementation of a Directive concerning coordination of the contents of balance sheets and of profit and loss accounts and concerning exemption of such of those companies whose balance sheet total is less than that specified in the Directive from the obligation to make disclosure in full or in part of the said documents. The Council will adopt such a Directive within two years following adoption of the present Directive.'

2. Second Council Directive 77/91/EEC of 13 December 1976 (OJ No L 26, 31. 1. 1977, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 1 (1):

'— *in Spain*:

la sociedad anónima;

— *in Portugal*:

a sociedade anónima de responsabilidade limitada.'

3. Third Council Directive 78/855/EEC<sup>(1)</sup> of 9 October 1978 (OJ No L 295, 20. 10. 1978, p. 36), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 1 (1):

'— *in Spain*:

la sociedad anónima;

— *in Portugal*:

a sociedade anónima de responsabilidade limitada.'

4. Fourth Council Directive 78/660/EEC of 25 July 1978 (OJ No L 222, 14. 8. 1978, p. 11), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

<sup>(1)</sup> Annex I, point II (Right of establishment and freedom to provide services), (d)3, first line, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 261 of 13 September 1986.

- Council Directive 83/349/EEC of 13 June 1983 (OJ No L 193, 18. 7. 1983, p. 1),
- Council Directive 84/569/EEC of 27 November 1984 (OJ No L 314, 4. 12. 1984, p. 28).

The following is added to Article 1 (1):

- ‘— *in Spain*:  
la sociedad anónima, la sociedad comanditaria por acciones, la sociedad de responsabilidad limitada;
- *in Portugal*:  
a sociedade anónima de responsabilidade limitada, a sociedade em comandita por acções, a sociedade por quotas de responsabilidade limitada.’

5. Seventh Council Directive 83/349/EEC of 13 June 1983 (OJ No L 193, 18. 7. 1983, p. 1).

The following is added to Article 4 (1):

- ‘(k) *in Spain*:  
la sociedad anónima, la sociedad comanditaria por acciones, la sociedad de responsabilidad limitada;
- (l) *in Portugal*:  
a sociedade anónima de responsabilidade limitada, a sociedade em comandita por acções, a sociedade por quotas de responsabilidade limitada.’

#### (e) Public works contracts

Council Directive 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- Council Directive 78/669/EEC of 2 August 1978 (OJ No L 225, 16. 8. 1978, p. 41),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

- (a) The following is added to Article 24:

- In Spain*:  
the “Registro mercantil” and the “Registro industrial del Ministerio de Industria y Energía”;
- In Portugal*:  
the register of the “Comissão de inscrição e classificação dos empreiteiros de obras públicas e dos industriais da construção civil (CICEOPICC)”.

- (b) The following is added to Annex I:

- ‘XII. *In Spain*:  
other corporate bodies subject to public rules for the award of contracts.
- XIII. *In Portugal*:  
other corporate bodies governed by public law subject to a procedure for the award of

public contracts pursuant to legal provisions.’

#### (f) Professional occupations

1. Council Directive 75/362/EEC of 16 June 1975 (OJ No L 167, 30. 6. 1975, p. 1), as amended by:

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 81/1057/EEC of 14 December 1981 (OJ No L 385, 31. 12. 1981, p. 25),
- Council Directive 82/76/EEC of 26 January 1982 (OJ No L 43, 15. 2. 1982, p. 21).

- (a) The following is added to Article 3:

- ‘(k) *in Spain*:  
“Título de Licenciado en Medicina y Cirugía” (university degree in medicine and surgery) awarded by the Ministry of Education and Science;

- (l) *in Portugal*:  
“Carta de curso de licenciatura em medicina” (diploma confirming the completion of medical studies), awarded by a university, and the “Diploma comprovativo da conclusão do internato geral” (diploma confirming the completion of general internship), awarded by the competent authorities of the Ministry of Health.’

- (b) The following is added to Article 5 (2):

- in Spain*:  
“Título de Especialista” (professional qualification of specialist) awarded by the Ministry of Education and Science;

- in Portugal*:  
“Grau de Assistente” (assistant grade), awarded by the competent authorities of the Ministry of Health, or “Título de Especialista” (professional qualification of specialist) awarded by the professional association for medical practitioners.’

- (c) The following entries are added to the indents indicated hereafter in Article 5 (3):

- *anaesthetics*:  
‘Spain: anestesiología y reanimación  
Portugal: anesthesiologia’,
- *general surgery*:  
‘Spain: cirugía general  
Portugal: cirurgia geral’,
- *neurological surgery*:  
‘Spain: neurocirugía  
Portugal: neurocirurgia’,
- *obstetrics and gynaecology*:  
‘Spain: obstetricia y ginecología  
Portugal: ginecologia e obstetrícia’,

- *general (internal) medicine:*  
'Spain: medicina interna  
Portugal: medicina interna',
- *ophthalmology:*  
'Spain: oftalmología  
Portugal: oftalmologia',
- *oto-rhino-laryngology:*  
'Spain: otorrinolaringología  
Portugal: otorrinolaringologia',
- *paediatrics:*  
'Spain: pediatría y sus áreas específicas  
Portugal: pediatria',
- *respiratory medicine:*  
'Spain: neumología  
Portugal: pneumologia',
- *urology*  
'Spain: urología  
Portugal: urologia',
- *orthopaedics:*  
'Spain: traumatología y cirugía ortopédica  
Portugal: ortopedia'.

(d) The following entries are added to the indents indicated hereafter in Article 7 (2):

- *clinical biology:*  
'Spain: análisis clínicos  
Portugal: patologia clinica',
- *biological haematology:*  
'Spain: hematología y hemoterapia  
Portugal: hematologia clinica',
- *microbiology — bacteriology:*  
'Spain: microbiología y parasitología',
- *pathological anatomy:*  
'Spain: anatomía patológica  
Portugal: anatomia patológica',
- *biological chemistry:*  
'Spain: bioquímica clínica',
- *immunology:*  
'Spain: inmunología',
- *plastic surgery:*  
'Spain: cirugía plástica y reparadora  
Portugal: cirurgia plastica',
- *thoracis surgery:*  
'Spain: cirugía torácica  
Portugal: cirurgia torácica',
- *paediatric surgery:*  
'Spain: cirugía pediátrica  
Portugal: cirurgia pediátrica',
- *vascular surgery:*  
'Spain: angiología y cirugía vascular  
Portugal: cirurgia vascular',
- *cardiology:*  
'Spain: cardiología  
Portugal: cardiologia',
- *gastro-enterology:*  
'Spain: aparato digestivo  
Portugal: gastro-enterologia',
- *rheumatology:*  
'Spain: reumatología  
Portugal: reumatologia',
- *general haematology.*  
'Spain: hematología y hemoterapia  
Portugal: imunohemoterapia',
- *endocrinology.*  
'Spain: endocrinología y nutrición  
Portugal: endocrinologia-nutrição',
- *physiotherapy:*  
'Spain: rehabilitación  
Portugal: fisioterapia',
- *stomatology:*  
'Spain: estomatología  
Portugal: estomatologia',
- *neurology:*  
'Spain: neurología  
Portugal: neurologia',
- *psychiatry:*  
'Spain: psiquiatría  
Portugal: psiquiatria',
- *dermato-venereology:*  
'Spain: dermatología médico-quirúrgica y venereología  
Portugal: dermatovenereologia',
- *radiology:*  
'Spain: electrorradiología  
Portugal: radiologia',
- *diagnostic radiology:*  
'Spain: radiodiagnóstico  
Portugal: radiodiagnóstico',
- *radiotherapy:*  
'Spain: oncología radioterápica  
Portugal: radioterapia',
- *tropical medicine:*  
'Portugal: medicina tropical',
- *child psychiatry:*  
'Portugal: pedopsiquiatría',

- *geriatrics*:  
'Spain: geriatría',
  - *renal diseases*:  
'Spain: nefrología  
Portugal: nefrologia',
  - *pharmacology*:  
'Spain: farmacología clínica',
  - *allergology*:  
'Spain: alergología  
Portugal: imuno-alergologia',
  - *gastro-enterological surgery*:  
'Spain: cirugía del aparato digestivo'.
2. Council Directive 77/249/EEC of 22 March 1977 (OJ No L 78, 26. 3. 1977, p. 17), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).
- The following is added to Article 1 (2):
- 'Spain: Abogado,  
Portugal: Advogado.'
3. Council Directive 77/452/EEC of 27 June 1977 (OJ No L 176, 15. 7. 1977, p. 1), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 81/1057/EEC of 14 December 1981 (OJ No L 385, 31. 12. 1981, p. 25).
- (a) The following is added to Article 1 (2):
- in Spain*:  
"Enfermero/a diplomado/a;"
- in Portugal*:  
"Enfermeiro".
- (b) The following is added to Article 3:
- '(k) *in Spain*:  
"Título de Diplomado universitario en Enfermería" (university diploma in nursing) awarded by the Ministry of Education and Science.
- (1) *in Portugal*:  
"Diploma do curso de enfermagem geral" (diploma in general nursing) awarded by State-recognized educational establishments and registered by the competent authority.'
4. Council Directive 78/686/EEC of 25 July 1978 (OJ No L 233, 24. 8. 1978, p. 1), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 81/1057/EEC of 14 December 1981 (OJ No L 385, 31. 12. 1981, p. 25).

(a) The following is added to Article 1:

- '— *in Spain*:  
Licenciado en Odontología,  
— *in Portugal*:  
médico dentista.'

(b) The following is added to Article 3:

- '(k) *in Spain*:  
the diploma, the name of which will be notified by Spain to the Member States and to the Commission on accession.

(1) *in Portugal*:

"carta de curso de licenciatura em medicina dentária" (diploma conferring official recognition of completion of studies in dentistry) awarded by an establishment of higher education.'

(c) The following is inserted:

'Article 19a

From the date on which the Kingdom of Spain takes the measures necessary to comply with this Directive, Member States shall recognize, for the purposes of carrying out the activities referred to in Article 1 of this Directive, the diplomas, certificates and other evidence of formal qualifications in medicine awarded in Spain to persons who had begun their university medical training before accession, accompanied by a certificate issued by the competent Spanish authorities, certifying that these persons have effectively, lawfully and principally been engaged in Spain in the activities specified in Article 5 of Directive 78/687/EEC for at least three consecutive years during the five years prior to the issue of the certificate and that these persons are authorized to carry out the said activities under the same conditions as holders of the diploma, certificate or other evidence of formal qualifications referred to in Article 3 (k) of this Directive.

The requirement of three years' experience referred to in the first subparagraph shall be waived in the case of persons who have successfully completed at least three years of study which are certified by the competent authorities as being equivalent to the training referred to in Article 1 of Directive 78/687/EEC.'

5. Council Directive 78/1026/EEC of 18 December 1978 (OJ No L 362, 23. 12. 1978, p. 1), as amended by:

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 81/1057/EEC of 14 December 1981 (OJ No L 385, 31. 12. 1981, p. 25).

The following is added to Article 3:

- '(k) *in Spain*:  
"Título de Licenciado en Veterinaria" (University degree in veterinary medicine) awarded by the Ministry of Education and Science;

- (l) *in Portugal:*  
 “Carta de curso de licenciatura em medicina veterinária” (diploma conferring official recognition of completion of studies in veterinary medicine) awarded by a University.’
6. Council Directive 80/154/EEC of 21 January 1980 (OJ No L 33, 11. 2. 1980, p. 1), as amended by Council Directive 80/1273/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 74).
- (a) The following is added to Article 1:  
*in Spain:*  
 “matrona” or “asistente obstétrico”;

- in Portugal:*  
 “enfermeiro especialista em enfermagem de saúde materna e obstétrica”.’
- (b) The following is added to Article 3:  
*(k) in Spain:*  
 the diploma of “asistencia obstétrica” awarded by the Ministerio de Educación y Ciencia;
- (l) *in Portugal:*  
 the diploma of “enfermeiro especialista em enfermagem de saúde materna e obstétrica”.’

### III. TRANSPORT

1. Council Regulation (EEC) No 1191/69 of 26 June 1969 (OJ No L 156, 28. 6. 1969, p. 1), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).
- In Article 19 (1):
- ‘— Red Nacional de los ferrocarriles españoles (RENFE)’
- is inserted after:
- ‘— Οργανισμός Σιδηροδρόμων Ελλάδας ΑΕ (ΟΣΕ),’
- and:
- ‘— Caminhos-de-Ferro Portugueses, EP (CP)’
- is inserted after:
- ‘— Naamloze Vennootschap Nederlandse Spoorwegen (NS)’.
2. Council Regulation (EEC) No 1192/69 of 26 June 1969 (OJ No L 156, 28. 6. 1969, p. 8), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No 291, 19. 11. 1979, p. 17).
- In Article 3 (1):
- ‘— Red Nacional de los ferrocarriles españoles (RENFE)’
- is inserted after:
- ‘— Οργανισμός Σιδηροδρόμων Ελλάδας ΑΕ (ΟΣΕ),’
- and:
- ‘— Caminhos-de-Ferro Portugueses, EP (CP)’

is inserted after:

- ‘— Naamloze Vennootschap Nederlandse Spoorwegen (NS)’.
3. Council Regulation (EEC) No 1108/70 of 4 June 1970 (OJ No L 130, 15. 6. 1970, p. 4), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Regulation (EEC) No 1384/79 of 25 June 1979 (OJ No L 167, 5. 7. 1979, p. 1),
  - Council Regulation (EEC) No 3021/81 of 19 October 1981 (OJ No L 302, 23. 10. 1981, p. 8).

Annex II is supplemented as follows:

- (a) In point A.1 ‘RAIL — Main networks’, the following is inserted:
- after the entries for the Hellenic Republic: ‘Kingdom of Spain’
  - Red Nacional de los Ferrocarriles Españoles (RENFE),
  - after the entries concerning the Kingdom of the Netherlands: ‘Portuguese Republic’
  - Caminhos-de-Ferro Portugueses, EP (CP)’.
- (b) In point B ‘ROAD’, the following is inserted:
- after the entries for the Hellenic Republic: ‘Kingdom of Spain’
  - 1. Autopistas
  - 2. Autovías

3. Carreteras estatales
4. Carreteras provinciales
5. Carreteras municipales',

— after the entries for the Kingdom of the Netherlands:

- 'Portuguese Republic*
1. Auto-estradas
  2. Estradas nacionais e regionais
  3. Vias municipais
  4. Vias florestais'.

4. Council Regulation (EEC) No 1463/70 of 20 July 1970 (OJ No L 164, 27. 7. 1970, p. 1), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Council Regulation (EEC) No 1787/73 of 25 June 1973 (OJ No L 181, 4. 7. 1973, p. 1),

— Council Regulation (EEC) No 2828/77 of 12 December 1977 (OJ No L 334, 24. 12. 1977, p. 5),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 22 (4), '45' is replaced by '54'.

In point 1.1 of Annex 11, '9 for Spain' is added to the words in brackets, inserted after the corresponding entry relating to Belgium, and 'P for Portugal' is added after the corresponding entry for Luxembourg.

5. Commission Regulation (EEC) No 281/71 of 9 February 1971 (OJ No L 33, 10. 2. 1971, p. 11), as amended by the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14).

The following is added to the Annex:

*'Portuguese Republic*

- Douro, a jusante da ponte D. Luis, da cidade do Porto
- Tejo, a jusante do Carregado
- Sado, a jusante do esteiro da Marateca
- Guadiana, a jusante do Pomarão'.

6. Commission Regulation (EEC) No 2778/72 of 20 December 1972 (OJ No L 292, 29. 12. 1972, p. 22), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 1, the wording of footnote <sup>(1)</sup> is replaced by the following:

<sup>(1)</sup> Belgium (B), Denmark (DK), Germany (D), Greece (GR), Spain (E), France (F), Ireland

(IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), United Kingdom (GB).'

7. Council Regulation (EEC) No 2830/77 of 12 December 1977 (OJ No L 334, 24. 12. 1977, p. 13), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 2:

'— Red Nacional de los Ferrocarriles Españoles (RENFE)'

is inserted after:

'— Οργανισμός Σιδηροδρόμων Ελλάδας ΑΕ (ΟΣΕ)',

and:

'— Caminhos-de-Ferro Portugueses, EP (CP)'

is inserted after:

'— Naamloze Vennootschap Nederlandse Spoorwegen (NS)'

8. Council Regulation (EEC) No 2183/78 of 19 September 1978 (OJ No L 258, 21. 9. 1978, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 2:

'— Red Nacional de los Ferrocarriles Españoles (RENFE)'

is inserted after:

'— Οργανισμός Σιδηροδρόμων Ελλάδας ΑΕ (ΟΣΕ)',

and:

'— Caminhos-de-Ferro Portuguese, EP (CP)'

is inserted after:

'— Naamloze Vennootschap Nederlandse Spoorwegen (NS)'

9. Council Directive 65/269/EEC of 13 May 1965 (OJ No 88, 24. 5. 1965, p. 1469/65), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Council Directive 73/169/EEC of 25 June 1973 (OJ No L 181, 4. 7. 1973, p. 20),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 83/572/EEC of 26 October 1983 (OJ No L 332, 28. 11. 1983, p. 33).



In the Annex, in each of the model authorizations, 'seven' is replaced by 'nine'.

10. Council Directive 75/130/EEC of 17 February 1975 (OJ No L 48, 22. 2. 1975, p. 31), as amended by:

- Council Directive 79/5/EEC of 19 December 1978 (OJ No L 5, 9. 1. 1979, p. 33),
- Council Directive 82/3/EEC of 21 December 1981 (OJ No L 5, 9. 1. 1982, p. 12),
- Council Directive 82/603/EEC of 28 July 1982 (OJ No L 247, 23. 8. 1982, p. 6).

In Article 8 (3), the following is inserted after the entry concerning the Netherlands:

— *Portugal*:

- (a) Imposto de camionagem
- (b) Imposto de circulação'.

11. Council Decision 75/327/EEC of 20 May 1975 (OJ No L 152, 12. 6. 1975, p. 3), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 1 (1):

— Red Nacional de los Ferrocarriles Españoles (RENFE)'

is inserted after:

— Οργανισμός Σιδηροδρόμων Ελλάδας ΑΕ (ΟΣΕ)',

and:

— Caminhos-de-Ferro Portugueses, EP (CP)'

is inserted after:

— Naamloze Vennootschap Nederlandse Spoorwegen (NS)'.

12. Commission Decision 77/527/EEC of 29 July 1977 (OJ No L 209, 17. 8. 1977, p. 29).

In the Annex, the following is added to the Title:

*ANEXO*

**Lista de vías navegables marítimas de conformidad con el apartado 6 del artículo 3 de la Directiva 76/135/CEE**

*ANEXO*

**Lista das vias marítimas navegáveis nos termos do nº 6 do artigo 3º da Directiva 76/135/CEE'.**

13. Council Directive 78/546/EEC of 12 June 1978 (OJ No L 168, 26. 6. 1978, p. 29), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Annex II, the following is inserted after the entries for Greece:

*Spain*

Andalucía

Aragón

Principado de Asturias

Comunidad Autónoma de las Islas Baleares

Canarias

Cantabria

Castilla-La Mancha

Castilla y León

Cataluña

Extremadura

Galicia

Comunidad de Madrid

Región de Murcia

Comunidad Foral de Navarra

País Vasco

La Rioja

Comunidad Valenciana

Ceuta

Melilla',

and after the entries for the Netherlands:

*Portugal*

Norte

Centro

Lisboa e vale do Tejo

Alentejo

Algarve

Açores

Madeira'.

In Annex III:

— 'Spain' is added after 'Greece' and 'Portugal' after 'the Netherlands',

— 'Spain' and 'Portugal' are deleted from the list of third countries.

14. Council Directive 80/1119/EEC of 17 November 1980 (OJ No L 339, 15. 12. 1980, p. 30).

In Annex II, the following is inserted after the entries for Germany:

*Spain*

Andalucía

Aragón

Principado de Asturias

Comunidad Autónoma de las Islas Baleares

Canarias

Cantabria

Castilla-La Mancha

Castilla y León

Cataluña

Extremadura

Galicia

Comunidad de Madrid

Región de Murcia

Comunidad Foral de Navarra

País Vasco

La Rioja

Comunidad Valenciana

Ceuta

Melilla',

and after the entries for the Netherlands:

*Portugal*  
Norte  
Centro  
Lisboa e vale do Tejo  
Alentejo  
Algarve`.

In Annex III, the list of countries is amended as follows:

— The first part is replaced by the following:

- 'I. *Countries of the European Communities*
01. Belgium
  02. Denmark
  03. Federal Republic of Germany
  04. Greece
  05. Spain
  06. France
  07. Ireland
  08. Italy
  09. Luxembourg
  10. Netherlands
  11. Portugal
  12. United Kingdom`

— Numbers 11 to 23 become 13 to 25.

In Annex IV, tables 7 (a), 7 (b), 8 (a) and 8 (b) the heading 'EUR 10' is replaced by 'EUR 12'.

In Annex IV, tables 10 (a) and 10 (b), in the left-hand column, the heading 'EUR 10' is replaced by 'EUR 12' and the terms 'Spain' and 'Portugal' are added.

15. Council Directive 80/1177/EEC of 4 December 1980 (OJ No L 350, 23. 12. 1980, p. 23).

The following is added to Article 1 (2) (a):

'RENFE: Red Nacional de los Ferrocarriles Españoles, Spain

CP: Caminhos-de-Ferro Portugueses, Portugal.'  
In Annex II, the following is inserted after the entries for Greece:

*Spain*  
Andalucía  
Aragón  
Principado de Asturias  
Comunidad Autónoma de las Islas Baleares  
Canarias  
Cantabria  
Castilla-La Mancha  
Castilla y León  
Cataluña  
Extremadura  
Galicia  
Comunidad de Madrid  
Región de Murcia  
Comunidad Foral de Navarra

Pais Vasco  
La Rioja  
Comunidad Valenciana  
Ceuta  
Melilla`,

and after the entries for the Netherlands:

*Portugal*  
Norte  
Centro  
Lisboa e vale do Tejo  
Alentejo  
Algarve`.

Annex III is amended as follows:

— Part I is replaced by the following:

- 'I. *European Communities*
01. Belgium
  02. Denmark
  03. Federal Republic of Germany
  04. Greece
  05. Spain
  06. France
  07. Ireland
  08. Italy
  09. Luxembourg
  10. Netherlands
  11. Portugal
  12. United Kingdom`.

— In Part II, numbers 11 to 14 become 13 to 16 respectively and the present references '15 Spain' and '16 Portugal' are deleted.

16. First Council Directive 80/1263/EEC of 4 December 1980 (OJ No L 375, 31. 12. 1980, p. 1).

In Annex I, the title of the specimen Community model licence is supplemented by 'Permiso de Conducción' and 'Carta de Condução'.

17. Council Decision 82/529/EEC of 19 July 1982 (OJ No L 234, 9. 8. 1982, p. 5).

In Article 1 (1):

'— Red Nacional de los Ferrocarriles Españoles (RENFE)'

is inserted after:

'— Οργανισμός Σιδηροδρόμων Ελλάδος ΑΕ (ΟΣΕ)',

and:

'— Caminhos-de-Ferro Portugueses, EP (CP)'

is inserted after:

'— Naamloze Vennootschap Nederlandse Spoorwegen (NS)'.

18. Council Directive 83/416/EEC of 25 July 1983 (OJ No L 237, 26. 8. 1983, p. 19).

In Annex A:

*Spain* Palma de Mallorca 1  
Madrid/Barajas 1

Málaga	1
Las Palmas	1
Tenerife/Sur	2
Barcelona	2
Ibiza	2
Alicante	2
Gerona	2'

is added after the entries for Greece.

19. Council Decision 83/418/EEC of 25 July 1983 (OJ No L 237, 26. 8. 1983, p. 32).

In Article 1 (1):

'— Red Nacional de los Ferrocarriles Españoles (RENFE)'

is inserted after:

'— Οργανισμός Σιδηροδρόμων Ελλάδας ΑΕ (ΟΣΕ)',

and:

'— Caminhos-de-Ferro Portugueses, EP (CP)'

is inserted after:

'— Naamloze Vennootschap Nederlandse Spoorwegen (NS)'.

#### IV. COMPETITION

##### ECSC Acts

1. Commission Decision 72/443/ECSC of 22 December 1972 (OJ No L 297, 30. 12. 1972, p. 45), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 2:

'Hulleras del Norte SA, Oviedo, Empresa Nacional Carbonifera del Sur, Madrid, Minero Siderúrgica de Ponferrada SA, León, Empresa Nacional de Electricidad SA, Puentes de García Rodríguez.'

The following is added to Article 3 (1):

'(j) In Spain:

- the area comprising the provinces of Guipúzcoa, Vizcaya, Cantabria, Asturias, Lugo, La Coruña, Pontevedra, León and Palencia,
- all other Spanish provinces;

(k) Portugal.'

2. Commission Decision No 3073/73/ECSC of 31 October 1973 (OJ No L 314, 15. 11. 1973, p. 1).

In Article 1, 'and of the European territory of the Republic of Portugal' is deleted.

3. Commission Decision No 2030/82/ECSC of 26 July 1982 (OJ No L 218, 27. 7. 1982, p. 13).

The table in the Annex is amended and supplemented as follows:

- two columns numbered '12' and '13' respectively are added to the columns of breakdown by Community country,
- the numbering of columns 12, 13 and 14 is replaced by 14, 15 and 16 respectively,
- in the column headed 'Total deliveries of sub-standard products and seconds', the numbering is replaced by 01 (02 to 15),

— in footnote (3) '12: Spain, 13: Portugal' is added,

— in footnote (4), '12' is replaced by '14' and the reference 'Portugal' is deleted.

4. Commission Decision No 3483/82/ECSC of 17 December 1982 (OJ No L 370, 29. 12. 1982, p. 1), as amended by Commission Decision No 1826/83/ECSC of 1 July 1983 (OJ No L 180, 5. 7. 1983, p. 13).

In the tables in Annexes I and II, the following columns are added:

'Spain	Portugal
11	12',

and the number of the last column 'Community total' is replaced in consequence by '13'.

##### EEC Acts

5. Council Regulation No 17 of 6 February 1962 (OJ No L 13, 21. 2. 1962, p. 204/62), as amended by:

— Council Regulation No 59 of 3 July 1962 (OJ No L 58, 10. 7. 1962, p. 1655/62),

— Council Regulation No 118/63/EEC of 5 November 1963 (OJ No L 162, 7. 11. 1963, p. 2696/63),

— Council Regulation No 2822/71 of 20 December 1971 (OJ No L 285, 29. 12. 1971, p. 49),

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

Article 25 (5) is replaced by the following:

'5. The provisions of paragraphs 1 to 4 above still apply in the same way in the case of the accession

of the Hellenic Republic, the Kingdom of Spain and of the Portuguese Republic.'

6. Commission Regulation No 27 of 3 May 1962 (OJ No L 35, 10. 5. 1962, p. 1118/62), as amended by
  - Commission Regulation (EEC) No 1133/68 of 26 July 1968 (OJ No L 189, 1. 8. 1968, p. 1),
  - Commission Regulation (EEC) No 1699/75 of 2 July 1975 (OJ No L 172, 3. 7. 1975, p. 11),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 2 (1), 'eleven' is replaced by 'thirteen'.

7. Council Regulation No 19/65/EEC of 2 March 1965 (OJ No 36, 6. 3. 1965, p. 533/65), as amended by:
  - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The final subparagraph of Article 4 (1) is replaced by the following:

'The provisions of the preceding subparagraph shall apply in the same way in the case of the accession of the Hellenic Republic, the Kingdom of Spain and of the Portuguese Republic.'

The following is added to Article 4 (2):

'Paragraph 2 shall not apply to agreements and concerted practices to which Article 85 (1) of the Treaty applies by virtue of the accession of the Kingdom of Spain and of the Portuguese Republic and which must be notified before 1 July 1986, in accordance with Articles 5 and 25 of Regulation No 17, unless they have been so notified before that date.'

8. Commission Regulation 67/67/EEC of 22 March 1967 (OJ No 57, 25. 3. 1967, p. 849/67), as amended by:
  - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Commission Regulation (EEC) No 2591/72 of 8 December 1972 (OJ No L 276, 9. 12. 1972, p. 15),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Commission Regulation (EEC) No 3577/82 of 23 December 1982 (OJ No L 373, 31. 12. 1982, p. 58).

The last sentence of Article 5 is replaced by the following:

'This provision shall apply in the same way in the case of the accession of the Hellenic Republic, the Kingdom of Spain and of the Portuguese Republic.'

9. Council Regulation (EEC) No 2821/71 of 20 December 1971 (OJ No L 285, 29. 12. 1971, p. 46), as amended by:

- Council Regulation (EEC) No 2743/72 of 19 December 1972 (OJ No L 291, 28. 12. 1972, p. 144),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The final subparagraph of Article 4 (1) is replaced by the following:

'The provisions of the preceding subparagraph shall apply in the same way in the case of the accession of the Hellenic Republic, the Kingdom of Spain and of the Portuguese Republic.'

The following is added to Article 4 (2):

'Paragraph 1 shall not apply to agreements and concerted practices to which Article 85 (1) of the Treaty applies by virtue of the accession of the Kingdom of Spain and of the Portuguese Republic and which must be notified before 1 July 1986, in accordance with Articles 5 and 25 of Regulation No 17, unless they have been so notified before that date.'

10. Commission Regulation (EEC) No 1983/83 of 22 June 1983 (OJ No L 173, 30. 6. 1983, p. 1).

The following is added to Article 7:

'The provisions of the preceding paragraph shall apply in the same way to agreements which were in force on the date of accession of the Kingdom of Spain and of the Portuguese Republic and which, as a result of accession, fall within the scope of Article 85 (1) of the Treaty.'

11. Commission Regulation (EEC) No 1984/83 of 22 June 1983 (OJ No L 173, 30. 6. 1983, p. 5).

The following is added to Article 15:

'4. The provisions of the preceding paragraphs shall apply in the same way to the agreements referred to respectively in those paragraphs, which were in force on the date of accession of the Kingdom of Spain and of the Portuguese Republic and which, as a result of accession, fall within the scope of Article 85 (1) of the Treaty.'

12. Commission Regulation (EEC) No 2349/84 of 23 July 1984 (OJ No L 219, 16. 8. 1984, p. 15).

The following is added to Article 8:

'3. As regards agreements to which Article 85 of the Treaty applies as a result of the accession of the Kingdom of Spain and of the Portuguese Republic, Articles 6 and 7 shall apply except that the relevant dates shall be 1 January 1986 instead of 13 March 1962 and 1 July 1986 instead of 1 February 1963, 1 January 1967 and 1 April 1985. The amendment made to these agreements in accordance with Article 7 need not be notified to the Commission.'

13. Commission Regulation (EEC) No 123/85 of 12 December 1984 (OJ No L 15, 18. 1. 1985, p. 16).

The following is added to Article 9:

'3. As regards agreements to which Article 85 of the Treaty applies as a result of the accession of the Kingdom of Spain and of the Portuguese Republic, Articles 7 and 8 shall apply except that the relevant dates shall be 1 January 1986 instead of 13 March 1962 and 1 July 1986 instead of 1 February 1963, 1 January 1967 and 1 October 1985. The amendment made to the agreements in accordance with Article 8 need not be notified to the Commission.'

14. Commission Regulation (EEC) No 417/85 of 19 December 1984 (OJ No L 53, 22. 2. 1985, p. 1).

The following Article is inserted:

'Article 9a

The prohibition in Article 85 (1) of the Treaty shall not apply to the specialization agreements which

were in existence at the date of the accession of the Kingdom of Spain and of the Portuguese Republic and which, by reason of this accession, fall within the scope of Article 85 (1), if, before 1 July 1986, they are so amended that they comply with the conditions laid down in this Regulation.'

15. Commission Regulation (EEC) No 418/85 of 19 December 1984 (OJ No L 53, 22. 2. 1985, p. 5).

The following is added to Article 11:

'6. As regards agreements to which Article 83 of the Treaty applies as a result of the accession of the Kingdom of Spain and of the Portuguese Republic, paragraphs 1 to 3 shall apply except that the relevant dates should be 1 January 1986 instead of 13 March 1962 and 1 July 1986 instead of 1 February 1963, 1 January 1967, 1 March 1985 and 1 September 1985. The amendment made to the agreements in accordance with the provisions of paragraph 3 need not be notified to the Commission.'

## V. TAXATION

1. Council Directive 69/335/EEC of 17 July 1969 (OJ No L 249, 3. 10. 1969, p. 25), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Council Directive 73/79/EEC of 9 April 1973 (OJ No L 103, 18. 4. 1973, p. 13),

— Council Directive 73/80/EEC of 9 April 1973 (OJ No L 103, 18. 4. 1973, p. 15),

— Council Directive 74/553/EEC of 7 November 1974 (OJ No L 303, 13. 11. 1974, p. 9),

— The 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 3 (1) (a):

— in the introductory paragraph, a reference to companies under 'Spanish' and 'Portuguese' law,

— in the first indent, 'sociedad anónima' and 'sociedade anónima',

— in the second indent, 'sociedad comanditaria por acciones' and 'sociedade em comandita por accoes',

— in the third indent, 'sociedad de responsabilidad limitada' and 'sociedade por quotas'.

2. Sixth Council Directive 77/388/EEC of 17 May 1977 (OJ No L 145, 13. 6. 1977, p. 1), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Eleventh Council Directive 80/368/EEC of 26 March 1980 (OJ No L 90, 3. 4. 1980, p. 41),

— Tenth Council Directive 84/386/EEC of 31 July 1984 (OJ No L 208, 3. 8. 1984, p. 58).

The following is added to Article 3 (2):

'— *Kingdom of Spain:*

Canary Islands

Ceuta et Melilla.'

The following is added to Article 12:

'6. The Portuguese Republic may apply to transactions carried out in the autonomous regions of the Azores and Madeira and to direct imports to those regions, reduced rates in comparison to those applying on the mainland.'

The following is added to Article 15:

'15. The Portuguese Republic may treat sea and air transport between the islands making up the autonomous regions of the Azores and Madeira and between those regions and the mainland in the same way as international transport.'

3. Council Directive 72/464/EEC of 19 December 1972 (OJ No L 303, 31. 12. 1972, p. 1), as amended by:

— Council Directive 74/318/EEC of 25 June 1974 (OJ No L 180, 30. 7. 1974, p. 30),

— Council Directive 75/786/EEC of 18 December 1975 (OJ No L 330, 24. 12. 1975, p. 51),

- Council Directive 76/911/EEC of 21 December 1976 (OJ No L 354, 24. 12. 1976, p. 33),
- Council Directive 77/805/EEC of 19 December 1977 (OJ No L 338, 28. 12. 1977, p. 22),
- Council Directive 80/369/EEC of 26 March 1980 (OJ No L 90, 3. 4. 1980, p. 42),
- Council Directive 80/1275/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 76),
- Council Directive 81/463/EEC of 24 June 1981 (OJ No L 183, 4. 7. 1981, p. 32),
- Council Directive 82/2/EEC of 21 December 1981 (OJ No L 5, 9. 1. 1982, p. 11),
- Council Directive 82/877/EEC of 21 December 1982 (OJ No L 369, 29. 12. 1982, p. 36),
- Council Directive 84/217/EEC of 10 April 1984 (OJ No L 104, 17. 4. 1984, p. 18).

The following is added to Article 12 (1):

'The Kingdom of Spain need not bring into force the provisions of this Directive to apply to the Canary Islands.'

4. Second Council Directive 79/32/EEC of 18 December 1978 (OJ No L 10, 16. 1. 1979, p. 8), as amended by Council Directive 80/369/EEC of 26 March 1980 (OJ No L 90, 3. 4. 1980, p. 42).

The following is added to Article 9 (2):

'The Kingdom of Spain need not bring into force the provisions of this Article to apply to the Canary Islands.'

5. Council Directive 77/799/EEC of 19 December 1977 (OJ No L 336, 27. 12. 1977, p. 15), as amended by:
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 79/1070/EEC of 6 December 1979 (OJ No L 331, 27. 12. 1979, p. 8),

The following is added to Article 1 (3):

*'in Spain:*

Impuesto sobre la Renta de las Personas Físicas  
Impuesto sobre Sociedades

Impuesto Extraordinario sobre el Patrimonio de las Personas Físicas

*in Portugal:*

Contribuição predial

Imposto sobre a indústria agrícola

Contribuição industrial

Imposto de capitais

Imposto profissional

Imposto complementar

Imposto de mais-valias

Imposto sobre o rendimento do petróleo

Os adicionais devidos sobre os impostos precedentes'.

The following is added to Article 1 (5):

*'in Spain:*

El Ministro de Economía y Hacienda or an authorized representative

*in Portugal:*

O Ministro da Finanças e do Plano or an authorized representative'.

6. Eighth Council Directive 79/1072/EEC of 6 December 1979 (OJ No L 331, 27. 12. 1979, p. 11).

Annex C is supplemented as follows:

— In point D, the following additions are made:

— Spain . . .

— Portugal . . .

— In point I, to both tables there shall be added:

— . . . Pta

— . . . Esc'.

7. Council Directive 83/182/EEC of 28 March 1983 (OJ No L 105, 23. 4. 1983, p. 59).

The following is added to the Annex:

'SPAIN

— Tributos locales sobre circulación de vehículos automoviles (establecido en base a la Ley 41/1979, de 19 de noviembre, de Bases de Régimen Local y al Real Decreto 3.250/1976, de 30 de diciembre)

PORTUGAL

— Imposto sobre veículos (Decreto-Lei nº 143/78, de 12 de Junho)

— Imposto de compensação (Decreto-Lei nº 354-A/82, de 9 de Setembro)'

## VI. ECONOMIC POLICY

1. Council Decision of 18 March 1958 (OJ No 17, 6. 10. 1958, p. 390/58), as amended by:

— Council Decision of 2 April 1962 (OJ No 32, 30. 4. 1962, p. 1064/62),

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Council Decision 76/332/EEC of 25 March 1976 (OJ No L 84, 31. 3. 1976, p. 56),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 7, 'twelve' is replaced by 'fourteen'.

In the first paragraph of Article 10, 'twelve' is replaced by 'fourteen'.

— Council Decision 82/871/EEC of 17 December 1982 (OJ No L 368, 28. 12. 1982, p. 43),

— Council Decision 84/655/EEC of 10 December 1984 (OJ No L 341, 29. 12. 1984, p. 90).

The Annex is replaced by the following:

2. Council Decision 71/143/EEC of 22 March 1971 (OJ No L 73, 27. 3. 1971, p. 15), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Council Decision 75/785/EEC of 18 December 1975 (OJ No L 330, 24. 12. 1975, p. 50),

— Council Decision 78/49/EEC of 19 December 1977 (OJ No L 14, 18. 1. 1978, p. 14),

— Council Decision 78/1041/EEC of 21 December 1978 (OJ No L 379, 30. 12. 1978, p. 3),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Decision 80/1264/EEC of 15 December 1980 (OJ No L 375, 31. 12. 1980, p. 16),

*'ANNEX'*

	<i>Million ECU</i>	<i>Percentage</i>
Belgium	1 000	6,28
Denmark	465	2,92
Germany	3 105	19,50
Greece	270	1,69
Spain	1 295	8,13
France	3 105	19,50
Ireland	180	1,13
Italy	2 070	13,00
Luxembourg	35	0,22
Netherlands	1 035	6,50
Portugal	260	1,63
United Kingdom	3 105	19,50
Total	15 925	100'

## VII. COMMERCIAL POLICY

### EEC Acts

1. Council Regulation (EEC) No 1023/70 of 25 May 1970 (OJ No L 124, 8. 6. 1970, p. 1), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 11 (2), 'forty-five' is replaced by 'fifty-four'.

2. Council Regulation (EEC) No 3588/82 of 23 December 1982 (OJ No L 374, 31. 12. 1982, p. 47), as amended by:

— Council Regulation (EEC) No 194/84 of 4 January 1984 (OJ No L 26, 30. 1. 1984, p. 1),

— Council Regulation (EEC) No 1475/84 of 24 May 1984 (OJ No L 143, 30. 5. 1984, p. 6).

The second indent of Article 18 (3) of Annex V is replaced by the following:

— two letters identifying the Member State of destination as follows:

BL = Benelux

DE = Federal Republic of Germany

DK = Denmark

ES = Spain

FR = France

GB = United Kingdom

GR = Greece

IE = Ireland

IT = Italy

PT = Portugal'.

3. Council Regulation (EEC) No 3589/82 of 23 December 1982 (OJ No L 374, 31. 12. 1982, p. 106), as amended by Council Regulation (EEC) No 3762/83 of 19 December 1983 (OJ No L 380, 31. 12. 1983, p. 1).

The second indent of Article 18 (3) of Annex V is replaced by the following.

— two letters identifying the Member State of destination as follows:

BL = Benelux

DE = Federal Republic of Germany

DK = Denmark

ES = Spain

FR = France

GB = United Kingdom

GR = Greece

IE = Ireland

IT = Italy

PT = Portugal'.

4. Council Regulation (EEC) No 2072/84 of 29 June 1984 (OJ No L 198, 27. 7. 1984, p. 1).

The second indent of Article 18 (3) of Annex V is replaced by the following:

‘— two letters identifying the Member State of destination as follows:

- BL = Benelux
- DE = Federal Republic of Germany
- DK = Denmark
- ES = Spain
- FR = France
- GB = United Kingdom
- GR = Greece
- IE = Ireland
- IT = Italy
- PT = Portugal’.

5. Council Directive 70/509/EEC of 27 October 1970 (OJ No L 254, 23. 11. 1970, p. 1), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- the 1979 Act of Accession (OJ No L 291 19. 11. 1979, p. 17).

In Annex A, the following is added to the footnote on the first page:

‘Spain: Compañía Española de Seguro de Créditos a la Exportación (CESCE);

Portugal: COSEC — Companhia de Seguro de Créditos, EP.’

6. Council Directive 70/510/EEC of 27 October 1970 (OJ No L 254, 23. 11. 1970, p. 26), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Annex A, the following is added to the footnote on the first page:

‘Spain: Compañía Española de Seguro de Créditos a la Exportación (CESCE);

Portugal: COSEC — Companhia de Seguro de Créditos, EP’.

7. Council Decision 73/391/EEC of 3 December 1973 (OJ No L 346, 17. 12. 1973, p. 1), as amended by Council Decision 76/641/EEC of 27 July 1976 (OJ No L 223, 16. 8. 1976, p. 25).

In Articles 3 (2) and 10 (2) of the Annex, ‘five’ is replaced by ‘six’.

8. Council Decision of 4 April 1978 on the application of certain guidelines in the field of officially supported export credits (not published), as extended by the Council Decisions of 16 November 1978, 12 June 1979, 10 December 1979, 28 May 1980, 8 December 1980, 3 March 1981, 20 July 1981, 16 November 1981, 28 July 1982, 16 May 1983, 9 August 1983 and 26 October 1983, as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— the Council Decisions of 27 June 1980, 16 November 1981, 28 July 1982, 21 February 1983, 26 October 1983 and 23 October 1984.

In Annex D ‘List of participants’, ‘Spain’ and ‘Portugal’ are deleted from the list of third countries and included in the footnote listing the Member States of the Community.

## VIII. SOCIAL POLICY

1. Council Regulation (EEC) No 1408/71 of 14 June 1971, as amended and updated by Council Regulation (EEC) No 2001/83 of 2 June 1983 (OJ No L 230, 22. 8. 1983, p. 6).

Article 23 (1) is replaced by the following:

‘1. The competent institution of a Member State whose legislation provides that the calculation of cash benefits shall be based on average earnings or on average contributions, shall determine such average earnings or contributions exclusively by reference to earnings or contributions completed under the said legislation.’

The following is added to Article 45:

‘7. Where the legislation of a Member State which makes the granting of benefits conditional upon an employed or self-employed person being subject to its legislation at the time when the risk materializes, lays down a requirement as to the length of insurance periods for entitlement to benefits, any employed or self-employed person who is no longer subject to that legislation shall, for the purposes of this Chapter, be deemed to be still so subject at the time when the risk materializes, if at that time he is subject to the legislation of another Member State or, failing this, can establish a claim to benefits under the legislation of another Mem-



ber State. However, this latter condition shall be deemed to be satisfied in the case referred to in Article 48 (1).'

The following is added to Article 47 (1):

'(e) where, under the legislation of a Member State benefits are calculated on the basis of

average contributions, the competent institution shall determine that average exclusively by reference to those periods of insurance completed under the legislation of the said State.'

In Article 82 (1), '60' is replaced by '72'.  
Annex I is replaced by the following:

#### *'ANNEX I*

### **PERSONS COVERED BY THE REGULATION**

#### **I. Employed persons and/or self-employed persons (Article 1 (a) (ii) and (iii) of the Regulation)**

##### **A. BELGIUM**

Does not apply.

##### **B. DENMARK**

1. Any person who, from the fact of pursuing an activity as an employed person, is subject:

(a) to the legislation on accidents at work and occupational diseases for the period prior to 1 September 1977;

(b) to the legislation on supplementary pensions for employed persons (arbejdsmarkedets tilægspension, ATP) for a period commencing on or after 1 September 1977,

shall be considered as an employed person within the meaning of Article 1 (a) (ii) of the Regulation.

2. Any person who, pursuant to the law on daily cash benefits in the event of sickness or maternity, is entitled to such benefits on the basis of an earned income other than a wage or salary shall be considered a self-employed person within the meaning of Article 1 (a) (ii) of the Regulation.

##### **C. GERMANY**

If the competent institution for granting family benefits in accordance with Chapter 7 of Title III of the Regulation is a German institution, then within the meaning of Article 1 (a) (ii) of the Regulation:

(a) "employed person" means any person compulsorily insured against unemployment or any person who, as a result of such insurance, obtains cash benefits under sickness insurance or comparable benefits;

(b) "self-employed person" means any person pursuing self-employment which is bound:

— to join, or pay contributions in respect of, an old-age insurance within a scheme for self-employed persons, or

— to join a scheme within the framework of compulsory pension insurance.

##### **D. SPAIN**

Does not apply.

##### **E. FRANCE**

Does not apply.

##### **F. GREECE**

1. Persons insured under the OGA scheme who pursue exclusively activities as employed persons or who are or have been subject to the legislation of another

Member State and who consequently are or have been “employed persons” within the meaning of Article 1 (a) of the Regulation are considered as employed persons within the meaning of Article 1 (a) (iii) of the Regulation.

2. For the purposes of granting the national family allowances, persons referred to in Article 1 (a) (i) and (iii) of the Regulation are considered as employed persons within the meaning of Article 1 (a) (ii) of the Regulation.

#### G. IRELAND

1. Any person who is compulsorily or voluntarily insured pursuant to the provisions of Sections 5 and 37 of the Social Welfare (Consolidation) Act 1981 shall be considered an employed person within the meaning of Article 1 (a) (ii) of the Regulation.
2. Any person who is pursuing a professional or trade activity without a contract of employment or who has retired from such activity shall be considered a self-employed person within the meaning of Article 1 (a) (ii) of the Regulation. As regards sickness benefits in kind, the person concerned must also be entitled to such benefits under Section 45 or 46 of the Health Act 1970.

#### H. ITALY

Does not apply.

#### I. LUXEMBOURG

Does not apply.

#### J. NETHERLANDS

Any person pursuing an activity or occupation without a contract of employment shall be considered a self-employed person within the meaning of Article 1 (a) (ii) of the Regulation.

#### K. PORTUGAL

Does not apply.

#### L. UNITED KINGDOM

Any person who is an “employed earner” or a “self-employed earner” within the meaning of the legislation of Great Britain or of the legislation of Northern Ireland shall be regarded respectively as an employed person or a self-employed person within the meaning of Article 1 (a) (ii) of the Regulation. Any person in respect of whom contributions are payable as an “employed person” or a “self-employed person” in accordance with the legislation of Gibraltar shall be regarded respectively as an employed person or a self-employed person within the meaning of Article 1 (a) (ii) of the Regulation.

### II. Members of the family

(Second sentence of Article 1 (f) of the Regulation)

#### A. BELGIUM

Does not apply.

#### B. DENMARK

For the purpose of determining entitlement to benefits in kind pursuant to Articles 22 (1) (a) and 31 of the Regulation, “member of the family” means any person regarded as a member of the family under the law on the Public Health Service.

#### C. GERMANY

Does not apply.

#### D. SPAIN

Does not apply.

#### E. FRANCE

Does not apply.

F. GREECE

Does not apply.

G. IRELAND

For the purpose of determining entitlement to benefits in kind pursuant to Articles 22 (1) (a) and 31 of the Regulation, "member of the family" means any person regarded as a dependant of the employed or self-employed person for the purposes of the Health Acts 1947 to 1970.

H. ITALY

Does not apply.

I. LUXEMBOURG

Does not apply.

J. NETHERLANDS

Does not apply.

K. PORTUGAL

Does not apply.

L. UNITED KINGDOM

For the purpose of determining entitlement to benefits in kind pursuant to Articles 22 (1) (a) and 31 of the Regulation, "member of the family" means:

- (a) as regards the legislation of either Great Britain or Northern Ireland, any person regarded as a dependant within the meaning of the Social Security Act 1975 or, as the case may be, the Social Security (Northern Ireland) Act 1975;
- (b) as regards the legislation of Gibraltar, any person regarded as a dependant within the meaning of the Group Practice Medical Scheme Ordinance 1973.'

Annex II is replaced by the following:

*'ANNEX II*

(Article 1 (j) and (u) of the Regulation)

I. Special schemes for self-employed persons excluded from the scope of the Regulation pursuant to the fourth subparagraph of Article 1 (j)

A. BELGIUM

Does not apply.

B. DENMARK

Does not apply.

C. GERMANY

Insurance and welfare institutions (Versicherungs- und Versorgungswerke) for doctors, dentists, veterinary surgeons, dispensing chemists, barristers and counsel, patent agents (Patentanwälte), notaries public, auditors (Wirtschaftsprüfer), tax consultants and advisers (Steuerbevollmächtigte), sea pilots (Seelotsen) and architects, set up pursuant to legislation of the *Länder*, and other insurance and welfare institutions, in particular welfare funds (Fürsorgeeinrichtungen) and the system for extending fee-sharing (erweiterte Honorarverteilung).

D. SPAIN

1. Free welfare systems, which complement or supplement the social security systems, administered by institutions governed by the General Law on Social Security of 6 December 1941 and its Regulation of 26 May 1943:
  - (a) either with regard to benefits which complement or supplement those of social security;
  - (b) or with regard to mutual insurance associations for whose integration into the social security system there is no provision under point 7 of the sixth transitional provision of the General Law on Social Security of 30 May 1974, and which consequently are not substituted for the institutions of the compulsory social security system.
2. Welfare system and/or with the character of social assistance or a charity, managed by institutions not subject to the General Law on Social Security or to the Law of 6 December 1941.

E. FRANCE

1. Self-employed persons outside the agricultural sphere:
  - (a) the supplementary old-age insurance schemes and the invalidity and death insurance schemes for self-employed persons, such as are mentioned in Articles L 658, L 659, L 663-11, L 663-12, L 682 and L 683-1 of the Social Security Code;
  - (b) the additional benefits referred to in Article 9 of Law No 66.509 of 12 July 1966.
2. Self-employed persons in agriculture:

The types of insurance set out in Articles 1049 and 1234.19 of the Rural Code, concerning, on the one hand, sickness, maternity and old-age and, on the other, accidents at work and occupational diseases of self-employed persons in agriculture.

F. GREECE

Does not apply.

G. IRELAND

Does not apply.

H. ITALY

Does not apply.

I. LUXEMBOURG

Does not apply.

J. NETHERLANDS

Does not apply.

K. PORTUGAL

Does not apply.

L. UNITED KINGDOM

Does not apply.

II. **Special childbirth allowances excluded from the scope of the Regulation pursuant to Article 1 (u)**

A. BELGIUM

Childbirth allowance.

B. DENMARK

None.

- C. GERMANY  
None.
- D. SPAIN  
None.
- E. FRANCE  
(a) Prenatal allowances.  
(b) Postnatal allowances.
- F. GREECE  
None.
- G. IRELAND  
None.
- H. ITALY  
None.
- I. LUXEMBOURG  
Childbirth allowances.
- J. NETHERLANDS  
None.
- K. PORTUGAL  
None.
- L. UNITED KINGDOM  
None.'

Annex III is replaced by the following:

*ANNEX III*

(Articles 7 (2) (c) and 3 (3) of the Regulation)

**Provisions of social security conventions remaining applicable notwithstanding Article 6 of the Regulation — Provisions of social security conventions which do not apply to all persons to whom the Regulation applies**

**GENERAL COMMENTS**

1. In so far as the provisions contained in this Annex provide for references to the provisions of other conventions, those references shall be replaced by references to the corresponding provisions of this Regulation, unless the provisions of the conventions in question are themselves contained in this Annex.
2. The termination clause provided for in a social security convention, some of whose provisions are contained in this Annex, shall continue to apply as regards those provisions.

**A**

**Provisions of social security conventions remaining applicable notwithstanding Article 6 of the Regulation**

(Article 7 (2) (c) of the Regulation)

1. BELGIUM — DENMARK  
No convention.

2. BELGIUM — GERMANY

- (a) Articles 3 and 4 of the Final Protocol of 7 December 1957 to the General Convention of that date, as in the Complementary Protocol of 10 November 1960.
- (b) Complementary Agreement No 3 of 7 December 1957 to the General Convention of the same date, as in the Complementary Protocol of 10 November 1960 (payment of pensions for the period preceding the entry into force of the General Convention).

3. BELGIUM — SPAIN

None.

4. BELGIUM — FRANCE

- (a) Articles 13, 16 and 23 of the Complementary Agreement of 17 January 1948 to the General Convention of that date (workers in mines and similar undertakings).
- (b) The exchange of letters of 27 February 1953 (application of Article 4 (2) of the General Convention of 17 January 1948).
- (c) The exchange of letters of 29 July 1953 on allowances to elderly employed persons.

5. BELGIUM — GREECE

Articles 15 (2), 35 (2) and 37 of the General Convention of 1 April 1958.

6. BELGIUM — IRELAND

No convention.

7. BELGIUM — ITALY

Article 29 of the Convention of 30 April 1948.

8. BELGIUM — LUXEMBOURG

- (a) Articles 3, 4, 5, 6 and 7 of the Convention of 16 November 1959, as in the Convention of 12 February 1964 (frontier workers).
- (b) The exchange of letters of 10 and 12 July 1968 concerning self-employed persons.

9. BELGIUM — NETHERLANDS

None.

10. BELGIUM — PORTUGAL

None.

11. BELGIUM — UNITED KINGDOM

None.

12. DENMARK — GERMANY

- (a) Point 15 of the Final Protocol to the Convention on social insurances of 14 August 1953.
- (b) The Complementary Agreement of 14 August 1953 to the Convention mentioned above.

13. DENMARK — SPAIN

No convention.

14. DENMARK — FRANCE

None.

15. DENMARK — GREECE  
No convention.
16. DENMARK — IRELAND  
No convention.
17. DENMARK — ITALY  
No convention.
18. DENMARK — LUXEMBOURG  
No convention.
19. DENMARK — NETHERLANDS  
No convention.
20. DENMARK — PORTUGAL  
No convention.
21. DENMARK — UNITED KINGDOM  
None.
22. GERMANY — SPAIN  
None.
23. GERMANY — FRANCE
  - (a) Articles 11 (1), 16 (second paragraph) and 19 of the General Convention of 10 July 1950.
  - (b) Article 9 of Complementary Agreement No 1 of 10 July 1950 to the General Convention of the same date (workers in mines and similar undertakings).
  - (c) Complementary Agreement No 4 of 10 July 1950 to the General Convention of the same date, as in added Section No 2 of 18 June 1955.
  - (d) Titles I and III of added Section No 2 of 18 June 1955.
  - (e) Points 6, 7 and 8 of the General Protocol of 10 July 1950 to the General Convention of the same date.
  - (f) Titles II, III and IV of the Agreement of 20 December 1963 (social security in the Saar).
24. GERMANY — GREECE
  - (a) Article 5 (2) of the General Convention of 25 April 1961.
  - (b) Articles 8 (1), (2) (b) and (3), 9 to 11 and Chapters I and IV, in so far as they concern these Articles, of the Convention on unemployment insurance of 31 May 1961, together with the note in the minutes of 14 June 1980.
25. GERMANY — IRELAND  
No convention.
26. GERMANY — ITALY
  - (a) Articles 3 (2), 23 (2), 26 and 36 (3) of the Convention of 5 May 1953 (social insurance).
  - (b) The Complementary Agreement of 12 May 1953 to the Convention of 5 May 1953 (payment of pensions for the period preceding the entry into force of the Convention).

27. GERMANY — LUXEMBOURG

Articles 4, 5, 6 and 7 of the Treaty of 11 July 1959 (Ausgleichsvertrag) (settlement of the dispute between Germany and Luxembourg).

28. GERMANY — NETHERLANDS

(a) Article 3 (2) of the Convention of 29 March 1951.

(b) Articles 2 and 3 of Complementary Agreement No 4 of 21 December 1956 to the Convention of 29 March 1951 (settlement of rights acquired under the German social insurance scheme by Dutch workers between 13 May 1940 and 1 September 1945).

29. GERMANY — PORTUGAL

Article 5 (2) of the Convention of 6 November 1964.

30. GERMANY — UNITED KINGDOM

(a) Articles 3 (1) and (6) and 7 (2) to (6) of the Convention on social security of 20 April 1960.

(b) Articles 2 to 7 of the Final Protocol to the Convention on social security of 20 April 1960.

(c) Articles 2 (5) and 5 (2) to (6) of the Convention on unemployment insurance of 20 April 1960.

31. SPAIN — FRANCE

None.

32. SPAIN — GREECE

No convention.

33. SPAIN — IRELAND

No convention.

34. SPAIN — ITALY

Articles 5, 18 (1) (c) and 23 of the Convention on social security of 30 October 1979.

35. SPAIN — LUXEMBOURG

(a) Article 5 (2) of the Convention of 8 May 1969.

(b) Article 1 of the Administrative Arrangement of 27 June 1975 for the application of the Convention of 8 May 1969 to self-employed persons.

36. SPAIN — NETHERLANDS

Article 23 (2) of the Convention on social security of 5 February 1974.

37. SPAIN — PORTUGAL

Articles 4 (2), 16 (2) and 22 of the General Convention of 11 June 1969.

38. SPAIN — UNITED KINGDOM

None.

39. FRANCE — GREECE

Articles 16 (fourth subparagraph) and 30 of the General Convention of 19 April 1958.



40. FRANCE — IRELAND

No convention.

41. FRANCE — ITALY

(a) Articles 20 and 24 of the General Convention of 31 March 1948.

(b) The exchange of letters of 3 March 1956 (sickness benefits for seasonal workers employed in agriculture).

42. FRANCE — LUXEMBOURG

Articles 11 and 14 of the Complementary Agreement of 12 November 1949 to the General Convention of the same date (workers in mines and similar undertakings).

43. FRANCE — NETHERLANDS

Article 11 of the Complementary Agreement of 1 June 1954 to the General Convention of 7 January 1950 (workers in mines and similar undertakings).

44. FRANCE — PORTUGAL

None.

45. FRANCE — UNITED KINGDOM

The exchange of letters of 27 and 30 July 1970 concerning the position with regard to social security of United Kingdom teachers temporarily pursuing their profession in France by virtue of the Cultural Convention of 2 March 1948.

46. GREECE — IRELAND

No convention.

47. GREECE — ITALY

No convention.

48. GREECE — LUXEMBOURG

No convention.

49. GREECE — NETHERLANDS

Article 4 (2) of the General Convention of 13 September 1966.

50. GREECE — PORTUGAL

No convention.

51. GREECE — UNITED KINGDOM

No convention.

52. IRELAND — ITALY

No convention.

53. IRELAND — LUXEMBOURG

No convention.

54. IRELAND — NETHERLANDS

No convention.

55. IRELAND — PORTUGAL

No convention.

56. IRELAND — UNITED KINGDOM

Article 8 of the Agreement of 14 September 1971 on social security.

57. ITALY — LUXEMBOURG

Articles 18 (2) and 24 of the General Convention of 29 May 1951.

58. ITALY — NETHERLANDS

Article 21 (2) of the General Convention of 28 October 1952.

59. ITALY — PORTUGAL

No convention.

60. ITALY — UNITED KINGDOM

None.

61. LUXEMBOURG — NETHERLANDS

None.

62. LUXEMBOURG — PORTUGAL

Article 3 (2) of the Convention of 12 February 1965.

63. LUXEMBOURG — UNITED KINGDOM

None.

64. NETHERLANDS — PORTUGAL

Articles 5 (2) and 31 of the Convention of 19 July 1979.

65. NETHERLANDS — UNITED KINGDOM

None.

66. PORTUGAL — UNITED KINGDOM

Article 2 (1) of the Protocol on medical treatment of 15 November 1978.

**B**

**Provisions of Conventions which do not apply to all persons to whom the Regulation applies**

(Article 3 (3) of the Regulation)

1. BELGIUM — DENMARK

No convention.

2. BELGIUM — GERMANY

(a) Articles 3 and 4 of the Final Protocol of 7 December 1957 to the General Convention of that date, as in the Complementary Protocol of 10 November 1960.

(b) Complementary Agreement No 3 of 7 December 1957 to the General Convention of the same date, as in the Complementary Protocol of 10 November 1960 (payment of pensions for the period preceding the entry into force of the General Convention).

3. BELGIUM — SPAIN

None.

4. BELGIUM — FRANCE

(a) The exchange of letters of 29 July 1953 on allowances to elderly employed persons.

(b) The exchange of letters of 27 February 1953 (application of Article 4 (2) of the General Convention of 17 January 1948).

5. BELGIUM — GREECE

None.

6. BELGIUM — IRELAND

None.

7. BELGIUM — ITALY

None.

8. BELGIUM — LUXEMBOURG

None.

9. BELGIUM — NETHERLANDS

None.

10. BELGIUM — PORTUGAL

None.

11. BELGIUM — UNITED KINGDOM

None.

12. DENMARK — GERMANY

(a) Point 15 of the Final Protocol to the Convention on social insurances of 14 August 1953.

(b) The Complementary Agreement of 14 August 1953 to the Convention mentioned above.

13. DENMARK — SPAIN

No convention.

14. DENMARK — FRANCE

None.

15. DENMARK — GREECE

No convention.

16. DENMARK — IRELAND

No convention.

17. DENMARK — ITALY

No convention.

18. DENMARK — LUXEMBOURG

No convention.

19. DENMARK — NETHERLANDS

No convention.

20. DENMARK — PORTUGAL  
No convention.
21. DENMARK — UNITED KINGDOM  
None.
22. GERMANY — SPAIN  
None.
23. GERMANY — FRANCE
- (a) Articles 16 (second paragraph) and 19 of the General Convention of 10 July 1950.
  - (b) Complementary Agreement No 4 of 10 July 1950 to the General Convention of the same date, as in added Section No 2 of 18 June 1955.
  - (c) Titles I and III of added Section No 2 of 18 June 1955.
  - (d) Points 6, 7 and 8 of the General Protocol of 10 July 1950 to the General Convention of the same date.
  - (e) Titles II, III and IV of the Agreement of 20 December 1963 (social security in the Saar).
24. GERMANY — GREECE  
None.
25. GERMANY — IRELAND  
No convention.
26. GERMANY — ITALY
- (a) Articles 3 (2) and 26 of the Convention of 5 May 1953 (social insurance).
  - (b) The Complementary Agreement of 12 May 1953 to the Convention of 5 May 1953 (payment of pensions for the period prior to the entry into force of the Convention).
27. GERMANY — LUXEMBOURG  
Articles 4, 5, 6 and 7 of the Treaty of 11 July 1959 (settlement of the dispute between Germany and Luxembourg).
28. GERMANY — NETHERLANDS
- (a) Article 3 (2) of the Convention of 29 March 1951.
  - (b) Articles 2 and 3 of Complementary Agreement No 4 of 21 December 1956 to the Convention of 29 March 1951 (settlement of rights acquired under the German social insurance scheme by Dutch workers between 13 May 1940 and 1 September 1945).
29. GERMANY — PORTUGAL  
Article 5 (2) of the Convention of 6 November 1964.
30. GERMANY — UNITED KINGDOM
- (a) Articles 3 (1) and (6) and 7 (2) to (6) of the Convention on social security of 20 April 1960.
  - (b) Articles 2 to 7 of the Final Protocol to the Convention on social security of 20 April 1960.
  - (c) Articles 2 (5) and 5 (2) to (6) of the Convention on unemployment insurance of 20 April 1960.

31. SPAIN — FRANCE  
None.
32. SPAIN — GREECE  
No convention.
33. SPAIN — IRELAND  
No convention.
34. SPAIN — ITALY  
Articles 5, 18 (1) (c) and 23 of the Convention on Social Security of 30 October 1979.
35. SPAIN — LUXEMBOURG
  - (a) Article 5 (2) of the Convention of 8 May 1969.
  - (b) Article 1 of the Administrative Arrangement of 27 June 1975 for the application of the Convention of 8 May 1969 to self-employed persons.
36. SPAIN — NETHERLANDS  
Article 23 (2) of the Convention on Social Security of 5 February 1974.
37. SPAIN — PORTUGAL  
Articles 4 (2), 16 (2) and 22 of the General Convention of 11 June 1969.
38. SPAIN — UNITED KINGDOM  
None.
39. FRANCE — GREECE  
None.
40. FRANCE — IRELAND  
No convention.
41. FRANCE — ITALY  
Articles 20 and 24 of the General Convention of 31 March 1948.
42. FRANCE — LUXEMBOURG  
None.
43. FRANCE — NETHERLANDS  
None.
44. FRANCE — PORTUGAL  
None.
45. FRANCE — UNITED KINGDOM  
The exchange of letters of 27 and 30 July 1970 concerning the position with regard to social security of United Kingdom teachers temporarily pursuing their profession in France by virtue of the Cultural Convention of 2 March 1948.
46. GREECE — IRELAND  
No convention.

47. GREECE — ITALY  
No convention.
48. GREECE — LUXEMBOURG  
No convention.
49. GREECE — NETHERLANDS  
None.
50. GREECE — PORTUGAL  
No convention.
51. GREECE — UNITED KINGDOM  
No convention.
52. IRELAND — ITALY  
No convention.
53. IRELAND — LUXEMBOURG  
No convention.
54. IRELAND — NETHERLANDS  
No convention.
55. IRELAND — PORTUGAL  
No convention.
56. IRELAND — UNITED KINGDOM  
None.
57. ITALY — LUXEMBOURG  
None.
58. ITALY — NETHERLANDS  
None.
59. ITALY — PORTUGAL  
No convention.
60. ITALY — UNITED KINGDOM  
None.
61. LUXEMBOURG — NETHERLANDS  
None.
62. LUXEMBOURG — PORTUGAL  
Article 3 (2) of the Convention of 12 February 1965.
63. LUXEMBOURG — UNITED KINGDOM  
None.
64. NETHERLANDS — PORTUGAL  
Article 5 (2) of the Convention of 19 July 1979.

65. NETHERLANDS — UNITED KINGDOM

None.

66. PORTUGAL — UNITED KINGDOM

Article 2 (1) of the Protocol on medical treatment of 15 November 1978.'

Annex IV is replaced by the following:

*ANNEX IV*

(Article 37 (2) of the Regulation)

**Legislation referred to in Article 37 (1) of the Regulation under which the amount of invalidity benefits is independent of the length of periods of insurance**

A. BELGIUM

The legislation relating to the general invalidity scheme, to the special invalidity scheme for miners and to the special scheme for sailors in the Merchant Navy and the legislation concerning insurance against incapacity for work for self-employed persons.

B. DENMARK

None.

C. GERMANY

None.

D. SPAIN

Legislation relating to invalidity insurance under the general scheme and under the special schemes.

E. FRANCE

1. *Employed persons*

All legislation on invalidity insurance, except for the legislation concerning the invalidity insurance of the social security scheme for miners.

2. *Self-employed persons*

The legislation on invalidity insurance for persons self-employed in agriculture.

F. GREECE

Legislation relating to the agricultural insurance scheme.

G. IRELAND

Chapter 10 of Part II of the Social Welfare (Consolidation) Act, 1981.

H. ITALY

None.

I. LUXEMBOURG

None.

J. NETHERLANDS

- (a) The Law of 18 February 1966 on insurance against incapacity for work.
- (b) The Law of 11 December 1975 on general insurance against incapacity for work.

K. PORTUGAL

None.

L. UNITED KINGDOM

(a) *Great Britain*

Section 15 of the Social Security Act 1975.

Sections 14 to 16 of the Social Security Pensions Act 1975.

(b) *Northern Ireland*

Section 15 of the Social Security (Northern Ireland) Act 1975.

Articles 16 to 18 of the Social Security Pensions (Northern Ireland) Order 1975.'

Annex VI is amended and supplemented as follows:

'A. BELGIUM

... (no change).

B. DENMARK

... (no change).

C. GERMANY

... (no change).

D. SPAIN

1. The condition either of carrying on the activity of an employed or of a self-employed person, or the condition of having previously been compulsorily insured against the same contingency under a scheme organized for the benefit of employed or self-employed persons of the same Member State, laid down in Article 1 (a) (iv) of the Regulation, may not be relied upon against persons who, in accordance with the provisions of Royal Decree No 2805/1979 of 7 December 1979, are affiliated voluntarily to the general social security scheme in their capacity as an official or employee serving an international intergovernmental organization.
2. The provisions of Royal Decree No 2805/1979 of 7 December 1979 apply to nationals of the Member States and to refugees and stateless persons:
  - (a) where they are resident in Spanish territory; or
  - (b) where they are resident in the territory of another Member State and where they have been previously, at some time, compulsorily affiliated to the Spanish social security scheme; or
  - (c) where they are resident in the territory of a third State and have paid contributions for at least 1 800 days to the Spanish social security scheme and where they are not insured either compulsorily or voluntarily by virtue of the legislation of another Member State.

E. FRANCE

... (no change).

F. GREECE

... (no change).



G. IRELAND

... (no change).

H. ITALY

... (no change).

I. LUXEMBOURG

... (no change).

J. NETHERLANDS

... (no change).

K. PORTUGAL

1. The non-contributory benefits introduced by Decree Law No 160/80 of 27 May 1980 and Decree Law No 464/80 of 13 October 1980 shall be granted under the conditions laid down for Portuguese nationals to nationals of the other Member States indicated in Article 2 of Regulation (EEC) No 1408/71, resident in Portugal.
2. The same also applies to refugees and Stateless persons.

L. UNITED KINGDOM

... (no change).'

Annex VII is replaced by the following:

*'ANNEX VII*

(Application of Article 14c (1) (b) of the Regulation)

**Instances in which a person shall be simultaneously subject to the legislation of two Member States**

1. Where he is self-employed in Belgium and gainfully employed in any other Member State, except Luxembourg. For Luxembourg the exchange of letters of 10 and 12 July 1968 between Belgium and Luxembourg shall apply.
2. Where a person resident in Denmark is self-employed in Denmark and gainfully employed in any other Member State.
3. For the agricultural accident insurance scheme and the old-age insurance scheme for farmers: where he is self-employed in farming in Germany and gainfully employed in any other Member State.
4. Where a person resident in Spain is self-employed in Spain and gainfully employed in any other Member State.
5. Where he is self-employed in France and gainfully employed in any other Member State, except Luxembourg.
6. Where he is self-employed in farming in France and gainfully employed in Luxembourg.
7. Where he is self-employed in Greece and gainfully employed in any other Member State.
8. Where he is self-employed in Italy and gainfully employed in any other Member State.
9. Where he is self-employed in Portugal and gainfully employed in any other Member State.'

2. Council Regulation (EEC) No 574/72 of 21 March 1972 as amended and updated by Council Regulation (EEC) No 2001/83 of 2 June 1983 (OJ No L 230, 22. 8. 1983, p. 6).

The following is added to Article 15 (3):

- (c) If the person concerned is an employed person who has been subject to a seven-day week:
- (i) one day shall be equivalent to six hours and vice versa,
  - (ii) seven days shall be equivalent to one week and vice versa,
  - (iii) thirty days shall be equivalent to one month and vice versa,
  - (iv) three months or 13 weeks or 90 days shall be equivalent to one-quarter and vice versa,
  - (v) for the conversion of weeks into months and vice versa, the weeks and the months shall be converted into days,
  - (vi) the application of the preceding rules shall not have the effect of producing, for the sum total of the periods of insurance completed during one calendar year, a total exceeding 360 days or 52 weeks or 12 months or four quarters.

Where the periods of insurance completed under the laws of a Member State are expressed in months, the days which correspond to a fraction of a month, in accordance with the conversion rules set out in this paragraph, are considered as an entire month.'

Article 85 (1) is replaced by the following:

'1. In order to invoke the provisions of Article 72 of the Regulation, a person shall submit to the competent institution a certified statement specifying the period of insurance, employment or self-employment completed under the legislation to which he was last subject.'

Article 85 (3) is replaced by the following:

'3. The provisions of paragraphs 1 and 2 shall apply by analogy if, in order to satisfy the conditions of the legislation of the competent State, it is necessary to take into account periods of insurance, employment or self-employment completed previously under the legislation of any other Member State.'

Article 120 (1) is replaced by the following:

'1. The rights referred to in Article 94 (9) of the Regulation shall be those enjoyed by employed persons in respect of members of their families giving entitlement to family benefits, at the rate and within the limits applicable on the day preceding 1 October 1972, or on the day preceding the application of the Regulation in the territory of the Member State concerned, pursuant either to Article 41 or Annex D to Regulation No 3, or to Article 20 or Annex I to Council Regulation No 36/63/EEC of 2 April 1963 on social security for frontier workers<sup>(1)</sup> or to Conventions in force between the Member States in question.

(<sup>1</sup>) OJ No 62, 20. 4. 1963, p. 1314/63.'

Annex I is replaced by the following:

#### ANNEX I

#### COMPETENT AUTHORITIES

(Article 1 (1) of the Regulation and Articles 4 (1) and 122 of the Implementing Regulation)

- A. BELGIUM:
- Ministre de la prévoyance sociale, Bruxelles — Minister van Sociale Voorzorg, Brussel (Minister for Social Welfare, Brussels)
- Ministre des classes moyennes, Bruxelles — Minister van Middenstand, Brussel (Minister for Small Firms and Traders, Brussels)
- B. DENMARK:
1. Socialministeren (Minister for Social Affairs), København
  2. Arbejdsministeren (Minister for Labour), København
  3. Indenrigsministeren (Minister for the Interior), København
  4. Ministeren for Grønland (Minister for Greenland), København

- C. GERMANY: Bundesminister für Arbeit und Sozialordnung (Federal Minister for Labour and Social Affairs), Bonn
- D. SPAIN: Ministro de Trabajo y Seguridad Social (Minister for Labour and Social Security), Madrid
- E. FRANCE:
1. Ministre des affaires sociales et de la solidarité nationale (Minister for Social Affairs for National Solidarity), Paris
  2. Ministre de l'agriculture (Minister for Agriculture), Paris
- F. GREECE:
1. Υπουργός Κοινωνικών Υπηρεσιών, Αθήνα (Minister for Social Affairs, Athens)
  2. Υπουργός Εργασίας, Αθήνα (Minister for Labour, Athens)
  3. Υπουργός Εμπορικής Ναυτιλίας, Πειραιάς (Minister for the Merchant Navy, Piraeus)
- G. IRELAND:
1. Minister for Social Welfare, Dublin
  2. Minister for Health, Dublin
- H. ITALY:
- In respect of pensions:
1. in general: Ministro del lavoro e della previdenza sociale (Minister for Labour and Social Welfare), Roma
  2. for notaries: Ministro di grazia e giustizia (Minister for Justice), Roma
  3. for customs officers: Ministro delle finanze (Minister for Finance), Roma
- In respect of benefits in kind:  
Ministro della sanità (Minister for Health), Roma
- I. LUXEMBOURG:
1. Ministre du travail et de la sécurité sociale (Minister for Labour and Social Security), Luxembourg
  2. Ministre de la famille (Minister for Family Affairs), Luxembourg
- J. NETHERLANDS:
1. Minister van Sociale Zaken en Werkgelegenheid (Minister for Social Affairs and Employment), Den Haag
  2. Minister van Welzijn, Volksgezondheid en Cultuur (Minister for Welfare, Health and Cultural Affairs), Rijswijk
- K. PORTUGAL:
1. Ministro do Trabalho e Segurança Social, (Minister for Labour and Social Security), Lisboa
  2. Ministro da Saúde, (Minister for Health), Lisboa
  3. Secretário Regional dos Assuntos Sociais da Região Autónoma da Madeira (Regional Secretary for Social Affairs of the Autonomous Region of Madeira), Funchal
  4. Secretário Regional dos Assuntos Sociais da Região Autónoma dos Açores (Regional Secretary for Social Affairs of the autonomous Region of the Azores), Angra do Heroísmo

- L. UNITED KINGDOM:
1. Secretary of State for Social Services, London
  2. Secretary of State for Scotland, Edinburgh
  3. Secretary of State for Wales, Cardiff
  4. Department of Health and Social Services for Northern Ireland, Belfast
  5. Director of the Department of Labour and Social Security, Gibraltar
  6. Director of the Medical and Public Health Department, Gibraltar'.

Annex 2 is supplemented as follows:

(a) In the heading 'C. GERMANY,' point 2 (a) (i):

— the second indent is replaced by the following:

'— if the person concerned is resident in Belgium or in Spain or is a Belgian or Spanish national, resident in the territory of a non-member State:

Landesversicherungsanstalt Rheinprovinz  
(Regional Insurance Office of the Rhine Province), Düsseldorf',

— the following is added:

'— if the person concerned is resident in Portugal or is a Portuguese national resident in the territory of a non-member State:

Landesversicherungsanstalt Unterfranken  
(Regional Insurance Office of Lower Franconia) Würzburg'.

(b) In the heading 'C. GERMANY,' point 2 (b) (i):

— the second indent is replaced by the following:

'— if the last contribution under the legislation of another Member State was paid into a Belgian or Spanish pension insurance institution:

Landesversicherungsanstalt Rheinprovinz  
(Regional Insurance Office of the Rhine Province), Düsseldorf',

— the following is added:

'— if the last contribution under the legislation of another Member State was paid into a Portuguese pension insurance institution:

Landesversicherungsanstalt Unterfranken  
(Regional Insurance Office of Lower Franconia), Würzburg'.

(c) After the heading 'C. GERMANY,' the following heading is inserted:

**'D. SPAIN**

1. All schemes, with the exception of the mariners' scheme:

(a) for all contingencies with the exception of unemployment:

Direcciones Provinciales del Instituto Nacional de la Seguridad Social (Provincial Directorates of the National Institute of Social Security)

(b) for unemployment:

Direcciones Provinciales del Instituto Nacional de Empleo (Provincial Directorates of the National Institution of Employment)

2. Mariners' scheme:

Instituto Social de la Marina (Social Institute for Mariners), Madrid'.

(d) The headings 'D. FRANCE', 'E. GREECE', 'F. IRELAND', 'G. ITALY', 'H. LUXEMBOURG' and 'I. NETHERLANDS' become respectively 'E. FRANCE', 'F. GREECE', 'G. IRELAND', 'H. ITALY', 'I. LUXEMBOURG' and 'J. NETHERLANDS'.

(e) After the heading 'J. NETHERLANDS', the following heading is inserted:

**'K. PORTUGAL**

**I. Mainland**

1. Sickness, maternity and family benefits:

Centro Regional de Segurança Social (Regional Centre of Social Security) to which the person concerned is affiliated

2. Invalidity, old age and death:

Centro Nacional de Pensões (National Pensions Centre), Lisboa, and Centro Regional de Segurança Social (Regional Centre of Social Security) to which the person concerned is affiliated

3. Accidents at work and occupational diseases:

Caixa Nacional de Seguros de Doenças Profissionais (National Insurance Fund for occupational diseases), Lisboa

4. Unemployment benefits:

(a) Reception of the application and verification of the employment situation (e.g. confirmation of the periods of employment, classification of unemployment, checks on the situation):

Centro de Emprego (Employment Centre) where the person concerned resides

(b) Grant and payment of unemployment benefits (e.g. verification of the conditions for eligibility to benefits, fixing the amount and duration, checks on the situation for maintaining, suspending or terminating payment):

Centro Regional de Segurança Social (Regional Centre of Social Security) where the person concerned resides

5. Benefits from a non-contributory social security scheme:

Centro Regional de Segurança Social (Regional Centre of Social Security) where the person concerned resides

## II. Autonomous region of Madeira

1. Sickness, maternity and family benefits:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

2. (a) Invalidity, old age and death:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

(b) Invalidity, old age and death under the special social security scheme for agricultural workers:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

3. Accidents at work and occupational diseases:

Caixa Nacional de Seguros de Doenças Profissionais (National Insurance Fund for Occupational Diseases), Lisboa

4. Unemployment benefits

(a) Reception of the application and verification of the employment situation (e.g. confirmation of the periods of employment, classification of unemployment, checks on the situation):

Direcção Regional de Emprego (Regional Directorate of Employment), Funchal

(b) Grant and payment of unemployment benefits (e.g. verification of the conditions for eligibility to benefits, fixing the amount and duration, checks on the situation for maintaining, suspending or terminating payment):

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

5. Benefits from a non-contributory social security scheme:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

## III. Autonomous region of the Azores

1. Sickness, maternity and family benefits:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo

2. (a) Invalidity, old age and death:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo

(b) Invalidity, old age and death under the special social security scheme for agricultural workers:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo

3. Accidents at work and occupational diseases:

Caixa Nacional de Seguros de Doenças Profissionais (National Insurance Fund for occupational diseases), Lisboa

4. Unemployment benefits:

- (a) Reception of the application and verification of the employment situation (e.g. confirmation of the periods of employment, classification of unemployment, checks on the situation):

Centro de Emprego (Employment Centre) where the person concerned resides

- (b) Grant and payment of unemployment benefits (e.g. verification of the conditions for eligibility to benefits, fixing the amount and duration, checks on the situation for maintaining, suspending or terminating payment):

Centro de Prestações Pecuniárias da Segurança Social (Centre for cash benefits of the Social Security) to which the person concerned is affiliated.

5. Benefits from a non-contributory social security scheme:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo'.

- (f) The heading 'J. UNITED KINGDOM' becomes 'L. UNITED KINGDOM'.

Annex 3 is supplemented as follows:

- (a) In the heading 'C. GERMANY', point 3 (a):

— the text of (i) is replaced by the following:

'(i) dealings with Belgium and Spain:

Landesversicherungsanstalt Rheinprovinz (Regional Insurance Office of the Rhine Province), Düsseldorf,

— the following is added:

'(ix) dealings with Portugal:

Landesversicherungsanstalt Unterfranken (Regional Insurance Office for Lower Franconia), Würzburg'.

- (b) After the heading 'C. GERMANY', the following heading is inserted:

'D. SPAIN

1. Benefits in kind:

- (a) all schemes with the exception of the mariners' scheme:

Direcciones Provinciales del Instituto Nacional de la Salud (Provincial Directorates of the National Institute of Health)

- (b) mariners' scheme:

Instituto Social de la Marina (Mariners' Social Institute), Madrid

2. Cash benefits:

- (a) all schemes with the exception of the mariners' scheme and all contingencies with the exception of unemployment:

Direcciones Provinciales del Instituto Nacional de la Seguridad Social (Provincial Directorates of the National Institute of Social Security)

- (b) mariners' scheme, for all contingencies: Instituto Social de la Marina (Mariners' Social Institute), Madrid
- (c) unemployment, with the exception of mariners: Direcciones Provinciales del Instituto Nacional de Empleo (Provincial Directorates of the National Institute of Employment).
- (c) The headings 'D. FRANCE', 'E. GREECE', 'F. IRELAND', 'G. ITALY', 'H. LUXEMBOURG' and 'I. NETHERLANDS' become respectively 'E. FRANCE', 'F. GREECE', 'G. IRELAND', 'H. ITALY', 'I. LUXEMBOURG' and 'J. NETHERLANDS'.
- (d) After the heading 'J. NETHERLANDS', the following heading is inserted:

**'K. PORTUGAL**

**I. Mainland**

1. Sickness, maternity and family benefits (for sickness and maternity benefits in kind see also Annex 10):

Centro Regional de Segurança Social (Regional Centre of Social Security) of the place of residence or abode of the person concerned.

2. Invalidity, old age and death:

Centro Nacional de Pensões (National Pensions Centre), Lisboa, and Centro Regional de Segurança Social (Regional Centre of Social Security) where the person concerned resides

3. Accidents at work and occupational diseases:

Caixa Nacional de Seguros de Doenças Profissionais (National Insurance Fund for occupational diseases), Lisboa

4. Unemployment benefits:

(a) Reception of the application and verification of the employment situation (e.g. confirmation of the periods of employment, classification of unemployment, checks on the situation):

Centro de Emprego (Employment Centre) where the person concerned resides

(b) Grant and payment of unemployment benefits (e.g. verification of the conditions for eligibility to benefits, fixing the amount and duration, checks on the situation for maintaining, suspending or terminating payment):

Centro Regional de Segurança Social (Regional Centre of Social Security) where the person concerned resides

5. Benefits from a non-contributory social security scheme:

Centro Regional de Segurança Social (Regional Centre of Social Security) where the person concerned resides

**II. Autonomous region of Madeira**

1. Sickness, maternity and family benefits (for sickness and maternity benefits in kind, see also Annex 10):

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal



2. (a) Invalidity, old age and death:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

(b) Invalidity, old age and death under the special social security scheme for agricultural workers:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

3. Accidents at work and occupational diseases:

Caixa Nacional de Seguros de Doenças Profissionais (National Insurance Fund for occupational diseases), Lisboa

4. Unemployment benefits:

(a) Reception of the application and verification of the employment situation (e.g. confirmation of the periods of employment, classification of unemployment, checks on the situation):

Direcção Regional de Emprego (Regional Directorate of Employment), Funchal

(b) Grant and payment of unemployment benefits (e.g. verification of the conditions for eligibility to benefits, fixing the amount and duration, checks on the situation for maintaining, suspending or terminating payment):

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

5. Benefits from a non-contributory social security scheme:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal

### III. Autonomous region of the Azores

1. Sickness, maternity and family benefits (for sickness and maternity benefits in kind, see also Annex 10):

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo

2. (a) Invalidity, old age and death:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo

(b) Invalidity, old age and death under the special social security scheme for agricultural workers:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo

3. Accidents at work and occupational diseases:

Caixa Nacional de Seguros de Doenças Profissionais (National Insurance Fund for occupational diseases), Lisboa

4. Unemployment benefits

(a) Reception of the application and verification of the employment situation (e.g. confirmation of the periods of employment, classification of unemployment, checks on the situation):

Centro de Emprego (Employment Centre) where the person concerned resides

- (b) Grant and payment of unemployment benefits (e.g. verification of the conditions for eligibility to benefits, fixing the amount and duration, checks on the situation for maintaining, suspending or terminating payment):

Centro de Prestações Pecuniárias de Segurança Social (Centre for cash benefits of Social Security) where the person concerned resides

5. Benefits from a non-contributory social security scheme:

Direcção Regional de Segurança Social (Regional Directorate of Social Security), Angra do Heroísmo'.

- (e) The heading 'J. UNITED KINGDOM' becomes 'L. UNITED KINGDOM'.

Annex 4 is supplemented as follows:

- (a) In the heading 'C. GERMANY', point 3 (b):

— the text of (i) is replaced by the following:

'(i) dealings with Belgium and Spain:

Landesversicherungsanstalt Rheinprovinz (Regional Insurance Office of the Rhine Province), Düsseldorf',

— the following is added:

'(ix) dealings with Portugal:

Landesversicherungsanstalt Unterfranken (Regional Insurance Office for Lower Franconia) Würzburg'.

- (b) After the heading 'C. GERMANY', the following heading is inserted:

'D. SPAIN

Instituto Nacional de la Seguridad Social (National Institute of Social Security), Madrid'.

- (c) The headings 'D. FRANCE', 'E. GREECE', 'F. IRELAND', 'G. ITALY', 'H. LUXEMBOURG' and 'I. NETHERLANDS' become respectively 'E. FRANCE', 'F. GREECE', 'G. IRELAND', 'H. ITALY', 'I. LUXEMBOURG' and 'J. NETHERLANDS'.

- (d) After the heading 'J. NETHERLANDS', the following heading is inserted:

'K. PORTUGAL

With relation to all legislation, schemes and branches of social security referred to in Article 4 of the Regulation:

Departamento de Relações Internacionais e Convenções de Segurança Social (Department of International Relations and Social Security Conventions), Lisboa'.

- (e) The heading 'J. UNITED KINGDOM' becomes 'L. UNITED KINGDOM'.

Annex 5 is amended and supplemented as follows:

1. BELGIUM — DENMARK  
... (no change).
2. BELGIUM — GERMANY  
... (no change).
3. BELGIUM — SPAIN  
None.
4. BELGIUM — FRANCE  
... (no change).
5. BELGIUM — GREECE  
... (no change).
6. BELGIUM — IRELAND  
... (no change).
7. BELGIUM — ITALY  
... (no change).
8. BELGIUM — LUXEMBOURG  
... (no change).
9. BELGIUM — NETHERLANDS  
... (no change).
10. BELGIUM — PORTUGAL  
None.
11. BELGIUM — UNITED KINGDOM  
... (no change).
12. DENMARK — GERMANY  
... (no change).
13. DENMARK — SPAIN  
... (No convention).
14. DENMARK — FRANCE  
... (no change).
15. DENMARK — GREECE  
... (no change).
16. DENMARK — IRELAND  
... (no change).
17. DENMARK — ITALY  
... (no change).
18. DENMARK — LUXEMBOURG  
... (no change).
19. DENMARK — NETHERLANDS  
... (no change).
20. DENMARK — PORTUGAL  
Does not apply.
21. DENMARK — UNITED KINGDOM  
... (no change).
22. GERMANY — SPAIN  
None.
23. GERMANY — FRANCE  
... (no change).
24. GERMANY — GREECE  
... (no change).
25. GERMANY — IRELAND  
... (no change).
26. GERMANY — ITALY  
... (no change).
27. GERMANY — LUXEMBOURG  
... (no change).
28. GERMANY — NETHERLANDS  
... (no change).
29. GERMANY — PORTUGAL  
None.
30. GERMANY — UNITED KINGDOM  
... (no change).
31. SPAIN — FRANCE  
None.
32. SPAIN — GREECE  
Does not apply.
33. SPAIN — IRELAND  
Does not apply.
34. SPAIN — ITALY  
None.
35. SPAIN — LUXEMBOURG  
None.

36. SPAIN — NETHERLANDS  
None.
37. SPAIN — PORTUGAL  
Articles 42, 43 and 44 of the Administrative Arrangement of 22 May 1970.
38. SPAIN — UNITED KINGDOM  
None.
39. FRANCE — GREECE  
... (no change).
40. FRANCE — IRELAND  
... (no change).
41. FRANCE — ITALY  
... (no change).
42. FRANCE — LUXEMBOURG  
... (no change).
43. FRANCE — NETHERLANDS  
... (no change).
44. FRANCE — PORTUGAL  
None.
45. FRANCE — UNITED KINGDOM  
... (no change).
46. GREECE — IRELAND  
... (no change).
47. GREECE — ITALY  
... (no change).
48. GREECE — LUXEMBOURG  
... (no change).
49. GREECE — NETHERLANDS  
... (no change).
50. GREECE — PORTUGAL  
Does not apply.
51. GREECE — UNITED KINGDOM  
... (no change).
52. IRELAND — ITALY  
... (no change).
53. IRELAND — LUXEMBOURG  
... (no change).
54. IRELAND — NETHERLANDS  
... (no change).
55. IRELAND — PORTUGAL  
Does not apply.
56. IRELAND — UNITED KINGDOM  
... (no change).
57. ITALY — LUXEMBOURG  
... (no change).
58. ITALY — NETHERLANDS  
... (no change).
59. ITALY — PORTUGAL  
Does not apply.
60. ITALY — UNITED KINGDOM  
... (no change).
61. LUXEMBOURG — UNITED KINGDOM  
... (no change).
62. LUXEMBOURG — PORTUGAL  
None.
63. LUXEMBOURG — UNITED KINGDOM  
... (no change).
64. NETHERLANDS — PORTUGAL  
Articles 33 and 34 of the Administrative Arrangement of 9 May 1980.
65. NETHERLANDS — UNITED KINGDOM  
... (no change).
66. PORTUGAL — UNITED KINGDOM  
Articles 3 and 4 of the Annex to the Administrative Arrangement of 31 December 1981 for the application of the Protocol on medical treatment of 15 November 1978.

Annex 6 is replaced by the following:

*ANNEX 6*

**PROCEDURE FOR THE PAYMENT OF BENEFITS**

(Articles 4 (6), 53 (1) and 122 of the Implementing Regulation)

**General observation**

Payments of arrears and other single payments shall in principle be made through the liaison bodies. Current and sundry payments shall be made in accordance with the procedure set out in this Annex.

**A. BELGIUM**

Direct payment.

**B. DENMARK**

Direct payment.

**C. GERMANY**

**1. Pension insurance for manual workers (invalidity, old age, death):**

(a) Dealings with Belgium, Denmark, Spain, France, Greece, Ireland, Luxembourg, Portugal and the United Kingdom:

Direct payment

(b) Dealings with Italy:

Payment through the liaison bodies (joint implementation of Articles 53 to 58 of the Implementing Regulation and of the provisions set out in Annex 5), unless the beneficiary requests direct payments of the benefits

(c) Dealings with the Netherlands:

Payment through the liaison bodies (joint implementation of Articles 53 to 58 of the Implementing Regulation and of the provisions set out in Annex 5)

**2. Pension insurance for clerical staff and miners (invalidity, old-age, death):**

(a) Dealings with Belgium, Denmark, Spain, France, Greece, Ireland, Italy, Luxembourg, Portugal and the United Kingdom:

Direct payment

(b) Dealings with the Netherlands:

Payment through the liaison bodies (joint implementation of Articles 53 to 58 of the Implementing Regulation and of the provisions set out in Annex 5)

**3. Old-age insurance for farmers:**

Direct payment

**4. Accident insurance:**

Dealings with all Member States:

Payment through the liaison bodies (joint implementation of Articles 53 to 58 of the Implementing Regulation and of the provisions set out in Annex 5)

#### D. SPAIN

Direct payment.

#### E. FRANCE

1. **All schemes with the exception of the mariners' scheme:** Direct payment
2. **Mariners' scheme:** Payment by the paying authority of the Member States wherein the person entitled to benefits resides

#### F. GREECE

##### **Pension insurance for employed persons (invalidity, old-age, death):**

- (a) Dealings with France: Payment through the liaison bodies
- (b) Dealings with Belgium, Denmark, Federal Republic of Germany, Spain, Ireland, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom: Direct payment

#### G. IRELAND

Direct payment.

#### H. ITALY

- (a) EMPLOYED PERSONS:
  1. **Pensions for invalidity, old-age and survivors:**
    - (a) Dealings with Belgium, Denmark, Spain, France, (excluding the French Miners' Funds), Greece, Ireland, Luxembourg, the Netherlands, Portugal and the United Kingdom: Direct payment
    - (b) Dealings with the Federal Republic of Germany and the French Miners' Funds: Payment through liaison bodies
  2. **Pensions for accidents at work and occupational diseases:** Direct payment
- (b) SELF-EMPLOYED PERSONS: Direct payment

#### I. LUXEMBOURG

Direct payment.

#### J. NETHERLANDS

1. **Dealings with Belgium, Denmark, Spain, France, Greece, Ireland, Italy, Luxembourg, Portugal and the United Kingdom:** Direct payment
2. **Dealings with the Federal Republic of Germany:** Payment through liaison bodies (implementation of the provisions set out in Annex 5)

- K. PORTUGAL  
Direct payment.
- L. UNITED KINGDOM  
Direct payment.’

Annex 7 is replaced by the following:

*‘ANNEX 7*

**BANKS**

(Articles 4 (7), 55 (3) and 122 of the Implementing Regulation)

- |                                 |   |
|---------------------------------|---|
| A. BELGIUM:                     | None  |
| B. DENMARK:                     | Danmarks Nationalbank (National Bank of Denmark), København   |
| C. FEDERAL REPUBLIC OF GERMANY: | Deutsche Bundesbank (Federal Bank of Germany), Frankfurt am Main  |
| D. SPAIN:                       | Banco Exterior de España (External Bank of Spain), Madrid   |
| E. FRANCE:                      | Banque de France (Bank of France), Paris  |
| F. GREECE:                      | Τράπεζα της Ελλάδας, Αθήνα (Bank of Greece), Athens   |
| G. IRELAND:                     | Central Bank of Ireland, Dublin   |
| H. ITALY:                       | Banca Nazionale del Lavoro (National Labour Bank), Roma   |
| I. LUXEMBOURG:                  | Caisse d’épargne (Savings Bank), Luxembourg   |
| J. NETHERLANDS:                 | None  |
| K. PORTUGAL:                    | Banco de Portugal (Bank of Portugal), Lisboa  |
| L. UNITED KINGDOM:              | <i>Great Britain:</i><br>Bank of England, London<br><i>Northern Ireland:</i><br>Northern Bank Limited, Belfast<br><i>Gibraltar:</i><br>Barclays Bank, Gibraltar’. |

Annex 8 is replaced by the following:

*‘ANNEX 8*

**GRANT OF FAMILY BENEFITS**

(Articles 4 (8), 10a (1) (d) and 122 of the Implementing Regulation)

Article 10a (1) (d) of the Implementing Regulation shall apply:

**1. Employed and self-employed persons:**

- (a) with a reference period of one calendar month’s duration in dealings:

- between the Federal Republic of Germany and Spain
- between the Federal Republic of Germany and France

- between the Federal Republic of Germany and Greece
- between the Federal Republic of Germany and Ireland
- between the Federal Republic of Germany and Luxembourg
- between the Federal Republic of Germany and Portugal
- between the Federal Republic of Germany and the United Kingdom
- between France and Luxembourg
- between Portugal and Belgium
- between Portugal and France
- between Portugal and Ireland
- between Portugal and Luxembourg
- between Portugal and the United Kingdom

(b) with a reference period of three calendar months' duration in dealings:

- between Denmark and the Federal Republic of Germany
- between the Netherlands and Denmark, France, the Federal Republic of Germany, Luxembourg and Portugal

**2. Self-employed persons:**

With a reference period of three calendar months' duration in dealings:

- between Belgium and the Netherlands'.

Annex 9 is amended and supplemented as follows:

**A. BELGIUM**

... (no change).

**B. DENMARK**

... (no change).

**C. GERMANY**

... (no change).

**D. SPAIN**

The annual average cost of benefits in kind is calculated by taking into consideration the general social security scheme.

**E. FRANCE**

... (no change).

**F. GREECE**

... (no change).

**G. IRELAND**

... (no change).

**H. ITALY**

... (no change).

**I. LUXEMBOURG**

... (no change).

**J. NETHERLANDS**

... (no change).

**K. PORTUGAL**

... (no change).

The annual average cost of benefits in kind is calculated by taking into consideration the benefits provided by the official Health Services.

**L. UNITED KINGDOM**

... (no change).'

Annex 10 is amended and supplemented as follows:

**A. BELGIUM**

... (no change).

**B. DENMARK**

... (no change).

**C. GERMANY**

... (no change).

**D. SPAIN**

1. For the purposes of applying Articles 6 (1), 13 (2) and (3), 14 (1), (2) and (3), 102 (2), 110 and 113 (2) of the Implementing Regulation:

Instituto Nacional de la Seguridad Social  
(National Institute of Social Security),  
Madrid



2. For the purposes of applying Articles 11 (1), 11a and 12a, 38 (1), 70 (1), 80 (2), 81, 82 (2), 85 (2), 86 (2) of the Implementing Regulation:

(a) all schemes with the exception of the mariners' scheme:

Direcciones Provinciales del Instituto Nacional de la Seguridad Social (Provincial Directorates of the National Institute of Social Security)

(b) mariners' scheme:

Instituto Social de la Marina (Mariners' Social Institute), Madrid

E. FRANCE

... (no change).

F. GREECE

... (no change).

G. IRELAND

... (no change).

H. ITALY

... (no change).

I. LUXEMBOURG

... (no change).

J. NETHERLANDS

... (no change).

K. PORTUGAL

I. Mainland

1. For the purposes of applying Article 17 of the Regulation:

Departamento de Relações Internacionais e Convenções de Segurança Social (Department of International Relations and Social Security Conventions), Lisboa

2. For the purposes of applying Article 11 (1) and Article 11a of the Implementing Regulation:

Centro Regional de Segurança Social (Regional Centre of Social Security) with which the seconded worker is insured

3. For the purposes of applying Article 12a of the Implementing Regulation:

Centro Regional de Segurança Social (Regional Centre of Social Security) of the place where the worker is resident or insured, whichever applies

4. For the purposes of applying Article 13 (2) of Implementing Regulation:

Departamento de Relações Internacionais e Convenções de Segurança Social (Department of International Relations and Social Security Conventions), Lisboa

- |  |  |
|--|--|
| 5. For the purposes of applying Article 14 (1) and (2) of the Implementing Regulation:   | Departamento de Relações Internacionais e Convenções de Segurança Social (Department of International Relations and Social Security Conventions), Lisboa |
| 6. For the purposes of applying Article 14 (3) of the Implementing Regulation:   | Centro Regional de Segurança Social (Regional Centre of Social Security), Lisboa   |
| 7. For the purposes of applying Articles 28 (1), 29 (2) and (5), 30 (1) and (3) and 31 (1) (second sentence) of the Implementing Regulation (with regard to the issuing of certificates):  | Centro Nacional de Pensões (National Pensions Centre), Lisboa  |
| 8. For the purposes of applying Articles 25 (2), 38 (1), 70 (1), 82 (2), and 86 (2) of the Implementing Regulation:  | Administrative Authority of the place where the members of the family reside   |
| 9. For the purposes of applying Articles 17 (6) and (7), 18 (3), (4) and (6), 20, 21 (1), 22, 31 (1) (first sentence) and 34 (1) and (2) (first subparagraph) of the Implementing Regulation (concerning the institution of the place of residence or the institution of the place of abode, whichever applies): | Administração Regional de Saúde (Regional Health Administration) of the place of residence or of abode of the person concerned                           |
| 10. For the purposes of applying Articles 80 (2), 81 and 85 (2) of the Implementing Regulation:  | Centro Regional de Segurança Social (Regional Centre of Social Security) with which the person concerned was previously last insured                     |
| 11. For the purposes of applying Article 102 (2) of the Implementing Regulation:   | Departamento de Relações Internacionais e Convenções de Segurança Social (Department of International Relations and Social Security Conventions), Lisboa |

## II. Autonomous region of Madeira

- |   |  |
|---|--|
| 1. For the purposes of applying Article 17 of the Regulation:                           | Secretário Regional dos Assuntos Sociais (Regional Secretary of Social Affairs), Funchal |
| 2. For the purposes of applying Articles 11 (1) and 11a of the Implementing Regulation: | Direcção Regional de Segurança Social (Regional Directorate of Social Security), Funchal |

3. For the purposes of applying Article 12a of the Implementing Regulation:

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Funchal

4. For the purposes of applying Article 13 (2) and (3) of the Implementing Regulation:

Departamento de Relações Internacionais  
e Convenções de Segurança Social  
(Department of International Relations  
and Social Security Conventions), Lisboa

5. For the purposes of applying Article 14 (1) and (2) of the Implementing Regulation:

Departamento de Relações Internacionais  
e Convenções de Segurança Social  
(Department of International Relations  
and Social Security Conventions), Lisboa

6. For the purposes of applying Article 14 (3) of the Implementing Regulation:

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Funchal

7. For the purposes of applying Articles 28 (1), 29 (2) and (5), 30 (1) and (3) and 31 (1) (second sentence) of the Implementing Regulation (with regard to the issuing of certificates):

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Funchal

8. For the purposes of applying Articles 25 (2), 38 (1), 70 (1), 82 (2) and 86 (2) of the Implementing Regulation:

Administrative Authority of the place  
where the members of the family reside

9. For the purposes of applying Articles 17 (6) and (7), 18 (3), (4) and (6), 20, 21 (1), 22, 31 (1) (first sentence) and 34 (1) and (2) (first subparagraph) of the Implementing Regulation (concerning the institution of the place of residence or the institution of the place of abode, whichever applies):

Direcção Regional de Saúde Pública  
(Regional Directorate of Public Health),  
Funchal

10. For the purposes of applying Articles 80 (2), 81, 85 (2) of the Implementing Regulation:

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Funchal

11. For the purposes of applying Article 102 (2) of the Implementing Regulation:

Departamento de Relações Internacionais  
e Convenções de Segurança Social  
(Department of International Relations  
and Social Security Conventions), Lisboa

### III. Autonomous region of the Azores

1. For the purposes of applying Article 17 of the Regulation:

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Angra do Heroísmo

2. For the purposes of applying Articles 11 (1) and 11a of the Implementing Regulation:
 

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Angra do Heroísmo
3. For the purposes of applying Article 12a of the Implementing Regulation:
 

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Angra do Heroísmo
4. For the purposes of applying Article 13 (2) and (3) of the Implementing Regulation:
 

Departamento de Relações Internacionais  
e Convenções de Segurança Social  
(Department of International Relations  
and Social Security Conventions), Lisboa
5. For the purposes of applying Article 14 (1) and (2) of the Implementing Regulation:
 

Departamento de Relações Internacionais  
e Convenções de Segurança Social  
(Department of International Relations  
and Social Security Conventions), Lisboa
6. For the purposes of applying Article 14 (3) of the Implementing Regulation:
 

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Angra do Heroísmo
7. For the purposes of applying Articles 28 (1), 29 (2) and (5), 30 (1) and (3) and 31 (1) (second sentence) of the Implementing Regulation (with regard to the issuing of certificates):
 

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Angra do Heroísmo
8. For the purposes of applying Articles 25 (2), 38 (1), 70 (1), 82 (2) and 86 (2) of the Implementing Regulation:
 

Administrative Authority of the place  
where the members of the family reside
9. For the purposes of applying Articles 17 (6) and (7), 18 (3), (4) and (6), 20, 21 (1), 22, 31 (1), (first sentence) and 34 (1) and (2) (first subparagraph) of the Implementing Regulation (concerning the institution of the place of residence or the institution of the place of abode, whichever applies):
 

Direcção Regional de Saúde (Regional  
Health Directorate) Angra do Heroísmo
10. For the purposes of applying Articles 80 (2), 81 and 85 (2) of the Implementing Regulation:
 

Direcção Regional de Segurança Social  
(Regional Directorate of Social Security),  
Angra do Heroísmo
11. For the purposes of applying Article 102 (2) of the Implementing Regulation:
 

Departamento de Relações Internacionais  
e Convenções de Segurança Social  
(Department of International Relations  
and Social Security Conventions), Lisboa

L. UNITED KINGDOM

... (no change).'

Annex 11 is replaced by the following:

*ANNEX 11*

**SCHEMES REFERRED TO IN ARTICLE 35 (2) OF THE REGULATION**

(Article 4 (11) of the Implementing Regulation)

A. BELGIUM

Scheme extending insurance for medical treatment (benefits in kind) to self-employed persons.

B. DENMARK

None.

C. GERMANY

None.

D. SPAIN

None.

E. FRANCE

The sickness and maternity scheme for self-employed persons not engaged in agricultural occupations set up under the amended law of 12 July 1966.

F. GREECE

1. Insurance Fund for Craftsmen and Small Traders (TEBE).
2. Traders' Insurance Fund.
3. Sickness Insurance Fund for Lawyers:
  - (a) Provident Fund of Athens;
  - (b) Provident Fund of Piraeus;
  - (c) Provident Fund of Salonika;
  - (d) Health Fund for Provincial Lawyers (TYDE).
4. Medical Personnel's Insurance and Pension Fund.

G. IRELAND

None.

H. ITALY

None.

I. LUXEMBOURG

None.

J. NETHERLANDS

None.

K. PORTUGAL

None.

L. UNITED KINGDOM

None'.

3. Council Regulation (EEC) No 337/75 of 10 February 1975 (OJ No L 39, 13. 2. 1975, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 4 (1), '33' is replaced by '39' and in points (a), (b) and (c) of the same paragraph, 'ten' is replaced by 'twelve'.

4. Council Regulation (EEC) No 1365/75 of 26 May 1975 (OJ No L 139, 30. 5. 1975, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 6 (1), '33' is replaced by '39' and in points (a), (b) and (c) of the same paragraph, 'ten' is replaced by 'twelve'.

5. Council Regulation (EEC) No 2950/83 of 17 October 1983 (OJ No L 289, 22. 10. 1983, p. 1).

In Article 3 (1), after 'the Mezzogiorno', 'Portugal' is inserted.

6. Council Regulation (EEC) No 815/84 of 26 March 1984 (OJ No L 88, 31. 3. 1984, p. 1).

In Article 11 (2), '45' is replaced by '54'.

7. Council Decision 63/688/EEC of 18 December 1963 (OJ No 190, 30. 12. 1963, p. 3090/63), as amended by:

- Council Decision 68/189/EEC of 9 April 1968 (OJ No L 91, 12. 4. 1968, p. 26),
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 1, 'sixty' is replaced by 'seventy-two'.

8. Council Directive 68/360/EEC of 15 October 1968 (OJ No L 257, 19. 10. 1968, p. 13), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

Footnote (1) to the Annex is replaced by the following:

'(1) Belgian, Danish, German, Greek, Spanish, French, Irish, Italian, Luxembourg, Dutch, Portuguese, United Kingdom, depending on which country issues the card.'

9. Council Decision 74/325/EEC of 27 June 1974 (OJ No L 185, 9. 7. 1974, p. 15), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 4 (1), '60' is replaced by '72'.

10. Council Directive 77/576/EEC of 25 July 1977 (OJ No L 229, 7. 9. 1977, p. 12), as amended by:

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Commission Directive 79/640/EEC of 21 June 1979 (OJ No L 183, 19. 7. 1979, p. 11).

In Article 6 (2), '45' is replaced by '54'.

Annex II is supplemented by the corresponding entries in Spanish and Portuguese, namely:

#### 'ANEXO II / ANEXO II

#### SEÑALES ESPECIALES DE SEGURIDAD / SINALIZAÇÃO ESPECIAL DE SEGURANÇA

##### 1. Señales de prohibición / Sinais de proibição

- a) Prohibido fumar  
Proibido fumar
- b) Prohibido fumar o encender fuegos libres  
Proibido fumar ou foguear
- c) Prohibido el paso a los peatones  
Passagem proibida a peões

d) Prohibido apagar con agua  
Proibido apagar com água

e) Agua no potable  
Água imprópria para beber

##### 2. Señales de advertencia / Sinais de perigo

- a) Materias inflamables  
Substâncias inflamáveis

- b) Materias explosivas  
Substâncias explosivas
  - c) Substancias venenosas  
Substâncias toxicas
  - d) Substancias corrosivas  
Substâncias corrosivas
  - e) Radiaciones peligrosas  
Substâncias radioactivas
  - f) Atención a las cargas suspendidas  
Cargas suspensas
  - g) Atención a los vehículos de mantenimiento  
Carro transportador em movimento
  - h) Peligro eléctrico  
Perigo de electrocussão
  - i) Peligro general  
Perigo vários
  - j) Peligro rayos láser  
Perigo, raios laser
3. **Señales de obligación / Sinais de obrigaçã**
- a) Protección obligatoria de la vista  
Protecção obrigatória dos olhos
  - b) Protección obligatoria de la cabeza  
Protecção obrigatória da cabeça
  - c) Protección obligatoria de los oídos  
Protecção obrigatória dos ouvidos
  - d) Protección obligatoria de las vías respiratorias  
Protecção obrigatória dos órgãos respiratórios
  - e) Protección obligatoria de los pies  
Protecção obrigatória dos pés
  - f) Protección obligatoria de las manos  
Protecção obrigatória das mãos
4. **Señales de emergencia / Sinais de emergência**
- a) Puesto de socorro  
Posto de primeiros socorros
- d) Salida de emergencia a la izquierda  
Saída de socorro à esquerda
  - e) Salida de emergencia  
(a colocar sobre la salida)  
Saída de socorro  
(a colocar por cima da saída)'.
    - 11. Council Directive 80/1107/EEC of 27 November 1980 (OJ No L 327, 3. 12. 1980, p. 8).  
In Article 10 (2), 'forty-one' is replaced by 'fifty-four'.
    - 12. Commission Decision 82/43/EEC of 9 December 1981 (OJ No L 20, 28. 1. 1982, p. 35).  
In Article 3 (1), 'twenty' is replaced by 'twenty-four.' In the first paragraph of Article 6 'ten' is replaced by 'twelve'.
    - 13. Decision of 9 July 1957 of the representatives of the Governments of the Member States, meeting within the Special Council of Ministers (OJ No 28, 31. 8. 1957, p. 487/57), as amended by:
      - Decision of 11 March 1965 of the representatives of the Governments of the Member States, meeting within the Special Council of Ministers (OJ No 46, 22. 3. 1965, p. 698/65),
      - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
      - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).
 The Annex is amended as follows:
      - in the first paragraph of Article 3 'forty' is replaced by 'forty-eight',
      - in the second paragraph of Article 9, 'five' is replaced by 'six',
      - in the third paragraph of Article 13, 'seven' is replaced by 'nine',
      - in the first paragraph of Article 18, 'twenty-seven' is replaced by 'thirty-two',
      - in the second paragraph of Article 18, 'twenty-one' is replaced by 'twenty-five'.

## IX. APPROXIMATION OF LEGISLATION

A

### Technical barriers (industrial products)

- 1. In the following Acts and in the Articles indicated, 'forty-five' is replaced by 'fifty-four'.
  - (a) Council Directive 67/548/EEC of 27 June 1967 (OJ No 196, 16. 8. 1967, p. 1), as amended by:
    - Council Directive 69/81/EEC of 13 March 1969 (OJ No L 68, 19. 3. 1969, p. 1),
    - Council Directive 70/189/EEC of 6 March 1970 (OJ No L 59, 14. 3. 1970, p. 33),

- Council Directive 71/144/EEC of 22 March 1971 (OJ No L 74, 29. 3. 1971, p. 15),
  - Council Directive 73/146/EEC of 21 May 1973 (OJ No L 167, 25. 6. 1973, p. 1),
  - Council Directive 75/409/EEC of 24 June 1975 (OJ No L 183, 14. 7. 1975, p. 22),
  - Commission Directive 76/907/EEC of 14 July 1976 (OJ No L 360, 30. 12. 1976, p. 1) as corrected in OJ No L 28, 2. 2. 1979, p. 32,
  - Commission Directive 79/370/EEC of 30 January 1979 (OJ No L 88, 7. 4. 1979, p. 1),
  - Council Directive 79/831/EEC of 18 September 1979 (OJ No L 259, 15. 10. 1979, p. 10),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 80/1189/EEC of 4 December 1980 (OJ No L 366, 31. 12. 1980, p. 1),
  - Commission Directive 81/957/EEC of 23 October 1981 (OJ No L 351, 7. 12. 1981, p. 5),
  - Commission Directive 82/232/EEC of 25 March 1982 (OJ No L 106, 21. 4. 1982, p. 18),
  - Commission Directive 83/467/EEC of 29 July 1983 (OJ No L 257, 16. 9. 1983, p. 1),
  - Commission Directive 84/449/EEC of 25 April 1984 (OJ No L 251, 19. 9. 1984, p. 1):
- Article 21 (2).
- (b) Council Directive 70/156/EEC of 6 February 1970 (OJ No L 42, 23. 2. 1970, p. 1), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 78/315/EEC of 21 December 1977 (OJ No L 81, 28. 3. 1978, p. 1),
  - Council Directive 78/547/EEC of 12 June 1978 (OJ No L 168, 26. 6. 1978, p. 39),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 80/1267/EEC of 16 December 1980 (OJ No L 375, 31. 12. 1980, p. 34), as corrected in OJ No L 265, 19. 9. 1981, p. 28:
- Article 13 (2).
- (c) Council Directive 73/361/EEC of 19 November 1973 (OJ No L 335, 5. 12. 1973, p. 51), as amended by:
- Commission Directive 76/434/EEC of 13 April 1976 (OJ No L 122, 8. 5. 1976, p. 20),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 5 (2).
- (d) Council Directive 74/150/EEC of 4 March 1974 (OJ No L 84, 28. 3. 1974, p. 10), as amended by:
- Council Directive 79/694/EEC of 24 July 1979 (OJ No L 205, 13. 8. 1979, p. 17),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45):
- Article 13 (2).
- (e) Council Directive 75/324/EEC of 20 May 1975 (OJ No L 147, 9. 6. 1975, p. 40), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 7 (2).
- (f) Council Directive 76/116/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 21), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 11 (2).
- (g) Council Directive 76/117/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 45), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 7 (2).
- (h) Council Directive 76/767/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 153), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 20 (2).
- (i) Council Directive 76/889/EEC of 4 November 1976 (OJ No L 336, 4. 12. 1976, p. 1), as amended by:



— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Commission Directive 82/449/EEC of 7 June 1982 (OJ No L 222, 30. 7. 1982, p. 1):

Article 8 (2).

(j) Council Directive 79/113/EEC of 19 December 1978 (OJ No L 33, 8. 2. 1979, p. 15), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 81/1051/EEC of 7 December 1981 (OJ No L 376, 30. 12. 1981, p. 49):

Article 5 (2).

(k) Council Directive 82/130/EEC of 15 February 1982 (OJ No L 59, 2. 3. 1982, p. 10):

Article 7 (2).

(l) Council Directive 84/530/EEC of 17 September 1984 (OJ No L 300, 19. 11. 1984, p. 95):

Article 19 (2).

(m) Council Directive 84/532/EEC of 17 September 1984 (OJ No L 300, 19. 11. 1984, p. 111):

Article 24 (2).

(n) Council Directive 84/539/EEC of 17 September 1984 (OJ No L 300, 19. 11. 1984, p. 179):

Article 6 (2).

2. Council Directive 69/493/EEC of 15 December 1969 (OJ No L 326, 29. 12. 1969, p. 36), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added in column -b- of Annex I:

— opposite point 1:  
'CRISTAL SUPERIOR 30 %  
CRISTAL DE CHUMBO SUPERIOR 30 %',

— opposite point 2:  
'ΜΟΛΥΒΔΟΥΧΑ ΚΡΥΣΤΑΛΛΑ 24 %  
CRISTAL AL PLOMO 24 %  
CRISTAL DE CHUMBO 24 %',

— opposite point 3:

'VIDRIO SONORO SUPERIOR  
VIDRO SONORO SUPERIOR',

— opposite point 4:

'VIDRIO SONORO  
VIDRO SONORO'.

3. Council Directive 70/156/EEC of 6 February 1970 (OJ No L 42, 23. 2. 1970, p. 1), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Council Directive 78/315/EEC of 21 December 1977 (OJ No L 81, 28. 3. 1978, p. 1),

— Council Directive 78/547/EEC of 12 June 1978 (OJ No L 168, 26. 6. 1978, p. 39),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 80/1267/EEC of 16 December 1980 (OJ No L 375, 31. 12. 1980, p. 34), as corrected in OJ No L 265, 19. 9. 1981, p. 28.

The following is added to Article 2 (a):

'— homologación de tipo, in Spanish law,

— aprovação de marca e modelo, in Portuguese law.'

4. Council Directive 70/157/EEC of 6 February 1970 (OJ No L 42, 23. 2. 1970, p. 16), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Commission Directive 73/350/EEC of 7 November 1973 (OJ No L 321, 22. 11. 1973, p. 33),

— Council Directive 77/212/EEC of 8 March 1977 (OJ No L 66, 12. 3. 1977, p. 33),

— Commission Directive 81/334/EEC of 13 April 1981 (OJ No L 131, 18. 5. 1981, p. 6).

In Annex II, the footnote relating to point 3.1.3 is replaced by the following:

'(1) B = Belgium, D = Germany, DK = Denmark, E = Spain, F = France, GR = Greece, I = Italy, IRL = Ireland, L = Luxembourg, NL = Netherlands, P = Portugal, UK = United Kingdom.'

In Annex IV, the footnote concerning the distinctive letter(s) of the country granting type-approval is replaced by the following:

'(1) Preceded by the distinctive letter(s) of the country granting type-approval: B = Belgium, D = Germany, DK = Denmark, E = Spain, F = France, GR = Greece, I = Italy, IRL = Ireland, L = Luxembourg, NL = Netherlands, P = Portugal, UK = United Kingdom.'

5. Council Directive 70/388/EEC of 27 July 1970 (OJ No L 176, 10. 8. 1970, p. 12), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- as corrected in OJ No L 329, 25. 11. 1982, p. 31.
- In point 1.4.1 of Annex I, the text in brackets is replaced by the following:
- ‘(1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 6 for Belgium, 9 for Spain, 11 for the United Kingdom, 13 for Luxembourg, the letters DK for Denmark, GR for Greece, IRL for Ireland, P for Portugal)’.
6. Council Directive 71/127/EEC of 1 March 1971 (OJ No L 68, 22. 3. 1971, p. 1), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14).
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).
  - Commission Directive 79/795/EEC of 20 July 1979 (OJ No L 239, 22. 9. 1979, p. 1).
- In point 2.6.2.1 of Annex I, the text in brackets is replaced by the following:
- ‘(1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 6 for Belgium, 9 for Spain, 11 for the United Kingdom, 13 for Luxembourg, 18 for Denmark, GR for Greece, IRL for Ireland, P for Portugal)’.
7. Council Directive 71/316/EEC of 26 July 1971 (OJ No L 202, 6. 9. 1971, p. 1), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 72/427/EEC of 19 December 1972 (OJ No L 291, 28. 12. 1972, p. 156),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 83/575/EEC of 26 October 1983 (OJ No L 332, 28. 11. 1983, p. 43).
- In the first indent of point 3.1 of Annex I and the first indent of point 3.1.1.1 (a) of Annex II, the text in brackets is replaced by the following:
- ‘(B for Belgium, D for Germany, DK for Denmark, E for Spain, F for France, GR for Greece, I for Italy, IRL for Ireland, L for Luxembourg, NL for Netherlands, P for Portugal, UK for the United Kingdom)’.
8. Council Directive 71/347/EEC of 12 October 1971 (OJ No L 239, 25. 10. 1971, p. 1), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).
- The following is added between the brackets in Article 1 (a):
- ‘masa del hectolitro CEE, peso hectolitro CEE’.
9. Council Directive 71/348/EEC of 12 October 1971 (OJ No L 239, 25. 10. 1971, p. 9), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).
- The following is added to point 4.8.1 of Chapter IV of the Annex:
- ‘1 peseta  
10 centavos’.
10. Council Directive 74/150/EEC of 4 March 1974 (OJ No L 84, 28. 3. 1974, p. 10), as amended by:
- Council Directive 79/694/EEC of 24 July 1979 (OJ No L 205, 13. 8. 1979, p. 17),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).
- The following is added to Article 2 (a):
- homologación de tipo, in Spanish law,
  - aprovação de marca e modelo, in Portuguese law’.
11. Council Directive 74/483/EEC of 17 September 1974 (OJ No L 266, 2. 10. 1974, p. 4), as amended by Commission Directive 79/488/EEC of 18 April 1979 (OJ No L 128, 26. 5. 1979, p. 1).
- In Annex I, the footnote relating to point 3.2.2.2 is replaced by the following:
- ‘(1) B = Belgium, D = Germany, DK = Denmark, E = Spain, F = France, GR = Greece, I = Italy, IRL = Ireland, L = Luxembourg, NL = Netherlands, P = Portugal, UK = United Kingdom.’

12. Council Directive 76/114/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 31), as amended by:

- Commission Directive 78/507/EEC of 19 May 1978 (OJ No L 155, 13. 6. 1978, p. 31),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

as corrected in OJ No L 329, 25. 11. 1982, p. 31.

In point 2.1.2 of the Annex, the text in the brackets is replaced by the following:

'(1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 6 for Belgium, 9 for Spain, 11 for the United Kingdom, 13 for Luxembourg, 18 for Denmark, GR for Greece, IRL for Ireland, P for Portugal)'

13. In the following acts, at the places mentioned, the distinctive numbers and letters indicating the Member States are replaced by:

- ' 1 for Germany
- 2 for France
- 3 for Italy
- 4 for the Netherlands
- 6 for Belgium
- 9 for Spain
- 11 for the United Kingdom
- 13 for Luxembourg
- DK for Denmark
- GR for Greece
- IRL for Ireland
- P for Portugal'

(a) Council Directive 76/757/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 32), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex VI (point 4.2).

(b) Council Directive 76/758/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 54), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex III (point 4.2).

(c) Council Directive 76/759/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 71), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex III (point 4.2).

(d) Council Directive 76/760/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 85), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex I (point 4.2).

(e) Council Directive 76/761/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 96), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex VI (point 4.2).

(f) Council Directive 76/762/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 122), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex II (point 4.2).

14. Council Directive 76/767/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 153), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In the first indent of point 3.1 of Annex I and in the first indent of point 3.1.1.1 of Annex II, the text between brackets is replaced by the following:

'(B for Belgium, D for Germany, DK for Denmark, E for Spain, F for France, GR for Greece, I for Italy, IRL for Ireland, L for Luxembourg, NL for the Netherlands, P for Portugal, UK for the United Kingdom)'

15. In the following acts, at the places mentioned, the distinctive numbers and letters indicating the Member States are replaced by:

- ' 1 for Germany
- 2 for France
- 3 for Italy
- 4 for the Netherlands
- 6 for Belgium
- 9 for Spain
- 11 for the United Kingdom
- 13 for Luxembourg
- 18 for Denmark
- GR for Greece
- IRL for Ireland
- P for Portugal'

(a) Council Directive 77/536/EEC of 28 June 1977 (OJ No L 220, 29. 8. 1977, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex VI.

(b) Council Directive 77/538/EEC of 28 June 1977 (OJ No L 220, 29. 8. 1977, p. 60), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex II (point 4.2).

(c) Council Directive 77/539/EEC of 28 June 1977 (OJ No L 220, 29. 8. 1977, p. 72), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex II (point 4.2).

- (d) Council Directive 77/540/EEC of 28 June 1977 (OJ No L 220, 29. 8. 1977, p. 83), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Annex IV (point 4.2).

- (e) Council Directive 77/541/EEC of 28 June 1977 (OJ No L 220, 29. 8. 1977, p. 95), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 81/576/EEC of 20 July 1981 (OJ No L 209, 29. 7. 1981, p. 32), as corrected in OJ No L 357, 12. 12. 1981, p. 23,

— Commission Directive 82/319/EEC of 2 April 1982 (OJ No L 139, 19. 5. 1982, p. 17):

Annex III (point 1.1.1).

- (f) Council Directive 78/764/EEC of 25 July 1978 (OJ No L 255, 18. 9. 1978, p. 1), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45),

— Commission Directive 83/190/EEC of 28 March 1983 (OJ No L 109, 26. 4. 1983, p. 13):

Annex II (point 3.5.2.1).

- (g) Council Directive 78/932/EEC of 16 October 1978 (OJ No L 325, 20. 11. 1978, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17), as corrected in OJ No L 329, 25. 11. 1982, p. 31:

Annex VI (point 1.1.1).

- (h) Council Directive 79/622/EEC of 25 June 1979 (OJ No L 179, 17. 7. 1979, p. 1), as amended by Commission Directive 82/953/EEC of 15 December 1982 (OJ No L 386, 31. 12. 1982, p. 31):

Annex VI.

16. Council Directive 78/1015/EEC of 23 November 1978 (OJ No L 349, 13. 12. 1978, p. 21), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17), as corrected in OJ No L 10, 16. 1. 1979, p. 15.

The following is added to Article 2:

‘— homologación de tipo, in Spanish law,

— aprovação de marca e modelo, in Portuguese law.’

17. Council Directive 80/780/EEC of 22 July 1980 (OJ No L 229, 30. 8. 1980, p. 49), as amended by Council Directive 80/1272/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 73).

The following is added to Article 8:

‘— homologación de tipo, in Spanish law,

— aprovação de marca e modelo, in Portuguese law.’

18. Council Directive 83/189/EEC of 28 March 1983 (OJ No L 109, 26. 4. 1983, p. 8).

The following is added to List 1 of the Annex:

‘IRANOR (Spain)

Instituto Español de Normalización

Fernández de la Hoz, 52

Madrid-28010

DGQ (Portugal)

Direcção Geral de Qualidade

Rua José Estevão, 83A

1199 Lisboa’.

19. In the following acts, in the places indicated, the text in brackets is replaced by the following:

‘(B for Belgium, D for the Federal Republic of Germany, DK for Denmark, E for Spain, F for France, GR for Greece, I for Italy, IRL for Ireland, L for Luxembourg, NL for the Netherlands, P for Portugal, UK for the United Kingdom)’.

- (a) Council Directive 84/528/EEC of 17 September 1984 (OJ No L 300, 19. 11. 1984, p. 72):

Annex I (point 3).

- (b) Council Directive 84/530/EEC of 17 September 1984 (OJ No L 300, 19. 11. 1984, p. 95):

Annex I (point 3).

## B

### Foodstuffs

1. In the following Acts and in the Articles indicated ‘forty-five’ is replaced by ‘fifty-four’.

- (a) Council Directive of 23 October 1962 (OJ No 115, 11. 11. 1962, p. 2645/62), as amended by:

— Council Directive 65/469/EEC of 25 October 1965 (OJ No 178, 26. 10. 1965, p. 2793/65),

— Council Directive 67/653/EEC of 24 October 1967 (OJ No 263, 30. 10. 1967, p. 4),

- Council Directive 68/419/EEC of 20 December 1968 (OJ No L 309, 24. 12. 1968, p. 24),
- Council Directive 70/358/EEC of 13 July 1970 (OJ No L 157, 18. 7. 1970, p. 36),
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- Council Directive 76/399/EEC of 6 April 1976 (OJ No L 108, 26. 4. 1976, p. 19),
- Council Directive 78/144/EEC of 30 January 1978 (OJ No L 44, 15. 2. 1978, p. 20),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 81/20/EEC of 20 January 1981 (OJ No L 43, 14. 2. 1981, p. 11),
- Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):

Article 11a (2).

- (b) Council Directive 64/54/EEC of 5 November 1963 (OJ No 12, 27. 1. 1964, p. 161/64), as amended by:
- Council Directive 65/569/EEC of 23 December 1965 (OJ No 222, 28. 12. 1965, p. 3263/65),
  - Council Directive 66/722/EEC of 14 December 1966 (OJ No L 233, 20. 12. 1966, p. 3947/66),
  - Council Directive 67/427/EEC of 27 June 1967 (OJ No 148, 11. 7. 1967, p. 1),
  - Council Directive 68/420/EEC of 20 December 1968 (OJ No L 309, 24. 12. 1968, p. 25),
  - Council Directive 70/359/EEC of 13 July 1970 (OJ No L 157, 18. 7. 1970, p. 38),
  - Council Directive 71/160/EEC of 30 March 1971 (OJ No L 87, 17. 4. 1971, p. 12),
  - Council Directive 72/2/EEC of 20 December 1971 (OJ No L 2, 4. 1. 1972, p. 22),
  - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 72/444/EEC of 26 December 1972 (OJ No L 298, 31. 12. 1972, p. 48),
  - Council Directive 74/62/EEC of 17 December 1973 (OJ No L 38, 11. 2. 1974, p. 29),
  - Council Directive 74/394/EEC of 22 July 1974 (OJ No L 208, 30. 7. 1974, p. 25),
  - Council Directive 76/462/EEC of 4 May 1976 (OJ No L 126, 14. 5. 1976, p. 31),

- Council Directive 76/629/EEC of 20 July 1976 (OJ No L 223, 16. 8. 1976, p. 3),
- Council Directive 78/145/EEC of 30 January 1978 (OJ No L 44, 15. 2. 1978, p. 23),
- Council Directive 79/40/EEC of 18 December 1978 (OJ No L 13, 19. 1. 1979, p. 50),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 81/214/EEC of 16 March 1981 (OJ No L 101, 11. 4. 1981, p. 109),
- Council Directive 83/585/EEC of 25 November 1983 (OJ No L 335, 30. 11. 1983, p. 38),
- Council Directive 83/636/EEC of 13 December 1983 (OJ No L 357, 21. 12. 1983, p. 40),
- Council Directive 84/86/EEC of 6 February 1984 (OJ No L 40, 11. 2. 1984, p. 29),
- Council Directive 84/223/EEC of 9 April 1984 (OJ No L 104, 17. 4. 1984, p. 25), as corrected in OJ No L 106, 19. 4. 1984, p. 59,
- Council Directive 84/261/EEC of 7 May 1984 (OJ No L 129, 15. 5. 1984, p. 28),
- Council Directive 84/458/EEC of 18 September 1984 (OJ No L 256, 26. 9. 1984, p. 19),
- Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):

Article 8a (2).

- (c) Council Directive 70/357/EEC of 13 July 1970 (OJ No L 157, 18. 7. 1970, p. 31), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 74/412/EEC of 1 August 1974 (OJ No L 221, 12. 8. 1974, p. 18),
  - Council Directive 78/143/EEC of 30 January 1978 (OJ No L 44, 15. 2. 1978, p. 18),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 81/962/EEC of 24 November 1981 (OJ No L 354, 9. 12. 1981, p. 22),
  - Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22),
- as corrected in OJ No L 18, 22. 1. 1972, p. 12:

Article 6 (2).

- (d) Council Directive 73/241/EEC of 24 July 1973 (OJ No L 228, 16. 8. 1973, p. 23), as amended by:
- Council Directive 74/411/EEC of 1 August 1974 (OJ No L 221, 12. 8. 1974, p. 17),
  - Council Directive 74/644/EEC of 19 December 1974 (OJ No L 349, 28. 12. 1974, p. 63),
  - Council Directive 75/155/EEC of 4 March 1975 (OJ No L 64, 11. 3. 1975, p. 21),
  - Council Directive 76/628/EEC of 20 July 1976 (OJ No L 223, 18. 8. 1976, p. 1),
  - Council Directive 78/609/EEC of 29 June 1978 (OJ No L 197, 22. 7. 1978, p. 10),
  - Council Directive 78/842/EEC of 10 October 1978 (OJ No L 291, 17. 10. 1978, p. 15),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 80/608/EEC of 30 June 1980 (OJ No L 170, 3. 7. 1980, p. 33),
  - Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):
- Article 12 (2).
- (e) Council Directive 73/437/EEC of 11 December 1973 (OJ No L 356, 27. 12. 1973, p. 71), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 12 (2).
- (f) Council Directive 74/329/EEC of 18 June 1974 (OJ No L 189, 12. 7. 1974, p. 1), as amended by:
- Council Directive 78/612/EEC of 29 June 1978 (OJ No L 197, 22. 7. 1978, p. 22),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 80/597/EEC of 29 May 1980 (OJ No L 155, 23. 6. 1980, p. 23),
  - Council Directive 85/6/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 21),
  - Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):
- Article 10 (2).
- (g) Council Directive 74/409/EEC of 22 July 1974 (OJ No L 221, 12. 8. 1974, p. 10), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 10 (2).
- (h) Council Directive 75/726/EEC of 17 November 1975 (OJ No L 311, 1. 12. 1975, p. 40), as amended by:
- Council Directive 79/168/EEC of 5 February 1979 (OJ No L 37, 13. 2. 1979, p. 27),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 14 (2).
- (i) Council Directive 76/118/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 49), as amended by:
- Council Directive 78/630/EEC of 19 June 1978 (OJ No L 206, 29. 7. 1978, p. 12),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 83/685/EEC of 13 December 1983 (OJ No L 357, 21. 12. 1983, p. 37):
- Article 12 (2).
- (j) Council Directive 76/621/EEC of 20 July 1976 (OJ No L 202, 28. 7. 1976, p. 35), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 5 (2).
- (k) Council Directive 76/893/EEC of 23 November 1976 (OJ No L 340, 9. 2. 1976, p. 19), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 77),
  - Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):
- Article 10 (2).
- (l) Council Directive 77/94/EEC of 21 December 1976 (OJ No L 26, 31. 1. 1977, p. 55), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):
- Article 9 (2).
- (m) Council Directive 77/436/EEC of 27 June 1977 (OJ No L 172, 12. 7. 1977, p. 20), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):

Article 9 (2).

(n) Council Directive 79/693/EEC of 24 July 1979 (OJ No L 205, 13. 8. 1979, p. 5), as amended by Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 77):

Article 13 (2).

(o) Council Directive 80/777/EEC of 15 July 1980 (OJ No L 229, 30. 8. 1980, p. 1), as amended by:

— Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 77),

— Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):

Article 12 (2).

(p) Council Directive 83/417/EEC of 25 July 1983 (OJ No L 237, 26. 8. 1983, p. 25):

Article 10 (2).

2. Council Directive 75/726/EEC of 17 November 1975 (OJ No L 311, 1. 12. 1975, p. 40), as amended by:

— Council Directive 79/168/EEC of 5 February 1979 (OJ No L 37, 13. 2. 1979, p. 27),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 3 (2) (c):

“sumo e polpa” for fruit nectars obtained exclusively from fruit purée and/or concentrated fruit purée’.

3. Council Directive 76/118/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 49), as amended by:

— Council Directive 78/630/EEC of 19 June 1978 (OJ No L 206, 29. 7. 1978, p. 12),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 83/635/EEC of 13 December 1983 (OJ No L 357, 21. 12. 1983, p. 37).

The following is added to Article 3 (2):

‘(g) “leite em pó meio gordo” in Portugal to describe dehydrated milk with a fat content greater than 13 % and less than 26 %.’

4. Council Directive 76/893/EEC of 23 November 1976 (OJ No L 340, 9. 2. 1976, p. 19), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 77),

— Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22).

The following is added to Article 7 (1) (a):

— “para uso alimentario”,

— “para contacto com géneros alimentícios”.

5. Commission Directive 80/590/EEC of 9 June 1980 (OJ No L 151, 19. 6. 1980, p. 21).

The Annex is amended as follows:

— the title is supplemented by the term ‘ANEXO’,

— the text is supplemented by the term ‘Símbolo’.

## C

### Proprietary medicinal products

Council Directive 78/25/EEC of 12 December 1977 (OJ No L 11, 14. 1. 1978, p. 18), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— the Council Directive 81/464/EEC of 24 June 1981 (OJ No L 183, 4. 7. 1981, p. 33).

In Article 6 (2) ‘forty-five’ is replaced by ‘fifty-four’.

## D

### Public contracts

Council Directive 77/62/EEC of 21 December 1976 (OJ No L 13, 15. 1. 1977, p. 1), as amended by:

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 80/767/EEC of 22 July 1980 (OJ No L 215, 18. 8. 1980, p. 1).

The following is added to Annex I:

#### ‘XII. In Spain:

other legal persons subject to public rules for the award of contracts.

#### XIII. In Portugal:

legal persons governed by public law whose public supply contracts are subject to State control.’

## E

### Commerce and distribution

Commission Decision 81/428/EEC of 20 May 1981 (OJ No L 165, 23. 6. 1981, p. 24).

In the first paragraph of Article 3, '42' is replaced by '50'.

In the second paragraph of Article 3, '22' is replaced by '26'.

In the first paragraph of Article 7, 'ten' is replaced by 'twelve'.

## F

### Insurance

Second Council Directive 84/5/EEC of 30 December 1983 (OJ No L 8, 11. 1. 1984, p. 17).

Article 5 (3) (a) is replaced by the following:

'(a) the Kingdom of Spain, the Hellenic Republic and the Portuguese Republic shall have a

period until 31 December 1995 in which to increase guarantees to the levels required by Article 1 (2). If they avail themselves of this option the guarantee must reach, by reference to the amounts laid down in that Article:

- more than 16 %, not later than 31 December 1988,
- 31 %, not later than 31 December 1992;'

Article 5 (4) (b) is replaced by the following:

'(b) the Kingdom of Spain, the Hellenic Republic, Ireland and the Portuguese Republic may provide that:

- compensation by the body referred to in Article 1 (4) for damage to property shall be excluded until 31 December 1992,
- the excess referred to in the fifth subparagraph of Article 1 (4) and the excess referred to in the second subparagraph of Article 2 (2) shall be 1 500 ECU until 31 December 1995.'

## X. ENVIRONMENT AND CONSUMER PROTECTION

1. In the following Acts and in the Articles indicated, 'forty-five' is replaced by 'fifty-four'.

(a) Council Directive 72/276/EEC of 17 July 1972 (OJ No L 173, 31. 7. 1972, p. 1), as amended by:

- Commission Directive 79/76/EEC of 21 December 1978 (OJ No L 17, 24. 1. 1979, p. 17),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 81/75/EEC of 17 February 1981 (OJ No L 57, 4. 3. 1981, p. 23):

Article 6 (2).

(b) Council Directive 76/160/EEC of 8 December 1975 (OJ No L 31, 5. 2. 1976, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):

Article 11 (2).

(c) Council Directive 76/768/EEC of 27 July 1976 (OJ No L 262, 27. 9. 1976, p. 169), as amended by:

- Council Directive 79/661/EEC of 24 July 1979 (OJ No L 192, 31. 7. 1979, p. 35),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Commission Directive 82/147/EEC of 11 February 1982 (OJ No L 63, 6. 3. 1982, p. 26),

— Council Directive 82/368/EEC of 17 May 1982 (OJ No L 167, 15. 6. 1982, p. 1),

— Commission Directive 83/191/EEC of 30 March 1983 (OJ No L 109, 26. 4. 1983, p. 25),

— Commission Directive 83/341/EEC of 29 June 1983 (OJ No L 188, 13. 7. 1983, p. 15),

— Commission Directive 83/496/EEC of 22 September 1983 (OJ No L 275, 8. 10. 1983, p. 20),

— Council Directive 83/574/EEC of 26 October 1983 (OJ No L 332, 28. 11. 1983, p. 38),

— Commission Directive 84/415/EEC of 18 July 1984 (OJ No L 228, 25. 8. 1984, p. 38), as corrected in OJ No L 255, 29. 9. 1984, p. 28:

Article 10 (2).



- (d) Council Decision 77/795/EEC of 12 December 1977 (OJ No L 334, 24. 12. 1977, p. 29),  
as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Decision 81/856/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 17),
  - Commission Decision 84/422/EEC of 24 July 1984 (OJ No L 237, 5. 9. 1984, p. 15):
- Article 8 (2).
- (e) Council Directive 78/319/EEC of 20 March 1978 (OJ No L 84, 31. 3. 1978, p. 43), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 19 (2).
- (f) Council Directive 78/659/EEC of 18 July 1978 (OJ No L 222, 14. 8. 1978, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):
- Article 14 (2).
- (g) Council Directive 79/112/EEC of 18 December 1978 (OJ No L 33, 8. 2. 1979, p. 1), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3. 1. 1985, p. 22):
- Article 17 (2).
- (h) Council Directive 79/409/EEC of 2 April 1979 (OJ No L 103, 25. 4. 1979, p. 1), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 81/454/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 3):
- Article 17 (2).
- (i) Council Directive 79/869/EEC of 9 October 1979 (OJ No L 271, 29. 10. 1979, p. 44), as amended by Council Directive 81/855/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 16):
- Article 11 (2).
- (j) Council Directive 80/778/EEC of 15 July 1980 (OJ No L 229, 30. 8. 1980, p. 11), as amended by Council Directive 81/858/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 19):
- Article 15 (2).
- (k) Council Directive 80/779/EEC of 15 July 1980 (OJ No L 229, 30. 8. 1980, p. 18), as amended
- by Council Directive 81/857/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 18):
- Article 14 (2).
- (l) Council Regulation (EEC) No 348/81 of 20 January 1981 (OJ No L 39, 12. 2. 1981, p. 1):
- Article 2 (2) (a).
- (m) Council Directive 82/501/EEC of 24 June 1982 (OJ No L 230, 5. 8. 1982, p. 1), as corrected in OJ No L 289, 13. 10. 1982, p. 35:
- Article 16 (2).
- (n) Council Regulation (EEC) No 3626/82 of 3 December 1982 (OJ No L 384, 31. 12. 1982, p. 1), as amended by:
- Council Regulation (EEC) No 3645/83 of 28 November 1983 (OJ No L 367, 28. 12. 1983, p. 1),
  - Commission Regulation (EEC) No 3646/83 of 12 December 1983 (OJ No L 367, 28. 12. 1983, p. 2), as corrected in OJ No L 62, 3. 3. 1984, p. 27,
  - Commission Regulation (EEC) No 577/84 of 5 March 1984 (OJ No L 64, 6. 3. 1984, p. 5),
  - Commission Regulation (EEC) No 1451/84 of 25 May 1984 (OJ No L 140, 26. 5. 1984, p. 21),
  - Commission Regulation (EEC) No 1452/84 of 25 May 1984 (OJ No L 140, 26. 5. 1984, p. 23):
- Article 21 (2).
- (o) Council Directive 82/883/EEC of 3 December 1982 (OJ No L 378, 31. 12. 1982, p. 1):
- Article 11 (2).
- (p) Council Directive 82/884/EEC of 3 December 1982 (OJ No L 378, 31. 12. 1982, p. 15):
- Article 11 (2).
2. Council Directive 71/307/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 16), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 75/36/EEC of 17 December 1974 (OJ No L 14, 20. 1. 1975, p. 15),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 83/623/EEC of 25 November 1983 (OJ No L 353, 15. 12. 1983, p. 8).
- The following is added to Article 5 (1):
- “pura lana”,
  - “lã virgem”.

3. Commission Decision 76/431/EEC of 21 April 1976 (OJ No L 115, 1. 5. 1976, p. 73), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).  
In Article 3 (1), 'twenty-two' is replaced by 'twenty-six'.
4. Council Decision 77/795/EEC of 12 December 1977 (OJ No L 334, 24. 12. 1977, p. 29), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Decision 81/856/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 17),
  - Commission Decision 84/422/EEC of 24 July 1984 (OJ No L 237, 5. 9. 1984, p. 15).

The following is added to Annex I:

'SPAIN

Sampling or measuring stations		List of rivers
San Esteban de Gormaz	station n° 02.07	Douro
Villamarciel	station n° 02.54	Douro
Puente Pino	station n° 02.53	Douro
Trillo	station n° 03.93	Tagus
Aranjuez	station n° 03.11	Tagus
Talavera de la Reina	station n° 03.15	Tagus
Alcántara	station n° 03.19	Tagus
Balbuena	station n° 04.08	Guadiana
Badajoz	station n° 04.18	Guadiana
Menjíbar	station n° 05.04	Guadalquivir
Peñaflor	station n° 05.06	Guadalquivir
Sevilla	station n° 05.74	Guadalquivir
Miranda de Ebro	station n° 09.01	Ebro
Zaragoza	station n° 09.11	Ebro
Tortosa	station n° 09.27	Ebro

PORTUGAL

Sampling or measuring stations		List of rivers
Lanhelas	station n° 01.1	Minho
Messegães	station n° 01.4	Minho
Porto	station n° 09.1	Douro
Barca d'Alva	station n° 09.8	Douro
Miranda do Douro	station n° 09.11	Douro
S. João de Loure	station n° 12.2	Vouga
Penacova	station n° 16.4	Mondego
Santarém	station n° 30.3	Tagus
Perais	station n° 30.10	Tagus
Castelo de Bode	station n° 30.20.2	Zêzere
Mértola	station n° 54.3	Guadiana
S: da Ajuda	station n° 54.7	Guadiana'

5. Commission Decision 78/618/EEC of 28 June 1978 (OJ No L 198, 22. 7. 1978, p. 17), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).  
In Article 3, '24' is replaced by '28', and '20' by '24'.  
In the second paragraph of Article 4, 'ten' is replaced by 'twelve'.
6. Council Directive 79/409/EEC of 2 April 1979 (OJ No L 103, 25. 4. 1979, p. 1), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17)
  - Council Directive 81/854/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 3)

a) Annex I is amended as follows:

— In the title, the following is added:

'ANEXO I', 'ANEXO I'.

— In the table, the following two columns are added, containing, opposite the numbers cited, the entries indicated below:

	Español	Português
1.	Colimbo grande	Mobelha-grande
2.	Pardela cenicienta	Pardela-de-bico-amarelo
3.	Paíño común	Painho-de-cauda-quadrada
4.	Paíño de Leach	Painho-de-cauda-forcada
5.	Cormorán grande (continental)	Corvo-marinho-de-faces-brancas
6.	Avetoro común	Abetouro-comum
7.	Martinete	Goraz
8.	Garcilla cangrejera	Papa-ratos
9.	Garceta común	Garça-branca-pequena
10.	Garceta grande	Garça-branca-grande
11.	Garza imperial	Garça-vermelha
12.	Cigüeña negra	Cegonha-preta
13.	Cigüeña común	Cegonha-branca
14.	Morito	Maçarico-preto
15.	Espátula	Colhereiro
16.	Flamenco común	Flamingo-comum
17.	Cisne chico o de Bewick	Cisne-pequeno
18.	Cisne cantor	Cisne-bravo
19.	Ánsar careto de Groenlandia	Ganso-de-Gronelândia
20.	Barnacla cariblanca	Ganso-de-faces-brancas
21.	Porrón pardo	Zarro-castanho
22.	Malvasía	Pato-rabo-alçado
23.	Halcón abejero	Falcão-abelheiro
24.	Milano negro	Milhafre-preto
25.	Milano real	Milhano
26.	Pigargo	Águia-rabalva
27.	Quebrantahuesos	Quebra-osso
28.	Alimoche	Abutre do Egipto
29.	Buitre común	Grifo
30.	Buitre negro	Abutre preto
31.	Águila culebrera	Águia-cobreira
32.	Aguilucho lagunero	Tartaranhão-ruivo-dos-pauis
33.	Aguilucho pálido	Tartaranhão-azulado
34.	Aguilucho cenizo	Tartaranhão-caçador
35.	Águila real	Águia-real
36.	Águila calzada	Águia-calçada
37.	Águila perdicera	Águia de Bonelli
38.	Águila pescadora	Águia-pesqueira
39.	Halcón de Eleonor	Falcão-da-rainha
40.	Halcón borní	Falcão-alfaneque
41.	Halcón común	Falcão-peregrino
42.	Calamón común	Caimão-comun
43.	Grulla común	Grou-comum
44.	Sisón	Sisão
45.	Avutarda	Abetarda-comum
46.	Cigüeñela	Perna-longa
47.	Avocata	Alfaiate
48.	Alcaraván	Alcaravão
49.	Canastera	Perdiz-do-mar
50.	Chorlito carambolo	Tarambola-carambola
51.	Chorlito dorado	Tarambola-dourada
52.	Agachadiza real	Narceja-real
53.	Andarrios bastardo	Maçarico-bastardo
54.	Falaropo picofino	Falaropo-de-bico-fino
55.	Gaviota picofina	Gaivota-de-bico-fino

	Español	Português
56.	Gaviota de Audouin	Alcatraz de Audouin
57.	Pagaza piconegra	Gaivina-de-bico-preto
58.	Charrán patinegro	Garajau-comum
59.	Charrán rosado	Andorinha-do-mar-rosca
60.	Charrán común	Andorinha-do-mar-comum
61.	Charrán artico	Andorinha-do-mar-ártica
62.	Charrancito	Andorinha-do-mar-anã
63.	Fumarel común	Gaivina-preta
64.	Ganga común	Goriçol-de-barriga-preta
65.	Búho real o Gran Duque	Bufo-real
66.	Búho nival	Bufo-branco
67.	Lechuza campestre	Coruja-do-nabal
68.	Martín pescador	Guarda-rios-comum
69.	Pito negro	Peto-preto
70.	Pico dorsiblanco	Pica-pau-de-dorso-branco
71.	Pechiazul	Pisco-de-peito-azul
72.	Curruca rabilarga	Felosa-do-mato
73.	Curruca gavilana	Toutinegra-gavião
74.	Trepador corso	Trepadeira-corsa'

(b) Annex II/1 is amended as follows:

- In the title, the following is added:  
'ANEXO II/1', 'ANEXO II/1'.
- In the table, the two following columns are added, containing, opposite the numbers cited, the entries indicated below:

	Español	Português
1.	Ánsar campestre	Ganso-campestre
2.	Ánsar común	Ganso-comum
3.	Barnacla canadiense	Ganso do Canadá
4.	Ánade silbón	Piadeira
5.	Ánade friso	Frisada
6.	Cerceta común o de Invierno	Marrequinho-comum
7.	Ánade real o azulón	Pato-real
8.	Ánade rabudo	Arrabio
9.	Cerceta carretona o de Verano	Marreco
10.	Pato cuchara	Pato-trombeteiro
11.	Porrón común	Zarro-comum
12.	Porrón moñudo	Zarro-negrinha
13.	Lagópodo escandinavo	Lagópode-escocês
14.	Perdiz nival	Lagópode-branco
15.	Perdiz griega	Perdiz-negra
16.	Perdiz roja o común	Perdiz-comum
17.	Perdiz pardilla	Perdiz-cimzemta
18.	Faisán vulgar	Faisão
19.	Focha común	Galeirão-comum
20.	Agachadiza chica	Narceja-galega
21.	Agachadiza común	Narceja-comum
22.	Chocha perdiz o becada	Galinholá
23.	Paloma bravía	Pombo-das-rochas
24.	Paloma torcaz	Pombo-torcaz'

(c) Annex II/2 is amended as follows:

- In the title, the following is added:  
'ANEXO II/2', 'ANEXO II/2'.
- In the first table, the following two columns are added, containing, opposite the numbers cited, the entries indicated below:

	‘Español	Português
25.	Cisne vulgar	Cisne-vulgar
26.	Ánsar piquicorto	Ganso-de-bico-curto
27.	Ánsar careto grande	Ganso-grande-de-testa-branca
28.	Barnacla carinegra	Ganso-de-faces-brancas
29.	Pato colorado	Pato-de-bico-vermelho
30.	Porrón bastardo	Zarro-bastardo
31.	Eider	Êider-edredão
32.	Havelda	Pato-de-cauda-afilada
33.	Negrón común	Pato-negro
34.	Negrón especulado	Pato-fusco
35.	Porrón osculado	Pato-olho-d’ouro
36.	Serreta mediana	Merganso-pequeno
37.	Serreta grande	Merganso-grande
38.	Grévol	Galinha-do-mato
39.	Gallo lira	Galo-lira
40.	Urogallo	Tetraz
41.	Perdiz moruna	Perdiz-moura
42.	Codorniz	Codorniz
43.	Pavo silvestre	Perú
44.	Rascón	Frango-d’água
45.	Polla de agua	Galinha-d’água
46.	Ostrero	Ostraceiro
47.	Chorlito o pluvial dorado	Tarambola-dourada
48.	Chorlito gris	Tarambola-cinzenta
49.	Avefría	Abibe-comum
50.	Correlimos gordo	Seixoeira
51.	Combatiente	Combatente
52.	Aguja colinegra	Maçarico-de-bico-direito
53.	Aguja colipinta	Fuselo
54.	Zarapito trinador	Maçarico-galego
55.	Zarapito real	Maçarico-real
56.	Archibebe oscuro	Perna-vermelha-escuro
57.	Archibebe común	Perna-vermelha-comum
58.	Archibebe claro	Perna-verde-comum
59.	Gaviota reidora	Guincho-comum
60.	Gaviota cana	Alcatraz-pardo
61.	Gaviota sombría	Gaiivota-d’asa-escura
62.	Gaviota argéntea	Gaiivota-argéntea
63.	Gavión	Alcatraz-comum
64.	Paloma zurita	Pombo-bravo
65.	Tórtola turca	Rola-turca
66.	Tórtola común	Rola-comum
67.	Alondra común	Laverca
68.	Mirlo común	Melro-preto
69.	Zorzal real	Tordo-zornal
70.	Zorzal común	Tordo-comum
71.	Zorzal malvís o alirrojo	Tordo-ruivo-comum
72.	Zorzal charlo	Tordeia’

— In the second table, the two following columns are added, containing, opposite the numbers cited, the entries appearing below:

	'España	Portugal
25.		
26.		
27.		
28.		
29.	+	
30.		
31.		
32.		
33.	+	
34.		
35.		
36.	+	
37.		
38.		
39.		
40.	+ ♂	
41.	+	
42.	+	+
43.		
44.	+	
45.	+	+
46.	+	
47.	+	+
48.	+	
49.	+	
50.	+	
51.	+	
52.	+	
53.	+	
54.	+	
55.	+	
56.	+	
57.	+	
58.	+	
59.	+	
60.	+	
61.	+	
62.	+	
63.		
64.	+	+
65.	+	
66.	+	+
67.		
68.	+	+
69.	+	+
70.	+	+
71.	+	+
72.	+	+

— Under the second table, the following footnotes are added:

'+ = Estados miembros que pueden autorizar, conforme al apartado 3 del artículo 7, la caza de las especies enumeradas.

+ = Estados-membros que podem autorizar, nos termos do nº do artigo 7º, a caça das espécies enumeradas.'

(d) Annex III/1 is amended as follows:

- In the title, the following is added:  
'ANEXO III/1', 'ANEXO III/1'.
- In the table, the two following columns are added, containing, opposite the numbers cited, the entries indicated below:

	'Español	Português
1.	Ánade real o azulón	Pato-real
2.	Lagópodo escandinavo	Lagópode-escocês
3.	Perdiz roja o común	Perdiz-comum
4.	Perdiz moruna	Perdiz-moura
5.	Perdiz pardilla	Perdiz-cinzenta
6.	Faisán vulgar	Faisão
7.	Paloma torcaz	Pombo-torcaz'

(e) Annex III/2 is amended as follows:

- In the title, the following is added:  
'ANEXO III/2', 'ANEXO III/2'.
- In the table, the two following columns are added, containing, opposite the numbers cited, the entries indicated below:

	'Español	Português
8.	Ánsar común	Ganso-comum-ocidental
9.	Ánade silbón	Piadeira
10.	Cerceta común o de Invierno	Marrequinho-comum
11.	Ánade rabudo	Arrabio
12.	Porrón común	Zarro-comum
13.	Porrón moñudo	Zarro-negrinha
14.	Eider	Èider-edredão
15.	Perdiz nival	Lagópode-branco
16.	Urogallo	Tetraz
17.	Focha común	Galeirão-comum'

(f) Annex III/3 is amended as follows:

- In the title, the following is added:  
'ANEXO III/3', 'ANEXO III/3'.
- In the table, the two following columns are added, containing, opposite the numbers cited, the entries indicated below:

	'Español	Português
18.	Ánsar careto grande	Ganso-grande-de-testa-branca
19.	Pato cuchara	Pato-trombeteiro
20.	Porrón bastardo	Zarro-bastardo
21.	Negrón común	Pato-negro
22.	Gallo lira	Galo-lira
23.	Chorlito o pluvial dorado	Tarambola-dourada
24.	Agachadiza chica	Narceja-galega
25.	Agachadiza común	Narceja-comun
26.	Chocha perdiz o becada	Galinholá'

7. Council Regulation (EEC) No 3626/82 of 3 December 1982 (OJ No L 384, 31. 12. 1982, p. 1), as amended by:
- Council Regulation (EEC) No 3645/84 of 28 November 1983 (OJ No L 367, 28. 12. 1983, p. 1),
  - Council Regulation (EEC) No 3646/83 of 12 December 1983 (OJ No L 367, 28. 12. 1983, p. 2), as corrected in OJ No L 62, 3. 3. 1984, p. 27,
  - Council Regulation (EEC) No 577/84 of 5 March 1984 (OJ No L 64, 6. 3. 1984, p. 5),
  - Commission Regulation (EEC) No 1451/84 of 25 May 1984 (OJ No L 140, 26. 5. 1984, p. 21),
  - Commission Regulation (EEC) No 1452/84 of 25 May 1984 (OJ No L 140, 26. 5. 1984, p. 23).

The following is added to Article 13 (3):

- Especies amenazadas de extinción,
- Espécies ameaçadas de extinção.

## XI. ENERGY, RESEARCH AND INFORMATICS

### A

#### Energy

1. Commission Decision 77/190/EEC of 26 January 1977 (OJ No L 61, 5. 3. 1977, p. 34), as amended by:
  - Commission Decision 79/607/EEC of 30 May 1979 (OJ No L 170, 9. 7. 1979, p. 1),
  - Commission Decision 80/983/EEC of 4 September 1980 (OJ No L 281, 25. 10. 1980, p. 26),
  - Commission Decision 81/883/EEC of 14 October 1981 (OJ No L 324, 12. 11. 1981, p. 19).

In the Annex:

- Appendix A 'Names of petroleum products' is supplemented by the following:
  - 'Spain
    1. Gasolina súper
    2. Gasolina normal

3. Gasóleo A
4. Gasóleo C
5. —
6. Keroseno corriente
7. Fuel-oil pesado n° 1 y n° 2
8. Fuel-oil pesado, bajo índice de azufre (BIA) n° 1 y n° 2

#### Portugal

1. Gasolina super
2. Gasolina normal
3. Gasóleo
4. Gasóleo
5. —
6. Petróleo de iluminação
7. Fuelóleo, alto teor de enxofre
8. Fuelóleo, baixo teor de enxofre.

- The following additional columns appear in Appendix B 'Specification of motor fuels':

	'Spain	Portugal
(a) <b>Premium gasoline</b>		
Specific gravity (15 °C)	0,725-0,770	0,750
Octane No: RON	min. 97	98
MON	min. 85	
Calorific value (Kcal/kg)	—	10 500
Lead content (g/l)	max. 0,40	max. 0,635



	Spain	Portugal
<b>(b) Regular gasoline</b>		
Specific gravity (15 °C)	0,710-0,755	0,720
Octane No: RON	min. 92	85
MON	min. 80	
Calorific value (Kcal/kg)	—	10 500
Lead content (g/l)	max. 0,40	max. 0,635
<b>(c) Automotive gas oil</b>		
Specific gravity (15 °C)	0,825-0,860	0,835
Octane No	min. 45	min. 50
Calorific value (Kcal/kg)	—	10 200
Sulphur content (%)	max. 0,50	max. 0,5'

— The following additional columns appear in Appendix C 'Specification of fuels':

	Spain		Portugal
<b>(a) Fuel used for domestic heating</b>			
<i>Gas oil</i>			
Specific gravity (15 °C)	max. 0,900		0,835
Calorific value (Kcal/kg)	—		10 200
Sulphur content (%)	max. 0,65		max. 0,5
Pour point (°C)	max. -6		max. -5
<i>Light fuel oil</i>			
Specific gravity (15 °C)	—		—
Calorific value (Kcal/kg)	—		—
Sulphur content (%)	—		—
Pour point (°C)	—		—
<i>Paraffin</i>			
Specific gravity (15 °C)	—		0,785
Calorific value (Kcal/kg)	—		10 300
<b>(b) Industrial fuels</b>			
<i>Fuel-oil pesado</i>	<i>n° 1</i>	<i>n° 2</i>	
Specific gravity (15 °C)	—	—	0,950
Calorific value (Kcal/kg)	min. 9 600	min. 9 400	9 600
Sulphur content (%)	max. 2,7	max. 3,6	max. 3,5
<i>Fuel-oil pesado</i>	<i>BIA n° 1</i>	<i>BIA n° 2</i>	
Specific gravity (15 °C)	—	—	0,950
Calorific value (Kcal/kg)	min. 9 600	min. 9 400	9 600
Sulphur content (%)	min. 1,00	max. 1,00	max. 1,0'

2. Council Directive 79/531/EEC of 14 May 1979 (OJ No L 145, 13. 6. 1979, p. 7).

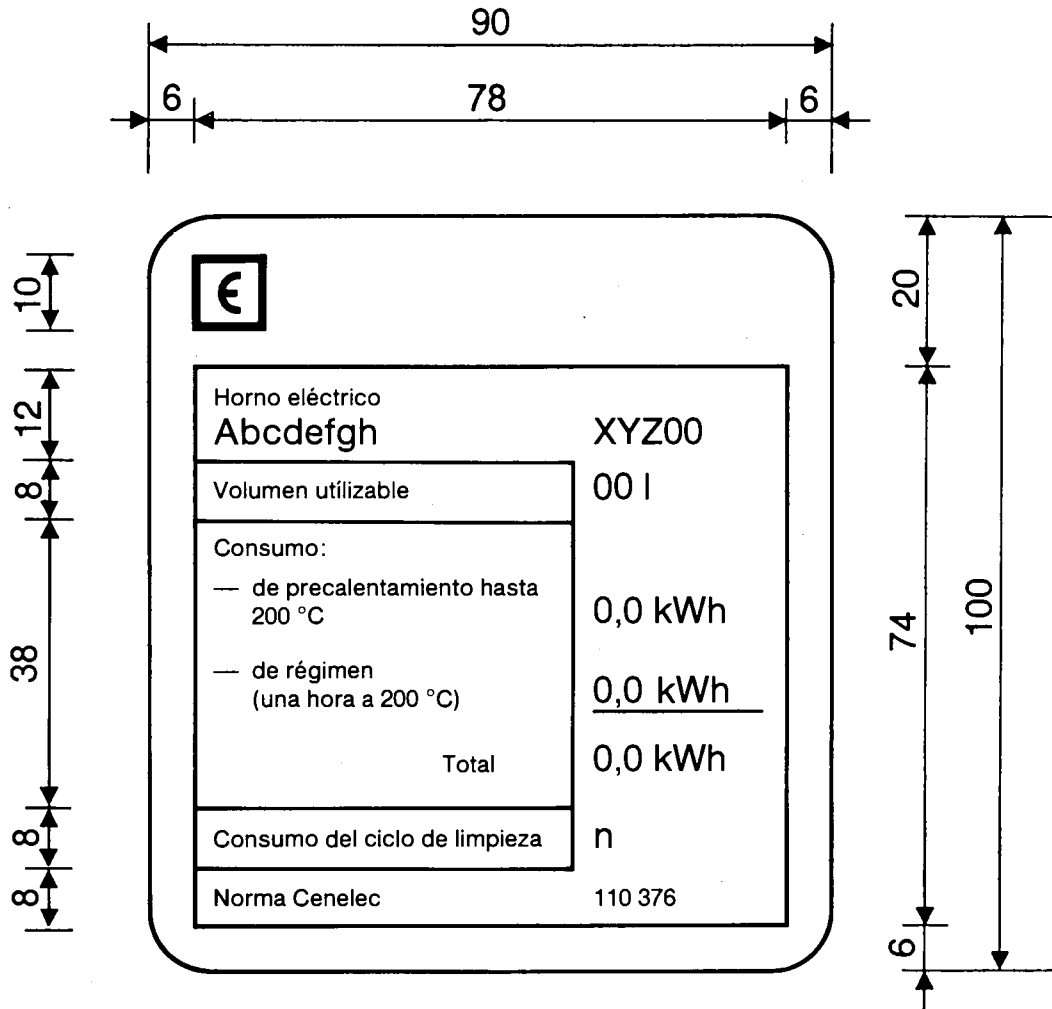
a) The following is added to Annex I:

- in point 3.1.1: ‘“Horno eléctrico”, in Spanish (ES)  
“Forno eléctrico”, in Portuguese (P)’,
- in point 3.1.3.: ‘“Volumen utilizable” in Spanish (ES)  
“Volume utilizável” in Portuguese (P)’,

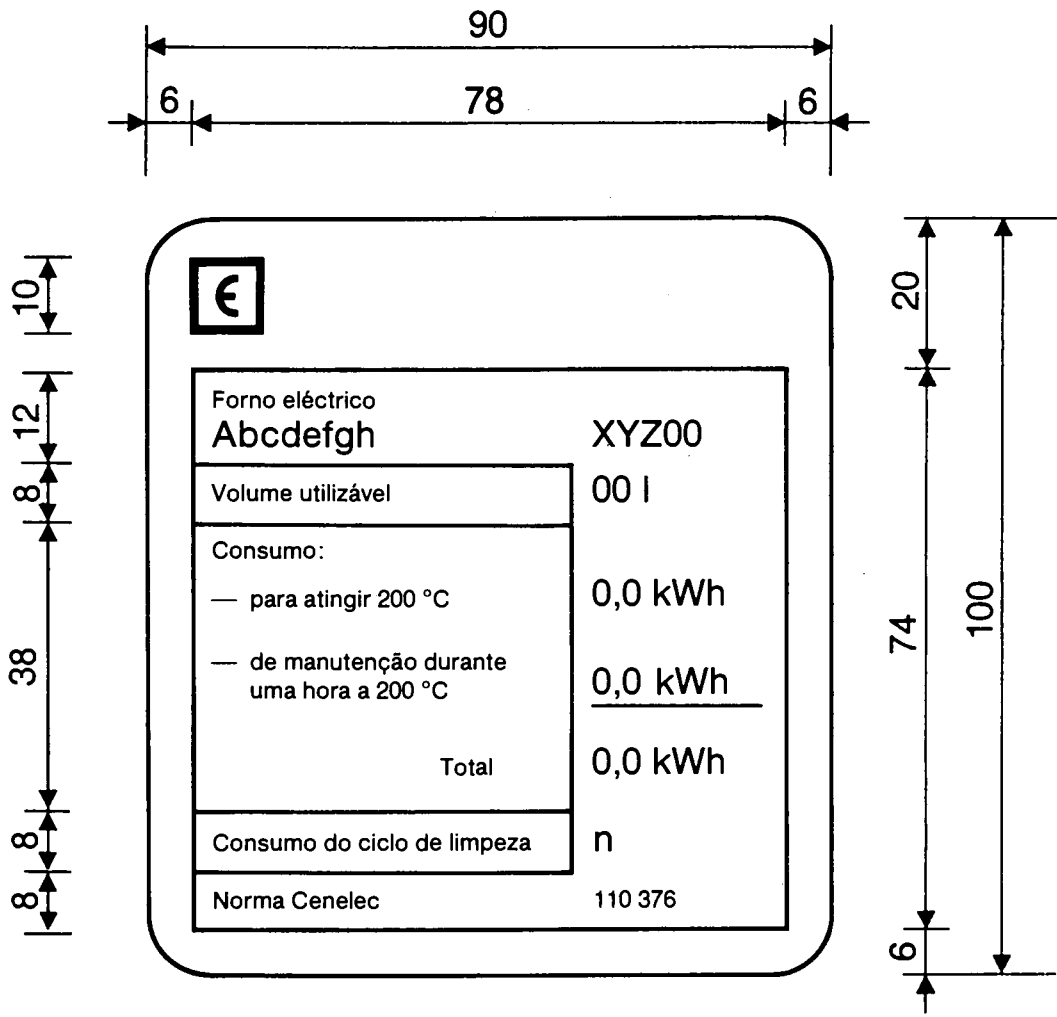
- in point 3.1.5.1.: “Consumo de precalentamiento hasta 200 °C” in Spanish (ES)  
 “Consumo para atingir 200 °C” in Portuguese (P)  
 “Consumo de régimen (1 hora a 200 °C)” in Spanish (ES)  
 “Consumo de manutenção durante uma hora a 200 °C” in Portuguese (P)  
 “TOTAL” in Spanish (ES)  
 “TOTAL” in Portuguese (P),
- in point 3.1.5.3.: “Consumo del ciclo de limpieza” in Spanish (ES)  
 “Consumo do ciclo de limpeza” in Portuguese (P).

(b) The following Annexes are added:

ANNEX II (g)



ANNEX II (h)



## B

### Research

1. Council Regulation (EEC) No 3744/81 of 7 December 1981 (OJ No L 376, 30. 12. 1981, p. 38), as amended by Commission Regulation (EEC) No 397/83 of 17 February 1983 (OJ No L 47, 19. 2. 1983, p. 13), as corrected in OJ No L 208, 16. 7. 1982, p. 70.

In Article 8 (2), '45' is replaced by '54'.

2. Council Regulation 83/624/EEC of 25 November 1983 (OJ No L 353, 15. 12. 1983, p. 15).  
In Annex II, point F.2, '45' is replaced by '54'.

## C

### Informatics

Council Regulation (EEC) No 1996/79 of 11 September 1979 (OJ No L 231, 13. 9. 1979, p. 1).

In the second paragraph of Article 8 '41' is replaced by '54'.

## XII. REGIONAL POLICY

1. Commission Regulation (EEC) No 2364/75 of 15 September 1975 (OJ No L 243, 17. 9. 1975, p. 9), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 2:

'Spain: Cost of resources of the Instituto de Crédito Oficial (ICO).'

2. Rules of Procedure of the Regional Policy Committee (75/761/EEC) (OJ No L 320, 11. 12. 1975,

p. 17), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 3 (2) and (3), 'twelve' is replaced by 'fourteen'.

3. Council Regulation (EEC) No 1787/84 of 19 June 1984 (OJ No L 169, 28. 6. 1984, p. 1).

In Article 40 (2), '45' is replaced by '54'.

## XIII. STATISTICS

1. Council Regulation (EEC) No 1445/72 of 24 April 1972 (OJ No L 161, 17. 7. 1972, p. 1), as amended by:

— Council Regulation (EEC) No 3065/75 of 24 November 1975 (OJ No L 307, 27. 11. 1975, p. 1),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 5 (2), 'forty-five' is replaced by 'fifty-four'.

2. Commission Regulation (EEC) No 546/77 of 16 March 1977 (OJ No L 70, 17. 3. 1977, p. 13), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The following is added to Article 1:

'Spain: — Tráfico de perfeccionamiento activo

Portugal: — Regime de aperfeiçoamento activo'.

The following is added to Article 2:

'Spain: — Tráfico de perfeccionamiento pasivo

Portugal: — Regime de aperfeiçoamento pasivo'.

3. Commission Regulation (EEC) No 3537/82 of 20 December 1982 (OJ No L 371, 30. 12. 1982, p. 7), as amended by:

— Commission Regulation (EEC) No 3655/83 of 23 December 1983 (OJ No L 361, 24. 12. 1983, p. 31),

— Commission Regulation (EEC) No 3104/84 of 7 November 1984 (OJ No L 291, 8. 11. 1984, p. 25).

In the Annex:

— the following is added after '009 Greece'

'010 Portugal Including the Azores and Madeira,

011 Spain Including the Balearic Islands,

**Spanish territories outside the customs and statistical territory**

021 Canary Islands

022 Ceuta and Melilla',

— points 040, 042, 202 and 205 are repealed.

4. Council Directive 64/475/EEC of 30 July 1964 (OJ No 131, 13. 8. 1964, p. 2193/64), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

In Article 1, the text appearing after 'is carried out in 1965' is replaced by the following:

'and, in the case of new Member States, all appropriate arrangements shall be made to ensure that the first survey, covering the year of their accession, is carried out in the year following that of accession.'

5. Council Directive 72/211/EEC of 30 May 1972 (OJ No L 128, 3. 6. 1972, p. 28), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The second paragraph of Article 1 is replaced by the following:

'In the case of new Member States, the date set in the first paragraph shall be the end of the year of their accession.'

6. Council Directive 72/221/EEC of 6 June 1972 (OJ No L 133, 10. 6. 1972, p. 57), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The second paragraph of Article 1 is replaced by the following:

'In the case of new Member States, these data shall be collected for the first time during the year of their accession and shall relate to the preceding year.'

The end of the first paragraph of Article 4 is replaced by the following:

'...in the Annex; in the case of new Member States, data relating to all the variables listed in the Annex shall be collected, beginning with the survey carried out during the year following that of their accession and relating to the year of their accession.'

7. Council Directive 78/166/EEC of 13 February 1978 (OJ No 52, 23. 2. 1978, p. 17), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The second subparagraph of Article 4 (1) is replaced by the following:

'As regards the new Member States, the data shall be collected for the first time not later than in the fourth quarter following their accession and shall be in respect of the preceding month or quarter.'

The second subparagraph of Article 4 (3) is replaced by the following:

'In the case of new Member States, the period referred to in the first subparagraph shall run as from their accession.'

#### XIV. AGRICULTURE

##### (a) Oils and fats

(1 000 tonnes)

Council Regulation No 136/66/EEC of 22 September 1966 (OJ No 172, 30. 9. 1966, p. 3025/66), as last amended by Regulation (EEC) No 231/85 of 29 January 1985 (OJ No L 26, 31. 1. 1985, p. 12).

The second subparagraph of Article 5 (2) is replaced by the following:

'The aid shall be granted only for areas planted with olive trees:

- in France and in Italy on 31 October 1978,
- in Greece on 1 January 1981,
- in Spain on 1 January 1984.

With regard to Portugal, aid shall be reserved for quantities likely to be produced on the areas planted with olive trees in actual production in this Member State on 1 January 1984.'

Belgium	3 106
Denmark	4 882
Germany	23 248
Greece	467
Spain	4 650
France	25 325
Ireland	5 280
Italy	8 323
Luxembourg	265
Netherlands	11 929
United Kingdom	15 538'

2. Council Regulation (EEC) No 857/84 of 31 March 1984 (OJ No L 90, 1. 4. 1984, p. 13), as amended by Regulation (EEC) No 1557/84 of 4 June 1984 (OJ No L 150, 6. 6. 1984, p. 6).

The Annex is replaced by the following:

'ANNEX

Quantities referred to in Article 6 (2) (milk producers selling direct to the consumer):

(1 000 tonnes)

Belgium	505
Denmark	1
Germany	305
Greece	116
Spain	750
France	1 183

##### (b) Milk and milk products

1. Council Regulation (EEC) No 804/68 of 27 June 1968 (OJ No L 148, 28. 6. 1968, p. 13), as last amended by Regulation (EEC) No 591/85 of 26 January 1985 (OJ No L 68, 8. 3. 1985, p. 5).

The second subparagraph of Article 5c (3) is replaced by the following:

'This guaranteed global quantity shall be made up as follows:

Ireland	16
Italy	1 591
Luxembourg	1
Netherlands	145
United Kingdom	398'

(c) **Sugar**

1. Council Regulation (EEC) No 206/68 of 20 February 1968 (OJ No L 47, 23. 2. 1968, p. 1), as last amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

Article 5 (4) is replaced by the following:

'4. However, when in Denmark, Greece, Ireland, Portugal, Spain and the United Kingdom the sugar beet is delivered free of charge at the sugar factory, the contract shall provide for the manufacturer to share in transport costs and shall determine the percentage or the amount thereof.'

The following is added to Article 8a:

'In respect of Spain and Portugal:

- the words "1967/68 marketing year" referred to in Articles 4 (2), 5 (2), 6 (2) and 10 (2) are replaced by "1985/86 marketing year",
- the words "prior to the 1968/69 marketing year" referred to in Articles 5 (3) and 8 (d) are replaced by "prior to the 1986/87 marketing year".'

2. Council Regulation (EEC) No 1785/81 of 30 June 1981 (OJ No L 177, 1. 7. 1981, p. 4), as last amended by Regulation (EEC) No 1482/85 of 23 May 1985 (OJ No L 151, 10. 6. 1985, p. 1).

Article 9 (4) is supplemented by the following:

'However, with regard to the sugar-producing undertaking, situated in the Autonomous Region of the Azores, this undertaking shall be considered to be a refinery within the meaning

of this paragraph for refining unrefined beet sugar up to a quantity limit expressed in white sugar equal to the difference between the actual production achieved within the framework of quotas A and B and 20 000 tonnes.'

The first subparagraph of Article 24 (1) is replaced by the following:

'1. Member States shall, under the conditions of this Title, allocate an A quota and a B quota to each sugar-producing undertaking and each isoglucose-producing undertaking established in their territory and which:

- had, during the period 1 July 1980 to 30 June 1981, a basic quota as defined, as the case may be, in Regulation (EEC) No 3330/74 or in Regulation (EEC) No 1111/77, or
- as concerns Greece, produced sugar or isoglucose during the period referred to in the first indent, or
- as concerns Spain and Portugal has produced sugar or isoglucose during the 1985 calendar year.

With regard to Portugal, that country shall allocate, for its mainland region under the conditions of this Title and within the limit of the basic quantities A and B fixed for that region in paragraph 2, an A quota and a B quota to each undertaking situated in that region which is likely to start up sugar production.

Before such allocation, Portugal may use up to 10 % of the basic quantities A and B, fixed for Portugal in its mainland region, for the benefit of the A and B quotas of the undertaking situated in the autonomous region of the Azores.'

Article 24 (2) is replaced by the following:

'2. For the allocation of the A and B quotas referred to in paragraph 1 the basic quantities shall be fixed as follows:

**I. Basic quantities A**

Regions	(a) Basic quantity A for sugar <sup>(1)</sup>	(b) Basic quantity A for isoglucose <sup>(2)</sup>
Denmark	328 000,0	—
Germany	1 990 000,0	28 882,0
France (metropolitan)	2 530 000,0	15 887,0
French overseas departments	466 000,0	—
Greece	290 000,0	10 522,0
Spain	960 000,0	75 000,0
Ireland	182 000,0	—
Italy	1 320 000,0	16 569,0
Netherlands	690 000,0	7 426,0
Portugal (mainland)	54 545,5	8 093,9
The autonomous region of the Azores	9 090,9	—
Belgium/Luxembourg Economic Union	680 000,0	56 667,0
United Kingdom	1 040 000,0	21 696,0

<sup>(1)</sup> In tonnes of white sugar.

<sup>(2)</sup> In tonnes of dry matter.

## II. Basic quantities B

Regions	(a) Basic quantity B for sugar <sup>(1)</sup>	(b) Basic quantity B for isoglucose <sup>(2)</sup>
Denmark	96 629,3	—
Germany	612 312,9	6 802,0
France (metropolitan)	759 232,8	4 135,0
French overseas departments	46 600,0	—
Greece	29 000,0	2 478,0
Spain	40 000,0	8 000,0
Ireland	18 200,0	—
Italy	248 250,0	3 902,0
Netherlands	182 000,0	1 749,0
Portugal (mainland)	5 454,5	1 906,1
The autonomous region of the Azores	909,1	—
Belgium/Luxembourg Economic Union	146 000,0	15 583,0
United Kingdom	104 000,0	5 787,0

<sup>(1)</sup> In tonnes of white sugar.

<sup>(2)</sup> In tonnes of dry matter.

The following is added to the second paragraph of Article 24 (3):

- (c) Spain, the A quota shall be established by dividing the basic quantity A fixed in paragraph 2 (I) (a) for Spain between the undertakings referred to in the third indent of the first subparagraph of paragraph 1, taking into account their production rights applicable before 1 January 1986;
- (d) Portugal, in its autonomous region of the Azores, the A quota of the sugar-producing undertaking shall be equal to the basic quantity fixed in paragraph 2 (I) (a) for that region.

The following is added to Article 24 (3):

'As regards the isoglucose-producing undertakings situated in:

- (a) Spain, the A quota shall be established by dividing the basic quantity A fixed in paragraph 2 (I) (b) for Spain between the undertakings in question on the basis of their respective production attained during the 1983 calendar year;
- (b) Portugal, the A quota of the isoglucose-producing undertaking in question situated in its mainland region shall be equal to the basic quantity A fixed in paragraph 2 (I) (b) for that region.'

The following is added to Article 24 (4):

'As regards the sugar-producing undertakings situated in:

- (a) Spain, the B quota shall be established by dividing the basic quantity B fixed in para-

graph 2 (II) (a) for Spain between the undertakings in question, taking into account their production rights applicable before 1 January 1986;

- (b) Portugal, in its autonomous region of the Azores, the B quota of the sugar-producing undertaking in question shall be equal to the basic quantity B fixed in paragraph 2 (II) (a) for that region.'

The following is added to Article 24 (5):

'As regards the isoglucose-producing undertakings situated in:

- (a) Spain, the B quota shall be established by dividing the basic quantity B fixed in paragraph 2 (II) (b) for Spain between the undertakings in question on the basis of their respective production attained during the 1983 calendar year;
- (b) Portugal, the B quota of the isoglucose-producing undertaking in question situated in its mainland region shall be equal to the basic quantity B fixed in paragraph 2 (II) (b) for that region.'

### (d) Products processed from fruit and vegetables

Council Regulation (EEC) No 516/77 of 14 March 1977 (OJ No L 73, 21.3. 1977, p. 1), as last amended by Regulation (EEC) No 988/84 of 31 March 1984 (OJ No L 103, 16. 4. 1984, p. 11).

In Articles 3b (2), 3d (2), 4 (1) and in Annex Ia (a), 'dried grapes' is replaced by 'sultanas and currants'.

The following is added to Article 4 (1):

'Spanish and Portuguese storage agencies shall only buy products obtained starting from the 1986/87 marketing year.'

(e) **Wine**

1. Council Regulation (EEC) No 337/79 of 5 February 1979 (OJ No L 54, 5. 3. 1979, p. 1), as last amended by Regulation (EEC) No 775/85 of 26 March 1985 (OJ No L 88, 28. 3. 1985, p. 1).

In the first indent of Article 1 (4) (b), 'partially fermented grape must, extracted from raisined grapes' is inserted after 'partially fermented grape must'.

The following is added to Article 48 (3):

'(c) partially fermented grape must, extracted from raisined grapes, also called "vino dulce natural", may be put on the market only for the fortification of liqueur wines and only in the wine-growing regions where this usage is traditional on 1 January 1985.'

The following is added as the last indent to Article 49 (1):

'— partially fermented grape must, extracted from raisined grapes.'

The following is added to Annex II:

- '3a. Partially fermented grape must, extracted from raisined grapes, also called "vino dulce natural", the product being obtained from the partial fermentation of grape must obtained from raisined grapes, the total sugar content of which before fermentation is at least 272 grams per litre and the natural alcoholic strength by volume of which may not be less than 8 % vol.'

Point 12 of Annex II is replaced by the following:

- '12. Liqueur wine, the product which:
  - is produced in the Community,
  - has a total alcoholic strength by volume of not less than 17,5 % vol and an actual alcoholic strength by volume of not less than 15 % vol and not more than 22 % vol,
  - and
  - is obtained from grape must or wine, these products being derived from determined vine varieties, selected from those referred to in Article 49 and having a natural alcoholic strength by volume of not less than 12 % vol:

by freezing,

or

by the addition, during or after fermentation:

- (i) of neutral alcohol of vinous origin, including alcohol obtained from the distillation of dried grapes, with an actual alcoholic strength by volume of not less than 95 % vol, or
- (ii) of an unrectified product derived from the distillation of wine and having an actual alcoholic strength by volume of not less than 52 % and not more than 80 % vol, or
- (iii) of concentrated grape must or, in the case of certain quality liqueur wines produced in specified regions and appearing on a list to be adopted of wines for which such practice is traditional, of grape must concentrated by direct heat which, apart from this operation, corresponds to the definition of concentrated grape must, or
- (iv) of a mixture of these products.

However, certain quality liqueur wines produced in specified regions and appearing on a list to be adopted may be obtained from fresh unfermented grape must which does not need to have a minimum natural alcoholic strength by volume of 12 % vol.

Furthermore, certain quality liqueur wines produced in specified regions and appearing on a list to be determined, obtained in accordance with the previous subparagraph, may yield a total alcoholic strength by volume of not less than 15 % vol, if so provided for by national legislation obtaining on 1 January 1985.

The following products shall also form part of liqueur wines:

- (a) White quality liqueur wines produced in specified regions, also called "vino generoso", obtained "sous voile"
  - having a total alcoholic strength by volume of not less than 15 % vol and an actual alcoholic strength by volume of not more than 22 % vol and a sugar content of less than 5 grams per litre,
  - obtained from white grape must extracted from the vine varieties chosen from amongst those referred to in Article 49, the natural alcoholic strength of which is not less than 10,5 % vol,
  - manufactured with the addition of wine alcohol having an actual alcoholic strength by volume of not less than 95 % vol,



(b) Quality liqueur wines produced in specified regions, also called "vino generoso de licor":

- having a total alcoholic strength by volume of not less than 17,5 % vol and an actual alcoholic strength by volume of not less than 15 % and not more than 22 % vol,
- obtained from "vino generoso" with the addition of partially fermented grape must, obtained from raisined grapes, also called "vino dulce natural", or from concentrated grape musts.

(c) Red quality liqueur wines produced in specified regions:

- having a total alcoholic strength by volume of not less than 17,5 % vol and an actual alcoholic strength by volume of not less than 15 % vol and not more than 22 % vol,
- obtained from grape must coming from the vine varieties chosen from amongst those referred to in Article 49, the natural alcoholic strength of which is not less than 11 % vol,
- manufactured with the addition, before or after fermentation, of:
  - (i) either neutral alcohol of vinous origin, with an actual alcoholic strength by volume of not less than 95 % vol,
  - (ii) or of an unrectified product derived from the distillation of wine and having an alcoholic strength by volume of not less than 70 %.

(f) **Sheepmeat and goatmeat**

Council Regulation (EEC) No 1837/80 of 27 June 1980 (OJ No L 183, 16. 7. 1980, p. 1), as last amended by Regulation (EEC) No 871/84 of 31 March 1984 (OJ No L 90, 1. 4. 1984, p. 35).

The following is added to Article 3 (5):

— region 7: Spain, Portugal.'

(g) **Cereals**

Council Regulation (EEC) No 2727/75 of 29 October 1975 (OJ No L 281, 1. 11. 1975, p. 1), as last amended by Regulation (EEC) No 1018/84 of 31 March 1984 (OJ No L 107, 19. 4. 1984, p. 1).

In the third subparagraph of Article 3 (3), 'in Spain' is inserted before 'in Greece' in each case.

(h) **Legislation concerning additives in feedingstuffs**

Council Directive No 70/524/EEC of 23 November 1970 (OJ No L 270, 14. 12. 1970, p. 1), as last amended by Directive No 84/587/EEC of 29 November 1984 (OJ No L 319, 8. 12. 1984, p. 13).

The following is added to Article 4 (2):

'With regard to Spain and Portugal:

- the date "3 January 1985" referred to above is replaced by "1 April 1986",
- the date "3 December 1985" referred to above is replaced by "1 December 1986".'

(i) **Network for the collection of accountancy data on agricultural holdings**

Council Regulation (EEC) No 79/65/EEC of 15 June 1965 (OJ No 109, 23. 6. 1965, p. 1859/65), as last amended by Regulation (EEC) No 2143/81 of 27 July 1981 (OJ No L 210, 30. 7. 1981, p. 1).

Article 4 (3) is replaced by the following:

'3. The maximum number of returning holdings shall be 75 000 for the Community.

On 1 March 1986, the number of returning holdings shall be:

- 12 000 for Spain; this number shall be gradually increased during the ensuing five years to reach finally 15 000,
- 1 800 for Portugal; this number shall be gradually increased during the ensuing five years to reach finally 3 000.'

## XV. FISHERIES

1. In the following Acts and Articles, 'forty-five' is replaced by 'fifty-four':

(a) Council Regulation (EEC) No 3796/81 of 29 December 1981 (OJ No L 379, 31. 12. 1981, p. 1), as amended by Council Regulation (EEC) No 3655/84 of 19 December 1984 (OJ No L 340, 28. 12. 1984, p. 1):

Article 33 (2).

(b) Council Regulation (EEC) No 170/83 of 25 January 1983 (OJ No L 24, 27. 1. 1983, p. 1), as corrected in OJ No L 73, 19. 3. 1983, p. 42: Article 14 (2).

(c) Council Regulation (EEC) No 2908/83 of 4 October 1983 (OJ No L 290, 22. 10. 1983, p. 1): Article 21 (2).

- (d) Council Regulation (EEC) No 2909/83 of 4 October 1983 (OJ No L 290, 22. 10. 1983, p. 9):  
Article 16 (2).
- (e) Council Directive 83/515/EEC of 4 October 1983 (OJ No L 290, 22. 10. 1983, p. 15):  
Article 13 (2).

2. Council Regulation (EEC) No 103/76 of 19 January 1976 (OJ No L 20, 28. 1. 1976, p. 29), as amended by:
- Commission Regulation (EEC) No 3049/79 of 21 December 1979 (OJ No L 343, 31. 12. 1979, p. 22),
  - Commission Regulation (EEC) No 273/81 of 30 January 1981 (OJ No L 30, 2. 2. 1981, p. 1),
  - Council Regulation (EEC) No 3166/82 of 22 November 1982 (OJ No L 332, 27. 11. 1982, p. 4),
  - Commission Regulation (EEC) No 3250/83 of 17 November 1983 (OJ No L 321, 18. 11. 1983, p. 20).

In Annex B, the wording under 'Hake' is replaced by the following <sup>(1)</sup>:

	'kg/fish
Size 1	2,5 and over
Size 2	From 1,2 up to but excluding 2,5
Size 3	From 0,6 up to but excluding 1,2
Size 4	(a) From 0,2 up to but excluding 0,6 (b) From 0,15 up to but excluding 0,6 for Mediterranean hake'

3. Council Regulation (EEC) No 104/76 of 19 January 1976 (OJ No L 20, 28. 1. 1976, p. 35), as amended by:
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Regulation (EEC) No 3575/83 of 14 December 1983 (OJ No L 356, 20. 12. 1983, p. 6).

The following is added to the second indent of Article 10 (1) (b):

'quisquilla'  
'camarão negro'.

4. Council Regulation (EEC) No 3796/81 of 29 December 1981 (OJ No L 379, 31. 12. 1981, p. 1), as amended by Council Regulation (EEC) No 3655/84 of 19 December 1984 (OJ No L 340, 28. 12. 1984, p. 1).
- (a) In Article 10 (1), 'A and D' is replaced by 'A, D and E'.

<sup>(1)</sup> EDITORIAL NOTE:  
Annex I, point XV, (Fisheries), 2: table as amended by the Corrigendum to Council Regulation (EEC) No 103/76 (OJ of the EC, No L 266 of 18 September 1986). This Regulation had been amended by the AA ESP/PORT.

- (b) Article 12 is replaced by the following:

*'Article 12*

1. For each of the products appearing:
- in Annex I (A) and (D), a Community withdrawal price,
  - in Annex I (E), a Community selling price,
- shall be fixed on the basis of the freshness, size or weight and the presentation of the product, hereinafter called "product category", by applying to an amount equal at least to 70 %, and not exceeding 90 %, of the guide price, the conversion factor of the category of the product concerned. These conversions shall reflect the price relationship between the category of products under consideration and that adopted for fixing the guide price. The Community withdrawal price and the Community selling price must, however, in no case exceed 90 % of the guide price.

2. In order to ensure producers in landing zones which are very far away from the principal consumption centres of the Community access to markets under satisfactory conditions, the prices referred to in paragraph 1 may be weighted, for these zones, by adjustment conversions.

3. The procedures for applying this Article and, in particular, the ascertainment of the percentage of the guide price serving as an element in the calculation of the Community withdrawal prices or the Community selling prices and the determination of the landing zones referred to in paragraph 2, as well as the prices, shall be adopted according to the procedure provided for in Article 33.'

- (c) The following is inserted:

*'Article 14a*

1. Member States shall grant a storage premium to producers' organizations who do not sell, during the whole of the fishing year, the products appearing in E of Annex I, below the Community selling price laid down in accordance with Article 12, with a tolerance margin of 10 % either above or below this price being admitted, however, to take account in particular of the seasonal fluctuations of the market prices.

2. Only the following may be considered to be quantities which may be the subject of a storage premium, i.e. those which:

- were brought on to the market by a member producer,
- meet certain requirements as regards quality and presentation,
- have been the subject of a sale, in the course of which it was established that no purchaser was available for the Community selling price,

— are either processed with a view to their freezing and stored or preserved in conditions to be determined.

3. Products which have been neither sold under the conditions referred to in the third indent of paragraph 2, nor are intended for the operations referred in the fourth indent of paragraph 2, shall be disposed of in such a way as not to impede the normal disposal of the product concerned.

4. For each of the products concerned, the storage premium shall be granted only for quantities which do not exceed 20 % of the annual quantity, offered for sale in accordance with Article 5 (1).

The amount of this premium may not exceed the amount of technical and financial costs relating to operations indispensable for stabilization and storage.

5. The procedures for applying this Article shall be adopted in accordance with the procedure provided for in Article 33.'

(d) In the first subparagraph of Article 21 (1), '14a' is added after '14'.

(e) At the end of the first subparagraph of Article 21 (2), the following is added:

'For the products appearing in E of Annex I, the reference price shall be equal to the Community selling price fixed in accordance with Article 12 (1).'

(f) In the first subparagraph of Article 21 (3), 'A and D' is replaced by 'A, D and E'.

(g) In Article 21 (4) (b), 'Annex I (C) and (D)' is replaced by 'Annex I (C), (D) and (E)'.

(h) In Article 26 (2), '14a' is added after '14'.

(i) In A of Annex I, under the heading 'Description', 'Scomber scombrus' is replaced by 'Scomber scombrus and Scomber japonicus'.

(j) The following is added to Annex I (A):

'14. 03.01 B I u) 1 Megrin (Lepidorhombus spp.)

15. 03.01 B I v) 1 Ray's bream (Brama spp.)

16. 03.01 B I w) 1 Monkfish (Lophius spp).'

(k) The following is added to Annex I:

'E. **Fresh or chilled products, or products simply boiled in water**

1. ex 03.03 A III b) Edible crabs (Cancer pagurus)

2. ex 03.03 A V a) 2 Norway lobsters (Nephrops norvegicus).'

(l) In Annex II (B), lines 1 and 2 are deleted. Lines 3 to 7 become 1 to 5.

(m) Annex IV (B) is replaced by the following (1):

CCT heading No	Description
<b>B. Frozen or salted products of the following fish and frozen products of the following crustaceans:</b>	
— ex 03.01 B I (whole, headless or in pieces)	Redfish (Sebastes spp.), Cod (Gadus morhua),
— ex 03.01 B II b) (fillets)	Saithe (Pollachius virens),
— ex 03.02 A I and II	Haddock (Melanogrammus aeglefinus),
— ex 16.04 C I	Whiting (Merlangus merlangus),
— ex 16.04 F and ex 16.04 G I (fillets, raw, coated with batter or bread-crumbs)	Ling (Molva spp.), Mackerel (Scomber scombrus and Scomber japonicus), Plaice (Pleuronectus platessa),
	Hake (Merluccius merluccius),
	Dogfish (Squalus acanthias and Scyliorhinus spp.),
	Herring,
	Megrin (Lepidorhombus spp.),
	Ray's bream (Brama spp.),
	Monkfish (Lophius spp.),
— ex 03.03 A III b)	Edible crabs (Cancer pagurus),
— ex 03.03 A) V a) 1	Norway lobsters (Nephrops norvegicus)

(1) Annex I, point XV, (Fisheries), 4, (m): table as amended by the Corrigendum to the AA ESP/PORT (OJ of the EC, No L 261 of 13 September 1986).

(n) Annex V is replaced by the following:

'ANNEX V

CCT heading No	Description
<b>Frozen or salted products of the following fish and crustaceans:</b>	
— ex 03.01 B I (whole, headless or in pieces)	Cod (excluding the species <i>Gadus morhua</i> ), mackerel (excluding the species <i>Scomber japonicus</i> ), hake ( <i>Merluccius</i> spp. except <i>Merluccius merluccius</i> ), Alaska pollack ( <i>Theragra chalcogramma</i> ), pollack ( <i>Pollachius pollachius</i> ), Plounder ( <i>Platichthys flesus</i> ) and shrimps and prawns (excluding shrimps of the species <i>Crangon crangon</i> )
— ex 03.01 B II b) (fillets)	
— ex 03.02 A I and II	
— ex 16.04 F and ex 16.04 G I (fillets, raw, merely covered with batter or breadcrumbs)	
— ex 03.03 A IV	
— ex 16.05 B (shelled and simply boiled in water)	Shrimps and prawns (excluding shrimps of the species <i>Crangon crangon</i> )

(o) The wording of the Common Customs Tariff in subheading 03.01 B I of Annex VI is replaced, after position (t), by the following:

'CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
03.01 (cont'd)	B. 1. u) Megrim ( <i>Lepidorhombus</i> spp.):		
	1. Fresh or chilled	15	15
	2. Frozen	15	15
	v) Ray's bream ( <i>Brama</i> spp.):		
	1. Fresh or chilled	15	15
	2. Frozen	15	15
	w) Monkfish ( <i>Lophius</i> spp.):		
	1. Fresh or chilled	15	15
	2. Frozen	15	15
	x) Blue whiting ( <i>Micromesistius poutassou</i> or <i>Gadus poutassou</i> )	15	15
y) Other	15	15'	

(p) The wording of the Common Customs Tariff appearing in subheading 03.01 B II b) of Annex VI is replaced, after number 13, by the following:

'CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
03.01 (cont'd)	B. II. b) 14. Of megrim ( <i>Lepidorhombus</i> spp.)	18	15
	15. Of Ray's bream ( <i>Brama</i> spp.)	18	15
	16. Of monkfish ( <i>Lophius</i> spp.)	18	15
	17. Other	18	15'

- (q) The wording of the Common Customs Tariff in subheading 03.03 A III of Annex VI is replaced by the following:

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
03.03 (cont'd)	A. III. Crabs and freshwater crayfish: (a) Crabs of the species <i>Paralithodes camchaticus</i> , <i>Chionoectes</i> spp. and <i>Callinectes sapidus</i> (b) Edible crabs ( <i>Cancer pagurus</i> ) (c) Other	18 18 18	8,9 15 15'

5. Council Regulation (EEC) No 2203/82 of 28 July 1982 (OJ No L 235, 10. 8. 1982, p. 4).  
The Annex is replaced by the following:

'ANNEX

CCT heading No	Description	Freshness (1)	Presentation (1)
I.			
1. ex 03.01 B I f) 1	Redfish ( <i>Sebastes</i> spp.)	E, A	Whole
2. ex 03.01 B I h) 1	Cod ( <i>Gadus morhua</i> )	E, A	Gutted and with head
3. ex 03.01 B I ij) 1	Saithe ( <i>Pollachius virens</i> )	E, A	Gutted and with head
4. ex 03.01 B I k) 1	Haddock ( <i>Melanogrammus aeglefinus</i> )	E, A	Gutted and with head
5. ex 03.01 B I l) 1	Whiting ( <i>Merlangus merlangus</i> )	E, A	Gutted and with head
6. ex 03.01 B I u) 1	Megrim ( <i>Lepidorhombus</i> spp.)	E, A	Gutted and with head
7. ex 03.01 B I v) 1	Ray's bream ( <i>Brama</i> spp.)	E, A	Gutted and with head
8. ex 03.01 B I w) 1	Monkfish ( <i>Lophius</i> , spp.)	E, A	Gutted and with head
9. ex 03.01 A IV b) 1	Shrimps ( <i>Crangon crangon</i> )	A	Simply boiled in water
II. As from 1 January 1987:			
1. ex 03.01 B I d) 1	Sardines ( <i>Sardina pilchardus</i> )	E, A	Whole
2. ex 03.01 B I p) 1	Anchovies ( <i>Engraulis</i> spp.)	E, A	Whole

(1) The freshness and presentation categories are those defined pursuant to Article 2 of the basic Regulation.'

6. Commission Regulation (EEC) No 3138/82 of 19 November 1982 (OJ No L 335, 29. 11. 1982, p. 9), as amended by Commission Regulation (EEC) No 3646/84 of 21 December 1984 (OJ No L 335, 22. 12. 1984, p. 57), as corrected in OJ No L 15, 18. 1. 1985, p. 55).

The following is added to the second subparagraph of Article 6 (3):

- Transformación que se beneficie de una prima por venta diferida especial: (precisar el tipo de transformación)  
Reglamento (CEE) n° 3796/81, artículo 14;
- Transformação que beneficia de um prémio de reporte especial (especificar o tipo de transformação)  
Reglamento (CEE) n° 3796/81, artículo 14.

7. Commission Regulation (EEC) No 3321/82 of 9 December 1982 (OJ No L 351, 11. 12. 1982, p. 20).

The following is added to the second paragraph of Article 7:

- Transformación que se beneficie de una prima por venta diferida (precisar el tipo de transformación y el periodo de almacenamiento)  
Reglamento (CEE) n° 3796/81, artículo 14;
- Transformação que beneficia de um prémio de reporte (especificar o tipo de transformação e o periodo de armazenamento)  
Reglamento (CEE) n° 3796/81, artigo 14.

8. Council Regulation (EEC) No 170/83 of 25 January 1983 (OJ No L 24, 27. 1. 1983, p. 1).

- (a) The table 'Coastal waters of France and the overseas departments' which appears in Annex I is supplemented as follows:

<b>'Atlantic coast (six to 12 miles)</b>			
Spanish/French frontier up to 46°08'N	Spain	Anchovies	— Directed fishing, unlimited from 1 March to 30 June only
		Sardines	— Fishing for live bait from 1 July to 31 October only
			— Unlimited from 1 January to 28 Febru- ary and from 1 July to 31 December only. In addition, fishing for the above listed species shall be conducted ac- cordingly and within the limits for fishing activities carried out in 1984
<b>Mediterranean coast (six to 12 miles)</b>			
Spanish/Cap Leucate frontier	Spain	All species	Unlimited'

- (b) The following is added to Annex I:

'COASTAL WATERS OF SPAIN

Geographical area	Member State	Species	Importance or particular characteristics
<b>Atlantic coast (six to 12 miles)</b>			
French/Spanish frontier up to Cap Mayor lighthouse (3°47'W)	France	Pelagic	Unlimited accordingly and within the limits for fishing activities carried out in 1984
<b>Mediterranean coast (six to 12 miles)</b>			
French/Cap Creus frontier	France	All species	Unlimited'

9. Council Regulation (EEC) No 171/83 of 25 January 1983 (OJ No L 24, 27. 1. 1983, p. 14), as amended by:

- Council Regulation (EEC) No 2931/83 of 4 October 1983 (OJ No L 288, 21. 10. 1983, p. 1),

- Council Regulation (EEC) No 1637/84 of 7 June 1984 (OJ No L 156, 13. 6. 1984, p. 1),

- Council Regulation (EEC) No 2178/84 of 23 July 1984 (OJ No L 199, 28. 7. 1984, p. 1),

- Council Regulation (EEC) No 2664/84 of 18 September 1984 (OJ No L 253, 21. 9. 1984, p. 1),
- Council Regulation (EEC) No 3625/84 of 18 December 1984 (OJ No L 335, 22. 12. 1984, p. 3).

(a) In Article 1 (1):

- the text under region 3 is replaced by the following:  
'All waters situated within those parts of the north-east Atlantic south of latitude 48° N, except the Mediterranean Sea, its dependent seas and regions 4 and 5.'
- the following is added:  
*Region 4*  
All waters situated within part of the Northern Central Atlantic (ICES sub-area X).  
*Region 5*  
All waters situated within that part of the Eastern Central Atlantic comprising divisions 34.1.1, 34.1.2, 34.1.3 and sub-region 34.2.0 of fishing zone 34 of the Food and Agriculture Organization of the United Nations (FAO) — CECAF region.'
- the texts under regions 4, 5 and 6 become the texts under regions 6, 7 and 8 respectively.

(b) Article 1 (2) is replaced by the following:

'2. These regions may be divided according to sub-areas or divisions of the International Council for the Exploration of the Sea (ICES) or sub-areas, divisions or sub-divisions of the Northwest Atlantic Fisheries Organization

(NAFO), subregions or divisions of the Food and Agriculture Organization of the United Nations (FAO) or parts thereof or according to other geographical criteria.'

10. Commission Regulation (EEC) No 2807/83 of 22 September 1983 (OJ No L 276, 10. 10. 1983, p. 1).

(a) After the entry 'NAFO' in:

- Article 1 (1) (first entry),
  - Article 3 (second indent),
  - Annex I,
  - Annex III:
- the term '/ CECAF' is added.

(b) In Annex IV:

- at point 2.4.1, the entry 'E = Spain' is deleted,
- at point 3, after each entry of 'NAFO', '/ CECAF' is added.

(c) Annex VII is supplemented as follows:

Scientific name	Name	Code
Pollachius pollachius	Pollack	POL
Nephrops norvegicus	Norway lobster	NEP'

(d) In the second indent of paragraph 1 of Annex VIII, after the entry 'NAFO', 'or the CECAF zone' is added.

11. Commission Decision No 79/572/EEC of 8 June 1979 (OJ No L 156, 23. 6. 1979, p. 29).

Article 3 is replaced by the following:

'The Committee shall be composed of not more than 28 members.'

## XVI. EURATOM

1. Statutes of the Euratom Supply Agency (Council Decision of 6 November 1958) (OJ No 27, 6. 12. 1958, p. 534/58), as amended by:

- Council Decision 73/45/Euratom of 8 March 1973 (OJ No L 83, 30. 3. 1973, p. 20),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

Article V (1) and (2) is replaced by the following:

- '1. The capital of the Agency shall be 4 000 000 EMA units of account.

2. The capital shall be divided according to the following scales:

'Belgium	4,8 %
Denmark	2,4 %
Germany	16,8 %
Greece	4,8 %
Spain	10,4 %
France	16,8 %
Ireland	0,8 %
Italy	16,8 %
Netherlands	4,8 %
Portugal	4,8 %
United Kingdom	16,8 %

Article X (1) and (2) is replaced by the following:

1. An advisory Committee for the Agency shall be set up comprising 44 members.
2. Seats shall be allotted to nationals of Member States as follows:

'Belgium	3 members
Denmark	2 members
Germany	6 members
Greece	3 members
Spain	5 members
France	6 members
Ireland	1 member
Italy	6 members
Netherlands	3 members
Portugal	3 members
United Kingdom	6 members'

2. Commission Decision 71/57/Euratom of 13 January 1971 (OJ No L 16, 20. 1. 1971, p. 14), amended by:
  - Commission Decision 74/578/Euratom of 13 November 1974 (OJ No L 316, 26. 11. 1974, p. 12),
  - Commission Decision 75/241/Euratom of 25 March 1975 (OJ No L 98, 19. 4. 1975, p. 40),
  - Commission Decision 82/755/Euratom of 2 June 1982 (OJ No L 319, 16. 11. 1982, p. 10),
  - Commission Decision 84/339/Euratom of 24 May 1984 (OJ No L 177, 4. 7. 1984, p. 29).In the first paragraph of Article 4, '11' and '10' are replaced by '13' and '12' respectively.  
In the first paragraph of Article 4a, '11' is replaced by '13'.

## XVII. MISCELLANEOUS

### EEC Acts

- Council Regulation No 1 of 15 April 1958 (OJ No 17, 6. 10. 1958, p. 385/58), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

Article 1 is replaced by the following:

*'Article 1*

The official languages and the working languages of the institutions of the Community shall be Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish.'

Article 4 is replaced by the following:

*'Article 4*

Regulations and other documents of general application shall be drafted in the nine official languages.'

Article 5 is replaced by the following:

*'Article 5*

The *Official Journal of the European Communities* shall be published in the nine official languages.'

### Euratom Acts

- Council Regulation No 1 of 15 April 1958 (OJ No 17, 6. 10. 1958, p. 401/58).

Article 1 is replaced by the following:

*'Article 1*

The official languages and the working languages of the institutions of the Community shall be Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish.'

Article 4 is replaced by the following:

*'Article 4*

Regulations and other documents of general application shall be drafted in the nine official languages.'

Article 5 is replaced by the following:

*'Article 5*

The *Official Journal of the European Communities* shall be published in the nine official languages.'



## ANNEX II

### List provided for in Article 27 of the Act of Accession

#### I. CUSTOMS LEGISLATION

Commission Regulation (EEC) No 137/79 of 19 December 1978 (OJ No L 20, 27. 1. 1979, p. 1).

In order to take account of the exclusion of the Canary Islands and Ceuta and Melilla from the customs territory of the Community and of the arrangements laid down in Protocol No 2, the provisions of this Regulation should be supplemented by special administrative procedures, making provision for example for special

quays, designed to implement with regard to the operations carried out by Community fishing vessels and in particular landings by those vessels in Canary Island ports, the transshipment of goods, including that from other Community fishing vessels, with a view to those goods being transferred to the Community.

Provision shall also be made for mutual assistance of the customs administrations of the Member States with which the Commission may be associated.

#### II. TRANSPORT

1. Council Regulation (EEC) No 3164/76 of 16 December 1976 (OJ No L 357, 29. 12. 1976, p. 1), as amended by:

— Council Regulation (EEC) No 3024/77 of 21 December 1977 (OJ No L 358, 31. 12. 1977, p. 4),

— Council Regulation (EEC) No 3062/78 of 19 December 1978 (OJ No L 366, 28. 12. 1978, p. 5),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Regulation (EEC) No 2963/79 of 20 December 1979 (OJ No L 336, 29. 12. 1979, p. 11),

— Council Regulation (EEC) No 2964/79 of 20 December 1979 (OJ No L 336, 29. 12. 1979, p. 12),

— Council Regulation (EEC) No 305/81 of 20 January 1981 (OJ No L 34, 6. 2. 1981, p. 1),

— Council Regulation (EEC) No 663/82 of 22 March 1982 (OJ No L 78, 24. 2. 1982, p. 2),

— Council Regulation (EEC) No 3515/82 of 21 December 1982 (OJ No L 369, 29. 12. 1982, p. 2),

— Council Regulation (EEC) No 3621/84 of 19 December 1984 (OJ No L 333, 21. 12. 1984, p. 61).

Article 3 (1) and (2) must be amended with a view to adding a number of Community authorizations for the new Member States and to correcting in consequence the total number of authorizations.

The entries appearing in the Annexes must be supplemented by the addition of the corresponding signs and indications relating to the new Member States.

2. Council Directive 74/561/EEC of 12 November 1974 (OJ No L 308, 19. 11. 1974, p. 18), as amended by Council Directive 80/1178/EEC of 4 December 1980 (OJ No L 350, 23. 12. 1980, p. 41).

In Article 5 (1) and (2), the dates before which natural persons and undertakings already engaged in the occupation of road haulage operator are exempted from certain requirements must be postponed in the new Member States, in order to comply with acquired rights under comparable conditions.

3. Council Directive 74/562/EEC of 12 November 1974 (OJ No L 308, 19. 11. 1974, p. 23), as amended by Council Directive 80/1179/EEC of 4 December 1980 (OJ No L 350, 23. 12. 1980, p. 42).

In Article 4 (1) and (2), the dates before which natural persons and undertakings already engaged in the occupation of road passenger transport operator are exempted from certain requirements must be postponed in the new Member States, in order to comply with acquired rights under comparable conditions.

4. Third Council Directive 84/634/EEC of 12 December 1984 (OJ No L 331, 19. 12. 1984, p. 33).

Article 4 and, if appropriate, Article 3 must be adapted so as to indicate the conditions of application of this Directive to Portugal.

5. Council Directive 83/416/EEC of 25 July 1983 (OJ No L 237, 26. 8. 1983, p. 19).

That Directive must be adjusted so as to add to it the classification of Portuguese airports open to scheduled international traffic, and on the basis of any temporary exemption for airports in the Azores.

### III. ECONOMIC POLICY

Agreement of 9 February 1970 setting up between the Central Banks of the Member States of the Community a system of short-term monetary support and Decision No 15/80 of the Board of Governors of the European Monetary Cooperation Fund of 9 December 1980.

By means of appropriate decisions to be adopted, notwithstanding Article 396 of the Act of Accession, by the Governors of the Central Banks of the Member States and by the Board of Governors of the European

Monetary Cooperation Fund respectively, the amounts of debtor quotas and creditor quotas shall be supplemented by the following entries:

- Debtor quotas:  
Banco de España: 725 million ECU,  
Banco de Portugal: 145 million ECU.
- Creditor quotas:  
Banco de España: 1 450 million ECU,  
Banco de Portugal: 290 million ECU.

### IV. COMMERCIAL POLICY

1. Council Regulation (EEC) No 2603/69 of 20 December 1969 (OJ No L 324, 27. 12. 1969, p. 25), as amended by Council Regulation (EEC) No 1934/82 of 12 July 1982 (OJ No L 211, 20. 7. 1982, p. 1), as corrected in OJ No L 285, 8. 10. 1982, p. 30.

The Annex must be adapted, if necessary, to indicate the restrictions applied by the new Member States.

2. Council Regulation (EEC) No 288/82 of 5 February 1982 (OJ No L 35, 9. 2. 1982, p. 1), as amended by:

- Commission Regulation (EEC) No 2303/82 of 18 August 1982 (OJ No L 246, 21. 8. 1982, p. 7),

- Commission Regulation (EEC) No 2417/82 of 3 September 1982 (OJ No L 258, 4. 9. 1982, p. 8) as corrected in OJ No L 354, 16. 12. 1982, p. 36,

- Council Regulation (EEC) No 899/83 of 28 March 1983 (OJ No L 103, 21. 4. 1983, p. 1),

as corrected in OJ No L 58, 2. 3. 1982, p. 31, OJ No L 189, 1. 7. 1982, p. 80, OJ No L 260, 8. 9. 1982, p. 16 and OJ No L 351, 11. 12. 1982, p. 35.

The Annexes must be completed with a view to indicating the corresponding entries for the new Member States respectively in the list of products subject to national quantitative restriction, the list of products subject to surveillance. In addition, the entries relating to Spain and Portugal must be deleted from the list of third countries appearing in the geographical zones to which the quantitative restrictions apply.

3. Council Regulation (EEC) No 1765/82 of 30 June 1982 (OJ No L 195, 5. 7. 1982, p. 1), as corrected in OJ No L 251, 27. 8. 1982, p. 34.

In the Annex and the attached note, the corresponding entries in Spanish and Portuguese must be added to the titles, lists of third countries, footnotes and wording of the products indicated.

4. Council Regulation (EEC) No 1766/82 of 30 June 1982 (OJ No L 195, 5. 7. 1982, p. 21), as amended by:

- Commission Regulation (EEC) No 35/83 of 6 January 1983 (OJ No L 5, 7. 1. 1983, p. 12),

- Council Regulation (EEC) No 101/84 of 16 January 1984 (as corrected in OJ No L 251, 27. 8. 1982, p. 34) (OJ No L 14, 17. 1. 1984, p. 7),

In the Annex and the attached note, the corresponding entries in Spanish and Portuguese must be added to the titles and footnotes and to the wording of the products indicated.

5. Council Regulation (EEC) No 3587/82 of 23 December 1982 (OJ No L 374, 31. 12. 1982, p. 1), as amended by Council Regulation (EEC) No 853/83 of 28 March 1983 (OJ No L 98, 16. 4. 1983, p. 1).

Article 3 (2) and the tables appearing in Annex II must be adapted to indicate respectively the new percentages and the new quantitative limits fixed for each Member State, which take account of the accession of the new Member States, and to indicate, if necessary, the regional limits for the new Member States.

6. Council Regulation (EEC) No 3588/82 of 23 December 1982 (OJ No L 374, 31. 12. 1982, p. 47), as amended by:
  - Council Regulation (EEC) No 194/84 of 4 January 1984 (OJ No L 26, 30. 1. 1984, p. 1),
  - Council Regulation (EEC) No 1475/84 of 24 May 1984 (OJ No L 143, 30. 5. 1984, p. 6).

Article 10 (3) and the tables appearing in Annex II must be adapted to indicate respectively the new percentages and the new quantitative limits fixed for each Member State, which take into account the accession of the new Member States. In addition, in Appendix B to Annex VII, a further column must be added for each of the new Member States, and Annex II must, if necessary, be adapted to indicate the regional limits for the new Member States.

7. Council Regulation (EEC) No 3589/82 of 23 December 1982 (OJ No L 374, 31. 12. 1982, p. 106), as amended by Council Regulation (EEC) No 3762/83 of 19 December 1983 (OJ No L 380, 31. 12. 1982, p. 1).

Article 11 (3) and the tables appearing in Annex III and the Appendix thereto must be adapted to indicate respectively the new percentages and the new

quantitative limits fixed for each Member State with regard to the third countries referred to, which take account of the accession of the new Member States. In addition, Annex III must, if necessary, be adapted to indicate the regional limits for the new Member States.

8. Council Regulation (EEC) No 3420/83 of 14 November 1983 (OJ No L 346, 8. 12. 1983, p. 6). Annexes I and III must be supplemented by the addition of the corresponding entries in Spanish and Portuguese in the titles, the entries and the list of countries referred to and by the indication of products originating in State-trading countries, for which the putting into free circulation will be subject to quantitative restrictions in the new Member States.
9. Council Regulation (EEC) No 3761/83 of 22 December 1983 (OJ No L 379, 31. 12. 1983, p. 1). Annex 7 must be supplemented by an indication of the annual coffee import limits for the new Member States.
10. Council Regulation (EEC) No 2072/84 of 29 June 1984 (OJ No L 198, 27. 7. 1984, p. 1). Article 12 (3) and the tables appearing in Annex III and the Appendix thereto must be adapted so as to indicate the respective new percentages and quantitative limits for each Member State taking into account the accession of the new Member States.

## V. SOCIAL POLICY

1. Council Decision 70/532/EEC of 14 December 1970 (OJ No L 273, 17. 12. 1970, p. 25), as amended by Council Decision 75/62/EEC of 20 January 1975 (OJ No L 21, 28. 1. 1975, p. 17).

The Annex must be amended, in so far as necessary, in order to ensure adequate participation within this Committee of representatives of Spanish and Portuguese employers' and workers' organizations.

2. Council Regulation (EEC) No 1408/71 of 14 June 1971, as amended and updated by Council Regulation (EEC) No 2001/83 of 2 June 1983 (OJ No L 230, 22. 8. 1983, p. 6).

The Annexes must be amended in so far as required by amendments to legislation of the new

Member States and/or the conclusion of an Agreement between the competent authorities of the present Member States and the new Member States or between the latter States, on the retention of certain provisions of bilateral Conventions.

3. Council Regulation (EEC) No 574/72 of 21 March 1972, as amended and updated by Council Regulation (EEC) No 2001/83 of 2 June 1983 (OJ No L 230, 22. 8. 1983, p. 6).

The Annexes must be amended in so far as required by amendments to legislation of the new Member States and/or the conclusion of an Agreement between the competent authorities of the present Member States and the new Member States or between the latter States on the retention of certain provisions of bilateral Conventions.

4. Council Directive 80/987/EEC of 20 October 1980 (OJ No L 288, 28. 10. 1980, p. 23).

The Annex must, where appropriate, be supplemented by the indication of those categories of employees in the new Member States whose claims could be excluded from the scope of the said Directive, in accordance with Article 1 (2) thereof.

5. Council Regulation (EEC) No 2950/83 of 17 October 1983 (OJ No L 289, 22. 10. 1983, p. 1).

Article 3 (1) must be adapted so as to add the areas in Spain which will be eligible for the increased rate of assistance.

## VI. APPROXIMATION OF LEGISLATION

1. Council Directive 67/548/EEC of 27 June 1967 (OJ No 196, 16. 8. 1967, p. 1), as amended by:

— Council Directive 69/81/EEC of 13 March 1969 (OJ No L 68, 19. 3. 1969, p. 1),

— Council Directive 70/189/EEC of 6 March 1970 (OJ No L 59, 14. 3. 1970, p. 33),

— Council Directive 71/144/EEC of 22 March 1971 (OJ No L 74, 29. 3. 1971, p. 15),

— Council Directive 73/146/EEC of 21 May 1973 (OJ No L 167, 25. 6. 1973, p. 1),

— Council Directive 75/409/EEC of 24 June 1975 (OJ No L 183, 14. 7. 1975, p. 22),

— Commission Directive 76/907/EEC of 14 July 1976 (OJ No L 360, 30. 12. 1976, p. 1), as corrected in OJ No L 28, 2. 2. 1979, p. 32,

— Commission Directive 79/370/EEC of 30 January 1979 (OJ No L 88, 7. 4. 1979, p. 1),

— Council Directive 79/831/EEC of 18 September 1979 (OJ No L 259, 15. 10. 1979, p. 10),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 80/1189/EEC of 4 December 1980 (OJ No L 366, 31. 12. 1980, p. 1),

— Commission Directive 81/957/EEC of 23 October 1981 (OJ No L 351, 7. 12. 1981, p. 5),

— Commission Directive 82/232/EEC of 25 March 1982 (OJ No L 106, 21. 4. 1982, p. 18),

— Commission Directive 83/467/EEC of 29 July 1983 (OJ No L 257, 16. 9. 1983, p. 1),

— Commission Directive 84/449/EEC of 25 April 1984 (OJ No L 251, 19. 9. 1984, p. 1).

The Annexes must be supplemented by the addition of the terms in Spanish and Portuguese of the substances and other expressions which are indicated therein in all the current Community languages.

2. Council Directive 71/316/EEC of 26 July 1971 (OJ No L 202, 6. 9. 1971, p. 1), as amended by:

— the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),

— Council Directive 72/427/EEC of 19 December 1972 (OJ No L 291, 28. 12. 1972, p. 156),

— the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

— Council Directive 83/575/EEC of 26 October 1983 (OJ No L 332, 28. 11. 1983, p. 43).

The drawings to which point 3.2.1 of Annex II refers, must be supplemented by the indication of the necessary characters for the new distinguishing abbreviations.

3. Council Directive 80/767/EEC of 22 July 1980 (OJ No L 215, 18. 8. 1980, p. 1).

Annex I, comprising the list of entities to be considered as contracting authorities in each of the Member States, must be supplemented by the indication of the list of the said entities in the new Member States, which will be defined on the basis of the results of negotiations to be carried out within GATT on this matter.

## VII. ENERGY

1. Commission Decision No 73/287/ECSC of 25 July 1973 (OJ No L 259, 15. 9. 1973, p. 36), as amended by:

— Commission Decision No 2963/76/ECSC of 1 December 1976 (OJ No L 338, 7. 12. 1976, p. 19, and L 346, 26. 12. 1976, p. 26),

— Commission Decision No 751/77/ECSC of 12 April 1977 (OJ No L 91, 13. 4. 1977, p. 7),

— Commission Decision No 1613/77/ECSC of 15 July 1977 (OJ No L 180, 20. 7. 1977, p. 8),

- Commission Decision No 3058/79/ECSC of 19 December 1979 (OJ No L 344, 31. 12. 1979, p. 1),
  - Commission Decision No 896/82/ECSC of 20 April 1982 (OJ No L 106, 21. 4. 1982, p. 5),
  - Commission Decision No 759/84/ECSC of 23 March 1984 (OJ No L 80, 24. 3. 1984, p. 14).
- Article 7 relating to the special fund for Community financing sales aids must, if necessary, be

adapted to take into account participation of the new Member States.

2. Commission Decision No 2514/76/ECSC of 30 September 1976 (OJ No L 292, 23. 10. 1976, p. 1).

The Annexes must be supplemented by the introduction of further comparable forms for notifications to be made by the new Member States.

## VIII. STATISTICS

1. Council Regulation (EEC) No 1736/75 of 24 June 1975 (OJ No L 183, 14. 7. 1975, p. 3), as amended by:
  - Council Regulation (EEC) No 2845/77 of 19 December 1977 (OJ No L 329, 22. 12. 1977, p. 3),
  - Commission Regulation (EEC) No 3396/84 of 3 December 1984 (OJ No L 314, 4. 12. 1984, p. 10).

In Article 3, the indication of the statistical territory should, where necessary, be supplemented on the

basis of amendments made to the Regulations defining the customs territory of the Community consequent upon the accession of the new Member States.

2. Commission Regulation (EEC) No 3581/81 of 14 December 1981 (OJ No L 359, 15. 12. 1981, p. 12).

In Article 2, the indication of the respective equivalent value in pesetas and escudos of the statistical threshold of 400 ECU should be added for Spain and Portugal.

## IX. FISHERIES

1. Council Regulation (EEC) No 103/76 of 19 January 1976 (OJ No L 20, 28. 1. 1976, p. 29), as amended by:
  - Commission Regulation (EEC) No 3049/79 of 21 December 1979 (OJ No L 343, 31. 12. 1979, p. 22),
  - Commission Regulation (EEC) No 273/81 of 30 January 1981 (OJ No L 30, 2. 2. 1981, p. 1),
  - Council Regulation (EEC) No 3166/82 of 22 November 1982 (OJ No L 332, 27. 11. 1982, p. 4),
  - Commission Regulation (EEC) No 3250/83 of 17 November 1983 (OJ No L 321, 18. 11. 1983, p. 20).

It is necessary to supplement Article 3 and to define, in Annex B, common marketing standards for monkfish, megrim, Ray's bream and Spanish mackerel.

2. Council Regulation (EEC) No 104/76 of 19 January 1976 (OJ No L 20, 28. 1. 1976, p. 35), as amended by Regulation (EEC) No 3575/83 of 14 December 1983 (OJ No L 356, 20. 12. 1983, p. 6).

It is necessary to define, in Articles 5 and 7, the freshness category and the size category for edible crabs and Norway lobsters.

3. Commission Regulation (EEC) No 3191/82 of 29 November 1982 (OJ No L 338, 30. 11. 1982, p. 13).

Annex I, indicating representative markets and ports of importation, must be supplemented by an indication of the markets and ports in the new Member States and by an indication for all Member States of other markets and ports with respect to the introduction of new species subject to the reference price system.

4. Council Regulation (EEC) No 171/83 of 25 January 1983 (OJ No L 24, 27. 1. 1983, p. 14), as amended by:

- Council Regulation (EEC) No 2931/83 of 4 October 1983 (OJ No L 288, 21. 10. 1983, p. 1),
- Council Regulation (EEC) No 1637/84 of 7 June 1984 (OJ No L 156, 13. 6. 1984, p. 1),
- Council Regulation (EEC) No 2178/84 of 23 July 1984 (OJ No L 199, 28. 7. 1984, p. 1),

— Council Regulation (EEC) No 2664/84 of 18 September 1984 (OJ No L 253, 21. 9. 1984, p. 1),

— Council Regulation (EEC) No 3625/84 of 18 December 1984 (OJ No L 335, 22. 12. 1984, p. 3).

This Regulation must be supplemented so as to take account of particularities pertaining to fisheries in the zones covered by the common fishing policy and falling under the sovereignty or within the jurisdiction of Spain and Portugal.

5. Commission Regulation (EEC) No 3598/83 of 20 December 1983 (OJ No L 357, 21. 12. 1983, p. 17).

The Annex, containing the indication of representative wholesale markets and ports, must be supplemented by an indication of markets and ports in the new Member States and by an indication for all Member States of the markets and ports for the new species.

## X. MISCELLANEOUS

1. Council Regulation (ECSC, EEC, Euratom) No 1826/69 of 15 September 1969 (OJ No L 235, 18. 9. 1969, p. 1), as amended by:

- Council Regulation (ECSC, EEC, Euratom) No 950/73 of 2 April 1973 (OJ No L 98, 12. 4. 1973, p. 1),
- Council Regulation (EEC, Euratom, ECSC) No 3288/80 of 4 December 1980 (OJ No L 350, 23. 12. 1980, p. 17).

The Annex must be amended so as to add under each of its headings the corresponding text in Spanish and Portuguese.

2. Council Decision of 19 December 1984 (OJ No C 33, 5. 2. 1985, p. 1).

The Annex shall be supplemented by adding an indication of the representative organizations of producers and workers designated in the new Member States to draw up lists of candidates on the basis of which members of the Consultative Committee of the European Coal and Steel Community are to be appointed.

*ANNEX III*

**List provided for in the first indent of Article 43 (1) of the Act of Accession**

**BASIC QUOTAS FOR PRODUCTS SUBJECT TO QUANTITATIVE RESTRICTIONS ON IMPORTS INTO SPAIN UNTIL 31 DECEMBER 1988**

Quota No	CCT heading No	Description	Basic quota
1	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>III. Receivers, whether or not incorporating sound recorders or reproducers:</p> <p>b) Other:</p> <p>ex 2. Other:</p> <ul style="list-style-type: none"> <li>— Colour television receivers, the diagonal measurement of the screen of which is:</li> <li>— From more than 42 cm up to and including 52 cm</li> <li>— More than 52 cm</li> </ul>	19 233 units
2	87.01	<p>Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys:</p> <p>ex B. Agricultural tractors (excluding walking tractors) and forestry tractors, wheeled:</p> <ul style="list-style-type: none"> <li>— With an engine of a cylinder capacity of 4 000 cm<sup>3</sup> or less</li> </ul>	3 171 units

ANNEX IV

List provided for in the second indent of Article 43 (1) of the Act of Accession

BASIC QUOTAS FOR PRODUCTS SUBJECT TO QUANTITATIVE RESTRICTIONS ON  
IMPORTS INTO SPAIN UNTIL 31 DECEMBER 1989

Quota No	CCT heading No	Description	Basic quota
1	25.03	Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur	90 000 tonnes
2	29.03	Sulphonated, nitrated or nitrosated derivatives of hydrocarbons: B. Nitrated and nitrosated derivatives: ex I. Trinitrotoluenes and dinitronaphthalenes: — Trinitrotoluenes	1 100 tonnes
	36.01	Propellent powders	
	36.02	Prepared explosives, other than propellent powders	
	ex 36.04	Safety fuses; detonating fuses; percussion and detonating caps; igniters; detonators: — Other than electrical detonators	
	36.05	Pyrotechnic articles (for example, fireworks, railway fog signals, amorces, rain rockets)	
	36.06	Matches (excluding Bengal matches)	
3	39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other: I. Polyethylene: ex b) In other forms: — Waste and scrap ex II. Polytetrahaloethylenes: — Waste and scrap ex III. Polysulphohaloethylenes: — Waste and scrap ex IV. Polypropylene: — Waste and scrap ex V. Polyisobutylene: — Waste and scrap VI. Polystyrene and copolymers of styrene ex b) In other forms: — Waste and scrap VII. Polyvinyl chloride: ex b) In other forms: — Waste and scrap ex VIII. Polyvinylidene chloride; copolymers of vinylidene chloride with vinyl chloride: — Waste and scrap ex IX. Polyvinyl acetate: — Waste and scrap ex X. Copolymers of vinyl chloride with vinyl acetate: — Waste and scrap	4 500 tonnes



Quota No	CCT heading No	Description	Basic quota
	39.02 ( <i>cont'd</i> )	C. ex XI. Polyvinyl alcohols, acetals and ethers: — Waste and scrap ex XII. Acrylic polymers, methacrylic polymers and acrylo-methacrylic copolymers: — Waste and scrap ex XIII. Coumarone resins, indene resins and coumarone-indene resins: — Waste and scrap XIV. Other polymerization or copolymerization products: ex b) In other forms: — Waste and scrap	
4	39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06: B. Other: I. Of regenerated cellulose III. Of hardened proteins V. Of other materials: a) Spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 c) Corset busks and similar supports for articles of apparel or clothing accessories ex d) Other: — excluding airtight clothing affording protection against radiation or radioactive contamination, not combined with breathing apparatus	15 000 000 ECU
5	ex 58.01 58.02	Carpets, carpeting and rugs, knotted (made up or not), other than hand-made 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	530 tonnes
6	ex 58.04 58.09 60.01	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 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: B. Lace: ex I. Hand-made: — Other than lace made from cotton, wool and man-made textile fibres II. Mechanically made Knitted or crocheted fabric, not elastic nor rubberized: C. Of other textile materials: I. Of cotton	259,3 tonnes
7	60.04	Under garments, knitted or crocheted, not elastic or rubberized: A. Babies' garments; girls' garments up to and including commercial size 86: I. T-shirts: a) Of cotton II. Lightweight fine knit roll, polo or turtle neck jumpers and pullovers: a) Of cotton III. Other: b) Of cotton	15,3 tonnes

Quota No	CCT heading No	Description	Basic quota
	60.04 (cont'd)	<p>B. Other:</p> <p>I. T-shirts:</p> <p>a) Of cotton</p> <p>II. Lightweight fine knit roll, polo or turtle-neck jumpers and pullovers:</p> <p>a) Of cotton</p> <p>IV. Other:</p> <p>d) Of cotton</p>	
	60.05	<p>Outer garments and other articles, knitted or crocheted, not elastic or rubberized:</p> <p>A. Outer garments and clothing accessories:</p> <p>II. Other:</p> <p>ex a) Outer garments of knitted or crocheted textile fabrics of heading No 59.08:</p> <p>— Of cotton</p> <p>b) Other:</p> <p>1. Babies' garments, girls' garments up to and including commercial size 86:</p> <p>cc) Of cotton</p> <p>2. Bathing costumes and trunks:</p> <p>bb) Of cotton</p> <p>3. Track suits:</p> <p>bb) Of cotton</p> <p>4. Other outer garments:</p> <p>aa) Blouses and shirt-blouses for women, girls and infants:</p> <p>55. Of cotton</p> <p>bb) Jerseys, pullovers, slipovers, waistcoats, twinsets, cardigans, bed jackets and jumpers: (other than jackets referred to under subheading 60.05 A II b) 4 hh):</p> <p>11. Men's and boys':</p> <p>eee) Of cotton</p> <p>22. Women's, girls' and infants:</p> <p>fff) Of cotton</p> <p>cc) Dresses:</p> <p>44. Of cotton</p> <p>dd) Skirts, including divided skirts:</p> <p>33. Of cotton</p> <p>ee) Trousers:</p> <p>ex 33. Of other textile materials:</p> <p>— Of cotton</p> <p>ff) Suits and coordinate suits (excluding ski suits) for men and boys:</p> <p>ex 22. Of other textile materials:</p> <p>— Of cotton</p> <p>gg) Suits and coordinate suits (excluding ski suits), and costumes, for women, girls and infants:</p> <p>44. Of cotton</p> <p>hh) Coats, jackets (excluding anoraks, windcheaters, waister jackets and the like) and blazers:</p> <p>44. Of cotton</p> <p>ijij) Anoraks, windcheaters, waister jackets and the like:</p> <p>ex 11. Of wool or of fine animal hair, of cotton or of man-made textile fibres:</p> <p>— Of cotton</p> <p>kk) Ski suits consisting of two or three pieces:</p> <p>ex 11. Of wool or of fine animal hair, of cotton or of man-made textile fibres:</p> <p>— Of cotton</p> <p>ll) Other outer garments:</p> <p>44. Of cotton</p>	





Quota No	CCT heading No	Description	Basic quota
10	84.41	<p>Sewing machines; furniture specially designed for sewing machines; sewing machine needles:</p> <p>A. Sewing machines; furniture specially designed for sewing machines:</p> <p>I. Sewing machines (lock-stitch only), with heads of a weight not exceeding 16 kg without motor or 17 kg including the motor; sewing machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor:</p> <p>a) Sewing machines having a value (not including frames, tables or furniture) of more than 65 ECU each</p> <p>b) Other</p>	2 850 units
11	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>III. Receivers, whether or not incorporating sound recorders or reproducers:</p> <p>b) Other:</p> <p>ex 2. Other:</p> <p>— Colour television receivers, the diagonal measurement of the screen of which is 42 cm or less</p>	8 243 units
12	87.01	<p>Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys:</p> <p>A. Agricultural walking tractors, with either a spark ignition or a compression ignition engine</p>	852 units
13	93.02 93.04 93.05 93.06	<p>Revolvers and pistols, being firearms:</p> <p>Other firearms, including Very pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like:</p> <p>ex A. Sporting and target-shooting guns, rifles and carbines:</p> <p>— Excluding single-barrelled, rifled sporting and target-shooting guns and carbines, and other than ring firing, of a unit value greater than 200 ECU</p> <p>Arms of other descriptions, including air, spring and similar pistols, rifles and guns</p> <p>Parts of arms, including gun barrel blanks, but not including parts of sidearms</p>	6 000 000 ECU
14	93.07	<p>Bombs, grenades, torpedoes, mines, guided weapons and missiles and similar munitions of war, and parts thereof; ammunition and parts thereof, including cartridge wads; lead shot prepared for ammunition</p>	900 tonnes

*ANNEX V*  
List provided for in Article 48 (3) of the Act of Accession

Quota No	CCT heading No	Description	Quota volume					
			1986	1987	1988	1989	1990	1991
1	24.02	Manufactured tobacco; tobacco extracts and essences: A. Cigarettes	2 605 033 000 units	Annual rate of increase: 20 %				
2	24.02	B. Cigars	34 406 000 units	Annual rate of increase: 20 %				
3	24.02	C. Smoking tobacco D. Chewing tobacco and snuff E. Other, including agglomerated tobacco in the form of sheets or strip	598 tonnes	Annual rate of increase: 20 %				
4	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: ex A. Light oils: — Excluding motor spirit and spirit type jet fuel	185 679 tonnes	Annual rate of increase: 20 %				
5	27.10	ex A. Light oils: — Motor spirit and spirit type jet fuel	238 283 tonnes	Annual rate of increase: 20 %				
6	27.10	B. Medium oils	70 000 tonnes	Annual rate of increase: 20 %				
7	27.10	C. Heavy oils: I. Gas oils	185 000 tonnes	253 450 tonnes	347 226 tonnes	475 700 tonnes	651 709 tonnes	892 842 tonnes

Quota No	CCT heading No	Description	Quota volume					
			1986	1987	1988	1989	1990	1991
8	27.10	C. II. Fuel oils	340 000 tonnes	425 000 tonnes	531 250 tonnes	664 062 tonnes	830 078 tonnes	997 000 tonnes
9	27.10 34.03	C. III. Lubricating oils; other oils  Lubricating preparations, and preparations of a kind used for oil or grease treatment of textiles, leather or other materials, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals: ex A. Containing petroleum oils or oils obtained from bituminous minerals: — Excluding preparations for the lubricating, oiling or greasing of textiles, furskins, hides and leather	16 666 tonnes	Annual rate of increase: 20 %				
10	27.11	Petroleum gases and other gaseous hydrocarbons	602 945 tonnes	Annual rate of increase: 20 %				
11	27.12 27.13	Petroleum jelly  Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured	3 300 tonnes	Annual rate of increase: 20 %				
12	27.14 27.15 27.16	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals  Bitumen and asphalt, natural; bituminous shale, asphaltic rock and tar sands  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)	97 033 tonnes	Annual rate of increase: 20 %				

ANNEX VI

List referred to in Article 48 (4) of the Act of Accession

CCT heading No	Description
27.09	Petroleum oils and oils obtained from bituminous minerals, crude
27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations
27.11	Petroleum gases and other gaseous hydrocarbons
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)
34.03	<p>Lubricating preparations, and preparations of a kind used for oil or grease treatment of textiles, leather or other materials, but not including preparations containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals:</p> <p>ex A. Containing petroleum oils or oils obtained from bituminous minerals:</p> <p>— Excluding preparations for the lubricating, oiling or greasing of textiles, furskins, hides and leather</p>



ANNEX VII

List provided for in Article 53 of the Act of Accession

CCT heading No	Description	Level of Spanish basic duties on imports from the Community as at present constituted
19.02	<p>Malt extract; 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:</p> <p>A. Malt extract</p> <p>B. Other</p>	<p>(%)</p> <p>19,5</p> <p>17,3 (min. 2,87 ptas/kg)</p>
19.03	Macaroni, spaghetti and similar products	18,1
19.04	<p>Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches:</p> <p>— Of yucca or of manioc</p> <p>— Other:</p> <p>— Tapioca and sago substitutes obtained from potato or other starches</p> <p>— Other</p>	<p>19,2</p> <p>11,4</p> <p>14,3</p>
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)	16,8
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	6,1
19.08	<p>Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:</p> <p>A. Gingerbread and the like</p> <p>B. Other:</p> <p>I. Containing no starch or containing less than 5 % by weight of starch, and containing by weight of sucrose (including invert sugar expressed as sucrose):</p> <p>a) Less than 70 %:</p> <p>— Without sugar or cocoa</p> <p>— Other</p> <p>b) 70 % or more</p> <p>II. Containing 5 % or more but less than 32 % by weight of starch:</p> <p>a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):</p> <p>— Without sugar or cocoa</p> <p>— Other</p> <p>b) Containing 5 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose)</p> <p>c) Containing 30 % or more but less than 40 % by weight of sucrose (including invert sugar expressed as sucrose)</p> <p>d) Containing 40 % or more by weight of sucrose (including invert sugar expressed as sucrose)</p> <p>III. Containing 32 % or more but less than 50 % by weight of starch:</p> <p>a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):</p> <p>1. Containing no milkfats or containing less than 1,5 % by weight of such fats:</p> <p>— Without sugar or cocoa</p> <p>— Other</p>	<p>10</p> <p>8,7</p> <p>10</p> <p>10</p> <p>8,7</p> <p>10</p> <p>10</p> <p>10</p> <p>10</p> <p>8,7</p> <p>10</p>

CCT heading No	Description	Level of Spanish basic duties on imports from the Community as at present constituted
19.08 (cont'd)	B. III. 2. Other: <ul style="list-style-type: none"> <li>— Without sugar or cocoa 8,7</li> <li>— Other 10</li> </ul> b) Containing 5 % or more but less than 20 % by weight of sucrose (including invert sugar expressed as sucrose) 10 <ul style="list-style-type: none"> <li>c) Containing 20 % or more by weight of sucrose (including invert sugar expressed as sucrose) 10</li> </ul> IV. Containing 50 % or more but less than 65 % by weight of starch: <ul style="list-style-type: none"> <li>a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):               <ul style="list-style-type: none"> <li>1. Containing no milkfats or containing less than 1,5 % by weight of such fats:                   <ul style="list-style-type: none"> <li>— Without sugar or cocoa 8,7</li> <li>— Other 10</li> </ul> </li> <li>2. Other:                   <ul style="list-style-type: none"> <li>— Without sugar or cocoa 8,7</li> <li>— Other 10</li> </ul> </li> </ul> </li> <li>b) Containing 5 % or more by weight of sucrose (including invert sugar expressed as sucrose) 10</li> </ul> V. Containing 65 % or more by weight of starch: <ul style="list-style-type: none"> <li>a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):               <ul style="list-style-type: none"> <li>— Without sugar or cocoa 8,7</li> <li>— Other 10</li> </ul> </li> <li>b) Other 10</li> </ul>	(%) 8,7 10 10 10 8,7 10 8,7 10 10 8,7 10 10
21.07	Food preparations not elsewhere specified or included: <ul style="list-style-type: none"> <li>A. Cereals in grain or ear form, pre-cooked or otherwise prepared 16,8</li> <li>B. Ravioli, macaroni, spaghetti and similar products, not stuffed, cooked; the foregoing preparations, stuffed, whether or not cooked 16,8</li> <li>C. Ice-cream (not including ice-cream powder) and other ices 16,8</li> <li>D. Prepared yoghurt; prepared milk, in powder form, for use as infants' food or for dietetic or culinary purposes 16,8</li> <li>E. Cheese fondues 16,8</li> <li>G. Other:               <ul style="list-style-type: none"> <li>I. Containing no milkfats or containing less than 1,5 % by weight of such fats:                   <ul style="list-style-type: none"> <li>a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):                       <ul style="list-style-type: none"> <li>1. Containing no starch or containing less than 5 % by weight of starch:                           <ul style="list-style-type: none"> <li>— Non-alcoholic compound preparations (called concentrated extracts) for the manufacture of beverages 9,8</li> <li>— Mixture of plants for the preparation of beverages 1,3</li> <li>— Protein hydrolysates and protein concentrates 0,4</li> <li>— Textured proteins 0,7</li> <li>— Other 16,8</li> </ul> </li> <li>2. Containing 5 % or more by weight of starch 16,8</li> </ul> </li> <li>b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose) 16,8</li> <li>c) Containing 15 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose) 16,8</li> </ul> </li> </ul> </li> </ul>	16,8 16,8 16,8 16,8 16,8 9,8 1,3 0,4 0,7 16,8 16,8 16,8 16,8

CCT heading No	Description	Level of Spanish basic duties on imports from the Community as at present constituted
21.07 (cont'd)	G.	(%)
	I. d) Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose)	16,8
	e) Containing 50 % or more but less than 85 % by weight of sucrose (including invert sugar expressed as sucrose)	16,8
	f) Containing 85 % or more by weight of sucrose (including invert sugar expressed as sucrose)	16,8
	II. Containing 1,5 % or more but less than 6 % by weight of milkfats	16,8
	III. Containing 6 % or more but less than 12 % by weight of milkfats	16,8
	IV. Containing 12 % or more but less than 18 % by weight of milkfats	16,8
	V. Containing 18 % or more but less than 26 % by weight of milkfats	16,8
	VI. Containing 26 % or more but less than 45 % by weight of milkfats	16,8
	VII. Containing 45 % or more but less than 65 % by weight of milkfats	16,8
VIII. Containing 65 % or more but less than 85 % by weight of milkfats	16,8	
IX. Containing 85 % or more by weight of milkfats	16,8	

## ANNEX VIII

## List of products referred to in Article 75 (3) of the Act of Accession

CCT heading No	Description	Basic duty (%)
01.06	Other live animals:	
	A. Domestic rabbits	6,5
07.01	Vegetables, fresh or chilled:	
	B. Cabbages, cauliflowers and Brussels sprouts:	
	II. White cabbages and red cabbages	15 subject to a min. of 0,50 ECU per 100 kg net
	III. Other	15
	C. Spinach	13
	D. Salad vegetables, including endive and chicory:	
	I. Cabbage lettuce:	
	a) From 1 April to 30 November	15 subject to a min. of 2,50 ECU per 100 kg gross
	b) From 1 December to 31 March	13 subject to a min. of 1,60 ECU per 100 kg gross
	II. Other	13
	E. Chard (or white beet) and cardoons	9,1
	F. Leguminous vegetables, shelled or unshelled:	
	I. Peas:	
	a) From 1 September to 31 May	10
	b) From 1 June to 31 August	17
	II. Beans (of the species <i>Phaseolus</i> ):	
	a) From 1 October to 30 June	13 subject to a min. of 2 ECU per 100 kg net
	b) From 1 July to 30 September	17 subject to a min. of 2 ECU per 100 kg net
	III. Other:	
	— Broad beans ( <i>Vicia faba major</i> L)	9,8
	— Other	14
	G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots:	
	I. Celeriac (rooted celery or German celery):	
	a) From 1 May to 30 September	13
	b) From 1 October to 30 April	17
	ex II. Carrots and turnips:	
	— Turnips	17
	III. Horse-radish ( <i>Cochlearia armoracia</i> )	15
	IV. Other	17
	ex H. Onions, shallots and garlic:	
	— Shallots	12
	IJ. Leeks and other alliaceous plants (for example chives, Welsh onions)	13
	K. Asparagus	16
	L. Artichokes	13
	N. Olives:	
	I. For uses other than the production of oil	7
	O. Capers	7

CCT heading No	Description	Basic duty (%)
07.01 (cont'd)	P. Cucumbers and gherkins: I. Cucumbers: a) From 1 November to 15 May b) From 16 May to 31 October II. Gherkins Q. Mushrooms and truffles: I. Cultivated mushrooms III. Flap mushrooms IV. Other R. Fennel T. Other: I. Courgettes II. Aubergines III. Other: — Parsley — Other	16 20 16 16 7 8 10 16 16 11,2 16
07.02	Vegetables (whether or not cooked), preserved by freezing: A. Olives B. Other	19 18
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: D. Cucumbers and gherkins E. Other vegetables F. Mixtures of vegetables specified above	15 12 (a) 15
08.02	Citrus fruit, fresh or dried: E. Other	16
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: A. Almonds: II. Other	7
08.09	Other fruit, fresh: — Pomegranates — Other	7,7 11 (b)
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: B. Flour of the fruits falling within any heading in Chapter 8: I. Of bananas II. Other	8,5 6,5
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: ex C. Tomatoes: — Tomato concentrate — Peeled tomatoes — Tomato juice	18 18 18

- (a) For mushrooms, other than cultivated mushrooms within the meaning of subheading 07.01 Q 1, provisionally preserved in brine, sulphur water or in other preservative solutions, but not specially prepared for immediate consumption: free.
- (b) For rose hips: free.

CCT heading No	Description	Basic duty (%)
20.06	<p>Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:</p> <p>A. Nuts (including ground-nuts), roasted, in immediate packings of a net capacity:</p> <p>    I. Of more than 1 kg</p> <p>    II. Of 1 kg or less</p> <p>B. Other:</p> <p>    II. Not containing added spirit:</p> <p>        a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <p>            6. Pears:</p> <p>                aa) With a sugar content exceeding 13 % by weight</p> <p>            7. Peaches and apricots:</p> <p>                ex aa) With a sugar content exceeding 13 % by weight:</p> <p>                    — Peaches</p> <p>        b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:</p> <p>            6. Pears:</p> <p>                aa) With a sugar content exceeding 15 % by weight</p> <p>                bb) Other</p> <p>            7. Peaches and apricots:</p> <p>                aa) With a sugar content exceeding 15 % by weight</p> <p>                    11. Peaches</p>	<p>14,3</p> <p>16,3</p> <p>20</p> <p>22</p> <p>22</p> <p>22</p>

## ANNEX IX

## List provided for in Article 158 (1) of the Act of Accession

Name of vessel	External identification	Call sign	Gross registered tonnage	Engine horsepower
I. TRAWLERS (197) (1)				
— Achondo	BI-4 100	EAHG	227,00	1 200,00
— Activo Segundo	GI-4 1613	EEAD	181,50	550,00
— Adubu	VI-5 8487	EDYO	187,00	750,00
— Alay-Alde	SS-1 2274	EADI	263,00	1 200,00
— Alborada	CO-2 3522	EGPD	240,00	1 000,00
— Aliva	ST-4 2462	EAAR	142,00	600,00
— Almeiro	CO-2 3410	EECI	248,00	900,00
— Almiketxu	SS-1 2232	EFZY	217,00	800,00
— Amelia de Llano	CO-2 2924	EEBH	243,00	800,00
— Amuko	SS-1 2309	EGSK	227,36	531,00
— Andra Maixa	BI-4 132	EGBE	268,11	597,00
— Aralarko Mikel Deuna	BI-4 134	EDPO	286,11	596,00
— Areasa Dos	GI-4 1904	EAGC	205,00	595,00(1)
— Aranondo	BI-4 61	EFPW	230,81	800,00
— Arretxinagako Mikel Deuna	BI-4 133	EGBQ	286,11	590,00
— Artabide	BI-4 98	EFFC	231,56	800,00
— Asmor	SS-2 1787	EEZQ	251,29	800,00
— Asunción Rivero	VI-5 8544	EEIC	225,00	580,00
— Ategorrieta	SS-2 1780	EEVY	188,00	600,00
— Atxaspi	GI-4 2015	EHCX	270,00	1 140,00
— Azcárate Berria	BI-4 117	EAFO	227,00	600,00(1)
— Babieca	VI-5 8724	EFPJ	158,00	500,00
— Bare	SS-1 2280	EDZV	278,00	1 200,00
— Barreras Masso	VI-5 8060	EDAK	321,00	950,00
— Ben Amado	FE-2 2829	EGOV	264,00	800,00
— Bens	CO-2 2897	EEFN	243,00	800,00
— Bizarro	FE-1 1800	EFGW	213,00	800,00
— Bogavante	CO-2 3495	EGEV	249,00	1 200,00
— Borreiro	VI-5 9112	EFXE	170,70	500,00
— Burgoa Mendi	SS-2 1835	EHYP	203,00	680,00
— Candida Vieira	VI-5 7757	EBTH	221,80	472,00
— Capitán Chimista	GI-4 1512	EDHI	174,00	580,00
— Capredi Dos	GI-4 1899	EGCK	288,00	1 100,00
— Carrulo	VI-5 8185	EDIO	227,90	650,00
— Chemaypa	SS-1 2249	EEVQ	291,80	1 200,00
— Chimbote	CO-2 3205	EECW	187,00	810,00
— Chirimoya	CO-2 3619	EGTS	250,00	980,00
— Chirleu	GI-4 1878	EFCG	209,00	750,00(1)
— Cibeles	BI-4 197	EHKD	204,00	800,00(1)
— Cielo y Mar	GI-4 1839	EFVG	213,00	600,00
— Ciudad de la Coruña	GI-4 1602	EDWC	248,00	660,00
— Ciudad Sonrisa	CO-2 3562	EGJS	230,00	980,00
— Combaroya	VI-5 8782	EACL	174,00	400,00
— Concepción Pino	VI-5 9212	EFGM	207,00	800,00
— Corrubedo	VI-5 8292	EDMM	289,00	1 220,00
— Costa de California	GI-4 1481	EBYK	310,00	590,00
— Costa de Irlanda	GI-4 1468	EAUP	226,00	743,00
— Coto Redondo	CO-2 3636	EDSI	225,00	520,00

(1) Annex IX, points 1 and 2, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 134 of 31 May 1988.

Name of vessel	External identification	Call sign	Gross registered tonnage	Engine horsepower
— Cova de Balea	VI-5 9524	EGRG	164,50	600,00
— Cristo de la Victoria	VI-5 8674	EFLG	170,70	400,00
— Cruz Cuarto	GI-4 1883	EEYP	285,00	1 190,00
— Cruz Sexto	GI-4 1819	EFBA	274,00	1 190,00
— Dani	ST-4 2457	EEGS	330,00	1 194,00
— Donostiarra	ST-4 2487	EAFF	250,00	1 200,00
— Eduardo Pondal	GI-4 1824	EFDZ	241,00	1 000,00
— Elife Tres	GI-4 2029	EHJG	232,00	1 200,00
— Eliseo Quintanero	CO-2 3315	EFZO	255,00	1 160,00 <sup>(1)</sup>
— Endai	BI-4 128	EFGL	233,45	686,00
— Ensenada de Pintens	GI-4 2033	EHJL	174,20	1 200,00
— Ensenada de Portu Chiqui	BI-4 6	EDZS	194,00	700,00 <sup>(1)</sup>
— Esperanza Novo	GI-4 1847	EFWE	250,00	1 000,00
— Faro de Sillero	VI-5 8899	EHZD	164,20	490,00
— Farpesca	VI-5 8702	EFMO	185,90	490,00
— Farpesca Tercero	VI-5 9118	EFQT	170,80	490,00
— Francisco Ferrer	VI-5 8312	EDMI	205,00	600,00
— Francisco y Begoña	BI-2 2480	EFKD	218,00	480,00
— Fuente De	ST-4 2463	EABM	138,60	600,00
— Galateca Dos	SS-1 2270	EGJF	303,00	1 198,00
— Galaxia	GI-4 1782	EFVR	219,00	900,00
— Galerna Dos	SS-1 2332	EHFO	222,59	397,00
— Galerna Tres	SS-1 2335	EHHL	222,59	398,00
— Galerna Uno	SS-1 2331	EHEI	222,59	394,00
— Gandon Menduïña	VI-5 8695	EFOR	180,00	500,00
— Garsa	VI-5 9247	EGBL	170,00	490,00
— Garysa	VI-5 9370	EEMP	169,00	490,00
— Goizalde Eder	BI-4 138	EDQG	259,40	1 000,00
— Gorricho Primero	BI-3 2850	EGHH	298,00	1 200,00
— Gorricho Segundo	BI-3 2851	EGKK	298,00	1 200,00
— Hermanos Area	VI-5 9101	EATZ	171,00	490,00
— Hermanos Rodriguez Novo	GI-4 1985	EGZW	231,00	1 000,00
— Hermanos Solabarrieta	SS-3 1230	EEBS	297,00	800,00
— Indiferente	CO-2 3516	EGHF	183,00	800,00
— Inés de Castro	VI-5 8819	EHZZ	227,00	725,00
— Isla de Santa	CO-2 3194	EDHO	217,00	1 000,00
— Itxas Ondo	BI-4 109	EFWX	254,86	1 200,00
— Jaquetón	VI-5 8127	EDCT	300,00	595,00 <sup>(1)</sup>
— Jerusalén Argitasuna	BI-2 2596	EFJC	272,95	900,00
— José Antonio y Manuel	VI-5 9216	EFZT	150,00	490,00
— José Cesareo	VI-5 8630	EEXY	184,98	460,00
— Juana de Castro	VI-5 9182	EFYR	218,00	900,00
— Lagunak	SS-1 2294	EGTN	280,00	1 195,00
— Lanfon	SS-1 2251	EFYL	271,00	1 200,00
— Larandagoitia	BI-2 2636	EFZR	239,80	900,00
— Laredo	VI-5 8689	EFMA	182,00	400,00
— Larrauri Hermanos	BI-4 79	EFEM	241,67	800,00
— Lazcano	SS-1 2288	EGRK	311,00	795,00
— Legorpe	BI-4 164	EGXS	295,94	1 200,00
— Leizare	BI-4 116	EFGX	245,79	690,00
— Lembranza	CO-2 3585	EGLM	192,00	980,00
— Lince	CA-3 880	EDPU	202,22	250,00
— Lus Boreal	BI-4 62	EFPU	230,20	597,00
— Madariaga	SS-2 1672	EATS	187,65	400,00
— Manuel Pérez Pan	VI-5 8616	EETM	196,00	500,00
— Manuel Plana	VI-5 8639	EEYY	249,00	580,00
— Mañufe	VI-5 8747	EFRR	148,71	400,00
— Mar Cuatro	FE-4 2182	EDBM	207,22	800,00
— Mar de África	VI-5 8140	EDDP	345,53	1 000,00

<sup>(1)</sup> Annex IX, points 1 and 2, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 134 of 31 May 1988.



Name of vessel	External identification	Call sign	Gross registered tonnage	Engine horsepower
— Mar de Los Sargazos	VI-5 8141	EDDS	345,53	1 000,00
— Mar de Mares	GI-4 1850	EBVS	212,00	800,00
— Mar Menor	VI-5 7635	EAYW	237,39	800,00
— Mari Conchi	GI-4 1827	EFFU	210,00	600,00
— Maria Lusía Carral	CO-2 3540	EFEX	223,00	1 000,00
— Maribel	GI-4 1832	EFFW	210,00	600,00
— Marosa	CO-2 3254	EECJ	281,00	730,00
— Mayi Cinco	CO-2 3712	EAKL	294,00	900,00
— Medusa	VI-5 9084	EEQG	217,00	800,00
— Mercedes Vieira	VI-5 7756	EBTG	221,32	472,00
— Mero	VI-5 7843	EBWV	196,94	196,00
— Mikel	SS-1 2268	EGGU	278,00	597,00
— Molares Alonso	VI-5 8288	EDJT	235,00	800,00
— Monte Alen	SS-1 2289	EGMY	265,00	1 200,00
— Monte Carrandi	BI-4 13	EEHM	145,18	191,00
— Monte Maigmo	VI-5 8436	EAJM	215,00	575,00
— Monte San Adrián	CO-2 3678	EHAO	246,00	900,00
— Monte San Alberto	VI-5 8444	EDWG	269,00	1 000,00
— Monteveo	CO-2 2839	EDLI	208,00	560,00
— Moraimé	CO-2 3597	EGUC	154,00	700,00
— Morriña	VI-5 9352	EAGR	170,77	660,00
— Morrunchó	VI-5 8973	EHYR	177,00	490,00
— Naldamar Ocho	GI-4 1844	EFXU	192,00	500,00
— Nautica	BI-2 2651	EGCR	289,34	900,00
— Nuestra Señora de los Remedios	BI-4 16	EEJJ	145,18	196,00
— Nuestra Señora de Ziarotza	VI-5 8506	EEDY	237,02	590,00
— Nuevo Area Gil	VI-5 9345	EDMR	170,00	600,00
— Nuevo Capero	CO-2 3617	EDRQ	215,00	430,00
— Nuevo Jundina	VI-5 8826	EFUI	168,00	585,00
— Nuevo Luz del Cantábrico	BI-4 81	ECAH	202,03	480,00
— Nuevo Maite	ST-4 2485	EGHC	136,43	500,00
— Nuevo Niño de Belén	BI-4 76	EADA	152,30	420,00
— Nuevo Virgen de la Pastora	SS-1 2292	EGTH	310,00	1 200,00
— Nuevo Virgen del Coro	SS-1 2293	EGSW	310,77	1 200,00
— Olabarriá	SS-1 2192	EEXJ	289,00	1 200,00
— Oleaje	SS-1 2046	EDPR	200,05	320,00
— Oleiros	VI-5 9413	EAMU	266,00	1 200,00
— Olerama	VI-5 8686	EFLK	198,35	600,00
— Orllamar	CO-2 3590	EGMG	249,00	1 200,00
— Ormazá	SS-2 1882	EGFT	291,57	1 100,00
— Osado	FE-1 1803	EFZX	213,00	800,00
— Pakea Lurrean	CO-2 3700	EAND	192,00	600,00
— Pargo	VI-5 8101	EDBC	196,94	195,00
— Pattiuka	GI-4 1735	EFQA	175,00	800,00
— Peixemar	GI-4 1848	EAQL	253,00	950,00
— Pepe Barreiro	VI-5 9718	EEGW	259,00	700,00
— Pescamar	GI-4 1808	EDJG	253,00	950,00
— Pesmar	GI-4 1759	EFTH	253,00	950,00
— Pintens	VI-5 9164	EARG	164,00	600,00
— Pío Baroja	SS-2 1829	EAAD	202,69	595,00
— Playa de Aldán	VI-5 9055	EDFX	164,00	490,00
— Playa de Benquerencia	GI-4 1845	EEYB	234,00	750,00
— Playa de Loira	GI-4 1704	EEZP	199,73	500,00
— Puenteareas	VI-5 8758	EAAV	245,82	590,00
— Punta de Purrustarri	SS-1 2160	EFUH	256,00	1 000,00
— Punta Torrepiá	SS-1 2161	EADJ	256,00	1 000,00
— Purita	VI-5 8447	EAQU	204,00	430,00
— Ramón	GI-4 1815	EEQI	246,66	1 200,00
— Recare	VI-5 9129	EFWO	170,77	490,00
— Regil	SS-2 1665	EDIA	187,65	400,00
— Revellin	CU-1 1571	EDUW	241,00	660,00

Name of vessel	External identification	Call sign	Gross registered tonnage	Engine horsepower
— Ría de Aldán	VI-5 9098	EDMH	164,95	490,00
— Ría de Marín	FE-4 2162	EDDI	251,00	810,00
— Ría del Burgo	CO-2 3237	EDVC	259,00	900,00
— Río Oitaven	VI-5 9770	EAHK	206,97	600,00
— Rompeaolas	SS-1 1964	EBZN	228,05	447,00
— San Antonino	VI-5 8632	EEYD	184,98	400,00
— San Eduardo	BI-4 103	EFFB	249,11	690,00
— Saudade	VI-5 9152	EAGY	171,77	600,00
— Segundo Río Sil	GI-4 1813	EDBX	167,00	750,00
— Sierra Ancares	CO-2 3541	EFZN	248,00	1 100,00
— Siete Villas	SS-1 2186	EGBN	233,18	800,00
— Solabarrieta Anayak	BI-4 126	EGBR	239,80	900,00
— Soneiro	CO-2 2892	EEHF	198,00	600,00
— Toki Alay	BI-4 115	EAGX	260,47	1 200,00
— Toki Argia	BI-4 168	EHGM	310,47	1 200,00
— Txori Erreka	SS-3 1373	EGUO	287,92	1 200,00
— Urarte	SS-2 1626	EDEQ	187,65	400,00
— Urdiain	VI-5 7198	EEYO	288,00	900,00
— Uricen Uno	SS-1 2322	EGWZ	226,52	750,00
— Urre-Txindorra	SS-1 2291	EGOW	280,00	1 195,00
— Valle de Achondo	BI-3 2796	EEJG	288,00	1 193,00
— Valle de Arratia	BI-3 2717	EFNC	254,00	1 060,00
— Ventisca	SS-1 1966	EBZI	228,05	413,00
— Vera Cruz Segundo	SS-1 2333	EHDL	235,00	1 137,00
— Versalles Primero	SS-1 2295	EGOD	242,75	589,00
— Versalles Segundo	SS-1 2313	EGPO	242,75	581,00
— Vilarino	VI-5 8611	EESQ	131,00	290,00
— Villardevos	GI-4 1783	EFVS	219,00	900,00
— Virgen de la Roca	SS-2 2324	EGUT	248,00	1 200,00
2. LONGLINERS (103) (1)				
— Adviento	CO-2 3544	EDVN	212,00	800,00
— Akilla Mendi	BI-4 144	EEYF	230,00	700,00
— Aligote	VI-5 7842	EBWW	200,24	352,00
— Almike	SS-2 1770	EETT	204,00	800,00
— Ama Lur	BI-4 196	EFZG	203,01	700,00
— Arbelaitz	BI-4 113	EFXZ	236,89	690,00
— Breogan	CO-2 2881	EDYJ	158,00	200,00
— Brisas Pisuetinas	GI-4 1763	EB-2779	103,42	280,00
— Calo Berria	SS-1 2306	EGTO	244,00	1 200,00(1)
— Centauro	FE-1 1811	EGCQ	177,00	600,00
— Charolais	ST-4 2516	EHAT	174,60	700,00
— Costa Clara	GI-4 1678	EEIJ	262,00	770,00
— Demikuko Ama	BI-2 2609	EFZI	154,40	600,00
— Dolores Cadrecha	GI-4 1981	EHBI	245,00	800,00
— Donas	VI-5 8726	EFQC	148,00	400,00
— Elife	GI-4 1770	EFUZ	191,00	600,00
— Ereka	SS-2 1886	EGFK	209,00	900,00
— Ermita de San Roque	GI-4 1944	EGRD	194,00	800,00
— Euskal Berria	SS-1 2253	EGDP	256,00	1 200,00
— Franper	HU-3 1217	EAZQ	164,00	425,00
— Galateca	GI-4 1874	EBYP	212,00	750,00
— Genita de Conderribon	GI-4 2021	EHGI	216,00	1 000,00
— Goitia	GI-4 2018	EHJD	486,00	1 500,00
— Goizalde Argia	BI-4 167	EGWQ	234,10	1 000,00
— Gomistegui	SS-1 2212	EFWN	205,00	500,00
— Gran Marinela	BI-4 56	EFLX	168,00	450,00

(1) Annex IX, points 1 and 2, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 134 of 31 May 1988.

Name of vessel	External identification		Call sign	Gross registered tonnage	Engine horsepower
— Hermanos Arias	ST-4	2460	EGDB	218,00	1 000,00
— Hermanos Fernández Pino	VI-5	8887	EHZR	213,60	600,00
— Hermanos Garcia	ST-4	2381	EFMV	153,00	570,00
— Horizonte Claro	SS-1	2327	EHAN	239,00	1 180,00
— Idurre	SS-3	1266	EEUF	153,43	565,00
— Illumbe	SS-1	2233	EBYZ	205,00	500,00
— Ituarte	SS-2	1818	EFSF	177,00	700,00
— Itxas Oratz	BI-4	121	EFZC	223,00	900,00
— Jerusalén Argia	BI-2	2509	EFTD	251,29	680,00
— José Domingo	VI-5	8579	EERX	151,00	460,00
— José Luisa y Mari	GI-4	1950	EGRX	223,50	1 000,00
— Juan Manuel Souto	CO-2	3451	EFCW	134,79	510,00
— Las Nieves	VI-5	7202	EGDN	220,00	550,00
— Laura y María	FE-3	1855	EHEE	207,16	800,00
— Llave del Mar	FE-2	2854	EHOU	199,00	750,00
— Madre de Cristo	FE-1	1850	EDZH	166,70	430,00
— Madre Querida	GI-4	1984	EHDV	199,00	700,00
— Manuel Herreras	ST-2	1400	EHOQ	148,01	675,00
— Manuko Ama	SS-1	2226	EBWA	234,00	800,00
— Marcelo	CO-2	3744	EGSU	137,70	700,00
— Mareton	SS-1	1965	EBZH	228,05	580,00
— Marinela	BI-4	124	EGAO	159,70	850,00
— Mariscador	FE-2	2806	EEFM	176,00	860,00
— Martimuno Segundo	SS-1	2257	EGFA	255,82	668,00
— Miya	SS-3	1287	EFJR	231,00	550,00
— Monte Alleru	SS-1	2256	EELK	278,00	1 200,00
— Monte Castelo	SS-1	2271	EGIU	236,00	800,00
— Naldamar Seis	CO-2	3745	EFEV	172,00	620,00
— Nemesia Santos	GI-4	1796	EAXL	332,00	600,00
— Nico Primero	FE-2	2853	EAHU	128,58	540,00
— Novodi Segundo	VI-5	8716	EFSD	299,00	800,00
— Nuestra Señora de Covadonga	BI-4	12	EEEW	145,18	400,00
— Nuevo Ebenecer	GI-4	1838	EFKE	187,00	660,00
— Nuevo Jesús de Belén	BI-4	83	EALJ	152,30	420,00 <sup>(1)</sup>
— Nuevo Luz de Gascaña	BI-4	82	EHZF	202,02	480,00 <sup>(1)</sup>
— Nuevo Playa de Cillero	FE-2	2825	EEWO	167,00	850,00
— Nuevo Tontorramendi	BI-4	136	EDDA	268,00	900,00
— Ormalomar	SS-1	2323	EGVP	246,56	800,00
— Pardo	GI-4	1963	EGWD	202,00	700,00
— Pellizar	SS-1	2266	EGIN	249,00	750,00
— Peña Blanca	SS-1	2234	EENS	207,00	650,00
— Peña de Burela	FE-2	2824	EGNF	213,00	1 000,00
— Peña Verde	SS-1	2319	EGSL	227,36	665,00
— Pepe Revuelta	ST-4	2469	EGJX	142,80	640,00
— Pérez Vacas	FE-1	1848	EHID	190,40	700,00
— Pilar Roca	FE-2	2828	EGBT	264,20	1 000,00
— Pino Montero	FE-2	2850	EHMK	185,00	600,00
— Plai Ederra	BI-4	131	EGBD	250,00	800,00
— Playa de Laga	BI-2	2671	EGFX	197,34	750,00
— Playa de Matalenas	ST-4	2433	EFYF	149,00	800,00
— Playa de Samil	BI-2	2693	EGSD	197,20	850,00
— Portillo la Sia	ST-4	2511	EGZA	175,00	700,00
— Promontorio	ST-4	2317	EEHI	156,00	480,00
— San Salvador de Guetaria	SS-2	1653	EDHL	184,23	400,00
— Santillana de la Cabeza	ST-4	2519	EHDM	174,58	860,00 <sup>(1)</sup>
— Saturan Zar	BI-4	110	EAZP	236,89	690,00 <sup>(1)</sup>
— Seneivo Primero	SS-1	2325	EGZT	226,22	900,00
— Sersermendi Barri	BI-4	148	EGFW	260,61	772,00
— Siempre Ecce Homo	FE-2	2843	EHAV	171,00	600,00

<sup>(1)</sup> Annex IX, points 1 and 2, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 134 of 31 May 1988.

Name of vessel	External identification	Call sign	Gross registered tonnage	Engine horsepower
— Siempre Quintanero	VI-5 8715	EFSE	299,00	800,00 <sup>(1)</sup>
— Sueiras	FE-2 2817	EGKM	264,20	840,00
— Sukari	BI-2 2608	EFZH	154,46	600,00
— Terin	GI-8 1235	EAAW	115,16	430,00
— Tojal	FE-1 1873	EHTE	180,00	700,00
— Touro	FE-1 1852	EFFO	226,00	600,00
— Txanka	BI-2 2552	EFFS	220,00	800,00
— Uranondo	BI-4 112	EFWI	225,16	597,00
— Urgain-Bat	BI-2 2685	EGOG	220,00	600,00 <sup>(1)</sup>
— Urgain-Bi	BI-2 2686	EGOH	220,00	600,00
— Valle de Fraga	ST-4 2551	EAGN	199,60	850,00
— Veracruz	GI-4 1767	EFTR	162,00	600,00
— Vianto Segundo	ST-4 2466	EGEQ	125,21	500,00
— Villa de Sargadelos	FE-2 2950	EGSV	137,00	750,00
— Virgen Amada	SS-2 1659	EDMD	194,00	900,00
— Virgen de la Barquera	ST-4 2392	EAFB	135,00	500,00
— Virgen de la Pastoriza	MA-4 2536	EAEP	149,00	600,00 <sup>(1)</sup>
— Zorionak	BI-2 2504	EFPR	251,00	680,00

<sup>(1)</sup> Annex IX, points 1 and 2, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 134 of 31 May 1988.

ANNEX X

List provided for in Article 158 (3) of the Act of Accession

Name of vessel	External identification	Call sign	Gross registered tonnage	Engine horsepower
<b>1. TRAWLERS (22)</b>				
— Adarra	VI-5 8337	EDOB	232,64	399,00
— Antonio San Pedro Segundo	CO-6 2161	EBWX	188,00	1 200,00
— Arrospe	SS-2 1398	EGOC	151,00	360,00
— Bidebieta	SS-2 1531	EAEO	253,18	398,00
— Cabo Higuer	SS-2 1668	EDPG	189,00	400,00
— Capitán Jorge	GI-4 1608	EDVD	178,00	550,00
— Cruz de San Marcial	VI-5 8333	EDNY	208,00	390,00
— Goierrri	GI-4 1897	EGCB	268,40	1 000,00
— Gure Ametsa	SS-1 2198	EABR	383,00	1 200,00
— Herrera	SS-2 1532	EAEW	253,18	393,00
— Iparalde	BI-4 64	EFNT	157,90	350,00
— Ipartza	BI-4 63	EFNU	157,90	350,00
— Lasa	SS-2 1745	EEOI	296,38	1 200,00
— María Consuelo	SS-2 1454	EBRJ	155,64	420,00
— Narrica	VI-5 8345	EDOR	232,64	396,00
— Nuestra Señora de Bitarte	ST-4 2252	EDKT	178,00	800,00
— Nuevo Machichaco	SS-2 1769	EEQM	192,00	450,00
— Palmira	CO-2 3638	EHJM	250,00	1 170,00
— Quince de Mayo	CO-2 3603	EGPC	249,00	1 170,00
— Rosa Madre	GI-4 1957	EGUJ	248,00	1 170,00
— Uli	SS-2 1397	EGOI	151,00	360,00
— Urnieta	VI-5 8261	EDJE	295,97	666,00
<b>2. LONGLINERS (11)</b>				
— Costa de Oro	GI-4 1933	EGHJ	159,35	565,00
— Favonio	CO-2 2833	EDSO	244,00	700,00
— Manuel Echeverría	BI-1 2657	EBWH	159,10	400,00
— Manuel Marino	GI-4 1998	EAFZ	114,00	430,00
— Monte Udalaiz	SS-2 1456	EFHW	222,23	900,00
— Noche de Paz	BI-2 2422	EEJI	122,00	330,00
— Norte Sur	CO-2 3564	EELP	229,53	800,00
— Playa Cedeira	GI-3 2024	EHIS	174,82	600,00
— Playa de Brela	FE-2 2832	EEOQ	179,00	700,00
— Sedal	CO-2 3743	EEEN	223,28	800,00
— Virgen de la Franqueira	SS-2 1673	EDEM	185,50	450,00

*ANNEX XI*

**Technical procedures referred to in Article 163 (3) of the Act of Accession**

- (a) A communications system on the entry into and departure from each of the ICES divisions referred to in Article 158 (1), and vessel movements within those divisions, to the competent supervisory authorities for each of the divisions concerned.
  - (b) A communications system for catches to the Commission by radio-telex on the entry into and departure from the divisions referred to in Article 158 (1) and at least every seven days for the vessels referred to in Article 158 and sardine vessels, longliners and vessels fishing for anchovy, without prejudice to the application of Regulations (EEC) No 2057/82 and (EEC) No 2807/83.
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*ANNEX XII*

**List provided for in Article 168 (4) of the Act of Accession**

Spanish undertaking	Name of vessel	Gross registered (tonnage)
<b>SOUTH AFRICA</b>		
Pescanova SA	Harvest Planet	494
	Harvest Aries	1 359
	Harvest Hercules	1 600
	Harvest Columbus	820
<b>ARGENTINA</b>		
Santodomingo e Hijos SA	Api II	1 570
	Api III	1 200
	Api IV	1 570
	Viernes Santo	280
	Sábado Santo	280
Pesquera Vasco Gallega SA	Antártida	1 180
	Urquil	1 338
Pesqueros de Altura SA	Usurbil	1 338
Conservación de alimentos SA	Corcubion	929
Congeladores Atlantico Sur SA	Ila	1 276
	Joluma	454
Pescatlántica SA	Ribera Gallega	1 360
Armad. Pros. Asoc. Suratlántico SA	Arcos	2 306
	Aracena	2 306
	Ribera Vasca	2 227
Alvamar SA	Alvamar I	1 272
	Alvamar II	1 990
	Alvamar III	276
Álvarez Entrena SA	Conarpesa I	860
	Conarpesa II	860
	Conarpesa III	270
	Capital Guiachimo	279
	Conarpesa V	270
Moric SA	Caaveiro	2 327
Pesqueras Reunidas SA	Pesuarsa II	1 517
Casa Ciriza SA	Marcelina de Ciriza	2 625
	Virgen de la Estrella	1 078
Pescanova SA	Mataco	2 431
Promociones Pesqueras SA	Lapataia	1 073
	Uchi	700
Pesquerías españolas de bacalao SA	Santa Eugenia	1 606
	Santa Rita	1 300
<b>AUSTRALIA</b>		
Pescanova SA	Newfish I	136
	Newfish II	136
<b>CHILE</b>		
Pesquerías industrial gallega SA	Álamo	667
Salvador Barreras Masso	Barreras Masso II	1 284
Cenal SA	Miño	2 715
Pescanova SA	Betanzos	1 534
<b>ECUADOR</b>		
Conservas Garavilla SA	Isabel II	823
	Isabel IV	823

Spanish undertaking	Name of vessel	Gross registered tonnage
<b>EQUATORIAL GUINEA</b>		
Diego Grimaldi SA	Bioko	357
	Elobey	174
	Corisco	194
<b>IRELAND</b>		
Pescanova SA	Dunboy	266
	Dursey	266
	Dinish	266
	La Marea	168
	Castletown	364
Pesquerías Alonso SA	Villamanin	269
	Alonso Vega	248
Hijos de Ángel Ojeda SA	Monte Marín	231
SA Pescacruña	El Orzán	210
<b>MOROCCO</b>		
Pesquerías Gaditanas de Gran Altura SA	Farah II	239
	Karima	239
Agasa SA	Tisli	299
	Tildi	218
	Sid Tijani	239
	El Aunate	493
Frigoríficos Santa Pola SA	Zineb	270
Pesquera Covadonga SA	Berrechid I	263
	Berrechid IV	257
Pesqueras Arnoya SA	Ernabice	182
	Mendiola	181
	Pastain	181
	Arnoya I	271
Pesquerías de Barbate SA	Antar	250
Pescaven Dos SA	Diana Rosal	286
	Almudena Rosal	286
Multimar SA	Agadir 1	162
	Agadir 2	162
	Agadir 3	162
	Agadir 4	162
	Agadir 5	162
	Agadir 6	162
	Agadir 7	162
	Agadir 8	162
	Agadir 9	162
	Agadir 10	162
	Agadir 11	151
	Agadir 12	151
	Agadir 13	151
	Agadir 14	151
Petit-Sol SA	Reda I	248
Tarpon SA	Reda III	280
Pescatlantica SA	Reda IV	205
Pesquerías del Sureste SA	Larache	266
Emegesa SA	Reda II	274
Marítima del Berbes SA	Mounia	227
	Leila	279
Marítima del Miño SA	Oufouk	227
Maruxia SA	Nassim	279
Pesquera Landa SA	Jawhara	227
Gestión y Pesca	Malak	138
	Malika	254
Pesquera Casal SA	Safi	266
Pescafer SA	Bahia	245
Reyte SA	Virginia	181



Spanish undertaking	Name of vessel	Gross registered tonnage
Pesquerías Gaditanas Gran Altura SA	Fadela	239
Albirpez SA	Asilah	284
	Loukos	276
Juan Fernández Arevalo	Tarfaya	181
	Medhia	181
	Martil	181
<b>MAURITANIA</b>		
Puerta Oviedo SA	Mahapu I	249
	Mahapu II	220
	Mahapu III	284
	Mahapu IV	293
SA Eduardo Vieira	Magasa I	285
Surpesca SA	Ouadane II	295
	Ouadane III	295
Pescanova SA	Mahanova II	350
	Mahanova IV	292
	Mahanova V	472
	Mosqui	494
<b>MEXICO</b>		
Pesquerías españolas de bacalao SA y SA Pesquera industrial gallega	Pescamex I	666
	Pescamex II	666
SA Pesquera industrial gallega	Alpes	747
Cía. Atlántica pesca altura SA	Avior	765
SA Pesquera industrial gallega	Nuevo Mundo	667
Pesquerías españolas de bacalao	Santa Matilda	1 360
	Santa Paula	1 360
	Arriscado	1 480
	Esguio	1 480
<b>MOZAMBIQUE</b>		
Pescanova SA	Oca	291
	Oya	291
	Oza	291
	Fontao	291
	Sistallo	291
	Lemos	523
	Andrade	523
	Pambre	523
	Sobroso	582
	Soutomayor	582
	Crisfer	251
	Rio Saiñas	251
<b>NAMIBIA</b>		
Pescanova SA	Noguerosa	741
<b>PERU</b>		
Pesquerías Españolas de bacalao SA	Brincador	1 330
	Cernello	1 330
<b>UNITED KINGDOM</b>		
Mariscos del Cantábrico SA	Lady Crab	31
	Cantidubi	43
Pesqueras Usoa SA	Invention	186
Pesquerías Bens SA	María Victoria Moyano	243
Machet SA	Grey Gate	217
	Blue Gate	240
Interpesco SA	Trueiro	285
	Abrente	225
	Itxaso	205

Spanish undertaking	Name of vessel	Gross registered tonnage
Ondar Eder SA	Eder Sands	270
Jose Luis Couceiro	Gaztelutarrak	188
Tarkis Pesquera SA	Saladina	233
Pesquera Laurak Bat SA	Slebech	277
	Slebech Two	188
	Slebech Three	277
	Milford Star	202
Pesquera Nimar SA	Willing boy	210
Mar SA	Casual	207
José González Lestao	José Dolores	213
Miguel Piñeiro Nogueira	Pescalanza	181
José San Martín e Hijos CB	Boga	228
Domingo Fernández Vila	Playa de Coroso	219
	Mani Lisa	243
Pablo Ordóñez Soto	Robrisa	254
Fomento Pesquero del Noroeste SA	Santa Susana	243
Fomento de la Pesca SA	Sasoeta	249
Marbasa SA	Greenland	200
	Ondarruman	200
Pesquera Intxorta SA	Itxas	355
Pesquera Zaldupe SA	Talay Mendi	233
Eloy García Santiago	Arrichu	256
Salvador Aguirregomezqueta y Cia.	Mountain Peak	210
Pesqueras Arrain SA	White Sands	206
Explotaciones pesqueras SA	Miquelon Express	418
Belarmino Fdez. Cabodevilla	Sibon	204
Fremar SA	Akarlanda	264
	Estornino	322
Noratlántica de pesca SA	Salmedina	302
	Terceiro Rio Sil	216
Juan Fermín Santos Fernandez	Magallanes	272
Manuel Fernández Fdez. y Otros	Lephreeto	206
Prego y Echeverría SA	Juan Mari	257
	Jositan	294
José Ferradas Comedeiro	Jomar	247
Pesquera Mugardeva SA	Mari-Geni	340
Pascual Alabau Navarro	Ciudad de Valverde	253
Juan R. Parada Castineira	Ntra. Sra. de Gardotza	198
Pesquera Antxine SA	Ama Antxine	279
Kuko SA	Kuko	251
SENEGAL		
Martín Vázquez SA	Fayda	271
	Andando	269
	Lawtan	288
	Nettali	288
	Ribarosa IV	270
Álvarez Entrena SA	Senemar I	249
	Senemar II	272
	Senemar III	272
	Senemar IV	299
	Senemar V	290
URUGUAY		
Pescanova SA	Río Solís	350
Pesquerías españolas de bacalao SA	Santa Marina	1 306
	Santa Elisa	1 280

**ANNEX XIII**

**List of products provided for in Article 174 of the Act of Accession**

CCT heading No	Description
03.01	<p>Fish, fresh (live or dead), chilled or frozen:</p> <p><b>B. Salt-water fish:</b></p> <p><b>I. Whole, headless or in pieces:</b></p> <p>    h) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>)</p> <p>        1. Fresh or chilled</p> <p>    t) Hake (<i>Merluccius</i> spp.):</p> <p>        1. Fresh or chilled</p> <p>            — Hake (<i>Merluccius merluccius</i>)</p> <p>    ex u) Blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>):</p> <p>        — Fresh or chilled</p> <p>    ex v) Other:</p> <p>        — Of horse mackerel (<i>Trachurus trachurus</i>), fresh or chilled</p> <p><b>II. Fillets:</b></p> <p>    ex a) Fresh or chilled:</p> <p>        — Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>)</p>
03.02	<p>Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:</p> <p><b>A. Dried, salted or in brine:</b></p> <p><b>I. Whole, headless or in pieces:</b></p> <p>    ex b) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>):</p> <p>        — Not dried, salted or in brine</p>
03.03	<p>Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:</p> <p><b>A. Crustaceans:</b></p> <p>    <b>III. Crabs and freshwater crayfish:</b></p> <p>        ex b) Other:</p> <p>            — Spinous spider crab (<i>Maia squinado</i>) fresh (live)</p> <p><b>B. Molluscs:</b></p> <p>    <b>IV. Other:</b></p> <p>        b) Other:</p> <p>            ex 2. Other:</p> <p>                — Venus clams (<i>Venus gallina</i>) fresh or chilled</p>

ANNEX XIV

**List of products provided for in Article 176 of the Act of Accession**

CCT heading No	Description
03.01	<p>Fish, fresh (live or dead), chilled or frozen:</p> <p><b>B. Saltwater fish:</b></p> <p><b>I. Whole, headless or in pieces:</b></p> <p>    h) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus Ogac</i>):</p> <p>        1. Fresh or chilled</p> <p>    p) Anchovies (<i>Engraulis</i> spp.):</p> <p>        1. Fresh or chilled</p> <p>    t) Hake (<i>Merluccius</i> spp.):</p> <p>        1. Fresh or chilled</p> <p>        2. Frozen</p> <p>    u) Blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>)</p> <p>ex v) Other:</p> <p>    — Horse mackerel (<i>Trachurus trachurus</i>), fresh or chilled</p> <p><b>II. Fillets</b></p> <p>ex a) Fresh or chilled:</p> <p>    — Of cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus Ogac</i>)</p> <p>    b) Frozen:</p> <p>        9. Of hake (<i>Merluccius</i> spp.)</p>
03.02	<p>Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:</p> <p><b>A. Dried, salted or in brine:</b></p> <p><b>I. Whole, headless or in pieces:</b></p> <p>ex b) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus Ogac</i>):</p> <p>    — Not dried, salted or in brine</p>
03.03	<p>Crustaceans or molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:</p> <p><b>A. Crustaceans:</b></p> <p><b>III. Crabs and freshwater crayfish:</b></p> <p>ex b) Other:</p> <p>    — Spinous spider crab (<i>Maia squinado</i>), fresh (live)</p> <p><b>B. Molluscs:</b></p> <p><b>IV. Other:</b></p> <p>    b) Other:</p> <p>        ex 2. Other:</p> <p>            — Venus clam (<i>Venus gallina</i>), fresh or chilled</p>

ANNEX XV

List provided for in Article 177 (3) of the Act of Accession

(a) TEMPORARY DEROGATIONS FROM REGULATION (EEC) NO 288/82

CCT heading No	Description	Global quota (1986)
25.03	Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur	19 309 tonnes
29.03	Sulphonated, nitrated or nitrosated derivatives of hydrocarbons: B. Nitrated and nitrosated derivatives: ex I. Trinitrotoluenes and dinitronaphthalenes: — Trinitrotoluenes	33 tonnes
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues	4 tonnes
36.01	Propellent powders	2 tonnes
36.02	Prepared explosives, other than propellent powders	1 500 tonnes
ex 36.04	Safety fuses; detonating fuses; percussion and detonating caps; igniters; detonators: — Excluding electrical detonators	4 tonnes
36.05	Pyrotechnic articles (for example, fireworks, railway fog signals, amorces, rain rockets)	9,3 tonnes
36.06	Matches (excluding Bengal matches)	1 050 million units
39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other: I. Polyethylene: ex b) In other forms: — Waste and scrap ex II. Polytetrahaloethylenes: — Waste and scrap ex III. Polysulphohaloethylenes: — Waste and scrap ex IV. Polypropylene: — Waste and scrap ex V. Polyisobutylene: — Waste and scrap VI. Polystyrene and copolymers of styrene: ex b) In other forms: — Waste and scrap	1 042 tonnes

CCT heading No	Description	Global quota (1986)
39.02 (cont'd)	C. VII. Polyvinyl chloride ex VIII. Polyvinylidene chloride: copolymers of vinylidene chloride with vinyl chloride: — Waste and scrap ex IX. Polyvinyl acetate: — Waste and scrap ex X. Copolymers of vinyl chloride with vinyl acetate: — Waste and scrap ex XI. Polyvinyl alcohols, acetals and ethers: — Waste and scrap ex XII. Acrylic polymers, methacrylic polymers and acrylomethacrylic copolymers: — Waste and scrap ex XIII. Coumarone resins, indene resins and coumarone-indene resins: — Waste and scrap XIV. Other polymerization or copolymerization products ex b) in other forms: — Waste and scrap	
39.07	Articles and materials of the kinds described in heading Nos 39.01 to 39.06: B. Other: I. Of regenerated cellulose III. Of hardened proteins V. Of other materials: a) Spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12. c) Corset busks and similar supports for articles of apparel or clothing accessories ex d) Other: — Excluding airtight clothing affording protection against radiation or radioactive contamination, not combined with breathing appliances (including gas masks and similar respirators)	2 025 244 ECU
42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric	331 tonnes
66.03	Parts, fittings, trimmings and accessories of articles falling within heading No 66.01 or 66.02: B. Frames, including frames mounted on shafts (sticks)	30,6 tonnes
69.14	Other articles	7,3 tonnes
71.12	Articles of jewellery and parts thereof, of precious metal or rolled precious metal	5 329 591 ECU
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	5 862 550 ECU
71.16	Imitation jewellery	1 687 704 ECU

CCT heading No	Description	Global quota (1986)
73.32	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, screws (including screw hooks and screw rings), rivets, cotters, cotterpins and similar articles, of iron or steel; washers (including spring washers) of iron or steel:	205 tonnes
73.38	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel: B. Other	239 tonnes
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)	99 tonnes
82.03	Hand tools, the following: pliers (including cutting pliers), pincers, tweezers, tinmen's snips, bolt croppers and the like; perforating punches; pipe cutters; spanners and wrenches (but not including tap wrenches); files and rasps	98 tonnes
82.04	Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frameworks (hand or pedal operated)	143 tonnes
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, with a working part of: ex A. Base metal: — Excluding: — Rock drilling and earth boring tools — Drills of high speed steel for metal working — Punches and dies — Drills, milling cutters and heads other than for metalworking	51 tonnes
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor: B. Knife blades	1 tonne
ex 85.02	Electro-magnets; permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets; electro-magnetic and permanent magnet chucks, clamps, vices and similar work holders; electro-magnetic clutches and couplings; electro-magnetic brakes; electro-magnetic lifting heads: — Permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets	173 tonnes
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers: ex B. Other — Loudspeakers, amplifiers and parts	18 014 016 ECU
85.18	Electrical capacitors, fixed or variable	240 tonnes

CCT heading No	Description	Global quota (1986)
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, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels	953 tonnes
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes transistors and similar semiconductor devices; light emitting diodes; electronic micro-circuits: B. Photocells, including photo-transistors	46 tonnes
89.01	Ships, boats and other vessels not falling within any of the following headings of this Chapter: B. Other: II. Other: ex a) Weighing 100 kg or less each: — Excluding pleasure craft and sports craft ex b) Other: — Excluding pleasure craft and sports craft	26 647 963 ECU
89.02	Vessels specially designed for towing (tugs) or pushing other vessels: B. Pusher craft	
89.03	Light-vessels, fire-floats, dredgers of all kinds, floating cranes, and other vessels the navigability of which is subsidiary to their main function; floating docks; floating or submersible drilling or production platforms	
90.01	Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material	1 225 806 ECU
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other	808 321 ECU
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: A. Sound recorders or reproducers: ex I. Sound recorders: — Tape recorders for recording only II. Sound reproducers: III. Combined sound recorders and reproducers B. Television image and sound recorders or reproducers	88 826 512 ECU
92.13	Other parts and accessories of apparatus falling within heading No 92.11	



CCT heading No	Description	Global quota (1986)
93.01	Side-arms (for example, swords, cutlasses and bayonets) and parts thereof and scabbards and sheaths therefor	2 tonnes
93.02	Revolvers and pistols, being firearms	1 600 units
93.04	Other firearms, including Very pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like	8 000 units
93.05	Arms of other descriptions, including air, spring and similar pistols, rifles and guns	12 tonnes
93.06	Parts of arms, including gun barrel blanks, but not including parts of side-arms	1,5 tonnes
93.07	Bombs, grenades, torpedoes, mines, guided weapons and missiles and similar munitions of war, and parts thereof; ammunition and parts thereof, including cartridge wads; lead shot prepared for ammunition	126 tonnes
97.02	Dolls	355 306 ECU

**(b) TEMPORARY DEROGATIONS FROM REGULATION (EEC) NO 288/82 WITH REGARD TO JAPAN**

(Supplementary list to that appearing in Part (a) of this Annex)

CCT heading No	Description	Global quota (1986)
48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets: ex D. Other: — Self-copy paper	150 tonnes
ex 48.13	Carbon and other copying papers (including duplicator stencils) and transfer papers, cut to size, whether or not put up in boxes: — Excluding duplicator stencils and carbon and similar copying papers	25 tonnes
ex 68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, of paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up: — On a base of woven fabric only	3 tonnes
70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	176 tonnes

CCT heading No	Description	Global quota (1986)
73.02	<b>Ferro-alloys:</b> B. Ferro-aluminium, ferro-silico-aluminium and ferro-silico-mangano-aluminium C. Ferro-silicon D. Ferro-silico-manganese E. Ferro-chromium and ferro-silico-chromium ex G. Other: — Ferro-vanadium	780 tonnes
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: II. Forged B. Slabs and sheet bars (including tinplate bars): II. Forged	765 tonnes
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: B. Not further worked than cold-rolled: II. Other C. Clad, coated or otherwise surface-treated: I. Silvered, gilded or platinum-plated II. Enamelled III. Tinned: b) Other IV. Zinc-coated or lead-coated V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): a) Not further worked than clad: 2. Cold-rolled b) Other D. Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)	830 tonnes
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: B. Other sheets and plates: IV. Clad, coated or otherwise surface-treated: a) Silvered, gilded, platinum-plated or enamelled V. Otherwise shaped or worked: a) Cut into shapes or worked: 1. Silvered, gilded, platinum-plated or enamelled b) Other, excluding sheets and plates shaped by rolling	52 tonnes
73.14	Iron or steel wire, whether or not coated, but not insulated	1 250 tonnes
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits: ex A. Tubes and pipes, with attached fittings, suitable for conducting gases or liquids, for use in civil aircraft: — Straight and of uniform wall-thickness, other than those falling in subheading B I, of alloy steel containing by weight not less than 0,90 % but not more than 1,15 % of carbon, not less than 0,50 % but not more than 2 % of chromium and not more than 0,50 % of molybdenum (a)	2 622 tonnes

(a) The quantitative restrictions will be abolished on the entry into force in Spain of the Agreement on trade in civil aircraft.

CCT heading No	Description	Global quota (1986)
73.18 (cont'd)	<p>ex A. — Seamless or welded tubes, of circular cross-section, more than 406,4 mm in external diameter (a)</p> <p>— Seamless or welded tubes, of circular cross-section, not more than 406,4 mm in external diameter:</p> <p>— High-pressure petroleum and gas line pipes (a)</p> <p>— Tubes fitted with sockets or flanges (a)</p> <p>B. Other:</p> <p>I. Straight and of uniform wall-thickness, unworked, seamless, of circular cross-section, solely for the manufacture of tubes and pipes with other cross-sections and wall-thicknesses</p> <p>II. Straight and of uniform wall-thickness, other than those falling in subheading B I, of a maximum length of 4,50 m, of alloy steel containing by weight not less than 0,90 % but not more than 1,15 % of carbon, not less than 0,50 % but not more than 2 % of chromium and not more than 0,50 % of molybdenum</p> <p>ex III. Other:</p> <p>— Tubes having the characteristics of subheading B II, but of a length greater than 4,50 m</p> <p>— Electric conduit tubes</p> <p>— Seamless or welded tubes, of circular cross-section, more than 406,4 mm in external diameter</p> <p>— Seamless or welded tubes, of circular cross-section, not more than 406,4 mm in external diameter:</p> <p>— High-pressure petroleum and gas line pipes</p> <p>— Tubes fitted with sockets or flanges</p>	
73.25	Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables	25 tonnes
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	709 tonnes
82.05	<p>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 screwdriving), including dies for wire drawing, extrusion dies for metal, and rock-drilling bits with a working part of:</p> <p>ex A. Base metal:</p> <p>— Rock-drilling and earth-boring tools</p> <p>— Metalworking tools:</p> <p>— Drills of high speed steel</p> <p>— Punches and dies</p> <p>— Other tools:</p> <p>— Drills</p> <p>— Milling cutters and heads</p> <p>B. Metal carbides</p> <p>C. Diamond or agglomerated diamond</p> <p>D. Other materials</p>	60 tonnes
82.06	Knives and cutting blades, for machines or for mechanical appliances	90 tonnes
82.07	Tool-tips and plates, sticks and the like for tool-tips, unmounted, of sintered metal carbides (for example, carbides of tungsten, molybdenum or vanadium)	5 tonnes

(a) The quantitative restrictions will be abolished on the entry into force in Spain of the Agreement on trade in civil aircraft.

CCT heading No	Description	Global quota (1986)
82.08	Coffee-mills, mincers, juice-extractors and other mechanical appliances, of a weight not exceeding 10 kg and of a kind used for domestic purposes in the preparation, serving or conditioning of food or drink	5 tonnes
82.11	Razors and razor blades (including razor blade blanks, whether or not in strips)	4 tonnes
ex 82.13	Other articles of cutlery (for example, secateurs, hair clippers, butchers' cleavers, paper knives); manicure and chiropody sets and appliances (including nail files): — Excluding hair clippers, hand-operated; manicure and chiropody sets and appliances	22 tonnes
82.15	Handles of base metal for articles falling within heading No 82.09, 82.13 or 82.14	1 tonne
83.01	Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and parts of such frames, of base metal; keys for any of the foregoing articles, of base metal	6 tonnes
ex 84.24	Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertilizer distributors); lawn and sports ground rollers: — Excluding ploughs, scarifiers, cultivators, harrows, drills, planters, transplanters and fertilizer distributors and manure spreaders and parts	136 tonnes
ex 84.25	Harvesting and threshing machinery; straw and fodder presses; hay or grass mowers; winnowing and similar cleaning machines for seed, grain or leguminous vegetables and egg-grading and other grading machines for agricultural produce (other than those of a kind used in the bread-grain milling industry falling within heading No 84.29): — Mowers for lawns, parks or sports grounds	102 tonnes
84.45	Machine-tools for working metal or metal carbides, not being machines falling within heading No 84.49 or 84.50: B. Machine-tools operating by electro-erosion or other electrical processes; ultrasonic machine-tools: I. Automated by coded information C. Other machine-tools: I. Lathes: a) Automated by coded information II. Boring machines: a) Automated by coded information III. Planning machines: a) Automated by coded information IV. Shaping machines, sawing machines and cutting-off machines, broaching machines and slotting machines: a) Automated by coded information V. Milling machines and drilling machines: a) Automated by coded information	183 tonnes

CCT heading No	Description	Global quota (1986)
84.45 (cont'd)	<p>C. VI. Sharpening, trimming, grinding, honing and lapping, polishing or finishing machines and similar machines operating by means of grinding wheels, abrasives or polishing products:</p> <p>a) Fitted with a micrometric adjusting system within the meaning of Additional Note 2 to this Chapter</p> <p>VII. Jig-boring machines:</p> <p>a) Automated by coded information</p> <p>VIII. Gear-cutting machines:</p> <p>a) For cutting cylindrical gears:</p> <p>1. Automated by coded information</p> <p>b) For cutting other gears:</p> <p>1. Automated by coded information</p> <p>IX. Presses, other than those falling within subheadings 84.45 C X and C XI:</p> <p>a) Automated by coded information</p> <p>X. Bending, folding, flattening, shearing, punching and notching machines:</p> <p>a) Automated by coded information</p> <p>XI. Forging machines and stamping machines:</p> <p>a) Automated by coded information</p>	
84.51	<p>Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines:</p> <p>ex A. Typewriters:</p> <ul style="list-style-type: none"> <li>— Automatic typewriters, controlled by data media</li> <li>— Portable electric typewriters</li> <li>— Other than electric</li> </ul>	182 tonnes
84.52	<p>Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Calculating machines</li> <li>— Accounting machines</li> <li>— Cash registers incorporating a printing device other than electronic</li> </ul>	3 tonnes
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>I. Transmitters:</p> <p>a) Radiotelegraphic and radiotelephonic apparatus, for use in civil aircraft (a)</p> <p>II. Transmitter-receivers:</p> <p>a) Radiotelegraphic and radiotelephonic apparatus, for use in civil aircraft (a)</p> <p>III. Receivers, whether or not incorporating sound recorders or reproducers:</p> <p>b) Other:</p> <p>ex 2. Other:</p> <ul style="list-style-type: none"> <li>— Radiotelegraphic and radiotelephonic receivers</li> </ul>	99 tonnes

(a) The quantitative restrictions will be abolished on the entry into force in Spain of the Agreement on trade in civil aircraft.

CCT heading No	Description	Global quota (1986)
85.15 (cont'd)	B. Other apparatus C. Parts: II. Other: a) Cabinets and cases ex c) Other: — Telescopic and whip-type aerials for portable apparatus other than for apparatus for fitting in motor vehicles (a)	
85.20	Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc lamps	43 tonnes
85.22	Electrical appliances and apparatus, having individual functions, not falling within any other heading of this Chapter: C. Other: II. Other appliances and apparatus III. Parts	98 tonnes
87.07	Works trucks, mechanically propelled, of the types used in factories, warehouses, dock areas or airports for short distance transport or handling of goods (for example, platform trucks, fork-lift trucks and straddle carriers); tractors of the type used on railway station platforms; parts of the foregoing vehicles	1 201 tonnes
ex 87.09	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds: — Motor-cycles, with or without side-cars, powered by internal combustion engines, of a cylinder capacity of more than 380 cm <sup>3</sup> — Side-cars for motor cycles and auto-cycles and cycles of all kinds	528 tonnes
87.12	Parts and accessories of articles falling within heading No 87.09, 87.10 or 87.11: B. Other	18 tonnes
89.05	Floating structures other than vessels (for example, coffer-dams, landing stages, buoys and beacons)	8 tonnes
90.02	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked	34 tonnes
ex 90.03	Frames and mountings and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like: — Frames and mounting of base metal, even of rolled precious metal	1 tonne
ex 90.17	Medical, dental, surgical and veterinary instruments and appliances (including electromedical apparatus and ophthalmic instruments): — Needles, cannulae and catheters	48 tonnes

(a) Subject to notification by Spain to GATT.

CCT heading No	Description	Global quota (1986)
98.02	Slide fasteners and parts thereof	57 tonnes
98.03	Fountain pens, stylograph pens and pencils (including ballpoint pens and pencils) and other pens, pen-holders, pencil-holders and similar holders, propelling pencils and sliding pencils; parts and fittings thereof, other than those falling within heading No 98.04 or 98.05: ex A. Fountain pens and stylograph pens: — Ballpoint pens and pencils excluding those with liquid ink (rolling ball pens), with replaceable refill or with body or cap of precious metal or rolled precious metal — Felt-tipped and fibre-tipped pens and pencils	34 tonnes

**(c) TEMPORARY DEROGATIONS FROM REGULATIONS (EEC) NO 1765/82, NO 1766/82 AND NO 3419/83, AS AMENDED BY REGULATION (EEC) NO 453/84**

CCT heading No	Description	Global quota (1986)
25.03	Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur	3 218 tonnes
ex 28.08	Sulphuric acid; oleum: — Sulphuric acid	1 000 tonnes
28.38	Sulphates (including alums) and persulphates: A. Sulphates (excluding alums): ex II. Of potassium; of copper: — Of copper	26 tonnes
28.42	Carbonates and percarbonates; commercial ammonium carbonate containing ammonium carbamate: A. Carbonates: II. Of sodium	1 876 tonnes
29.03	Sulphonated, nitrated or nitrosated derivatives of hydrocarbons: B. Nitrated and nitrosated derivatives: ex I. Trinitrotoluenes and dinitronaphthalenes — Trinitrotoluenes	500 tonnes
29.15	Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives: A. Acyclic polycarboxylic acids: I. Oxalic acid and its salts and esters	30 tonnes
29.16	Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives: A. Carboxylic acids with alcohol function: IV. Citric acid and its salts and esters: b) Other	100 tonnes

CCT heading No	Description	Global quota (1986)
29.23	Single or complex oxygen-function amino-compounds: D. Amino-acids: III. Glutamic acid and its salts	15 tonnes
ex 29.30	Compounds with other nitrogen-functions: — Toluene-dioxyanate	75 tonnes
29.31	Organo-sulphur compounds: ex B. Other: — Diethyldithiocarbonate of zinc	57 tonnes
29.35	Heterocyclic compounds; nucleic acids: ex Q. Other: — Caprolactam	600 tonnes
31.03	Mineral or chemical fertilizers, phosphatic: A. Mentioned in Note 2 (A) to this Chapter: I. Superphosphates ex II. Other: — Excluding basic slag B. Mentioned in Note 2 (B) or (C) to this Chapter	1 000 tonnes
31.04	Mineral or chemical fertilizers, potassic: A. Mentioned in Note 3 (A) to this Chapter	3 000 tonnes
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues	1 tonne
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 articles (for example, sulphur-treated bands, wicks and candles, fly-papers): D. Other	222 tonnes
39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones): C. Other: II. Aminoplasts: ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Excluding urea resins and other aminoplasts prepared for moulding or extruding	160 tonnes
39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other: XIV. Other polymerization or copolymerization products: ex b) In other forms: — Waste and scrap	10 tonnes



CCT heading No	Description	Global quota (1986)
39.07	<p>Articles and materials of the kinds described in heading Nos 39.01 to 39.06:</p> <p>B. Other:</p> <p>    I. Of regenerated cellulose</p> <p>    III. Of hardened proteins</p> <p>    V. Of other materials:</p> <p>        a) Spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12</p> <p>        c) Corset busks and similar supports for articles of apparel or clothing accessories</p> <p>    ex d) Other:</p> <p>        — Excluding airtight clothing affording protection against radiation or radioactive contamination, not combined with breathing appliances (including gas masks and similar respirators)</p>	337 541 ECU
42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric	34 tonnes
42.03	<p>Articles of apparel and clothing accessories, of leather or of composition leather:</p> <p>A. Articles of apparel</p> <p>C. Other clothing accessories</p>	1 tonne
43.03	<p>Articles of furskin:</p> <p>B. Other</p>	2 tonnes
44.24	Household utensils of wood	13 tonnes
44.28	<p>Other articles of wood:</p> <p>D. Other:</p> <p>    ex II. Other:</p> <p>        — Coathangers and other articles of wood</p>	27 tonnes
ex 46.03	<p>Basketwork, wickerwork and other articles of plaiting materials, made directly to shape; articles made up from goods falling within heading No 46.02; articles of loofah:</p> <p>— Basketwork</p>	1 126 tonnes
59.02	<p>Felt and articles of felt, whether or not impregnated or coated:</p> <p>ex A. Felt in the piece or simply cut to rectangular shape:</p> <p>    — Felt not impregnated or coated, for uses other than floor covering:</p> <p>        — Needle-loom felt of jute or other textile bast fibres of heading No 57.03</p> <p>        — Other felt of coarse animal hair</p>	2 tonnes
66.03	<p>Parts, fittings, trimmings and accessories of articles falling within heading No 66.01 or 66.02:</p> <p>B. Frames, including frames mounted on shafts (sticks)</p>	5,1 tonnes

CCT heading No	Description	Global quota (1986)
55.04 (1)	Cotton, carded or combed	4 tonnes
56.06 (1)	Yarn of man-made fibres (discontinuous or waste), put up for retail sale	
59.02 (1)	Felt and articles of felt, whether or not impregnated or coated: ex A. Felt in the piece or simply cut to rectangular shape for uses other than floor coverings: — Felt, not impregnated or coated: — Needle-loom felt of jute or other textile bast fibres of heading No 57.03 — Other felt of textile materials other than coarse animal hair — Felt, impregnated or coated B. Other	
59.03 (1)	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated	
59.11 (1)	Rubberized textile fabrics, other than rubberized knitted or crocheted goods: A. Rubberized textile fabrics not comprised in B below: I. Adhesive strips, of a width not exceeding 10 cm, the coating of which consists of unvulcanized natural or synthetic rubber II. Fabrics combined with expanded foam or sponge rubber III. Other: b) Other B. Fabrics mentioned in Note 3 (b) to this Chapter	
69.14	Other articles	1,2 tonnes
70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated; glass ampoules: ex A. Laboratory, hygienic and pharmaceutical glassware: — Laboratory glassware	105 tonnes
70.20	Glass fibre (including wool), yarns, fabrics, and articles made therefrom: B. Textile fibre, yarns, fabrics, and articles made therefrom	236 tonnes
71.12	Articles of jewellery and parts thereof, of precious metal or rolled precious metal	888 265 ECU
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	159 888 ECU
71.16	Imitation jewellery	73 726 ECU
73.32	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, screws (including screw hooks and screw rings), rivets, cotters, cotterpins and similar articles, of iron or steel; washers (including spring washers) of iron or steel	33 tonnes

(1) Products for which Spain may maintain, on a temporary basis, quantitative restrictions for its imports coming from State-trading countries which are not signatories to MFA agreements or MFA-type agreements (GDR, USSR, Albania, Mongolia, Vietnam, North Korea).

CCT heading No	Description	Global quota (1986)
73.38	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steelwool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel: B. Other	169 tonnes
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)	10 tonnes
82.03	Hand tools, the following: pliers (including cutting pliers), pincers, tweezers, tinmen's snips, bolt croppers and the like; perforating punches; pipe cutters; spanners and wrenches (but not including tap wrenches); files and rasps	131 tonnes
82.04	Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frameworks (hand or pedal operated)	130 tonnes
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 screwdriving), including dies for wire drawing, extrusion dies for metal, and rock-drilling bits, with a working part of: ex A. Base metal: — Excluding: — Rock-drilling and earth-boring tools — Drills of high speed steel for metalworking — Punches and dies — Drills, milling cutters and heads other than for metalworking	1,6 tonne
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor: B. Knife blades	0,2 tonne
82.14	Spoons, forks, fish-eaters, butter knives, ladles, and similar kitchen or tableware	22 tonnes
84.11	Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines); fans, blowers and the like: A. Pumps and compressors: II. Other: ex b) Other pumps and compressors: — Compressors for refrigerating equipment	4 tonnes
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: ex A. The following goods, for use in civil aircraft: — Generators, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors — Electric motors of an output of not less than 0,75 kW but less than 150 kW: — Motors of an output of not less than 0,75 kW but less than 150 kW, excluding multiphase motors	200 tonnes

CCT heading No	Description	Global quota (1986)
85.01 (cont'd)	ex A. — Generators — Rotary converters B. Other machines and apparatus: I. Generators, motors, (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: a) Synchronous motors of an output of not more than 18 watts ex b) Other: — Excluding multiphase motors	
ex 85.02	Electro-magnets; permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets; electro-magnetic and permanent magnet chucks, clamps, vices and similar work holders; electro-magnetic clutches and couplings; electro-magnetic brakes; electro-magnetic lifting heads: — Permanent magnets and articles of special materials for permanent magnets, being blanks of such magnets	28 tonnes
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers: ex B. Other: — Loudspeakers, amplifiers and parts	71 061 ECU
85.18	Electrical capacitors, fixed or variable	24 tonnes
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 arrestors, surge suppressors, plugs, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels	223 tonnes
85.20	Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc lamps: A. Filament lamps for lighting: II. Other ex B. Other lamps: — Discharge lamps, including dual lamps	450 tonnes
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semi-conductor devices; light emitting diodes; electronic micro-circuits: B. Photocells, including photo-transistors	7 tonnes
87.07	Works trucks, mechanically propelled, of the types used in factories, warehouses, dock areas or airports for short-distance transport or handling of goods (for example, platform trucks, forklift trucks and straddle carriers); tractors of the type used on railway station platforms; parts of the foregoing vehicles: B. Straddle carriers C. Other trucks; tractors D. Parts	608 tonnes

CCT heading No	Description	Global quota (1986)
ex 87.09	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds: — Excluding motor cycles, auto-cycles and cycles with or without side-cars, powered by internal combustion engines	1 tonne
89.01	Ships, boats and other vessels not falling within any of the following headings of this Chapter: B. Other: II. Other	4 441 330 ECU
89.02	Vessels specially designed for towing (tugs) or pushing other vessels	
89.03	Light-vessels, fire-floats, dredgers of all kinds, floating cranes, and other vessels the navigability of which is subsidiary to their main function; floating docks; floating or submersible drilling or production platforms	
90.01	Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material	204 301 ECU
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other	133 240 ECU
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	1 776 530 ECU
92.13	Other parts and accessories of apparatus falling within heading No 92.11	
93.01	Side-arms (for example, swords, cutlasses and bayonets) and parts thereof and scabbards and sheaths therefor	1 tonne
93.04	Other firearms, including Very pistols, pistols and revolvers for firing blank ammunition only, line-throwing guns and the like	1 300 units
93.05	Arms of other descriptions, including air, spring and similar pistols, rifles and guns	1 tonne
93.06	Parts of arms, including gun-barrel blanks, but not including parts of sidearms	0,3 tonne

CCT heading No	Description	Global quota (1986)
94.03	Other furniture and parts thereof: ex B. Other: — Excluding furniture and parts thereof in wood	13 tonnes
97.02	Dolls	26 648 ECU
98.02	Slide fasteners and parts thereof	1,3 tonne
98.05	Pencils (other than pencils of heading No 98.03), pencil leads, slate pencils, crayons, and pastels, drawing charcoals and writing and drawing chalks; tailors' and billiards chalks: A. Pencils, pencil leads, slate pencils, crayons, pastels and drawing charcoals	266 480 ECU

ANNEX XVI

List provided for in Article 177 (5) of the Act of Accession

(a) LIST OF BASIC QUOTAS FOR PRODUCTS SUBJECT TO QUANTITATIVE  
RESTRICTIONS ON IMPORT INTO SPAIN WITH REGARD TO ALL THIRD COUNTRIES  
UNTIL 31 DECEMBER 1989

CCT heading No	Description	Global quotas for the countries to which Regulation (EEC) No 288/82 applies (1986)	Global quotas for the State-trading countries referred to in Regulation (EEC) No 3420/83 (1986)
ex 58.01	Carpets, carpeting and rugs, knotted (made up or not), other than hand-made	60 tonnes	3 tonnes
58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not): A. Carpets, carpeting, rugs, mats and matting	21 tonnes	30 tonnes
84.41	Sewing machines; furniture specially designed for sewing machines; sewing-machine needles; A. Sewing machines; furniture specially designed for sewing machines: I. Sewing machines (lock-stitch only), with heads of a weight not exceeding 16 kg without motor or 17 kg including the motor; sewing-machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor: a) Sewing machines having a value (not including frames, tables or furniture) of more than 65 ECU each b) Other	522 units	10 units
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; 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: III. Receivers, whether or not incorporating sound recorders or reproducers: b) Other: ex 2. Other: — Colour television receivers, the diagonal measurement of which is: — 42 cm or less — from more than 42 cm up to and including 52 cm — more than 52 cm	2 706 units	3 units
87.01	Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys: A. Agricultural walking tractors, with either a spark ignition or a compression ignition engine ex B. Agricultural tractors (excluding walking tractors) and forestry tractors, wheeled: — With an engine of a cylinder capacity of 4 000 cm <sup>3</sup> or less	13 units	448 units

**b) LIST OF BASIC QUOTAS FOR PRODUCTS SUBJECT TO QUANTITATIVE  
RESTRICTIONS ON IMPORT INTO SPAIN WITH REGARD TO STATE-TRADING  
COUNTRIES UNTIL 31 DECEMBER 1991**

CCT heading No	Description	Global quotas for the State-trading countries referred to in Regulation (EEC) No 3420/83 (1986)
36.01	Propellent powders	8 tonnes
36.02	Prepared explosives, other than propellent powders	150 tonnes
ex 36.04	Safety fuses; detonating fuses; percussion and detonating caps; igniters; detonators; — Other than electrical detonators	4 tonnes
36.05	Pyrotechnic articles (for example, fireworks, railway fog signals, amories, rain rockets)	169 tonnes
36.06	Matches (excluding Bengal matches)	10 million units
39.02	<p>Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins):</p> <p>C. Other:</p> <ul style="list-style-type: none"> <li>I. Polyethylene: <ul style="list-style-type: none"> <li>ex b) In other forms: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> </ul> </li> <li>ex II. Polytetrahaloethylenes: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> <li>ex III. Polysulphohaloethylenes: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> <li>ex IV. Polypropylene: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> <li>ex V. Polyisobutylene <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> <li>VI. Polystyrene and copolymers of styrene: <ul style="list-style-type: none"> <li>ex b) In other forms: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> </ul> </li> <li>VII. Polyvinyl chloride: <ul style="list-style-type: none"> <li>ex b) In other forms: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> </ul> </li> <li>ex VIII. Polyvinylidene chloride; copolymers of vinylidene chloride with vinyl chloride: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> <li>ex IX. Polyvinyl acetate: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> <li>ex X. Copolymers and vinyl chloride with vinyl acetate: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> <li>ex XI. Polyvinyl alcohols, acetals and ethers: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> </ul>	25 tonnes



CCT heading No	Description	Global quotas for the State-trading countries referred to in Regulation (EEC) No 3420/83 (1986)
39.02 <i>(cont'd)</i>	C. ex XII. Acrylic polymers, methacrylic polymers and acrylo-methacrylic copolymers: — Waste and scrap ex XIII. Coumarone resins, indene resins and coumarone-indene resins: — Waste and scrap	
93.02	Revolvers and pistols, being firearms	160 units
93.07	Bombs, grenades, torpedoes, mines, guided weapons and missiles and similar munitions of war, and parts thereof; ammunition and parts thereof, including cartridge wads; lead shot prepared for ammunition	26 tonnes

*ANNEX XVII*

**List provided for in Article 178 of the Act of Accession**

CCT heading No	Description
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)
28.16	Ammonia, anhydrous or in aqueous solution
29.01	Hydrocarbons
29.02	Halogenated derivatives of hydrocarbons
29.04	Acyclic alcohols and their halogenated, sulphated, nitrated or nitrosated derivatives
31.02	Mineral or chemical fertilizers, nitrogenous
31.05	Other fertilizers; foods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg
39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins)
39.07	Articles of materials of the kinds described in headings Nos 39.01 to 39.06
51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02
55.06	Cotton yarn, put up for retail sale
55.09	Other woven fabrics of cotton
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale
56.07	Woven fabrics of man-made fibres (discontinuous or waste)
58.01	Carpets, carpeting and rugs, knotted (made up or not)
58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelim', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)
60.01	Knitted or crocheted fabric, not elastic or rubberized
60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized
60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized
60.04	Under garments, knitted or crocheted, not elastic or rubberized
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized
61.01	Men's and boys' outer garments

CCT heading No	Description
61.02	Women's, girls' and infants' outer garments
61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs
62.01	Travelling rugs and blankets
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles
69.08	Glazed setts, flags and paving, hearth and wall tiles
69.11	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian)
73.36	Stoves (including stoves with subsidiary boilers for central heating), ranges, cookers, grates, fires and other space heaters, gas-rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel
82.14	Spoons, forks, fish-eaters, butter knives, ladles, and similar kitchen or tableware: B. Other
84.15	Refrigerators and refrigerating equipment (electrical and other)
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
84.40	Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor coverings for applying the paste to the base fabric of other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor
84.41	Sewing machines; furniture specially designed for sewing machines; sewing machine needles
84.52	Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device
84.53	Automatic data-processing machines and units thereof: magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included
84.55	Parts and accessories (other than covers, carrying-cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hairdressing 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
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers

CCT heading No	Description
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus
85.17	Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16
85.20	Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc lamps
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour or gas filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semi-conductor devices; light emitting diodes; electronic microcircuits
87.01	Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys
89.01	Ships, boats and other vessels not falling within any of the following headings of this Chapter: B. Other
89.02	Vessels specially designed for towing (tugs) or pushing other vessels
90.17	Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments)
90.28	Electrical measuring, checking, analysing or automatically controlling instruments and apparatus
90.29	Parts or accessories suitable for use solely or principally with one or more of the articles falling within heading No 90.23, 90.24, 90.26, 90.27 or 90.28
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: B. Television image and sound recorders or reproducers

ANNEX XVIII

List provided for in Article 200 of the Act of Accession

CCT heading No	Description
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06: ex B. Other: — Parts for use in the manufacture of machines falling within heading No 84.53
40.14	Other articles of unhardened vulcanized rubber: ex B. Other: — Parts for use in the manufacture of machines falling within heading No 84.53
44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 mm: B. Coniferous wood, of a length of 125 cm or less and of a thickness of less than 12,5 mm
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous): B. Of regenerated textile fibres
69.03	Other refractory goods (for example, retorts, crucibles, muffles, nozzles, plugs, supports, cupels, tubes, pipes, sheaths and rods), other than goods falling within heading No 69.01: ex A. With a basis of graphite or other forms of carbon: — Of silicon carbide or of zirconium compounds for firing ceramic products ex C. Other: — Of artificial corundum or of zirconium compounds for firing ceramic products
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms (ECSC)
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: ex I. Rolled (ECSC): — Billets
73.08	Iron or steel coils for re-rolling (ECSC)
73.13	Sheet and plates, of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates: ex I. With a watt-loss, regardless of thickness, of 0,75 watt or less (ECSC) — Not further worked than hot-rolled, of a thickness greater than 3 mm ex II. Other (ECSC): — Not further worked than hot-rolled, of a thickness greater than 3 mm B. Other sheets and plates: I. Not further worked than hot-rolled, of a thickness of: a) 2 mm or more (ECSC): — Of a thickness greater than 3 mm ex III. Not further worked than burnished, polished or glazed (ECSC): — Hot-rolled, of a thickness greater than 3 mm V. Otherwise shaped or worked: a) Cut into shapes other than rectangular shapes, but not further worked ex 2. Other (ECSC): — Hot-rolled, of a thickness greater than 3 mm

CCT heading No	Description
73.15	<p>Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14:</p> <p>A. High carbon steel:</p> <p>V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections:</p> <p>b) Not further worked than hot-rolled or extruded:</p> <p>1. Wire rod (ECSC)</p> <p>ex VIII. Wire, whether or not coated, but not insulated:</p> <p>— Not coated, for use in the manufacture of steel cables</p> <p>— Zinc coated, for use in the manufacture of steel cables</p> <p>B. Alloy steel:</p> <p>ex VIII. Wire, whether or not coated, but not insulated:</p> <p>— Stainless, for use in the manufacture of steel cables</p>
73.32	<p>Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, screws (including screw hooks and screw rings), rivets, cotters, cotter-pins and similar articles, of iron or steel; washers (including spring washers) of iron or steel:</p> <p>ex B. Threaded or tapped:</p> <p>— Screws and washers, for use in the manufacture of machines falling within heading No 84.53</p>
ex 73.35	<p>Springs and leaves for springs, of iron or steel:</p> <p>— Springs, for use in the manufacture of machines falling within heading No 84.53</p>
76.01	<p>Unwrought aluminium; aluminium waste and scrap:</p> <p>A. Unwrought</p>
81.04	<p>Other base metals, unwrought or wrought, and articles thereof; cermets, unwrought or wrought, and articles thereof:</p> <p>K. Titanium:</p> <p>ex II. Other:</p> <p>— Tubes and pipes</p>
84.06	<p>Internal combustion piston engines</p> <p>C. Other engines:</p> <p>I. Spark ignition engines of a cylinder capacity of:</p> <p>b) More than 250 cm<sup>3</sup>:</p> <p>1. For the industrial assembly of:</p> <p>Agricultural walking tractors of subheading 87.01 A;</p> <p>Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, with a seating capacity of less than 15;</p> <p>Motor vehicles for the transport of goods or materials, with an engine of a cylinder capacity of less than 2 800 cm<sup>3</sup>;</p> <p>Special purpose motor vehicles of heading No 87.03 (a)</p> <p>2. Other:</p> <p>bb) Other</p> <p>II. Compression ignition engines:</p> <p>a) Marine propulsion engines (a)</p> <p>b) Other:</p> <p>1. For the industrial assembly of:</p> <p>Agricultural walking tractors of subheading 87.01 A;</p> <p>Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, with a seating capacity of less than 15;</p> <p>Motor vehicles for the transport of goods or materials, with an engine of a cylinder capacity of less than 2 500 cm<sup>3</sup>;</p> <p>Special purpose motor vehicles of heading No 87.03 (a)</p> <p>2. Other</p>

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

CCT heading No	Description
84.17	<p>Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vaporizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical:</p> <p>F. Other:</p> <p>ex I. Water heaters, non-electric:</p> <ul style="list-style-type: none"> <li>— Parts for instantaneous or storage water heaters used for domestic purposes</li> </ul>
84.37	<p>Weaving machines, knitting machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net; machines for preparing yarns for use on such machines, including warping and warp sizing machines:</p> <p>ex B. Knitting machines:</p> <ul style="list-style-type: none"> <li>— circular</li> </ul>
84.40	<p>Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor coverings for applying the paste to the base fabric of other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor:</p> <p>B. Clothes-washing machines, each of a dry linen capacity not exceeding 6 kg; domestic wringers:</p> <p>ex I. Electrically operated:</p> <ul style="list-style-type: none"> <li>— Parts of clothes-washing machines</li> </ul> <p>ex II. Other:</p> <ul style="list-style-type: none"> <li>— Parts of clothes-washing machines</li> </ul>
84.55	<p>Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54:</p> <p>ex C. Other:</p> <ul style="list-style-type: none"> <li>— Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.53 (automatic data-processing machines, etc.)</li> </ul>
85.01	<p>Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:</p> <p>B. Other machines and apparatus:</p> <p>I. Generators, motors, (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:</p> <p>ex b) Other:</p> <ul style="list-style-type: none"> <li>— Single-phase electrical motors, for use in the manufacture of machines falling within heading No 84.53</li> </ul> <p>ex II. Transformers, static converters, rectifiers and rectifying apparatus; inductors:</p> <ul style="list-style-type: none"> <li>— Transformers and inductors for use in the manufacture of machines falling within heading No 84.53</li> </ul> <p>ex C. Parts:</p> <ul style="list-style-type: none"> <li>— for inductors for use in the manufacture of machines falling within heading No 84.53</li> </ul>
85.04	<p>Electric accumulators:</p> <p>ex A. For use in civil aircraft:</p> <ul style="list-style-type: none"> <li>— Parts in materials other than metal and glass, except for element separators</li> </ul>

CCT heading No	Description
85.04 (cont'd)	B. Other: III. Parts: ex b) Other: — Parts in materials other than metal and glass, except for element separators
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers: ex B. Other: — Loud-speakers and parts
85.18	Electrical capacitors, fixed or variable: ex A. Fixed capacitors, other than electrolytic: — Weighing not more than 500 kg each ex B. Other: — Fixed electrical capacitors, weighing not more than 500 kg each
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, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels: ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits: — Non-automatic make-and-break switches, circuit breakers, relays, cut outs, plugs and terminals, for use in the manufacture of machines falling within heading No 84.53 ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors: — Resistors except those for heating, of materials other than ceramic or glass C. Printed circuits
85.21	Thermionic, cold cathode and photo-cathode valves and tubes (including vapour- or gas-filled valves and tubes, cathode-ray tubes, television camera tubes and mercury arc rectifying valves and tubes); photocells; mounted piezo-electric crystals; diodes, transistors and similar semi-conductor devices; light emitting diodes; electronic microcircuits: A. Valves and tubes: III. Cathode-ray tubes for television sets B. Photocells, including photo-transistors C. Mounted piezo-electric crystals D. Diodes, transistors and similar semi-conductor devices; light emitting diodes; electronic microcircuits: ex E. Parts: — Parts of goods falling within subheadings 85.21 B, 85.21 C, and 85.21 D
85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including coaxial cable), whether or not fitted with connectors: ex B. Other: — Wire, for use in the manufacture of machines falling within heading No 84.53



CCT heading No	Description
85.24	<p>Carbon brushes, arc-lamp carbons, battery carbons, carbon electrodes and other carbon articles of a kind used for electrical purposes:</p> <p>ex C. Other:</p> <ul style="list-style-type: none"> <li>— Carbon electrodes for furnaces</li> </ul>
90.01	<p>Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material:</p> <p>A. Lenses, prisms, mirrors and other optical elements</p>
90.07	<p>Photographic cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading No 85.20:</p> <p>ex A. Photographic cameras:</p> <ul style="list-style-type: none"> <li>— Parts</li> </ul> <p>B. Photographic flashlight apparatus and flashbulbs:</p> <ul style="list-style-type: none"> <li>I. Electrically ignited photographic flashbulbs, flashcubes and similar articles</li> </ul>
ex 91.05	<p>Time-of-day recording apparatus; apparatus with clock or watch movement (including secondary movement) or with synchronous motor, for measuring, recording or otherwise indicating intervals of time:</p> <ul style="list-style-type: none"> <li>— Time-of-day recording apparatus, for use in the manufacture of machines falling within heading No 84.53</li> </ul>

*ANNEX XIX*

**List provided for in Article 213 of the Act of Accession**

**1. PRODUCTS FOR WHICH THE MINIMUM DUTIES (FIXED COMPONENT) ARE FIXED AT 35 % FOR IMPORTS COMING FROM THE COMMUNITY AS AT PRESENT CONSTITUTED**

CCT heading No	Description
17.04	Sugar confectionery, not containing cocoa: B. Chewing gum containing by weight of sucrose (including invert sugar expressed as sucrose) C. White chocolate D. Other
19.03	Macaroni, spaghetti and similar products
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
21.07	Food preparations not elsewhere specified or included: G. Other: I. Containing no milkfats or containing less than 1,5 % by weight of such fats: f) Containing 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) II. Containing 1,5 % or more but less than 6 % by weight of milkfats III. Containing 6 % or more but less than 12 % by weight of milkfats IV. Containing 12 % or more but less than 18 % by weight of milkfats V. Containing 18 % or more but less than 26 % by weight of milkfats VI. Containing 26 % or more but less than 45 % by weight of milkfats VII. Containing 45 % or more but less than 65 % by weight of milkfats VIII. Containing 65 % or more but less than 85 % by weight of milkfats IX. Containing 85 % or more by weight of milkfats

**2. PRODUCTS FOR WHICH THE MINIMUM DUTIES (FIXED COMPONENT) ARE FIXED AT 14 % FOR IMPORTS COMING FROM THE COMMUNITY AS AT PRESENT CONSTITUTED**

CCT heading No	Description
18.06	Chocolate and other food preparations containing cocoa: A. Cocoa powder, not otherwise sweetened than by the addition of sucrose C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa: I. Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)

CCT heading No	Description
18.06 (cont'd)	<p>II. Other:</p> <p>a) Containing no milkfats or containing less than 1,5 % by weight of such fats and containing by weight of sucrose (including invert sugar expressed as sucrose):</p> <p>2. 50 % or more</p> <p>b) Containing 1,5 % or more by weight of milkfats</p> <p>D. Other:</p> <p>I. Containing no milkfats or containing less than 1,5 % by weight of such fats</p> <p>II. Containing by weight of milkfats:</p> <p>a) 1,5 % or more but not more than 6,5 %</p> <p>b) more than 6,5 % but less than 26 %</p>

**3. PRODUCTS FOR WHICH THE MINIMUM DUTIES (FIXED COMPONENT) ARE FIXED AT 12 % FOR IMPORTS COMING FROM THE COMMUNITY AS AT PRESENT CONSTITUTED**

CCT heading No	Description
19.02	<p>Malt extract; 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:</p> <p>B. Other</p>
35.05	<p>Dextrins and dextrin glues; soluble or roasted starches; starch glues:</p> <p>ex B. Glues made from dextrin or from starch:</p> <p>— Starch glues</p>

**4. PRODUCTS FOR WHICH THE MINIMUM DUTIES (FIXED COMPONENT) ARE FIXED AT 11 % FOR IMPORTS COMING FROM THE COMMUNITY AS AT PRESENT CONSTITUTED**

CCT heading No	Description
19.02	<p>Malt extract, 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:</p> <p>A. Malt extract</p>
21.02	<p>Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:</p> <p>C. Roasted chicory and other roasted coffee substitutes:</p> <p>II. Other</p>
21.07	<p>Food preparations not elsewhere specified or included:</p> <p>A. Cereals in grain or ear form, pre-cooked or otherwise prepared:</p> <p>II. Rice</p> <p>B. Ravioli, macaroni, spaghetti and similar products, not stuffed, cooked; the foregoing preparations, stuffed, whether or not cooked:</p> <p>1. Not stuffed, cooked:</p> <p>ex a) Dried:</p> <p>— With added sugar</p> <p>ex b) Other:</p> <p>— With added sugar</p>

CCT heading No	Description
<p>21.07 (cont'd)</p>	<p>B. II. Stuffed:  ex b) Other:  — With added sugar</p> <p>C. Ice-cream (not including ice-cream powder) and other ices:  I. Containing no milkfats or containing less than 3 % by weight of such fats</p> <p>G. Other:  I. Containing no milkfats or containing less than 1,5 % by weight of such fats:  a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):  2. Containing by weight of starch:  cc) 45 % or more</p> <p>b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose):  2. Containing by weight of starch:  bb) 32 % or more but less than 45 %  cc) 45 % or more</p> <p>c) Containing 15 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose):  2. Containing by weight of starch:  bb) 32 % or more but less than 45 %  cc) 45 % or more</p> <p>d) Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose)</p> <p>e) Containing 50 % or more but less than 85 % by weight of sucrose (including invert sugar expressed as sucrose)</p>

ANNEX XX

List provided for in Article 243 (2) (a) of the Act of Accession

CCT heading No	Description
08.11	<p>Fruits provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:</p> <ul style="list-style-type: none"> <li>A. Apricots</li> <li>B. Oranges</li> <li>ex E. Other, excluding:               <ul style="list-style-type: none"> <li>— Blackcurrants (cassis), strawberries and raspberries</li> </ul> </li> </ul>
09.01	<p>Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion:</p> <ul style="list-style-type: none"> <li>A. Coffee:           <ul style="list-style-type: none"> <li>I. Unroasted</li> </ul> </li> </ul>
09.04	<p>Pepper of the genus 'Piper'; pimento of the genus 'Capsicum' or the genus 'Pimenta':</p> <ul style="list-style-type: none"> <li>A. Neither crushed nor ground:           <ul style="list-style-type: none"> <li>I. Pepper:               <ul style="list-style-type: none"> <li>b) Other</li> </ul> </li> </ul> </li> </ul>
15.12	<p>Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared:</p> <ul style="list-style-type: none"> <li>ex B. Other:           <ul style="list-style-type: none"> <li>— Intended for the chocolate industry</li> </ul> </li> </ul>
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <ul style="list-style-type: none"> <li>A. Of a density exceeding 1,33 g/cm<sup>3</sup> at 20 °C:           <ul style="list-style-type: none"> <li>I. Grape juice (including grape must)</li> <li>II. Apple and pear juice; mixtures of apple and pear juice</li> <li>III. Other:               <ul style="list-style-type: none"> <li>ex a) Of a value exceeding 30 ECU per 100 kg net weight:                   <ul style="list-style-type: none"> <li>— Exceeding vegetable juice</li> </ul> </li> <li>ex b) Other:                   <ul style="list-style-type: none"> <li>— Excluding vegetable juice</li> </ul> </li> </ul> </li> </ul> </li> <li>B. Of a density of 1,33 g/cm<sup>3</sup> or less at 20 °C:           <ul style="list-style-type: none"> <li>I. Grape, apple and pear juice (including grape must); mixture of apple and pear juice:               <ul style="list-style-type: none"> <li>a) Of a value exceeding 18 ECU per 100 kg net weight:                   <ul style="list-style-type: none"> <li>1. Grape juice (including grape must):                       <ul style="list-style-type: none"> <li>aa) Concentrated</li> </ul> </li> <li>2. Apple and pear juice</li> <li>3. Mixtures of apple and pear juice</li> </ul> </li> <li>b) Of a value of 18 ECU or less per 100 kg net weight:                   <ul style="list-style-type: none"> <li>1. Grape juice (including grape must):                       <ul style="list-style-type: none"> <li>aa) Concentrated</li> </ul> </li> <li>2. Apple juice:                       <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> <li>3. Pear juice:                       <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> <li>4. Mixture of apple and pear juice:                       <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> </ul> </li> </ul> </li> </ul> </li></ul>

CCT heading No	Description
<p>20.07 (cont'd)</p>	<p>B. II. Other:</p> <p>a) Of a value exceeding 30 ECU per 100 kg net weight:</p> <ol style="list-style-type: none"> <li>1. Orange juice</li> <li>2. Grapefruit juice</li> <li>3. Lemon juice and other citrus fruit juices</li> <li>4. Pineapple juice</li> </ol> <p>ex 6. Other fruit and vegetable juices:</p> <ul style="list-style-type: none"> <li>— Of fruit</li> </ul> <p>7. Mixtures:</p> <ul style="list-style-type: none"> <li>aa) Of citrus fruit juices and pineapple juice</li> <li>ex bb) Other: <ul style="list-style-type: none"> <li>— Of fruit juices</li> </ul> </li> </ul> <p>b) Of a value of 30 ECU or less per 100 kg net weight:</p> <ol style="list-style-type: none"> <li>1. Orange juice: <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> <li>2. Grapefruit juice: <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> <li>3. Lemon juice: <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> <li>4. Other citrus fruit juices: <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> <li>5. Pineapple juice: <ul style="list-style-type: none"> <li>aa) With an added sugar content exceeding 30 % by weight</li> </ul> </li> <li>7. Other fruit and vegetable juices: <ul style="list-style-type: none"> <li>ex aa) With an added sugar content exceeding 30 % by weight: <ul style="list-style-type: none"> <li>— Of fruit</li> </ul> </li> </ul> </li> <li>8. Mixtures: <ul style="list-style-type: none"> <li>aa) Of citrus fruit juices and pineapple juice <ul style="list-style-type: none"> <li>11. With an added sugar content exceeding 30 % by weight:</li> </ul> </li> <li>bb) Other: <ul style="list-style-type: none"> <li>ex 11. With an added sugar content exceeding 30 % by weight: <ul style="list-style-type: none"> <li>— Of fruit juices</li> </ul> </li> </ul> </li> </ul> </li> </ol>
<p>23.07</p>	<p>Sweetened forage: other preparations of a kind used in animal feeding:</p> <p>ex C. Other:</p> <ul style="list-style-type: none"> <li>— Simple additives and pre-mixed additives</li> </ul>

ANNEX XXI

List provided for in Article 245 (1) of the Act of Accession

CCT heading No	Description
02.04	Other meat and edible meat, offals, fresh, chilled or frozen: ex A. Of domestic pigeons and domestic rabbits: — Of domestic rabbits
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips: ex D. Other: — Rose bushes — Ornamental plants
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, bleached, impregnated or otherwise prepared: A. Fresh: ex I. From 1 June to 31 October: — Roses — Carnations ex II. From 1 November to 31 May: — Roses — Carnations
06.04	Foliage, branches and other parts (other than flowers or buds) of trees, shrubs, bushes and other plants, and mosses, lichens and grasses being goods of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared, excluding the cut flowers and flower buds falling within heading No 06.03: ex B. Other: — Asparagus ( <i>asparagus plumosus</i> )
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: A. Apricots E. Other
12.08	Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading: B. Locust beans C. Locust bean seeds
20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, whether or not containing added sugar
20.06	Fruit otherwise prepared or preserved whether or not containing added sugar or spirit: B. Other II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 1. Ginger 2. Grapefruit segments 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids 4. Grapes 6. Pears bb) Other 7. Peaches and apricots: ex aa) With a sugar content exceeding 13 % by weight: — Apricots bb) Other

CCT heading No	Description
20.06 (cont'd)	B. II. ex 8. Other fruits: — Excluding cherries 9. Mixtures of fruit b) Containing added sugar in immediate packings of a net capacity of 1 kg or less: 1. Ginger 2. Grapefruit segments 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids 4. Grapes 7. Peaches and apricots: aa) With a sugar content exceeding 15 % by weight: 22. Apricots bb) Other: 22. Apricots ex 8. Other fruits: — Excluding cherries 9. Mixtures of fruit c) Not containing added sugar
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a density exceeding 1,33 g/cm <sup>3</sup> at 20 °C: II. Apple and pear juice; mixtures of apple and pear juice III. Other: ex a) Of a value exceeding 30 ECU per 100 kg net weight: — Excluding orange and lemon juices ex b) Other: — Excluding orange and lemon juices B. Of a density of 1,33 g/cm <sup>3</sup> or less at 20 °C: I. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice: a) Of a value exceeding 18 ECU per 100 kg net weight: 2. Apple and pear juice 3. Mixtures of apple and pear juice b) Of a value of 18 ECU or less per 100 kg net weight: 2. Apple juice 3. Pear juice 4. Mixtures of apple and pear juice II. Other: a) Of a value exceeding 30 ECU per 100 kg net weight: 2. Grapefruit juice 3. Lemon juice and other citrus fruit juices: ex aa) Containing added sugar: — Excluding lemon juice ex bb) Other: — Excluding lemon juice 4. Pineapple juice 6. Other fruit and vegetable juices 7. Mixtures b) Of a value of 30 ECU or less per 100 kg net weight: 2. Grapefruit juice 4. Other citrus fruit juices 5. Pineapple juice 7. Other fruit and vegetable juices 8. Mixtures
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils: ex B. Other: — Oil-cake



ANNEX XXII

List provided for in Article 249 (2) of the Act of Accession

CCT heading No	Description
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips: ex D. Other: — Roses — Ornamental plants
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, bleached, impregnated or otherwise prepared: A. Fresh: ex I. From 1 June to 31 October: — Roses — Carnations ex II. From 1 November to 31 May: — Roses — Carnations
06.04	Foliage, branches and other parts (other than flowers or buds) of trees, shrubs, bushes and other plants, and mosses, lichens and grasses, being goods of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared, excluding the cut flowers and flower buds falling within heading 06.03: ex B. Other: — Asparagus ( <i>asparagus plumosus</i> )
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: A. Apricots E. Other
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: A. Olive oil
20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 1. Ginger 2. Grapefruit segments 3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids 4. Grapes 6. Pears: bb) Other 7. Peaches and apricots: ex aa) With a sugar content exceeding 13 % by weight: — Apricots bb) Other ex 8. Other fruits: — Excluding cherries 9. Mixtures of fruit

CCT heading No	Description
20.06 (cont'd)	<p>B. II. b) Containing added sugar, in immediate packings of a net capacity of 1 kg or less:</p> <ol style="list-style-type: none"> <li>1. Ginger</li> <li>2. Grapefruit segments</li> <li>3. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids</li> <li>4. Grapes</li> <li>7. Peaches and apricots: <ol style="list-style-type: none"> <li>aa) With a sugar content exceeding 15 % by weight: <ol style="list-style-type: none"> <li>22. Apricots</li> </ol> </li> <li>bb) Other: <ol style="list-style-type: none"> <li>22. Apricots</li> </ol> </li> </ol> </li> <li>ex 8. Other fruits: <ol style="list-style-type: none"> <li>— Excluding cherries</li> </ol> </li> <li>9. Mixtures of fruits</li> </ol> <p>c) Not containing added sugar</p>
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a density exceeding 1,33 g/cm<sup>3</sup> at 20 °C:</p> <ol style="list-style-type: none"> <li>II. Apple and pear juice; mixtures of apple and pear juice</li> <li>III. Other: <ol style="list-style-type: none"> <li>ex a) Of a value exceeding 30 ECU per 100 kg net weight: <ol style="list-style-type: none"> <li>— Excluding orange and lemon juice</li> </ol> </li> <li>ex b) Other: <ol style="list-style-type: none"> <li>— Excluding orange and lemon juice</li> </ol> </li> </ol> </li> </ol> <p>B. Of a density of 1,33 g/cm<sup>3</sup> or less than 20 °C:</p> <ol style="list-style-type: none"> <li>I. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice: <ol style="list-style-type: none"> <li>a) Of a value exceeding 18 ECU per 100 kg net weight: <ol style="list-style-type: none"> <li>2. Apple and pear juice</li> <li>3. Mixtures of apple and pear juice</li> </ol> </li> <li>b) Of a value of 18 ECU or less per 100 kg net weight: <ol style="list-style-type: none"> <li>2. Apple juice</li> <li>3. Pear juice</li> <li>4. Mixtures of apple and pear juice</li> </ol> </li> </ol> </li> <li>II. Other: <ol style="list-style-type: none"> <li>a) Of a value exceeding 30 ECU per 100 kg net weight: <ol style="list-style-type: none"> <li>2. Grapefruit juice</li> <li>3. Lemon juice and other citrus fruit juices: <ol style="list-style-type: none"> <li>ex aa) Containing added sugar: <ol style="list-style-type: none"> <li>— Excluding lemon juice</li> </ol> </li> <li>ex bb) Other: <ol style="list-style-type: none"> <li>— Excluding lemon juice</li> </ol> </li> </ol> </li> <li>4. Pineapple juice</li> <li>6. Other fruit and vegetable juices</li> <li>7. Mixtures</li> </ol> </li> <li>b) Of a value of 30 ECU or less per 100 kg net weight: <ol style="list-style-type: none"> <li>2. Grapefruit juice</li> <li>4. Other citrus fruit juices</li> <li>5. Pineapple juice</li> <li>7. Other fruit and vegetable juices</li> <li>8. Mixtures</li> </ol> </li> </ol> </li> </ol>
23.04	<p>Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils:</p> <p>ex B. Other:</p> <ol style="list-style-type: none"> <li>— Oil-cake</li> </ol>

*ANNEX XXIII*

**List provided for in Article 269 (2) of the Act of Accession**

CCT heading No	Description
01.03	Live swine:
	A. Domestic species
01.05	Live poultry, that is to say, fowl, ducks, geese, turkeys and guinea fowl:
	A. Of a weight not exceeding 185 g:
	ex I. Turkeys and geese:
	— Turkeys
	ex II. Other:
	— Hens
02.01	Meat and edible offal of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:
	A. Meat:
	III. Of swine:
	a) Of domestic swine
	B. Offal:
	II. Other:
	c) Of domestic swine
04.04	Cheese and curd:
	D. Processed cheese, not grated or powdered, of a fat content, by weight:
	E. Other:
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight of the non-fatty matter:
	b) Exceeding 47 % but not exceeding 72 %:
	ex 1. Cheddar:
	— Of the 'Ilha' type
	ex 2. Other:
	— Of the 'Holland' type
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not:
	A. Eggs in shell, fresh or preserved:
	I. Poultry eggs:
	a) Eggs for hatching:
	ex 1. Of turkeys or geese:
	— Of turkeys
	ex 2. Other:
	— Of hens
	b) Other <sup>(1)</sup>
07.01	Vegetables, fresh or chilled:
	B. Cabbages, cauliflowers and Brussels sprouts:
	I. Cauliflowers:
	ex a) From 15 April to 30 November:
	— From 1 to 30 November
	ex b) From 1 December to 14 April:
	— From 1 December to 31 March
	ex H. Onions, shallots and garlic:
	— Onions, from 1 August to 30 November
	— Garlic, from 1 August to 31 December
	M. Tomatoes:
	ex I. From 1 November to 14 May:
	— From 1 December to 14 May
	ex II. From 15 May to 31 October:
	— From 15 May to 31 May

<sup>(1)</sup> Annex XXIII, Heading No 04.05, A, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.

CCT heading No	Description
08.02	<p>Citrus fruit, fresh or dried:</p> <p>A. Oranges:</p> <p>I. Sweet oranges, fresh:</p> <p>a) From 1 April to 30 April</p> <p>b) From 1 May to 15 May</p> <p>ex c) From 16 May to 15 October: — From 16 May to 31 August:</p> <p>ex d) From 16 October to 31 March: — From 1 February to 31 March</p> <p>II. Other:</p> <p>ex a) From 1 April to 15 October: — From 1 April to 31 August</p> <p>ex b) From 16 October to 31 March: — From 1 February to 31 March</p> <p>B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids:</p> <p>ex II. Other: — Mandarins, including tangerines and satsumas from 1 November to 31 March</p> <p>ex C. Lemons: — From 1 June to 31 October</p>
08.04	<p>Grapes, fresh or dried:</p> <p>A. Fresh:</p> <p>I. Table grapes:</p> <p>ex b) From 15 July to 31 October: — From 15 August to 30 September</p>
08.06	<p>Apples, pears and quinces, fresh:</p> <p>A. Apples:</p> <p>II. Other:</p> <p>ex b) From 1 January to 31 March: — From 1 to 31 March</p> <p>ex c) From 1 April to 31 July: — From 1 April to 30 June</p> <p>B. Pears:</p> <p>II. Other:</p> <p>ex a) From 1 January to 31 March: — From 1 February to 31 March</p> <p>b) From 1 April to 15 July</p> <p>c) From 16 July to 31 July</p> <p>ex d) From 1 August to 31 December: — From 1 to 31 August</p>
08.07	<p>Stone fruit, fresh:</p> <p>ex A. Apricots: — From 15 June to 15 July</p> <p>ex B. Peaches, including nectarines: — Peaches, from 1 May to 30 September</p>
11.08	<p>Starches; inulin:</p> <p>A. Starches:</p> <p>I. Maize starch</p>
15.01	<p>Lard, other pig fat and poultry fat, rendered or solvent-extracted:</p> <p>A. Lard and other pig fat:</p> <p>II. Other</p>

CCT heading No	Description
22.05	<p data-bbox="448 232 1236 286">Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p data-bbox="448 297 1236 398">ex B. Wine other than that referred to in A, in bottles with 'mushroom' stoppers held in place by ties or fastenings; wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:</p> <p data-bbox="520 405 1236 483">— Wines put up other than in bottles with 'mushroom' stoppers, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C</p> <p data-bbox="448 495 1236 517">C. Other:</p> <p data-bbox="520 524 1236 546">I. Of an actual alcoholic strength by volume not exceeding 13 % vol</p> <p data-bbox="520 553 1236 607">II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol</p>



*ANNEX XXV*

**List provided for in Article 278 (1) of the Act of Accession**

CCT heading No	Description	Rate of Portuguese basic customs duties (ECU/tonne)
07.01	Vegetables, fresh or chilled:	
	C. Spinach	17
	D. Salad vegetables, including endive and chicory:	
	II. Other	17
	E. Chard (or white beet) and cardoons	17
	IJ. Leeks and other alliaceous plants (for example, chives, Welsh onions)	17
	O. Capers	17
	Q. Mushrooms and truffles:	
	II. Chantarelles	17
	III. Flap mushrooms	17
	IV. Other	17
	R. Fennel	17
	S. Sweet peppers	17
08.02	Citrus fruit, fresh or dried:	
	D. Grapefruit	16
08.04	Grapes, fresh or dried:	
	A. Fresh:	
	II. Other:	
	a) From 1 November to 14 July	25
	b) From 15 July to 31 October	25
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not:	
	A. Almonds:	
	I. Bitter	30
	II. Other	30
	B. Walnuts	20
	G. Other	8
08.06	Apples, pears and quinces, fresh:	
	A. Apples:	
	I. Cider apples, in bulk, from 16 September to 15 December	35

ANNEX XXVI

**List provided for in Article 280 of the Act of Accession**

CCT heading No	Description
01.03	Live swine:
	A. Domestic species
01.05	Live poultry, that is to say, fowl, ducks, geese, turkeys and guinea fowl:
	A. Of a weight not exceeding 185 g:
	ex I. Turkeys and geese:
	— Turkeys
	ex II. Other:
	— Hens
02.01	Meat and edible offal of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:
	A. Meat:
	III. Of swine:
	a) Of domestic swine
	B. Offal:
	II. Other:
	c) Of domestic swine
04.04	Cheese and curd:
	D. Processed cheese, not grated or powdered, of a fat content, by weight:
	E. Other:
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight of the non-fatty matter:
	b) Exceeding 47 % but not exceeding 72 %:
	ex 1. Cheddar:
	— Of the 'Ilha' type
	ex 2. Other:
	— Of the 'Holland' type
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not:
	A. Eggs in shell, fresh or preserved:
	I. Poultry eggs:
	a) Eggs for hatching:
	ex 1. Of turkeys or geese:
	— Of turkeys
	ex 2. Other:
	— Of hens
	b) Other <sup>(1)</sup>
07.01	Vegetables, fresh or chilled:
	B. Cabbages, cauliflowers and Brussels sprouts:
	I. Cauliflowers:
	ex a) From 15 April to 30 November:
	— From 1 to 30 November
	ex b) From 1 December to 14 April:
	— From 1 December to 31 March
	ex H. Onions, shallots and garlic:
	— Onions, from 1 August to 30 November
	— Garlic, from 1 August to 31 December
	M. Tomatoes:
	ex I. From 1 November to 14 May:
	— From 1 December to 14 May
	ex II. From 15 May to 31 October:
	— From 15 May to 31 May

<sup>(1)</sup> Annex XXVI, Heading No 04.05, A, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 116 of 4 May 1988.



CCT heading No	Description
08.02	<p>Citrus fruit, fresh or dried:</p> <p>A. Oranges:</p> <p>I. Sweet oranges, fresh:</p> <p>a) From 1 April to 30 April</p> <p>b) From 1 May to 15 May</p> <p>ex c) From 16 May to 15 October:</p> <p>— From 16 May to 31 August</p> <p>ex d) From 16 October to 31 March:</p> <p>— From 1 February to 31 March</p> <p>II. Other:</p> <p>ex a) From 1 April to 15 October:</p> <p>— From 1 April to 31 August</p> <p>ex b) From 16 October to 31 March:</p> <p>— From 1 February to 31 March</p> <p>B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids:</p> <p>ex II. Other:</p> <p>— Mandarins (including tangerines and satsumas from 1 November to 31 March)</p> <p>ex C. Lemons:</p> <p>— From 1 June to 31 October</p>
08.04	<p>Grapes, fresh or dried:</p> <p>A. Fresh:</p> <p>I. Table grapes:</p> <p>ex b) From 15 July to 31 October:</p> <p>— From 15 August to 30 September</p>
08.06	<p>Apples, pears and quinces, fresh:</p> <p>A. Apples:</p> <p>II. Other:</p> <p>ex b) From 1 January to 31 March:</p> <p>— From 1 to 31 March</p> <p>ex c) From 1 April to 31 July:</p> <p>— From 1 April to 30 June</p> <p>B. Pears:</p> <p>II. Other:</p> <p>ex a) From 1 January to 31 March:</p> <p>— From 1 February to 31 March</p> <p>b) From 1 April to 15 July</p> <p>c) From 16 July to 31 July</p> <p>ex d) From 1 August to 31 December:</p> <p>— From 1 to 31 August</p>
08.07	<p>Stone fruit, fresh:</p> <p>ex A. Apricots:</p> <p>— From 15 June to 15 July</p> <p>ex B. Peaches, including nectarines:</p> <p>— Peaches, from 1 May to 30 September</p>
11.08	<p>Starches; inulin:</p> <p>A. Starches:</p> <p>I. Maize starch</p>
15.01	<p>Lard, other pig fat and poultry fat, rendered or solvent-extracted:</p> <p>A. Lard and other pig fat:</p> <p>II. Other</p>

CCT heading No	Description
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>ex B. Wine other than that referred to in A, in bottles with 'mushrooms' stoppers held in place by ties or fastenings; wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:</p> <p>— Wines put up other than in bottles with 'mushroom' stoppers, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C</p> <p>C. Other:</p> <p>I. Of an actual alcoholic strength by volume not exceeding 13 % vol</p> <p>II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol</p>

ANNEX XXVII

List provided for in Article 355 (3) of the Act of Accession

Portuguese undertaking	Joint venture	Name of Vessel	Gross registered tonnage	Engine horsepower
Soc. Pesca do Alto, Lda	Pescas e Conservas del Norte, SA Pescanor	Pescatlântico	737,0	800
Soc. Pescatlântico		Pescalto	617,0	800
Ricardo de Jesus Rosa e Outros	Yassa-Pêche SA	Driss	95,3	400
		Sofia	71,8	370
		Aziza	117,5	400
Soc. Pesca Miradouro	Maroluzo SA	Meridiano	194,0	800
		Paralelo	194,1	850
José Damásio Dias Simão	Azaghar National Fishing Company — Acofina SA	Acofina	43,9	220
Soc. Pesca Mar Artico, Lda	Pesmaran — Empresa de Pesca Mar Antártico SA	Mar Ártico	194,1	1 000
		Mar Antártico	189,9	950
Ind. Aveirense de Pesca	Société d'Armements et Pêches Nord Africains APNA SA	Senhora Malak	179,9	630
		Maria Patica	236,6	1 100
Soc. Pesca Ferreira da Cunha, Lda	Roumpêche SA	Tiago Cunha	194,2	1 550
		Ferreira da Cunha	194,2	1 455
		Sonia Cunha	198,0	1 200
Soc. Pesca Oceânica do Norte, Lda (1)	Lexmar Sayd SA	Jaber I	176,7	630
		Norsayd	199,9	1 450
Pascoal & Filhos, Lda	El Yassa SA	Narjis I	189,9	
Manuel Casqueira & Filho, Lda	Solmap SA	Tan Tan II	136,3	634
Victor Manuel Sales Martins	Solmacop SA	Najat	46,0	200
Nascimento & Rato, Lda	Sté Maritime Tingis SA	Nova Fortuna	61,6	370
Luis de Matos e Outros	Lusimapêche-Société Lusitano Marocaine de Pêche	Tabar	77,0	300
		Fatima	64,1	370
		Ali	32,7	255
Júlio Miguel	Tibihit International Fishing Company, TIFICO	Najia	62,2	370
Neves & Lourenço	Algarve Pêche SA — ALPEC	Susana Eugenio	169,7	700
		Flor de Aveiro	120,4	420
Soc. Pesca Cabedelo	Telgut National Company — TENAC	Kabour	102,6	650
Firmino & Martins, Lda	Société d'Exploitation des Pêcheries Maroco-Portugaises — SOPEMAC	Al Faouz I	198,8	1 455
Albamar	Atlamar SA	Atlamar	194,1	950
Mavipesca — Sociedade Industrial de Pesca	Société Aveirense de Pêche SA — AVEP	Fátima IV	150,0	530
Carlos M. G. Custódio João F. G. Custódio	IKIPEC, Sarl	Boulman I	168,0	570
		Boulman II	158,9	850
José António Tomás Soc. Pesca Mãe de Dues, Lda António Lopes Pio Júnior Soc. Pesca Esperança no Futuro	Consortium Luso-Marocain de Pêche — (CLMP)	Nejma 2	49,0	282
		Nejma 5	76,0	600
		Nejma 11	49,5	300
		Nejma 12	66,5	282
		Nejma 15	31,0	200
Pereira Mendes & Ca	Sté d'Armement et de Pêche Océanes — Sapêche	Moumen III	173,0	660
		Moumen IV	179,0	630
Vieiras & Santos & Ca Lda	Pêche Ouest SA	Ville de Safi	138,5	500
António Ricardo Formiga Emiliano S. Baeta	La Société d'Armement de Pêche — ASSIA	Al Cantara	149,1	370

(1) Annex XXVII, first column, ninth line, as amended by the Corrigendum to the AA ESP/PORT published in the OJ of the EC, No L 134 of 31 May 1988.

Portuguese undertaking	Joint venture	Name of Vessel	Gross registered tonnage	Engine horsepower
Francisco S. Ladeira	Sociedade Anónima Luso Marroqui de Conservas — Salmac	Najim du Nord	43,4	
Silvério Luis	Société Sarl — d'Armement et de Pêche Pescatalaya	Marilaide	57,7	240
Pescoeste-Armadores Associados do Oeste	Deus Pêche SA (DEUPEC)	Consul	189,0	600
Parceria Marítima Esperança	Sté Esperança Pêche SA — Espec	Esperança	124,4	600
Casimiro Augusto Tavares & Filhos, Lda	Benmata SA	Asmaa	127,5	
Cooperativa de Pesca Pescador Livre, CRL	Casa do Pescador	Pescador Livre	158,9	600
Bagão & Bagão	Sté Transatlantique de Pêche — Transapec SA	Argana II	182,0	1 000
		Argana III	155,0	
		Cap Jouby	280,0	750
Lopes & Conde	Crustomar	Yashmina I	130,9	
		Yashmina II	130,9	
		Yashmina III	130,9	
		Yashmina IV	130,9	
Companhia Portuguesa de Pesca	Seysa Pêche SA	Nassim II	88,26	400
		Nassim III	97,26	440
		Nassim IV	86,82	400
		Nassim V	66,63	335
		Quatro Irmas	70,04	335
Testas e Cunha	Société de Pêche Costa Nova SA	Capitão Pisco	179,9	640
Bagão Nunes e Machado, Lda	Transapec SA	Maria José Bagão	182,4	630
Leandro José Sabinha Romeira	Portocean — Maroc SA	Luis Pedro	130,8	490
José Manuel Fernita		Luz do Amor	71,5	500

ANNEX XXVIII

List of products provided for in Article 361 of the Act of Accession

(a)

CCT heading No	Description
03.01	<p>Fish, fresh (live or dead), chilled or frozen:</p> <p>B. Saltwater fish:</p> <p>    I. Whole, headless or in pieces:</p> <p>        h) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>):</p> <p>            2. Frozen</p> <p>        t) Hake (<i>Merluccius</i> spp.):</p> <p>            ex 1. Fresh or chilled:</p> <p>                — Hake (<i>Merluccius merluccius</i>)</p> <p>            ex 2. Frozen:</p> <p>                — Hake (<i>Merluccius merluccius</i>)</p> <p>        ex v) Other:</p> <p>            — Horse mackerel (<i>Trachurus trachurus</i>), fresh, refrigerated or frozen</p> <p>    II. Fillets:</p> <p>        b) Frozen:</p> <p>            1. Of cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>)</p> <p>            3. Of haddock (<i>Melanogrammus aeglefinus</i>)</p> <p>            9. Of hake (<i>Merluccius</i> spp.)</p> <p>            11. Of plaice (<i>Pleuronectes platessa</i>)</p> <p>            12. Of flounder (<i>Platichthys flesus</i>)</p>
03.02	<p>Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:</p> <p>A. Dried, salted or in brine:</p> <p>    I. Whole, headless or in pieces:</p> <p>        b) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>)</p>
03.03	<p>Crustaceans and molluscs, whether in shell or not, fresh (live or dead), frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:</p> <p>A. Crustaceans:</p> <p>    IV. Shrimps and prawns:</p> <p>        ex a) Prawns and shrimps of the <i>Pandalidae</i> family:</p> <p>            — Frozen</p> <p>        b) Shrimps of the genus <i>Crangon</i>:</p> <p>            ex 2. Other:</p> <p>                — Frozen</p> <p>        ex c) Other:</p> <p>            — Frozen</p> <p>    V. Other:</p> <p>        a) Norway lobsters (<i>Nephrops norvegicus</i>):</p> <p>            1. Frozen</p>

(b)

CCT heading No	Description
03.01	<b>Fish, fresh (live or dead), chilled or frozen:</b> <b>B. Saltwater fish:</b> <b>I. Whole, headless or in pieces:</b> <b>d) Sardines (<i>Sardina pilchardus</i>):</b> <b>1. Fresh or chilled</b> <b>2. Frozen</b>
03.03	<b>Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:</b> <b>B. Molluscs:</b> <b>IV. Other:</b> <b>a) Frozen:</b> <b>1. Squid</b>
16.05	<b>Crustaceans and molluscs, prepared or preserved:</b> <b>ex B. Other:</b> <b>— Mollusc preserves</b>

ANNEX XXIX

List of products provided for in Article 363 of the Act of Accession

CCT heading No	Description
03.01	<p>Fish, fresh (live or dead), chilled or frozen:</p> <p>B. Saltwater fish:</p> <p>I. Whole, headless or in pieces:</p> <p>h) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>) 2. Frozen</p> <p>ij) Saithe (<i>Pollachius virens</i>): 2. Frozen</p> <p>k) Haddock (<i>Melanogrammus aeglefinus</i>): 2. Frozen</p> <p>m) Ling (<i>Molva</i> spp.): 2. Frozen</p> <p>n) Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>): 2. Frozen</p> <p>t) Hake (<i>Merluccius</i> spp.): 1. Fresh or chilled 2. Frozen</p> <p>ex v) Other: — Horse mackerel (<i>Trachurus trachurus</i>), fresh, chilled or frozen — Similar to cod, frozen (<i>Gadus macrocephalus</i>, <i>Brosme brosme</i>)</p> <p>II. Fillets:</p> <p>b) Frozen: 1. Of cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>) 3. Of haddock (<i>melanogrammus aeglefinus</i>) 9. Of hake (<i>Merluccius</i> spp.) 11. Of plaice (<i>Pleuronectes platessa</i>) 12. Of flounder (<i>Platichthys flesus</i>)</p>
03.02	<p>Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:</p> <p>A. Dried, salted or in brine:</p> <p>I. Whole, headless or in pieces:</p> <p>b) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>)</p> <p>ex f) Other: — Products similar to cod (saithe, haddock, Alaska pollack, pollack, <i>Gadus macrocephalus</i>, <i>Brosme brosme</i>)</p>
03.03	<p>Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:</p> <p>A. Crustaceans:</p> <p>IV. Shrimps and prawns:</p> <p>ex a) Prawns and shrimps of the <i>Pandalidae</i> family: — Frozen</p> <p>b) Shrimps of the genus <i>Crangon</i>: ex 2. Other: — Frozen</p> <p>ex c) Other: — Frozen</p> <p>V. Other:</p> <p>a) Norway lobsters (<i>Nephrops norvegicus</i>): 1. Frozen</p> <p>B. Molluscs:</p> <p>IV. Other:</p> <p>a) Frozen: 1. Squid</p>

*ANNEX XXX*

**List provided for in Article 364 (3) of the Act of Accession**

**(a) TEMPORARY DEROGATIONS FROM REGULATION (EEC) NO 288/82**

CCT heading No	Description	Global quota (1986)
40.08	Plates, sheets, strip, rods and profile shapes, of unhardened vulcanized rubber: A. Plates, sheets and strip: ex I. Of expanded foam or sponge rubber: — Adhesive ex II. Other: — Adhesive	33 tonnes
40.09	Piping and tubing, of unhardened vulcanized rubber	42 tonnes
40.13	Articles of apparel and clothing accessories (including gloves), for all purposes, of unhardened vulcanized rubber: A. Gloves, including mittens: ex B. Articles of apparel and clothing accessories: — Excluding corsets, belts and the like and airtight and watertight clothing for divers	10 tonnes
40.14	Other articles of unhardened vulcanized rubber: A. Articles for technical uses, for use in civil aircraft B. Other: ex I. Of expanded foam or sponge rubber: — Excluding tobacco-pouches ex II. Other: — Excluding tobacco-pouches	135 tonnes
48.15	Other paper and paperboard, cut to size or shape: ex A. Adhesive strips of a width not exceeding 10 cm, the coating of which consists of unvulcanized natural or synthetic rubber: — In paper of a weight not greater than 160 g per m <sup>2</sup> , excluding paper for electrical insulation ex B. Other: — Adhesive paper of a weight not greater than 160 g per m <sup>2</sup> , excluding paper for electrical insulation	50 tonnes
59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated: ex B. Other: — Adhesive	3 tonnes
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope: A. Fishing nets and netting:	30 tonnes



CCT heading No	Description	Global quota (1986)
64.05	<p>Parts of footwear, removable in-soles, hose protectors and heel cushions, of any material except metal:</p> <p>ex A. Assemblies of uppers affixed to inner soles or to other sole components, but without outer soles:</p> <ul style="list-style-type: none"> <li>— Of rubber</li> </ul> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Of rubber</li> </ul>	93 tonnes
ex 70.10	<p>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:</p> <ul style="list-style-type: none"> <li>— Carboys and bottles</li> </ul>	7 500 tonnes
	<ul style="list-style-type: none"> <li>— Other containers of a kind commonly used for the conveyance or packing of goods, excluding coloured, matt, engraved, irisated, cut, marbled, opaque, opaline or painted containers or tubes for pills</li> </ul>	19 tonnes
70.21	Other articles of glass	18 tonnes
73.18	<p>Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high pressure hydro-electric conduits:</p> <p>ex A. Tubes and pipes with attached fittings, suitable for conducting gases or liquids, for use in civil aircraft:</p> <ul style="list-style-type: none"> <li>— Unworked or painted, varnished, enamelled or otherwise treated (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, seamless of a wall-thickness of 2,2 mm or less</li> </ul> <p>B. Other:</p> <p>ex I. Straight and of uniform wall-thickness, unworked, seamless, of circular cross-section, solely for the manufacture of tubes and pipes with other cross-sections and wall-thicknesses:</p> <ul style="list-style-type: none"> <li>— Of a wall-thickness of 2,2 mm or less</li> </ul> <p>ex III. Other:</p> <ul style="list-style-type: none"> <li>— Unworked or painted, varnished, enamelled or otherwise treated (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, seamless of a wall-thickness of 2,2 mm or less</li> </ul>	2 290 tonnes
	<p>ex A. Tubes and pipes with attached fittings, suitable for conducting gases or liquids, for use in civil aircraft:</p> <ul style="list-style-type: none"> <li>— Unworked or painted, varnished, enamelled or otherwise treated (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, welded of a wall-thickness of 4,5 mm or less</li> </ul> <p>B. Other:</p> <p>ex II. Straight and of uniform wall-thickness, other than those falling in B I above, of a maximum length of 4,50 m, of alloy steel containing by weight not less than 0,90 % but not more than 1,15 % of carbon, not less than 0,50 % but not more than 2 % of chromium and not more than 0,50 % of molybdenum:</p> <ul style="list-style-type: none"> <li>— Unworked or painted, varnished, enamelled or otherwise treated (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, welded of a wall-thickness of 4,5 mm or less</li> </ul> <p>ex III. Other:</p> <ul style="list-style-type: none"> <li>— Unworked or painted, varnished, enamelled or otherwise treated (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, welded of a wall-thickness of 4,5 mm or less</li> </ul>	100 tonnes

CCT heading No	Description	Global quota (1986)
ex 84.38	<p>Auxiliary machinery for use with machines of heading No 84.37 (for example, dobbies, Jacquards, automatic stop motions and shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No 84.36 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery needles):</p> <p>— Shuttles and healds</p>	15 tonnes
85.19	<p>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, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels:</p> <p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <p>— Non-automatic make-and-break switches and isolating switches not exceeding 2 kg per unit in weight, excluding parts, of ceramic material or glass</p> <p>ex B. Resistors fixed or variable (including potentiometers), other than heating resistors:</p> <p>— Variable resistors not exceeding 2 kg per unit in weight, excluding parts, of ceramic material or glass</p>	1 200 units
	<p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <p>— Non-automatic make-and-break switches and isolating switches not exceeding 2 kg per unit in weight, excluding parts in materials other than ceramic or glass</p> <p>ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors:</p> <p>— Variable resistors not exceeding 2 kg per unit in weight, excluding parts, of materials other than ceramic or glass</p>	132 000 units
	<p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <p>— Automatic make-and-break switches, circuit-breakers and contactors not exceeding 3 kg per unit in weight, excluding parts</p>	24 600 units
	<p>— Cut-outs, excluding parts</p>	27 000 units
	<p>— Other articles of ceramic material or of glass, not exceeding 2 kg per unit in weight, excluding relays for automatic switchboards, fuses, remote control relays for musical frequency and parts</p> <p>ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors:</p> <p>— Fixed resistors and potentiometers other than heating resistors, of ceramic material or glass, not exceeding 2 kg per unit in weight, excluding parts</p> <p>ex C. Printed circuits:</p> <p>— Of ceramic material or glass, not exceeding 2 kg per unit in weight</p>	30 000 units
	<p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p>	3 636 000 units

CCT heading No	Description	Global quota (1986)
85.19 (cont'd)	<p>ex A. — Articles in materials other than ceramic or glass, not exceeding 2 kg per unit in weight, excluding non-automatic make-and-break switches and isolating switches, not exceeding 2 kg per unit in weight, automatic make-and-break switches, circuit-breakers and contactors not exceeding 3 kg per unit in weight, cut-outs and parts</p> <p>ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors: — In materials other than ceramic or glass, not exceeding 2 kg per unit in weight, excluding parts</p> <p>ex C. Printed circuits: — In materials other than ceramic or glass, not exceeding 2 kg per unit in weight</p>	

**(b) TEMPORARY DEROGATIONS FROM REGULATION (EEC) NO 288/82 WITH REGARD TO JAPAN — SUPPLEMENTARY LIST TO THAT APPEARING IN PART (a) OF THIS ANNEX**

CCT heading No	Description	Global quota (1986)
28.17	<p>Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium: A. Sodium hydroxide (caustic soda)</p>	614 tonnes
39.01	<p>Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones): C. Other: I. Phenoplasts: ex a) in one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Of the Novolak type, excluding products for moulding</p>	3 tonnes
	<p>C. Other: I. Phenoplasts: ex a) in one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Other than of the Novolak type, excluding products for moulding and sponge blocks</p>	35 tonnes
	<p>C. Other: II. Aminoplasts: ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Excluding products for moulding and sponge blocks</p>	40 tonnes
	<p>C. Other: III. Alkyds and other polyesters: ex b) Other: — Alkyds in one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding and sponge blocks</p>	20 tonnes

CCT heading No	Description	Global quota (1986)
39.01 (cont'd)	<p>C. Other:</p> <p>I. Phenoplasts: ex b) In other forms: — Plates, sheets and strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>II. Aminoplasts: ex b) In other forms: — Plates, sheets and strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>III. Alkyds and other polyesters: ex a) In one of the forms mentioned in Note 3 (d) to this Chapter: — Plates, sheets and strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>ex IV. Polyamides: — Plates, sheets and strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>ex V. Polyurethanes: — Plates, sheets and strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>ex VII. Other: — Plates, sheets and strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed other than adhesive or for parquet floor coverings</p>	22 tonnes
	<p>C. Other:</p> <p>I. Phenoplasts: ex b) In other forms: — Plates, sheets and strip, not rigid nor sponge, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>II. Aminoplasts: ex b) In other forms: — Plates, sheets and strip, not rigid nor sponge, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>III. Alkyds and other polyesters: ex a) In one of the forms mentioned in Note 3 (d) to this Chapter: — Plates, sheets and strip, not rigid nor sponge, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>ex IV. Polyamides: — Plates, sheets and strip, not rigid nor sponge, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>ex V. Polyurethanes: — Plates, sheets and strip, not rigid nor sponge, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>ex VI. Silicones: — Plates, sheets and strip, not rigid nor sponge, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p> <p>ex VII. Other: — Plates, sheets and strip, not rigid nor sponge, weighing more than 160 g/m<sup>2</sup>, whether or not printed, other than adhesive or for parquet floor coverings</p>	8 tonnes

CCT heading No	Description	Global quota (1986)
55.05	Cotton yarn, not put up for retail sale	145 tonnes
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning	1 380 tonnes
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)	708 tonnes
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	36 tonnes
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale	4 tonnes
56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale	1 tonne
ex 70.13	<p>Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses:</p> <ul style="list-style-type: none"> <li>— Of glass other than glass of a low coefficient of expansion</li> <li>— Coloured, matt, engraved, irised, cut, marble, opaque, opaline or painted</li> </ul>	20 tonnes
	— Other	6 tonnes
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished, (including precision-made); hollow mining drill steel:</p> <ul style="list-style-type: none"> <li>B. Not further worked than forged</li> <li>C. Not further worked than cold-formed or cold-finished</li> <li>D. Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> <li>I. Not further worked than clad: <ul style="list-style-type: none"> <li>b) Cold-formed or cold-finished</li> </ul> </li> <li>II. Other</li> </ul> </li> </ul>	75 tonnes
73.11	<p>Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <ul style="list-style-type: none"> <li>A. Angles, shapes and sections: <ul style="list-style-type: none"> <li>II. Not further worked than forged</li> <li>III. Not further worked than cold-formed or cold-finished</li> <li>IV. Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> <li>a) Not further worked than clad: <ul style="list-style-type: none"> <li>2. Cold-formed or cold-finished</li> </ul> </li> <li>b) Other</li> </ul> </li> </ul> </li> </ul>	21 tonnes

CCT heading No	Description	Global quota (1986)
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: B. Other sheets and plates: IV. Clad, coated or otherwise surface-treated: a) Silvered, gilded, platinum-plated or enamelled V. Otherwise shaped or worked: a) Cut into shapes other than rectangular shapes, but not further worked: 1. Silvered, gilded, platinum-plated or enamelled b) Other, excluding sheets and plates shaped by rolling	7 570 tonnes
73.14	Iron or steel wire, whether or not coated, but not insulated	180 tonnes
ex 73.29	Chain and parts thereof, of iron or steel: — With links that cannot be dismantled whose width diameter in metal does not exceed 6 mm, excluding key chains	5 tonnes
	— Articulated key chain of the Galle, Renold or Morse type, of a pitch not exceeding 2 cm	7 tonnes
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire	108 tonnes
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper	21 tonnes
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium	5 tonnes
82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry	62 tonnes
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)	9 tonnes
82.04	Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils, vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frameworks (hand or pedal operated)	11 tonnes
ex 82.13	Other articles of cutlery (for example, secateurs, hair clippers, butchers' cleavers, paper knives); manicure and chiropody sets and appliances (including nail files): — Secateurs	1 tonne
	— Manicure and chiropody sets and appliances (including nail files)	1 tonne
	— Other, excluding hair clippers	1 tonne

CCT heading No	Description	Global quota (1986)
83.01	Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and parts of such frames, of base metal; keys for any of the foregoing articles, of base metal	3 tonnes
83.02	Base metal fittings and mountings of a kind suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, caskets and the like (including automatic door closers); base metal hat-racks, hat-pegs, brackets and the like	15 tonnes
84.22	Lifting, handling, loading or unloading machinery, telfers and conveyors (for example, lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackle, belt conveyors and teleferics), not being machinery falling within heading No 84.23	120 tonnes
84.45	Machine-tools for working metal or metal carbides, not being machines falling within heading No 84.49 or 84.50	163 tonnes
85.13	Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems)	8 tonnes
90.16	<p>Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, drawing sets, slide rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example, micrometers, callipers, gauges, measuring rods, balancing machines); profile projectors:</p> <p>ex A. Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide rules, disc calculators and the like:</p> <ul style="list-style-type: none"> <li>— Excluding drawing-sets, extension pieces for compasses, compasses, drawing pens and similar instruments</li> </ul> <p>B. Measuring or checking instruments, appliances and machines; profile projectors</p>	22 tonnes
91.04	<p>Other clocks:</p> <p>ex A. Electric or electronic:</p> <ul style="list-style-type: none"> <li>— Free-standing or for hanging, complete, weighing more than 500 g and incomplete of whatever weight, excluding grandfather clocks and tower clocks</li> </ul> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Free-standing or for hanging, complete, weighing more than 500 g and incomplete of whatever weight, excluding grandfather clocks and tower clocks</li> </ul>	3 tonnes
	<p>ex A. Electric or electronic:</p> <ul style="list-style-type: none"> <li>— Excluding grandfather clocks and tower clocks, free-standing or hanging clocks, complete, weighing more than 500 g and incomplete of whatever weight and chronometers</li> </ul> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Excluding grandfather clocks and tower clocks, free-standing or hanging clocks, complete, weighing more than 500 g and incomplete of whatever weight and chronometers</li> </ul>	1 tonne
98.02	Slide fasteners and parts thereof	11 tonnes

**(c) TEMPORARY DEROGATIONS FROM REGULATIONS (EEC) NO 1765/82, (EEC) NO 1766/82 AND (EEC) NO 3419/83, AS AMENDED BY REGULATION (EEC) NO 453/84**

CCT heading No	Description	Global quota (1986)
40.08	Plates, sheets, strip, rods and profile shapes, of unhardened vulcanized rubber: A. Plates, sheets and strip: ex I. Of expanded, foam or sponge rubber: — Adhesive ex II. Other: — Adhesive	11 tonnes
40.09	Piping and tubing, of unhardened vulcanized rubber	14 tonnes
40.13	Articles of apparel and clothing accessories (including gloves), for all purposes, of unhardened vulcanized rubber: A. Gloves, including mittens ex B. Articles of apparel and clothing accessories: — Excluding corsets, belts and the like and airtight and watertight clothing for divers	3,5 tonnes
40.14	Other articles of unhardened vulcanized rubber: A. Articles for technical uses, for use in civil aircraft B. Other: ex I. Of expanded foam or sponge rubber: — Excluding tobacco pouches ex II. Other: — Excluding tobacco pouches	45 tonnes
48.15	Other paper and paperboard, cut to size or shape: ex A. Adhesive strips of a width not exceeding 10 cm, the coating of which consists of unvulcanized natural or synthetic rubber: — In paper of a weight not greater than 160 g/m <sup>2</sup> , excluding paper for electrical insulation ex B. Other: — Adhesive paper of a weight not greater than 160 g/m <sup>2</sup> , excluding paper for electrical insulation	17 tonnes
59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated: ex B. Other: — Adhesive	1 tonne
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope: A. Fishing nets and netting	10 tonnes
64.05	Parts of footwear, removable in-soles, hose protectors and heel cushions, of any material except metal: ex A. Assemblies of uppers affixed to inner soles or to other sole components, but without outer soles: — Of rubber ex B. Other: — Of rubber	31 tonnes



CCT heading No	Description	Global quota (1986)
70.21	Other articles of glass	6 tonnes
ex 84.38	<p>Auxiliary machinery for use with machines of heading No 84.37 (for example, dobbies, Jacquards, automatic stop motions and shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No 84.36 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery needles):</p> <p>— Shuttles and healds</p>	2 tonnes
85.19	<p>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, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels:</p> <p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <p>— Non-automatic make-and-break switches and isolating switches not exceeding 2 kg per unit in weight, excluding parts, of ceramic material or glass</p> <p>ex B. Resistors fixed or variable (including potentiometers), other than heating resistors:</p> <p>— Variable resistors not exceeding 2 kg per unit in weight, excluding parts, of ceramic material or glass</p>	400 units
	<p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <p>— Non-automatic make-and-break switches and isolating switches not exceeding 2 kg per unit in weight, excluding parts in materials other than ceramic or glass</p> <p>ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors:</p> <p>— Variable resistors not exceeding 2 kg per unit in weight, excluding parts, of materials other than ceramic or glass</p>	44 000 units
	<p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <p>— Automatic make-and-break switches, circuit-breakers and contactors, not exceeding 3 kg per unit in weight, excluding parts</p>	8 200 units
	<p>— Cut-outs, excluding parts</p>	9 000 units
	<p>— Other articles of ceramic material or of glass, not exceeding 2 kg per unit in weight, excluding relays for automatic switchboards, fuses, remote control relays for musical frequency and parts</p> <p>ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors:</p> <p>— Fixed resistors and potentiometers other than heating resistors, of ceramic material or glass, not exceeding 2 kg per unit in weight, excluding parts</p> <p>ex C. Printed circuits:</p> <p>— Of ceramic material or glass, not exceeding 2 kg per unit in weight</p>	10 000 units

CCT heading No	Description	Global quota (1986)
85.19 <i>(cont'd)</i>	<p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <ul style="list-style-type: none"> <li>— Articles in materials other than ceramic or glass, not exceeding 2 kg per unit in weight, excluding non-automatic make-and-break switches and isolating switches, not exceeding 2 kg per unit in weight, automatic make-and-break switches, circuit-breakers and contactors not exceeding 3 kg per unit in weight, cut-outs and parts</li> </ul> <p>ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors:</p> <ul style="list-style-type: none"> <li>— In materials other than ceramic or glass, not exceeding 2 kg per unit in weight, excluding parts</li> </ul> <p>ex C. Printed circuits:</p> <ul style="list-style-type: none"> <li>— In materials other than ceramic or glass, not exceeding 2 kg per unit in weight</li> </ul>	1 212 000 units

*ANNEX XXXI*

**List provided for in Article 365 of the Act of Accession**

CCT heading No	Description
09.03	Mate
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)
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: C. Other fatty acids; acid oils from refining
15.15	Spermaceti, crude, pressed or refined, whether or not coloured; beeswax and other insect waxes, whether or not coloured: A. Spermaceti; crude, pressed or refined, whether or not coloured
17.04	Sugar confectionery, not containing cocoa
18.03	Cocoa paste (in bulk or in block), whether or not defatted
18.04	Cocoa butter (fat or oil)
18.05	Cocoa powder, unsweetened
18.06	Chocolate and other food preparations containing cocoa
19.02	Malt extract; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa
19.03	Macaroni, spaghetti and similar products
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
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
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
21.02	Extracts, essences or concentrates, of coffee, tea or mate and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof
21.03	Mustard flour and prepared mustard
21.04	Sauces; mixed condiments and mixed seasonings
21.05	Soups and broths, in liquid, solid or powder form: homogenized composite food preparations

CCT heading No	Description
21.06	Natural yeasts (active or inactive); prepared baking powders: A. Active natural yeasts C. Prepared baking powders
21.07	Food preparations not elsewhere specified or included: A. Cereals in grain or ear form, pre-cooked or otherwise prepared B. Ravioli, macaroni, spaghetti and similar products, not stuffed, cooked; the foregoing preparations, stuffed, whether or not cooked C. Ice-cream (not including ice-cream powder) and other ices D. Prepared yoghourt; prepared milk, in powder form, for use as infants' food or for dietetic or culinary purposes E. Cheese fondues G. Other
22.01	Waters, including spa waters and aerated waters; ice and snow: A. Spa waters, natural or artificial; aerated waters
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
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: ex A. Denatured spirits (including ethyl alcohol and neutral spirits) of any strength: — Excluding alcohol obtained from the agricultural products listed in Annex II to the EEC Treaty B. Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher
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: A. Spirits (other than those of heading No 22.08), in containers holding ex I. Two litres or less: — excluding alcohol obtained from the agricultural products listed in Annex II to the EEC Treaty ex II. More than two litres: — excluding alcohol obtained from the agricultural products listed in Annex II to the EEC Treaty B. Compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages C. Spirituous beverages: II. Gin III. Whisky IV. Vodka, with an alcoholic strength of 45,4 % vol or less and plum, pear or cherry spirit (excluding liqueurs) V. Other
24.02	Manufactured tobacco; tobacco extracts and essences
28.01	Halogens (fluorine, chlorine, bromine and iodine): B. Chlorine
ex 28.16	Ammonia, anhydrous or in aqueous solution: — Liquefied ammonia

CCT heading No	Description
28.17	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium: A. Sodium hydroxide (caustic soda)
28.27	Lead oxides; red lead and orange lead
28.31	Hypochlorites; commercial calcium hypochlorite; chlorites; hypobromites: ex C. Other: — Calcium hypochlorite, including commercial calcium hypochlorite
28.32	Chlorates and perchlorates; bromates and perbromates; iodates and periodates: A. Chlorates: ex I. Of ammonium; of sodium; of potassium: — Of sodium B. Perchlorates: II. Of sodium
28.42	Carbonates and percarbonates; commercial ammonium carbonate containing ammonium carbamate: A. Carbonates: II. Of sodium
28.45	Silicates; commercial sodium and potassium silicates: ex B. Other: — Of sodium
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
29.01	Hydrocarbons: A. Acyclic: ex I. For use as power or heating fuels: — Excluding acetylene ex II. For other purposes: — Excluding acetylene B. Cyclanes and cyclenes: I. Azulene and its alkyl derivatives II. Other: ex a) For use as power or heating fuels: — Excluding decahydronaphthalene ex b) For other purposes: — Excluding decahydronaphthalene C. Cycloterpenes D. Aromatic: I. Benzene, toluene and xylenes II. Styrene III. Ethylbenzene IV. Cumene (isopropylbenzene) ex V. Naphthalene and anthracene: — Anthracene VI. Biphenyl and terphenyls ex VII. Other: — Excluding tetrahydronaphthalene

CCT heading No	Description
29.16	<p>Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>A. Carboxylic acids with alcohol function:</p> <p>ex III. Tartaric acid and its salts and esters:</p> <p>— Tartaric acid</p>
29.39	<p>Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones</p>
29.43	<p>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:</p> <p>ex B. Other:</p> <p>— Levulose</p> <p>— Levulose salts and esters</p> <p>— Sorbose and its salts and esters</p>
29.44	<p>Antibiotics:</p> <p>ex A. Penicillins:</p> <p>— Excluding those requiring more than 15,3 kg of white sugar to produce one kilogram</p> <p>B. Chloramphenicol (INN)</p> <p>C. Other antibiotics</p>
30.03	<p>Medicaments (including veterinary medicaments):</p> <p>A. Not put up in forms or in packings of a kind sold by retail:</p> <p>II. Other</p> <p>B. Put up in forms or in packings of a kind sold by retail:</p> <p>II. Other:</p> <p>a) Containing penicillin, streptomycin or their derivatives</p> <p>ex b) Other:</p> <p>— Containing antibiotics or their derivatives other than those listed under subheading B. II. a); insulin, gold salts for the treatment of tuberculosis, organo-arsenous products for the treatment of syphilis and products for the treatment of leprosy</p>
31.02	<p>Mineral or chemical fertilizers, nitrogenous:</p> <p>A. Natural sodium nitrate</p> <p>ex C. Other:</p> <p>— Excluding ammonium nitrate in packages of a gross weight of not less than 45 kg, calcium nitrate having a nitrogen content of not more than 16 %, calcium nitrate and magnesium nitrate</p>
31.03	<p>Mineral or chemical fertilizers, phosphatic:</p> <p>A. Mentioned in Note 2 (A) to this Chapter:</p> <p>I. Superphosphates</p> <p>ex B. Mentioned in Note 2 (B) or (C) to this Chapter:</p> <p>— Single, double and triple superphosphates, whether or not mixed with other calcium phosphates or non-fertilizing products</p>
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>

CCT heading No	Description
32.09	<p>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:</p> <p>A. 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; solutions as defined by Note 4 to this Chapter:</p> <p>    I. Pearl essence</p> <p>    ex II. Other:</p> <p>        — Excluding non-precious metals in paste form used in the manufacture of paints</p> <p>ex B. Stamping foils:</p> <p>    — Common metal-based</p> <p>C. Dyes or other colouring matter in forms or packings of a kind sold by retail</p>
32.12	<p>Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements</p>
32.13	<p>Writing ink, printing ink and other inks:</p> <p>B. Printing ink</p> <p>C. Other inks</p>
35.06	<p>Prepared glues not elsewhere specified or included; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of 1 kg</p>
ex 37.03	<p>Sensitized paper, paperboard and cloth, unexposed or exposed but not developed:</p> <p>— Printing paper</p>
38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:</p> <p>Q. Foundry core binders based on synthetic resins</p> <p>ex X. Other:</p> <p>    — D-Glucitol (sorbitol) cracking products</p> <p>    — Other</p>
39.01	<p>Condensation, polycondensation and polyaddition products, whether or not modified or polymerized and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones):</p> <p>C. Other:</p> <p>    I. Phenoplasts:</p> <p>        a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter</p> <p>        ex b) In other forms:</p> <p>            — Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</p> <p>            — Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m<sup>2</sup>, not printed</p> <p>    II. Aminoplasts:</p> <p>        ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:</p> <p>            — Excluding products for mounding</p>

CCT heading No	Description
<p>39.01 (cont'd)</p>	<p>C. II. ex b) In other forms:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m<sup>2</sup>, not printed</li> </ul> <p>III. Alkyds and other polyesters:</p> <p>ex a) In one of the forms mentioned in Note 3 (d) to this Chapter:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m<sup>2</sup>, not printed</li> </ul> <p>ex b) Other:</p> <ul style="list-style-type: none"> <li>— Alkyd resins</li> </ul> <p>ex IV. Polyamides:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m<sup>2</sup>, not printed</li> </ul> <p>ex V. Polyurethanes:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m<sup>2</sup>, not printed</li> </ul> <p>ex VI. Silicones:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m<sup>2</sup>, not printed</li> </ul> <p>ex VII. Other:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m<sup>2</sup>, not printed</li> </ul>
<p>39.02</p>	<p>Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins):</p> <p>C. Other:</p> <p>I. Polyethylene:</p> <p>ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:</p> <ul style="list-style-type: none"> <li>— Excluding products for moulding</li> </ul> <p>ex b) In other forms:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex II. Polytetrahaloethylenes:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex III. Polysulphohaloethylenes:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul>



CCT heading No	Description
39.02 (cont'd)	<p>C. ex IV. Polypropylene:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex V. Polyisobutylene:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>VI. Polystyrene and copolymers of styrene:</p> <p>ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:</p> <ul style="list-style-type: none"> <li>— Excluding products for moulding</li> </ul> <p>ex b) In other forms:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>VII. Polyvinyl chloride:</p> <p>a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter</p> <p>ex b) In other forms:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex VIII. Polyvinylidene chloride; copolymers of vinylidene chloride with vinyl chloride:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex IX. Polyvinyl acetate:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex X. Copolymers of vinyl chloride with vinyl acetate:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex XI. Polyvinyl alcohols, acetals and ethers:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>ex XII. Acrylic polymers, methacrylic polymers and acrylo-methacrylic copolymers:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, excluding products for moulding</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul> <p>XIII. Coumarone resins, indene resins and coumarone-indene resins</p>

CCT heading No	Description
39.02 (cont'd)	<p>C. XIV. Other polymerization or copolymerization products:</p> <p>ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:</p> <ul style="list-style-type: none"> <li>— Excluding products for moulding</li> </ul> <p>ex b) In other forms:</p> <ul style="list-style-type: none"> <li>— Plates, sheet or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives based on resin emulsions</li> </ul>
39.03	<p>Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre:</p> <p>A. Adhesive strips of a width not exceeding 10 cm, the coating of which consists of unvulcanized natural or synthetic rubber</p> <p>B. Other:</p> <p>I. Regenerated cellulose:</p> <p>b) Other:</p> <p>ex 1. Sheets, film or strip, coiled or not, of a thickness of less than 0,75 mm:</p> <ul style="list-style-type: none"> <li>— Of a weight not exceeding 160 g/m<sup>2</sup>, not printed</li> <li>— Adhesives</li> </ul> <p>ex 2. Other:</p> <ul style="list-style-type: none"> <li>— Plates, sheet or strip, of a weight not exceeding 160 g/m<sup>2</sup>, not printed</li> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives</li> </ul> <p>II. Cellulose nitrates:</p> <p>b) Plasticized:</p> <p>1. With camphor or otherwise (for example, celluloid):</p> <p>ex aa) Film in rolls or in strips, for cinematography or photography:</p> <ul style="list-style-type: none"> <li>— Of celluloid</li> <li>— Other, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Of a weight not exceeding 160 g/m<sup>2</sup>, not printed</li> </ul> <p>ex bb) Other:</p> <ul style="list-style-type: none"> <li>— Plates, sheets, strips or tubes, of celluloid</li> <li>— Other plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Plates, sheets or strip, of a weight not exceeding 160 g/m<sup>2</sup>, whether or not printed</li> <li>— Adhesives</li> </ul> <p>III. Cellulose acetates</p> <p>b) Plasticized:</p> <p>ex 2. Film in rolls or in strips, for cinematography or photography:</p> <ul style="list-style-type: none"> <li>— Of a weight not exceeding 160 g/m<sup>2</sup>, not printed</li> <li>— Rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> </ul> <p>ex 3. Sheets, film or strip, coiled or not, of a thickness of less than 0,75 mm:</p> <ul style="list-style-type: none"> <li>— Of a weight not exceeding 160 g/m<sup>2</sup>, not printed</li> <li>— Adhesives</li> </ul> <p>4. Other:</p> <p>ex bb) Other:</p> <ul style="list-style-type: none"> <li>— Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed</li> </ul>

CCT heading No	Description
39.03 (cont'd)	<p>B. III. b) 4. ex bb) — Plates, sheets or strip, of a weight not exceeding 160 g/m<sup>2</sup>, not printed — Adhesives</p> <p>IV. Other cellulose esters: b) Plasticized: ex 2. Film in rolls or in strips, for cinematography or photography: — Rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed — Of a weight not exceeding 160 g/m<sup>2</sup>, not printed ex 3. Sheets, film or strip, coiled or not, of a thickness of less than 0,75 mm: — Of a weight not exceeding 160 g/m<sup>2</sup>, not printed — Adhesives 4. Other: ex bb) Other: — Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed — Plates, sheets or strip, of a weight not exceeding 160 g/m<sup>2</sup>, not printed — Adhesives</p> <p>V. Cellulose ethers and other chemical derivatives of cellulose: b) Plasticized: 2. Other: ex aa) Ethylcellulose: — Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed — Plates, sheets or strip, of a weight not exceeding 160 g/m<sup>2</sup>, not printed — Adhesives ex bb) Other: — Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed — Plates, sheets or strip, of a weight not exceeding 160 g/m<sup>2</sup>, not printed — Adhesives</p> <p>ex VI. Vulcanized fibre: — Plates, sheets or strip, rigid, weighing more than 160 g/m<sup>2</sup>, whether or not printed, of artificial plastic materials</p>
39.07	<p>Articles of materials of the kinds described in heading Nos 39.01 to 39.06:</p> <p>B. Other: ex I. Of regenerated cellulose: — Excluding: artificial sausage casings; floor coverings; fans and hand screens, comprising sheets of plastic materials and frames and handles of all materials, except for precious metals; corset busks and similar supports for articles of apparel or clothing accessories ex II. Of vulcanized fibre: — Excluding: fans and hand screens comprising sheets of plastic materials and frames and handles of all materials, except for precious metals; corset busks and similar supports for articles of apparel or clothing accessories ex III. Of hardened proteins: — Excluding: artificial sausage casings; fans and hand screens comprising sheets of plastic materials and frames and handles of all materials, except for precious metals</p>

CCT heading No	Description
39.07 (cont'd)	ex IV. Of chemical derivatives of rubber: — Excluding: floor coverings; fans and hand screens, comprising sheets of plastic materials and frames and handles of all materials except for precious metals; corset busks and similar supports for articles of apparel or clothing accessories V. Of other materials: a) Spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 ex d) Other: — Excluding: artificial sausage casings; floor coverings
40.02	Synthetic rubber latex; pre-vulcanized synthetic rubber latex; synthetic rubber; factice derived from oils
40.08	Plates, sheets, strip, rods and profile shapes, of unhardened vulcanized rubber: A. Plates, sheets and strip: ex II. Other: — Excluding adhesives
ex 40.10	Transmission, conveyor or elevator belts or belting, of vulcanized rubber: — Excluding transmission belts or belting, of trapezoidal cross-section
40.11	Rubber tyres, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds: ex A. Solid or cushion tyres and interchangeable tyre treads: — Interchangeable tyre treads weighing up to 20 kg each B. Other: ex I. Pneumatic tyres for use on civil aircraft: — Weighing up to 20 kg each ex II. Other: — Weighing up to 20 kg each
40.12	Hygienic and pharmaceutical articles (including teats), of unhardened vulcanized rubber, with or without fittings of hardened rubber
40.13	Articles of apparel and clothing accessories (including gloves), for all purposes, of unhardened vulcanized rubber: A. Gloves, including mittens ex B. Articles of apparel and clothing accessories: — Excluding: corsets, belts and the like: airtight and watertight clothing for divers
40.14	Other articles of unhardened vulcanized rubber: B. Other: ex I. Of expanded foam or sponge rubber: — Excluding tobacco-pouches ex II. Other: — Excluding tobacco-pouches
42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric

CCT heading No	Description
44.14	Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm
44.18	Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like
48.01	<p>Paper and paperboard (including cellulose wadding), in rolls or sheets:</p> <p>B. Cigarette paper</p> <p>C. Kraft paper and kraft board</p> <p>D. Paper weighing not more than 15 g/m<sup>2</sup> for use in stencil making</p> <p>E. Hand-made paper and paperboard</p> <p>ex F. Other:</p> <p>— Excluding: printing paper of any colour, of a minimum mechanical pulp content of 60 %, of a weight of 40 to 80 g/m<sup>2</sup>, for the printing of periodicals or books, put up in reels; paper and paperboard for electrical insulation; paper and paperboard of a weight of up to 300 g/m<sup>2</sup>, manufactured mechanically, for the manufacture of sand-paper; cellulose wadding</p>
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
48.05	Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets
48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets
48.08	Filter blocks, slabs and plates, of paper pulp
48.10	Cigarette paper, cut to size, whether or not in the form of booklets or tubes
48.11	Wallpaper and lincrusta; window transparencies of paper
48.12	Floor coverings prepared on a base of paper or of paperboard, whether or not cut to size, with or without a coating of linoleum compound
48.13	Carbon and other copying papers (including duplicator stencils) and transfer papers, cut to size, whether or not put up in boxes
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
48.15	Other paper and paperboard, cut to size or shape
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like

CCT heading No	Description
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
48.20	Bobbins, spools, cops and similar supports of paper pulp, paper or paperboard (whether or not perforated or hardened)
48.21	Other articles of paper pulp, paper, paperboard or cellulose wadding
ex 49.01	<p>Printed books, brochures, leaflets and similar printed matter, whether or not in single sheets:</p> <p>— Books bound otherwise than in paper, excluding: meteorological or scientific atlases; communications, theses, dissertations and reports on scientific, literary or artistic subjects published by official bodies or cultural institutions, printed in any language; dictionaries in two or more languages, including Portuguese; books printed on Portuguese territory and returning thereto; books bound otherwise than in paper, provided that the binding does not contain leather, printed exclusively in foreign languages or originating in Portuguese-speaking countries and printed exclusively in Portuguese, or originating in Macao and printed exclusively in Portuguese or Chinese or both languages</p>
49.03	Children's picture books and painting books
49.07	<p>Unused postage, revenue and similar stamps of current or new issue in the country to which they are destined; stamp-impressed paper; banknotes, stock, share and bond certificates and similar documents of title; cheque books:</p> <p>C. Other:</p> <p>ex II. Other:</p> <p>— Cheque books and the like; stock, share and bond certificates and similar documents of title, not signed or numbered</p>
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks
49.11	<p>Other printed matter, including printed pictures and photographs:</p> <p>A. Sheets (not being trade advertising material), not folded, merely with illustrations or pictures not bearing a text or caption, for editions of books or periodicals which are published in different countries in one or more languages</p> <p>ex B. Other:</p> <p>— Printed pictures and photographs; trade or tourist advertising books, bound otherwise than in paper, excluding those printed on Portuguese territory and returning thereto and those bound otherwise than in paper, provided that the binding does not contain leather, printed exclusively in foreign languages or originating in Portuguese-speaking countries and printed exclusively in Portuguese or originating in Macao and printed exclusively in Portuguese or Chinese or both languages; other, excluding meteorological and scientific charts; communications, theses, dissertations and reports on scientific, literary and artistic subjects not falling under heading No 49.01, published by official bodies or cultural institutions, printed in any language and trade and tourist advertising books, bound or in sheets</p>
51.01	Yarn of man-made fibres (continuous), not put up for retail sale

CCT heading No	Description
51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02
53.06	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale
53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale
53.10	Yarn of sheep's or lambs' wool, or horsehair or of other animal hair (fine or coarse), put up for retail sale
53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair
55.05	Cotton yarn, not put up for retail sale
55.06	Cotton yarn, put up for retail sale
55.08	Terry towelling and similar terry fabrics, of cotton
55.09	Other woven fabrics of cotton
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning: ex A. Synthetic textile fibres: — With the exception of polyester
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous): A. Of synthetic textile fibres
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: A. Of synthetic textile fibres
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning: A. Synthetic textile fibres
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale
56.07	Woven fabrics of man-made fibres (discontinuous or waste)
57.06	Yarn of jute or of other textile bast fibres of heading No 57.03
57.07	Yarn of other vegetable textile fibres; paper yarn: ex D. Other: — Yarn of sisal
57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03
58.01	Carpets, carpeting and rugs; knotted (made up or not)
58.02	Other carpets, carpeting, rugs, mats and matting and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)
58.03	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, <i>petit point</i> and cross-stitch) made in panels and the like by hand
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)

CCT heading No	Description
58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06
58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size
58.07	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
58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics); plain
58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figures; hand or mechanically made lace, in the piece, in strips or in motifs
58.10	Felt and articles of felt, whether or not impregnated or coated
59.02	Felt and articles of felt, whether or not impregnated or coated: ex A. Felt in the piece or simply cut to rectangular shape: — Rugs, carpets and runners ex B. Other: — Rugs, carpets and runners
59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated: A. Carpets and other floor coverings ex B. Other: — In the piece
59.04	Twine, cordage, ropes and cables, plaited or not
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials
59.10	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
ex 59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like: — Oilcloth and other oiled textile fabrics or fabrics covered with an oil-based coating weighing more than 1 400 g/m <sup>2</sup> — Impregnated or coated textile fabrics of a weight not exceeding 1 400 g/m <sup>2</sup>
59.13	Elastic fabrics trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads
60.01	Knitted or crocheted fabric, not elastic or rubberized
60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized
60.04	Undergarments, knitted or crocheted, not elastic or rubberized



CCT heading No	Description
60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized
61.01	Men's and boys' outer garments
61.02	Women's, girls' and infants' outer garments
61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs
61.04	Women's, girls' and infants' undergarments
61.05	Handkerchiefs
61.06	Shawls, scarves, mufflers, mantillas, veils and the like
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
62.01	Travelling rugs and blankets
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles
62.03	Sacks and bags, of a kind used for the packing of goods
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material
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
64.03	Footwear with outer soles of wood or cork
64.04	Footwear with outer soles of other materials
64.05	Parts of footwear, removable in-soles, hose protectors and heel cushions, of any material except metal
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
68.02	Worked monumental or building stone, and articles thereof (including mosaic cubes), other than goods falling within heading No 68.01 or within Chapter 69
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: B. Other: I. Of agglomerated abrasives: ex a) Made of natural or synthetic diamonds: — Artificial, excluding millstones, etc. ex b) Other: — Artificial, excluding millstones, etc. ex II. Other: — Artificial, excluding millstones, etc.

CCT heading No	Description
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, of paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
69.02	Refractory bricks, blocks, tiles and similar refractory constructional goods, other than goods falling within heading No 69.01
69.08	Glazed setts, flags and paving, hearth and wall tiles
69.10	Sinks, wash basins, bidets, water closet pans, urinals, baths and like sanitary fixtures
69.11	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian)
69.12	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery
69.13	Statuettes and other ornaments, and articles of personal adornment; articles of furniture: ex A. Common pottery: — Excluding articles of personal adornment ex B. Porcelain or china: — Excluding articles of personal adornment ex C. Other: — Excluding articles of personal adornment
69.14	Other articles
70.04	Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles: ex B. Other: — Of a thickness greater than 5 mm but no greater than 10 mm
ex 70.05	Unworked drawn or blown glass (including flashed glass), in rectangles: — Of a thickness no greater than 3 mm
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked: — Not wired, of a thickness no greater than 5 mm
70.08	Safety glass consisting of toughened or laminated glass, shaped or not
ex 70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses: — Excluding articles made of glass with a low coefficient of expansion
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass
ex 70.21	Other articles of glass: — Of coloured, matt, engraved, irisated, cut, marbled, opaque, opaline or painted glass, or of moulded glass with hollows or protruding parts

CCT heading No	Description
71.05	<p>Silver including silver gilt and platinum-plated silver, unwrought or semi-manufactured:</p> <p>ex B. Bars, rods, wires and sections; plates, sheets and strips:</p> <ul style="list-style-type: none"> <li>— Wire; other, beaten or rolled</li> </ul> <p>D. Foil of a thickness, excluding any backing, not exceeding 0,15 mm</p>
71.16	<p>Imitation jewellery:</p> <p>ex A. Of base metal:</p> <ul style="list-style-type: none"> <li>— Watch straps, other articles of jewellery wholly or partially silvered, gilded or platinum-plated or plated with other metals of the platinum group</li> </ul>
73.07	<p>Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:</p> <p>A. Blooms and billets:</p> <ul style="list-style-type: none"> <li>II. Forged</li> </ul> <p>B. Slabs and sheet bars (including tinplate bars):</p> <ul style="list-style-type: none"> <li>II. Forged</li> </ul> <p>C. Pieces roughly shaped by forging</p>
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded cold-formed or cold-finished, (including precision-made); hollow mining drill steel:</p> <p>A. Not further worked than hot-rolled or extruded:</p> <ul style="list-style-type: none"> <li>I. Wire rod (ECSC)</li> <li>ex II. Bars and rods (ECSC): <ul style="list-style-type: none"> <li>— Twisted concrete reinforcing bars for construction purposes, not further worked than hot-rolled</li> <li>— Of round section, of a diameter not more than 170 mm, not further worked than hot-rolled</li> <li>— Of square section, of which the side does not exceed 170 mm</li> <li>— Of rectangular section, of a width not more than 300 mm and of a thickness equal or less than 60 mm, not further worked than hot-rolled</li> <li>— Other, of which the transversal section may fit within a circle of a diameter of 170 mm or less, not further worked than not-rolled</li> </ul> </li> </ul> <p>B. Not further worked than forged</p> <p>C. Not further worked than cold-formed or cold-finished</p> <p>D. Clad or surface-worked (for example, polished, coated):</p> <ul style="list-style-type: none"> <li>I. Not further worked than clad: <ul style="list-style-type: none"> <li>ex a) Hot-rolled or extruded (ECSC): <ul style="list-style-type: none"> <li>— Of round section, of a diameter not more than 170 mm, not further worked than clad or hot-rolled</li> <li>— Of square section, of which the side does not exceed 170 mm</li> <li>— Of rectangular section, of a width not more than 300 mm and of a thickness equal to or less than 60 mm, not further worked than clad or hot-rolled</li> <li>— Other, of which the transversal section may fit within a circle of a diameter of 170 mm or less, not further worked than clad or hot-rolled</li> </ul> </li> <li>b) Cold-formed or cold-finished</li> </ul> </li> <li>II. Other</li> </ul>
73.11	<p>Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <p>A. Angles, shapes and sections:</p> <ul style="list-style-type: none"> <li>ex I. Not further worked than hot-rolled or extruded <ul style="list-style-type: none"> <li>— Angles with equal or unequal flanges, of which the broadest flange does not exceed 200 mm in width, not further worked than hot-rolled</li> </ul> </li> </ul>

CCT heading No	Description
73.11 (cont'd)	<p>A. ex I. — T sections, of a height of not more than 180 mm, not further worked than hot-rolled  — I or H sections, of a height not more than 340 mm, not further worked than hot-rolled  — U sections, of a height not more than 320 mm, not further worked than hot-rolled</p> <p>II. Not further worked than forged</p> <p>III. Not further worked than cold-formed or cold-finished</p> <p>IV. Clad or surface-worked (for example, polished, coated):</p> <p>a) Not further worked than clad:</p> <p>ex 1. Hot-rolled or extruded (ECSC):</p> <p>— Angles with equal or unequal flanges, of which the broadest flange does not exceed 200 mm in width, not further worked than rolled</p> <p>— T sections, of a height of not more than 180 mm, not further worked than hot-rolled</p> <p>— I or H sections, of a height not more than 340 mm, not further worked than clad or hot-rolled</p> <p>— U sections, of a height not more than 320 mm, not further worked than clad or hot-rolled</p> <p>2. Cold-formed or cold-finished</p> <p>b) Other</p>
73.12	<p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>B. Not further worked than cold-rolled:</p> <p>II. Other</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p>I. Silvered, gilded or platinum-plated</p> <p>II. Enamelled</p> <p>III. Tinned:</p> <p>b) Other</p> <p>IV. Zinc-coated or lead-coated</p> <p>V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <p>a) Not further worked than clad:</p> <p>2. Cold-rolled</p> <p>b) Other</p> <p>D. Otherwise shaped or worked (for example, perforated, chamfered, lap-jointed)</p>
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. 'Electrical' sheets and plates:</p> <p>ex I. With a watt-loss, regardless of thickness, of 0,75 watt or less (ECSC):</p> <p>— Cold-rolled</p> <p>ex II. Other (ECSC)</p> <p>— Cold-rolled</p> <p>B. Other sheets and plates:</p> <p>II. Not further worked than cold-rolled, of a thickness of:</p> <p>b) More than 1 mm but less than 3 mm (ECSC)</p> <p>c) 1 mm or less (ECSC)</p> <p>ex III. Not further worked than burnished, polished or glazed (ECSC):</p> <p>— Cold-rolled</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>a) Silvered, gilded, platinum-plated or enamelled</p> <p>ex d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) (ECSC):</p> <p>V. Otherwise shaped or worked:</p> <p>a) Cut into shapes other than rectangular shapes, but not further worked:</p> <p>1. Silvered, gilded, platinum-plated or enamelled</p> <p>ex 2. Other (ECSC)</p> <p>— Cold-rolled</p> <p>b) Other, excluding sheets and plates shaped by rolling</p>

CCT heading No	Description
ex 73.14	Iron or steel wire, whether or not coated, but not insulated: — Without textile coating
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14: A. High carbon steel: ex VIII. Wire, whether or not coated, but not insulated: — Without textile coating, not coated with other metals and not consisting of alloy steel containing, by weight, one or more elements in the following proportions: 2 % or more of silicon, 2 % or more of manganese, 2 % or more of chromium, 2 % or more of nickel, 0,3 % or more of molybdenum, 0,3 % or more of vanadium, 0,5 % or more of tungsten, 0,5 % or more of cobalt, 0,3 % or more of aluminium, 1 % or more of copper B. Alloy steel: ex VIII. Wire, whether or not coated, but not insulated: — Without textile coating, not coated with other metals and not consisting of alloy steel containing, by weight, one or more elements in the following proportions: 2 % or more of silicon, 2 % or more of manganese, 2 % or more of chromium, 2 % or more of nickel, 0,3 % or more of molybdenum, 0,3 % or more of vanadium, 0,5 % or more of tungsten, 0,5 % or more of cobalt, 0,3 % or more of aluminium, 1 % or more of copper
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits
ex 73.21	Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, door and window frames, shutters, balustrades, pillars and columns), of iron or steel; plates, strip, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel: — Excluding lock-gates for hydraulic plant
ex 73.24	Containers, of iron or steel, for compressed or liquefied gas: — Welded, with a capacity not exceeding 300 litres
73.25	Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables: ex B. Other: — Excluding closed or semi-closed carrying cables for cable cars and reinforcing cables for prestressed concrete
73.26	Barbed iron or steel wire; twisted hoop or single flat wire, barbed or not, and loosely twisted double wire, of kinds used for fencing, of iron or steel
73.27	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials, of iron or steel wire; expanded metal, of iron or steel: A. Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials
ex 73.29	Chain and parts thereof, of iron or steel: — Articulated link chain of 'Galle', 'Renold' or 'Morse' type, of a pitch not exceeding 2 cm, excluding key chains

CCT heading No	Description
73.31	Nails, tacks, staples, hook-nails, corrugated nails, spiked cramps, studs, spikes and drawing pins, of iron or steel, whether or not with heads of other materials, but not including such articles with heads of copper
73.32	<p>Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, screws (including screw hooks and screw rings), rivets, cotters, cotter-pins and similar articles, of iron or steel; washers (including spring washers) of iron or steel:</p> <p>A. Not threaded or tapped:</p> <p>ex I. Screws, nuts, rivets and washers, turned from bars, rods, angles, shapes, sections or wire, of solid section, of a shank thickness or hole diameter not exceeding 6 mm:</p> <p>— Excluding articles for fixing rails and screws; rivets</p> <p>ex II. Other:</p> <p>— Excluding articles for fixing rails and screws; rivets</p> <p>B. Threaded or tapped:</p> <p>I. Screws and nuts, turned from bars, rods, angles, shapes, sections or wire, of solid section, of a shank thickness or hole diameter not exceeding 6 mm</p> <p>ex II. Other:</p> <p>— Excluding articles for fixing rails</p>
73.33	Needles for hand sewing (including embroidery), hand carpet needles and hand knitting needles, bodkins, crochet hooks, and the like, and embroidery stiletos, of iron or steel
ex 73.35	<p>Springs and leaves for springs, of iron or steel:</p> <p>— Leaf-springs for vehicles, excluding those for railway rolling stock</p> <p>— Spiral springs, of wire or bars, of a diameter greater than 8 mm or of rectangular bars the smallest side of which measures more than 8 mm</p>
ex 73.36	<p>Stoves (including stoves with subsidiary boilers for central heating), ranges, cookers, grates, fires and other space heaters, gas-rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel:</p> <p>— Of refined, rolled or forged iron or steel, excluding ranges</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>— Of refined, rolled or forged iron or steel</p>
73.38	<p>Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel:</p> <p>B. Other:</p> <p>I. Sinks and wash basins and parts thereof, of stainless steel</p> <p>ex II. Other:</p> <p>— Excluding iron or steel wool, pot scourers and scouring or polishing pads, gloves and the like</p>

CCT heading No	Description
73.40	<p>Other articles of iron or steel:</p> <p>A. Of cast iron</p> <p>ex B. Other:</p> <p>— Excluding corset busks and similar supports, of steel, for articles of apparel or clothing accessories</p>
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire
ex 74.07	<p>Tubes and pipes and blanks therefor, of copper; hollow bars of copper:</p> <p>— Excluding those unworked, painted, varnished, enamelled or otherwise prepared (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, of a wall-thickness greater than 1 mm and with a maximum interior cross-section of more than 80 mm</p>
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
ex 74.19	<p>Other articles of copper:</p> <p>— Excluding the following articles:</p> <p>— Pins, sliding rings and hairpins, excluding ornamental pins, thimbles and fittings for belts, corsets and braces</p> <p>— Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas) of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment</p> <p>— Chain and parts thereof</p>
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
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium
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
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables
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
82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
82.02	<p>Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades):</p> <p>A. Saws (non-mechanical)</p> <p>B. Saw blades:</p> <p>I. Bandsaw blades</p> <p>ex III. Other:</p> <p>— Handsaw blades</p>

CCT heading No	Description
82.03	Hand tools, the following: pliers (including cutting pliers), pincers, tweezers, tin-men's snips, bolt croppers and the like; perforating punches; pipe cutters; spanners and wrenches (but not including tap wrenches); files and rasps
82.04	Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frame-works (hand or pedal operated)
82.05	<p>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 screwdriving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits with a working part of:</p> <p>ex A. Base metal: — Excluding drills</p> <p>ex B. Metal carbides: — Excluding drills</p> <p>ex C. Diamond or agglomerated diamond: — Excluding drills</p> <p>ex D. Other materials: — Excluding drills</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
ex 82.12	<p>Scissors and blades therefor: — Excluding tailors' shears</p>
82.13	Other articles of cutlery (for example, secateurs, hair clippers, butchers' cleavers, paper knives); manicure and chiropody sets and appliances (including nail files)
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 No 82.09, 82.13 or 82.14
83.01	Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and parts of such frames, of base metal; keys for any of the foregoing articles, of base metal
83.02	Base metal fittings and mountings of a kind suitable for furniture, doors, stair-cases, windows, blinds, coachwork, saddlery, trunks, caskets and the like (including automatic door closers); base metal hat-racks, hat-pegs, brackets and the like
83.06	<p>Statuettes and other ornaments of a kind used indoors, of base metal; photograph, picture and similar frames, of base metal; mirrors of base metal:</p> <p>A. Statuettes and other ornaments of a kind used indoors</p>
ex 83.09	<p>Clasps, frames with clasps for handbags and the like, buckles, buckleclasps, hooks, eyes, eyelets, and the like, of base metal, of a kind commonly used for clothing, travel goods, handbags or other textile or leather goods; tubular rivets and bifurcated rivets, of base metal; beads and spangles, of base metal:</p> <p>— Excluding beads and spangles</p>



CCT heading No	Description
83.13	Stoppers, crown corks, bottle caps, capsules, bung covers, seals and plombs, case corner protectors and other packing accessories, of base metal
83.15	Wire, rods, tubes, plates, electrodes and similar products, of base metal or of metal carbides, coated or cored with flux material, of a kind used for soldering, brazing, welding or deposition of metal or of metal carbides; wire and rods, of agglomerated base metal powder, used for metal spraying
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: — Excluding parts thereof
84.06	Internal combustion piston engines: C. Other engines: I. Spark ignition engines of a cylinder capacity of: a) 250 cm <sup>3</sup> or less: ex 2. Other: — Of a power of 25 kW or less and for auto-cycles of a cylinder capacity of no more than 50 cm <sup>3</sup> b) More than 250 cm <sup>3</sup> : ex 1. For the industrial assembly of: Agricultural walking tractors of 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 less than 15, Motor vehicles for the transport of goods or materials, with an engine of a cylinder capacity of less than 2 800 cm <sup>3</sup> Special purpose motor vehicles of heading No 87.03: — Of a power of 25 kW or less 2. Other: ex bb) Other: — Of a power of 25 kW or less II. Compression ignition engines: ex a) Marine propulsion engines: — Of a power of 25 kW or less b) Other: ex 1. For the industrial assembly of: Agricultural walking tractors of 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 less than 15, Motor vehicles for the transport of goods or materials, with an engine of a cylinder capacity of less than 2 500 cm <sup>3</sup> , Special purpose motor vehicles of heading No 87.03: — Of a power of 25 kW or less ex 2. Other: — Of a power of 25 kW or less D. Parts: II. Of other engines: ex a) For aircraft: — Liner-cylinders, cylinder liners, piston pins, pistons and piston rings ex b) Other: — Liner-cylinders, cylinder liners, piston pins, pistons and piston rings
84.07	Hydraulic engines and motors (including water wheels and water turbines): B. Other hydraulic engines and motors

CCT heading No	Description
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: — Parts</p> <p>B. Other pumps: II. Other: ex a) Pumps: — Excluding pumps for sprinklers and submersible pumps with motor attached, without ceramic or rubber lining, weighing not more than 1 000 kg each</p> <p>b) Parts</p> <p>C. Liquid elevators of bucket, chain, screw, band and similar kinds</p>
84.11	<p>Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines); fans, blowers and the like:</p> <p>C. Fans, blowers and the like: ex II. Other: — Weighing not more than 200 kg each, excluding parts</p>
84.15	<p>Refrigerators and refrigerating equipment (electrical and other):</p> <p>C. Other: ex I. Refrigerators of a capacity of more than 340 litres: — Weighing more than 200 kg each</p> <p>ex II. Other: — Excluding equipment mounted on a common base or with interdependent elements, for freezers and cupboards and other items of furniture imported with their own freezing equipment weighing not more than 200 kg, and parts thereof</p>
ex 84.16	<p>Calendering and similar rolling machines (other than metalworking and metal-rolling machines and glass-working machines) and cylinders therefor:</p> <p>— Excluding calendering machines with up to three cylinders or weighing not more than 5 000 kg each and rolling machines for the rubber and food industries; parts for machines under this heading</p>
84.17	<p>Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vaporizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical:</p> <p>ex A. Machinery and equipment for the manufacture of the products mentioned in subheading 28.51 A (Euratom): — Driers heated by steam or hot air weighing not more than 5 000 kg each and parts thereof</p> <p>ex B. Machinery and equipment specially designed for the separation of irradiated nuclear fuels, for the treatment of radio-active waste or for the recycling of irradiated nuclear fuels (Euratom): — Driers heated by steam or hot air weighing not more than 5 000 kg each and parts thereof</p> <p>C. Heat exchange units: ex II. Other: — Parts</p>

CCT heading No	Description
84.17 (cont'd)	<p>D. Percolators and other appliances for making coffee and other hot drinks:</p> <p>ex I. Electrically heated:</p> <p>— Parts</p> <p>ex II. Other:</p> <p>— Parts</p> <p>E. Medical and surgical sterilizing apparatus:</p> <p>ex I. Electrically heated:</p> <p>— Parts</p> <p>ex II. Other:</p> <p>— Driers heated by steam or hot air weighing not more than 5 000 kg each and parts thereof</p> <p>F. Other:</p> <p>ex I. Water heaters, non-electric:</p> <p>— For domestic use</p> <p>ex II. Other:</p> <p>— Driers heated by steam or hot air weighing not more than 5 000 kg each and parts thereof</p>
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:</p> <p>— Weighing machines, including automatic and semi-automatic balances, weighing not more than 250 kg each, excluding parts thereof</p>
84.22	<p>Lifting, handling, loading or unloading machinery, telfers and conveyors (for example, lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackle, belt conveyors and teleferics), not being machinery falling within heading No 84.23:</p> <p>B. Other:</p> <p>ex I. Machinery and mechanical appliances specially designed for dealing with highly radioactive substances (Euratom):</p> <p>— Excluding winches, hoists and pulley tackle, and all parts thereof</p> <p>ex II. Self-propelled cranes on wheels, not capable of running on rails:</p> <p>— Excluding parts</p> <p>ex III. Rolling-mill machinery; roller tables for feeding and removing products; tilters and manipulators for ingots, balls, bars and slabs:</p> <p>— Excluding parts</p> <p>ex IV. Other:</p> <p>— Excluding winches, hoists and pulley tackle, jacks for vehicles, and all parts thereof</p>
ex 84.24	<p>Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertilizer distributors); lawn and sports ground rollers:</p> <p>— Mould boards and ploughshares, excluding those of cast iron and steel, slades, discs, skim coulters, blade-shaped and disc-shape coulters, for ploughs; teeth for cultivators and scarifiers, discs for sprayers; weeding, ridging and furrowing implements, for weeding machines</p>
ex 84.27	<p>Presses, crushers and other machinery, of a kind used in wine-making, cider-making, fruit juice preparation or the like:</p> <p>— Continuous crushing and stalk-removing machines and presses for grapes, excluding parts thereof</p>

CCT heading No	Description
84.31	<p>Machinery for making or finishing cellulosic pulp, paper or paperboard:</p> <p>A. For making paper or paperboard</p> <p>ex B. Other:</p> <p>— Excluding ruling machines weighing not more than 2 000 kg each</p>
84.36	<p>Machines for extruding man-made textiles; machines of a kind used for processing natural or man-made textile fibres; textile spinning and twisting machines; textile doubling, throwing and reeling (including weft-winding) machines</p>
84.37	<p>Weaving machines, knitting machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net; machines for preparing yarns for use on such machines, including warping and warp sizing machines;</p> <p>ex A. Weaving machines:</p> <p>— Non-automatic and automatic machines weighing not more than 2 500 kg each and excluding automatic machines for cotton</p> <p>ex B. Knitting machines:</p> <p>— Flat</p> <p>ex C. Machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net:</p> <p>— Machines weighing not more than 2 500 kg each</p>
ex 84.38	<p>Auxiliary machinery for use with machines of heading No 84.37 (for example, dobbies, Jacquards, automatic stop motions and shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No 84.36 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery needles):</p> <p>— Excluding continuous spinning machines (grooved beams weighing not more than 2,5 kg each; spindles, pressure cylinders, and shafts and tension pulleys for driving belts for spindles, with ball, roller or needle bearings); toothed iron or steel bands for card clothing; extruding nipples of precious metal</p>
84.40	<p>Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor coverings for applying the paste to the base fabric or other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor:</p> <p>B. Clothes-washing machines, each of a dry linen capacity not exceeding 6 kg; domestic wringers:</p> <p>ex I. Electrically operated:</p> <p>— For clothes-washing, excluding parts</p> <p>ex II. Other:</p> <p>— For clothes-washing, excluding parts</p> <p>ex C. Other:</p> <p>— Clothes-washing machines, excluding parts</p> <p>— Machinery for dyeing textile yarns, excluding parts</p>
84.45	<p>Machine-tools for working metal or metal carbides, not being machines falling within heading No 84.49 or 84.50</p>

CCT heading No	Description
84.47	Machine-tools for working wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
84.48	Accessories and parts suitable for use solely or principally with the machines falling within heading Nos 84.45 to 84.47, including work and tool holders, self-opening dieheads, dividing heads and other appliances for machine-tools; tool holders for any type of tool or machine-tool for working in the hand
84.51	Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines; A. Typewriters
ex 84.56	Machinery for sorting, screening, separating, washing, crushing, grinding or mixing earth, stone, ores or other mineral substances, in solid (including powder and paste) form; machinery for agglomerating, moulding or shaping solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand: — Grinders weighing not more than 5 000 kg each; granulators and crushers, with or without selector sieves, weighing not more than 5 000 kg each; fixed or movable cement-mixers weighing not more than 2 000 kg each; excluding parts of the machinery mentioned
84.59	Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter: ex A. For the manufacture of the products mentioned in subheading 28.51 A (Euratom): — Hydraulic presses weighing not more than 5 000 kg each and presses with mechanical transmission weighing not more than 1 000 kg each, excluding parts thereof ex C. Specially designed for the recycling of irradiated nuclear fuels (for example, sintering of radioactive metal oxides, sheathing) (Euratom): — Hydraulic presses weighing not more than 5 000 kg each and presses with mechanical transmission weighing not more than 1 000 kg each, excluding parts thereof E. Other: ex II. Other machines and mechanical appliances: — Hydraulic presses weighing not more than 5 000 kg each and presses with mechanical transmission weighing not more than 1 000 kg each
ex 84.60	Moulding boxes for metal foundry; moulds of a type used for metal (other than ingot moulds), for metal carbides, for glass, for mineral materials (for example, ceramic pastes, concrete or cement) or for rubber or artificial plastic materials: — Moulds for machine work
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 84.62	Ball, roller or needle roller bearings: — Bearing with row of balls, in which balls are not detachable manually, or in which the row of balls is not separable, or in which the faces of the two rings are aligned in the same plane, of which the external diameter is more than 36 mm but not more than 72 mm; excluding parts

CCT heading No	Description
84.63	<p>Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings:</p> <p>B. Other:</p> <p>ex II. Other:</p> <p>— Reduction gears, step-up gears and speed variators</p>
85.01	<p>Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:</p> <p>A. The following goods, for use in civil aircraft:</p> <p>— Generators, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors</p> <p>— Electric motors of an output of not less than 0,75 kW but less than 150 kW</p> <p>B. Other machines and apparatus</p>
ex 85.03	<p>Primary cells and primary batteries:</p> <p>— Dry</p>
85.04	<p>Electric accumulators:</p> <p>B. Other:</p> <p>I. Lead-acid accumulators</p>
85.06	<p>Electro-mechanical domestic appliances, with self-contained electric motor</p>
85.12	<p>Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hairdressing 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:</p> <p>A. Electric instantaneous or storage water-heaters and immersion heaters:</p> <p>ex II. Other:</p> <p>— Excluding parts</p> <p>B. Electric soil-heating apparatus and electric space-heating apparatus:</p> <p>ex II. Other:</p> <p>— Excluding parts</p> <p>ex C. Electric hairdressing appliances (for example, hair-dryers, hair-curlers, curling-tong heaters):</p> <p>— Excluding parts</p> <p>D. Electric smoothing irons</p> <p>E. Electro-thermic domestic appliances:</p> <p>ex II. Other:</p> <p>— Hot plates, cooking stoves, ranges, and similar cooking appliances, for domestic use</p> <p>F. Electric heating resistors</p>
85.13	<p>Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems)</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>

CCT heading No	Description
85.15 (cont'd)	<p>B. Other apparatus:</p> <p>II. Other</p> <p>C. Parts:</p> <p>II. Other:</p> <p>a) Cabinets and cases</p> <p>b) Parts of base metal, turned from bars, rods, angles, shapes, sections or wire, of solid section, the greatest diameter of which does not exceed 25 mm</p> <p>ex c) Other:</p> <p>— Excluding input radio-frequency tuning units imported by Portuguese manufacturers of television receivers for use in the manufacture of such receivers or for use as spare parts for exports for repairs to receivers manufactured by them</p>
85.16	Electric traffic control equipment for railways, roads or inland waterways and equipment used for similar purposes in port installations or upon airfields
85.18	<p>Electrical capacitors, fixed or variable:</p> <p>ex A. Fixed capacitors, other than electrolytic:</p> <p>— Weighing not more than 500 kg each, excluding parts thereof</p> <p>ex B. Other:</p> <p>— Fixed capacitors weighing not more than 500 kg each, excluding parts thereof</p>
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, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels
85.20	<p>Electric filament lamps and electric discharge lamps (including infra-red and ultra-violet lamps); arc lamps:</p> <p>A. Filament lamps for lighting:</p> <p>II. Other</p> <p>ex B. Other lamps:</p> <p>— For lighting</p> <p>ex C. Parts:</p> <p>— For electric lamps for lighting</p>
85.23	<p>Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including coaxial cable), whether or not fitted with connectors:</p> <p>B. Other</p>
ex 87.09	<p>Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds:</p> <p>— Motor-cycles and cycles fitted with a motor, of a cylinder capacity not exceeding 50 cm<sup>3</sup></p>
87.10	Cycles (including delivery tricycles), not motorized
87.12	<p>Parts and accessories of articles falling within heading No 87.09, 87.10 or 87.11:</p> <p>ex B. Other:</p> <p>— Invalid carriages, not mechanically propelled</p>

CCT heading No	Description
89.01	<p>Ships, boats and other vessels not falling within any of the following headings of this Chapter:</p> <p>ex A. Warships: — Mechanically propelled, excluding air-cushion type</p> <p>B. Other: ex I. Sea-going vessels: — Mechanically propelled, excluding: air-cushion vehicles; vessels designed exclusively for sporting purposes, acquired by legally constituted nautical associations or by members thereof; vessels acquired, for their service, by pilots' corporations</p> <p>II. Other: ex a) Weighing 100 kg or less each: — Mechanically propelled, excluding: air-cushion vehicles; vessels designed exclusively for sporting purposes, acquired by legally constituted nautical associations or by members thereof; vessels acquired, for their service, by pilots' corporations</p> <p>ex b) Other: — Mechanically propelled, excluding: air-cushion vehicles; vessels designed exclusively for sporting purposes, acquired by legally constituted nautical associations or by members thereof; vessels acquired, for their service, by pilots' corporations</p>
ex 90.03	<p>Frames and mountings and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like: — Excluding those of gold</p>
ex 90.04	<p>Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other: — Excluding those with frames of gold or plated metals or gold-plated or gilt and engineers' protective spectacles</p>
90.07	<p>Photographic cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading No 85.20:</p> <p>ex A. Photographic cameras: — Weighing not more than 20 kg each</p> <p>B. Photographic flashlight apparatus and flashbulbs: ex II. Other: — Weighing not more than 20 kg each</p>
90.16	<p>Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, drawing sets, slide-rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example, micrometers, callipers, gauges, measuring rods, balancing machines); profile projectors:</p> <p>ex A. Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide rules, disc calculators and the like: — Set-squares, rulers, protractors and French curves — Cases of drawing instruments, lengthening bars of compasses, compasses, mathematical drawing pens and the like</p>
90.24	<p>Instruments and apparatus for measuring, checking or automatically controlling the flow, depth, pressure or other variables of liquids or gases, or for automatically controlling temperature (for example, pressure gauges, thermostats, level gauges, flow meters, heat meters, automatic overdraught regulators), not being articles falling within heading No 90.14:</p> <p>B. Other: I. Manometers</p>



CCT heading No	Description
90.28	Electrical measuring, checking, analysing or automatically controlling instruments and apparatus
91.04	<p>Other clocks:</p> <p>ex A. Electric or electronic:</p> <p>— For standing or suspending: assembled, weighing more than 500 g; unassembled, regardless of weight</p> <p>ex B. Other:</p> <p>— For standing or suspending: assembled, weighing more than 500 g; unassembled, regardless of weight</p>
91.08	Clock movements, assembled
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
92.12	<p>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:</p> <p>B. Recorded:</p> <p>I. Wax recordings, discs, matrices and other intermediate forms, excluding magnetically recorded tapes:</p> <p>b) Other</p> <p>II. Other</p> <p>a) Records:</p> <p>2. Other</p> <p>b) Other recording media (tapes, wires, strips and like articles):</p> <p>1. Magnetically recorded for the scoring of cinematograph film</p> <p>ex 2. Other:</p> <p>— Excluding those for language teaching</p>
94.01	<p>Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, and parts thereof:</p> <p>B. Other</p> <p>ex I. Specially designed for aircraft:</p> <p>— Excluding those of wood</p> <p>ex II. Other:</p> <p>— Excluding those of wood, wicker or other vegetable materials</p>
94.03	<p>Other furniture and parts thereof:</p> <p>ex B. Other furniture:</p> <p>— Of base metal</p> <p>— Of wood, carved, veneered, waxed, polished or varnished, turned, with mouldings, painted and covered with any materials other than leather or imitations thereof or than fabrics containing silk and man-made textile fibres</p> <p>— Of wood, inlaid, lacquered, gilt, with appliqué work of fine wood, decorated with metal or other materials and covered with leather and imitations thereof or with fabrics containing silk and man-made textile fibres</p> <p>— Of other materials, other than wicker and other vegetable materials</p>
97.02	Dolls
97.03	<p>Other toys; working models of a kind used for recreational purposes:</p> <p>ex A. Of wood:</p> <p>— Excluding Meccano-type construction parts and other educational toys of a technical or scientific nature</p>

CCT heading No	Description
97.03 (cont'd)	<p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Excluding Meccano-type construction parts and other educational toys of a technical or scientific nature</li> </ul>
98.01	<p>Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs; blanks and parts of such articles:</p> <p>ex A. Blanks and moulds:</p> <ul style="list-style-type: none"> <li>— Excluding cuff-links, collar-studs and shirt-studs and other such articles of faience, glass, silk or other textile fibres</li> </ul> <p>ex B. Buttons, studs, cuff-links and press-fasteners and parts thereof:</p> <ul style="list-style-type: none"> <li>— Excluding cuff-links, collar-studs and shirt-studs and other such articles of faience, glass, silk or other textile fibres</li> </ul>
98.02	<p>Slide fasteners and parts thereof:</p> <p>ex A. Slide fasteners with scoops of base metal; parts thereof, of base metal:</p> <ul style="list-style-type: none"> <li>— Excluding parts</li> </ul> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Excluding parts</li> </ul>
98.03	<p>Fountain pens, stylograph pens and pencils (including ball point pens and pencils) and other pens, pen-holders, pencil-holders and similar holders, propelling pencils and sliding pencils; parts and fittings thereof, other than those falling within heading No 98.04 or 98.05:</p> <p>ex A. Fountain pens and stylograph pens and pencils (including ballpoint, felt-tipped and fibre-tipped pens and pencils):</p> <ul style="list-style-type: none"> <li>— Stylograph pens and ballpoint pencils</li> </ul> <p>ex B. Other pens, pen-holders; propelling pencils and sliding pencils; pencil-holders and similar holders:</p> <ul style="list-style-type: none"> <li>— Stylograph pens and ballpoint pencils</li> </ul> <p>C. Parts and fittings:</p> <p>ex I. Parts of base metal, turned from bars, rods, angles, shapes, sections or wire, of solid section:</p> <ul style="list-style-type: none"> <li>— Of stylograph pens and ballpoint pencils</li> </ul> <p>ex II. Other:</p> <ul style="list-style-type: none"> <li>— Of stylograph pens and ballpoint pencils</li> </ul>
ex 98.08	<p>Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes:</p> <ul style="list-style-type: none"> <li>— Ribbons on reels, for immediate use</li> </ul>
98.10	<p>Mechanical lighters and similar lighters, including chemical and electrical lighters, and parts thereof, excluding flints and wicks</p>
ex 98.12	<p>Combs, hair-slides and the like:</p> <ul style="list-style-type: none"> <li>— Of artificial plastic materials and of vulcanite</li> </ul>

CCT heading No	Description
28.03	Carbon (including carbon black)
29.15	<p>Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:</p> <p>C. Aromatic polycarboxylic acids:</p> <p>I. Phthalic anhydride</p> <p>ex III. Other:</p> <ul style="list-style-type: none"> <li>— Dibutyl phthalates (ortho)</li> <li>— Dioctyl orthophthalates</li> <li>— Diisooctyl, diisononyl and diisodecyl phthalates</li> <li>— Other esters of phthalic acids: <ul style="list-style-type: none"> <li>— Of diiso-butyl</li> </ul> </li> </ul>
32.09	<p>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:</p> <p>A. 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; solutions as defined by Note 4 to this Chapter:</p> <p>ex II. Other:</p> <ul style="list-style-type: none"> <li>— Solutions of polyurethane, as defined by Note 4 to this Chapter</li> </ul>
ex 34.02	<p>Organic surface-active agents, surface-active preparations, and washing preparations, whether or not containing soap:</p> <ul style="list-style-type: none"> <li>— Ethoxylates</li> <li>— Sodium dodecan-1-yl sulphate</li> <li>— Triethanolamine dodecan-1-yl sulphate</li> <li>— Sulphonic acid, sodium alkylbenzenesulphonate and ammonium alkylbenzenesulphonate</li> <li>— Mixtures and preparations of sodium sulphate, dodecan-1-yl and triethanolamine sulphate</li> </ul>
38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:</p> <p>ex X. Other:</p> <ul style="list-style-type: none"> <li>— Refractory coatings of a kind used in foundries to improve the surface of cast-iron pieces</li> <li>— Anti-sealing and similar preparations for boilers and for treatment of industrial refrigeration water</li> </ul>
39.01	<p>Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts aminoplasts, alkyds, polyallylestes and other unsaturated polyesters, silicones):</p> <p>C. Other:</p> <p>II. Aminoplasts:</p> <p>ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:</p> <ul style="list-style-type: none"> <li>— Urea, resins, modified with furfuryl alcohol, in etherified solutions, used in foundries</li> </ul> <p>III. Alkyds and other polyesters:</p> <p>ex b) Other:</p> <ul style="list-style-type: none"> <li>— Saturated non-allylic polyesters, in one of the forms mentioned in Note 3 (a) and (b) to this Chapter, for the manufacture of polyurethanes</li> </ul>

CCT heading No	Description
39.01 (cont'd)	<ul style="list-style-type: none"> <li>— Saturated poly(ethylene terephthalate), other than black polymers, in one of the forms mentioned in Note 3 (a) and (b) to this Chapter, prepared for moulding or extrusion</li> <li>— Powdered, containing additives and pigments, used for thermosetting coatings or paints</li> </ul> <p>ex V. Polyurethanes:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter</li> </ul> <p>ex VII. Other:</p> <ul style="list-style-type: none"> <li>— Resins, other than epoxy, in one of the forms mentioned in Note 3 (a) and (b) to this Chapter: <ul style="list-style-type: none"> <li>— Polyetheralcohols</li> <li>— Components of polyurethanes</li> </ul> </li> <li>— Epoxy(ethoxyline) resins, powdered, containing additives and pigments, used for thermosetting coatings or paints</li> </ul>
39.02	<p>Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins):</p> <p>C. Other:</p> <p>I. Polyethylene:</p> <ul style="list-style-type: none"> <li>a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter</li> <li>ex b) In other forms: <ul style="list-style-type: none"> <li>— Waste and scrap</li> </ul> </li> </ul> <p>ex IV. Polypropylene:</p> <ul style="list-style-type: none"> <li>— In one of the forms mentioned in Note 3 (a) and (b) to this Chapter</li> <li>— Waste and scrap</li> </ul> <p>VII. Polyvinyl chloride:</p> <ul style="list-style-type: none"> <li>ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: <ul style="list-style-type: none"> <li>— Emulsions of resin for the manufacture of pastes</li> <li>— In microsuspension</li> </ul> </li> </ul> <p>ex X. Copolymers of vinyl chloride with vinyl acetate:</p> <ul style="list-style-type: none"> <li>— Preparations for the moulding of gramophone records</li> </ul>
40.06	<p>Unvulcanized natural or synthetic rubber, including rubber latex, in other forms or states (for example, rods, tubes and profile shapes, solutions and dispersions); articles of unvulcanized natural or synthetic rubber (for example, coated or impregnated textile thread, rings and discs):</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Patches for repairing tubes or tyres</li> </ul>
40.07	<p>Vulcanized rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanized rubber:</p> <p>ex A. Vulcanized rubber thread and cord, whether or not textile covered:</p> <ul style="list-style-type: none"> <li>— Uncovered thread, of round cross-section</li> </ul>
56.01	<p>Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning:</p> <p>ex A. Synthetic textile fibres:</p> <ul style="list-style-type: none"> <li>— Of polyesters, with a length of less than 65 mm and tenacity of more than 53 cN/tex</li> </ul>

CCT heading No	Description
59.03	<p>Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated:</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Bonded fibre fabrics and similar bonded yarn fabrics, in the piece or simply cut to rectangular shape, flocked</li> <li>— Bonded fibre fabrics and similar bonded yarn fabrics, in the piece or simply cut to rectangular shape, weighing not less than 17 g per m<sup>2</sup> and not more than 80 g per m<sup>2</sup></li> </ul>
ex 59.12	<p>Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like:</p> <ul style="list-style-type: none"> <li>— Flocked</li> </ul>
ex 70.06	<p>Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked:</p> <ul style="list-style-type: none"> <li>— Float glass, not being wired glass, other than ground but not further worked, more than 2 mm and not more than 10 mm in thickness</li> </ul>
70.20	<p>Glass fibre (including wool), yarn, fabrics and articles made therefrom:</p> <p>ex B. Textile fibre, yarns, fabrics and articles made therefrom:</p> <ul style="list-style-type: none"> <li>— Rovings and mats</li> </ul>
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>B. Other sheets and plates:</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>ex d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <ul style="list-style-type: none"> <li>— Coated with polyvinyl chloride</li> </ul>
ex 76.02	<p>Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire:</p> <ul style="list-style-type: none"> <li>— Wire rod</li> </ul>
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>B. Other pumps:</p> <p>II. Other:</p> <p>ex a) Pumps:</p> <ul style="list-style-type: none"> <li>— Centrifugal pumps, submersible, other than metering pumps</li> </ul>
84.12	<p>Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air:</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Other than parts</li> </ul>
84.15	<p>Refrigerators and refrigerating equipment (electrical and other):</p> <p>C. Other:</p> <p>ex I. Refrigerators of a capacity of more than 340 litres:</p> <ul style="list-style-type: none"> <li>— Weighing more than 200 kg each, excluding parts</li> </ul> <p>ex II. Other:</p> <ul style="list-style-type: none"> <li>— Refrigerators and deep-freeze storage units of the chest or cabinet type, weighing not more than 200 kg each, excluding parts</li> </ul>
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:</p> <ul style="list-style-type: none"> <li>— Electronic hopper scales or scales for discharging a pre-determined weight of material into a bag or container and other electronic instruments weighing out a constant amount, programmable, excluding parts</li> </ul>

CCT heading No	Description
ex 84.20 ( <i>cont'd</i> )	<ul style="list-style-type: none"> <li>— Electronic machines for weighing and labelling prepacked products, excluding parts</li> <li>— Electronic weighbridges with capacities over 5 000 kg, excluding parts</li> <li>— Electronic shop scales with digital display, excluding parts</li> <li>— Electronic weighing machines and platforms, with digital display, other than personal weighing scales, excluding parts</li> </ul>
84.41	<p>Sewing machines; furniture specially designed for sewing machines; sewing-machine needles:</p> <p>A. Sewing machines; furniture specially designed for sewing machines:</p> <p style="padding-left: 20px;">ex III. Parts; furniture specially designed for sewing machines:</p> <p style="padding-left: 40px;">— Sewing-machine parts, obtained by sintering</p>
ex 84.42	<p>Machinery (other than sewing machines) for preparing, tanning or working hides, skins or leather (including boot and shoe machinery):</p> <p>— Press-cutters for hides, skins, furskins, or leather excluding parts</p>
84.53	<p>Automatic data processing machines and units thereof: magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included:</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Integrated operational digital units comprising, as a set, at least one central unit and one input and output unit, for use in industrial systems for production and distribution and use of electrical energy</li> <li>— Modulator/demodulator (Modem) units for data transmission</li> </ul>
84.59	<p>Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:</p> <p>E. Other:</p> <p style="padding-left: 20px;">ex II. Other machines and mechanical appliances:</p> <ul style="list-style-type: none"> <li>— Injection moulding machines, extrusion moulding machines, grinders and blow moulding machines, for the rubber and artificial plastics industry</li> </ul>
ex 84.62	<p>Ball, roller or needle roller bearings:</p> <p>— Rings for bearings, obtained by sintering, intended for cycles</p>
84.63	<p>Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings:</p> <p>B. Other:</p> <p style="padding-left: 20px;">ex II. Other:</p> <ul style="list-style-type: none"> <li>— Plain shaft bearings, obtained by sintering:</li> <li style="padding-left: 60px;">— Weighing not more than 500 g each</li> <li style="padding-left: 60px;">— For gears, self-lubricating, of bronze or iron</li> </ul>
85.04	<p>Electric accumulators:</p> <p>B. Other:</p> <p style="padding-left: 20px;">ex II. Other accumulators:</p> <ul style="list-style-type: none"> <li>— Nickel-cadmium accumulators not hermetically closed</li> </ul>

CCT heading No	Description
85.17	<p>Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16:</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Excluding burglar, fire and similar alarms and parts</li> </ul>
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> <p>ex b) Other:</p> <ul style="list-style-type: none"> <li>— With four-wheel drive, a ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of more than 1 560 cm<sup>3</sup> and less than 2 900 cm<sup>3</sup> or a compressed ignition engine of a cylinder capacity of more than 1 980 cm<sup>3</sup> and less than 2 500 cm<sup>3</sup></li> </ul> <p>B. For the transport of goods or materials:</p> <p>II. Other:</p> <p>a) With either a spark ignition or a compression ignition engine:</p> <p>1. Motor lorries with either a spark ignition engine of a cylinder capacity of 2 800 cm<sup>3</sup> or more or a compression ignition engine of a cylinder capacity of 2 500 cm<sup>3</sup> or more:</p> <p>ex bb) Other:</p> <ul style="list-style-type: none"> <li>[— with four-wheel drive, a ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of less than 2 900 cm<sup>3</sup>]</li> </ul> <p>2. Other:</p> <p>ex bb) Other:</p> <ul style="list-style-type: none"> <li>— With four-wheel drive, ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of more than 1 560 cm<sup>3</sup> and less than 2 900 cm<sup>3</sup> or a compression ignition engine of a cylinder capacity of more than 1 980 cm<sup>3</sup> and less than 2 500 cm<sup>3</sup></li> </ul>
87.06	<p>Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03:</p> <p>B. Other:</p> <p>ex II. Other:</p> <ul style="list-style-type: none"> <li>— Pistons and rod guides for shock absorbers, obtained by sintering</li> <li>— Parts and accessories, obtained by sintering other than parts and accessories for bodies, complete gearboxes, complete rear-axles with differentials, wheels, parts of wheels and wheel accessories, non-driving axles and disc-brake pad assemblies</li> <li>— Wheel-balancing weights</li> </ul>
87.12	<p>Parts and accessories of articles falling within sub-heading 87.09, 87.10 or 87.11:</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Toothed wheels, obtained by sintering</li> </ul>
ex 90.17	<p>Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments):</p> <ul style="list-style-type: none"> <li>— Syringes of plastic materials</li> </ul>

## List provided for in Article 378 of the Act of Accession

## 1. CUSTOMS LEGISLATION

1. Council Directive 69/73/EEC of 4 March 1969 (OJ No L 58, 8. 3. 1969, p. 1), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 72/242/EEC of 27 June 1972 (OJ No L 151, 5. 7. 1972, p. 16),
  - Council Directive 76/119/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 58),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 83/89/EEC of 7 February 1983 (OJ No L 59, 5. 3. 1983, p. 1),
  - Council Directive 83/307/EEC of 13 June 1983 (OJ No L 162, 22. 6. 1983, p. 20), as corrected in OJ No L 272, 5. 10. 1983, p. 22,
  - Commission Directive 84/444/EEC of 26 July 1984 (OJ No L 245, 14. 9. 1984, p. 28).

- (a) The Kingdom of Spain is authorized to retain the authorizations for inward processing traffic issued before accession under the conditions subject to which they were granted, until the expiry of their validity but not later than 31 December 1987.

With regard to inward processing traffic carried out in free zones, this derogation shall apply only to the undertakings appearing on the following list.

If conditions of competition are affected by the derogations laid down in the preceding subparagraphs, appropriate measures will be taken under the procedure fixed by that Directive.

**Free zone of Vigo**

- *Citroen Hispania SA*  
Authorized by the Ministerial Order of 31 July 1957 for the manufacture of motor vehicles, engines and parts.
- *Industrias Mecánicas de Galicia SA — INDUGASA*  
Authorized by the Ministerial Order of 29 October 1973 for the manufacture of Hooke's joints for motorcars.
- *Ferroplast SA*  
Authorized by the Ministerial Order of 8 March 1967 for the manufacture of articles relating to locks and of products made of plastic.
- *Porcelanas de Vigo SA — POVISA*  
Authorized by the Ministerial Order of 2 March 1974 for the manufacture of china and ceramic transfers.

**Free zone of Barcelona**

- *Sociedad Española de Automóviles de Turismo — SEAT*

Authorized by the Ministerial Order of 16 April 1952 for the manufacture of passenger vehicles and parts.

- *Motor Ibérica SA — MISA*

Authorized by the Ministerial Order of 13 January 1959 for the manufacture of lorries, tractors, agricultural and industrial machinery, engines and parts.

- *Fabricación de Envases Metálicos SA — FEMSA*

Authorized by the Ministerial Order of 14 January 1963 for cutting continuous strips intended for the production of the bottoms and sides of drums.

**Free zone of Cádiz**

- *Factorías Oleícolas Industriales SA — FOISA*

Authorized by the Ministerial Order of 23 March 1961 for the refining and mixing of oils, vegetable fats and animal fats.

- *Dragados y Construcciones SA*

Authorized by the Ministerial Order of 27 March 1979 for the repair of its own machinery used abroad.

- *José Belmonte Sánchez — Industria auxiliar del mueble*

Authorized by the Ministerial Order of 30 July 1981 for the production of sections of reconstituted wood covered with a PVC film and intended for the manufacture of drawers.

- (b) Notwithstanding Articles 24 and 25, the Kingdom of Spain is authorized to introduce progressively, that is to say in a manner adapted to each individual case, the Community rules applicable in equivalent compensation processing.

The authorizations containing a derogation from Articles 24 and 25 of the Directive referred to above may be issued until 31 December 1987. Any operation undertaken under these authorizations will have to be entirely executed before 1 January 1990.



If the conditions of competition are affected by the derogations provided for in the preceding subparagraphs, appropriate measures shall be taken under the procedure fixed by that Directive.

(c) The Portuguese Republic is authorized:

- to retain authorizations for inward processing traffic issued before accession under the conditions subject to which they were granted,
- to issue authorizations for inward processing traffic after accession under the conditions provided for in the provisions existing in Portugal on 31 December 1985.

In any event, the period of validity of the abovementioned authorizations may not go beyond 31 December 1987.

If conditions of competition are affected by the derogations laid down in the preceding paragraphs, appropriate measures will be taken under the procedure fixed by that Directive.

2. Council Directive 69/75/EEC of 4 March 1969 (OJ No L 58, 8. 3. 1969, p. 11), as amended by:
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Directive 76/634/EEC of 22 July 1976 (OJ No L 223, 16. 8. 1976, p. 17),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The capital equipment installed in Spanish Free Zones before accession by undertakings appearing in the following list and intended to be used in those zones need not comply with the conditions set out in the Directive.

Should the capital equipment referred to in the previous subparagraph no longer be used on those free zones but be definitively imported into the territory of the enlarged Community, the customs duties relevant to them shall apply.

#### **Free zone of Vigo**

— *Citroen Hispania SA*

Authorized by the Ministerial Order of 31 July 1957 for the manufacture of motor vehicles, engines and parts.

— *Industrias Mecánicas de Galicia SA — INDUGASA*

Authorized by the Ministerial Order of 29 October 1973 for the manufacture of Hooke's joints for motor cars.

— *Ferroplast SA*

Authorized by the Ministerial Order of 8 March 1967 for the manufacture of articles relating to locks and of products made of plastic.

— *Porcelanas de Vigo SA — POVISA*

Authorized by the Ministerial Order of 2 March 1974 for the manufacture of china and ceramic transfers.

#### **Free zone of Barcelona**

— *Sociedad Española de Automóviles de Turismo — SEAT*

Authorized by the Ministerial Order of 16 April 1952 for the manufacture of passenger vehicles and parts.

— *Motor Ibérica SA — MISA*

Authorized by the Ministerial Order of 13 January 1959 for the manufacture of lorries, tractors, agricultural and industrial machinery, engines and parts.

— *Fabricación de Envases Metálicos SA — FEMSA*

Authorized by the Ministerial Order of 14 January 1963 for cutting continuous strips intended for the production of the bottoms and sides of drums.

#### **Free zone of Cádiz**

— *Factorías Oleícolas Industriales SA — FOISA*

Authorized by the Ministerial Order of 23 March 1961 for the refining and mixing of oils, vegetable fats and animal fats.

— *Dragados y Construcciones SA*

Authorized by the Ministerial Order of 27 March 1979 for the repair of its own machinery abroad.

— *José Belmonte Sánchez — Industria auxiliar del mueble*

Authorized by the Ministerial Order of 30 July 1981 for the production of sections of reconstituted wood covered with a PVC film and intended for the manufacture of drawers.

3. Council Directive 71/235/EEC of 11 June 1971 (OJ No L 143, 29. 6. 1971, p. 28), as amended by Council Directive 76/634/EEC of 22 July 1976 (OJ No L 223, 16. 8. 1976, p. 17).

The Kingdom of Spain is authorized to continue, until 31 December 1987, to apply its national legislation with reference to 'usual forms of handling' for operations not covered by that Directive.

4. Council Regulation (EEC) No 754/76 of 25 March 1976 (OJ No L 89, 2. 4. 1976, p. 1).

By way of derogation from Article 16 and until 31 December 1992, in respect of the goods for which the period of application of the transitional measures laid down in the Act concerning the Conditions of Accession of Spain and Portugal to the Communities ends on that date and until 31 December 1995, in respect of other goods, this Regulation shall not apply:

- (a) with regard to the Community as at present constituted, unless the returned goods were

previously exported from a Member State of that Community;

- (b) with regard to Spain and Portugal, unless the returned goods were previously exported from the Member State into which they have been reimported. Where an export drawback has been granted on these goods, the arrangements for returned goods shall apply to them only when the drawback has been refunded.

5. Council Regulation (EEC) No 2102/77 of 20 September 1977 (OJ No L 246, 27. 9. 1977, p. 1)

The Kingdom of Spain and the Portuguese Republic are authorized to use their national export declaration forms until the implementation of Council Regulations (EEC) No 678/85 and (EEC) No 679/85 of 18 February 1985 (OJ No L 79, 21. 3. 1985), it being understood that those declaration forms furnish the same details as those provided for in the forms annexed to Regulation (EEC) No 2102/77.

6. Council Regulation (EEC) No 3599/82 of 21 December 1982 (OJ No L 376, 31. 12. 1982, p. 1).

The Kingdom of Spain is authorized to retain authorizations for temporary entry issued before accession under the conditions subject to which they are granted until the expiry of their validity but not later than 31 December 1987.

## II. RIGHT OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES

1. Council Directive 77/780/EEC of 12 December 1977 (OJ No L 322, 17. 12. 1977, p. 30), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17)

- (a) Until 31 December 1992, the new Member States may continue to apply the criterion of economic need referred to in Article 3 (3) (b), in accordance with the provisions laid down by the Directive concerned, due regard being paid to the rule of non-discrimination.

- (b) During a period expiring on 31 December 1992, the Kingdom of Spain shall progressively implement the measures necessary to conform to Article 3 and 4 of the Directive concerned, under the conditions defined below:

- The present arrangements, under which authorization on the basis of economic need is given in respect of one subsidiary plus two other places of business or one branch plus two other places of business shall be retained.
- Credit institutions having their principal place of business in another Member State and having at least one subsidiary or

branch, set up in Spain before accession or the setting up of which will be authorized after accession, irrespective of the date of such authorization, shall be authorized to set up:

- as from 1 January 1990, one additional branch,
- as from 1 January 1991, two additional branches,
- as from 1 January 1992, two additional branches,
- as from 1 January 1993, as many branches as they wish, on the same footing as the Spanish credit institutions, due regard being paid to the rule of non-discrimination.

- The percentage of the resources taken up by the credit institutions referred to above, on the domestic Spanish market outside banking circles, as compared with the assets achieved on the same market, shall be laid down as follows:

- as from accession, 40 %,
- as from 1 January 1988, 50 %,
- as from 1 January 1989, 60 %
- as from 1 January 1990, 70 %
- as from 1 January 1991, 80 %,
- as from 1 January 1992, 90 %,
- as from 1 January 1993, 100 %, to the exclusion of all discrimination between Spanish credit institutions and the subsidiaries or branches in Spain of credit institutions having their principal place of business in another Member State.

- Throughout the period of the temporary derogations referred to above, the general or special facilities which result from Spanish legislative provisions or agreements existing before accession between Spain and one or more of the other Member States will be maintained and applied on a non-discriminatory basis with regard to all the other Member States. The treatment which Spain will grant to credit institutions of third countries may not be more favourable than that applicable to credit institutions of the other Member States.

- (c) During a period expiring on 31 December 1992, the Portuguese Republic shall progressively implement the measures necessary for it to conform to Articles 3 and 4 of the Directive concerned, under the following conditions:

- Credit institutions having their principal place of business in another Member State and having at least one subsidiary or branch set up in Portugal before accession, or the setting up of which will be author-

ized after accession, irrespective of the date of such authorization, shall be authorized to set up:

- as from 1 January 1988, one additional branch,
- as from 1 January 1990, two additional branches,
- as from 1 January 1993, as many branches as they wish, on the same footing as Portuguese credit institutions, due regard being paid to the rule of non-discrimination.

— The percentage of the resources taken by the credit institutions referred to above on the domestic Portuguese market outside banking circles, as compared with the assets achieved on the same market, shall be laid down as follows:

- as from accession, 40 %,
- as from 1 January 1990, 70 %
- as from 1 January 1991, 80 %
- as from 1 January 1993, 100 %, to the exclusion of all discrimination between Portuguese credit institutions and the subsidiaries and branches in Portugal of credit institutions having their principal place of business in another Member State.

(d) With a view to the application in Portugal of Article 2 (4) (a) of the Directive concerned, the 'Caixas de Crédito Agrícola Mútuo' may be exempted from the conditions laid down in the said Article to the extent that they are affiliated on a permanent basis, and at the latest by 1 January 1993, to a central body which controls them and that before that date the Portuguese authorities have introduced into their national law the amendments necessary to enable the central body to meet the characteristics set out in Article 2 (4) (a).

(e) For the purposes of applying Article 2 (6) of the Directive concerned, the Portuguese Republic may, within six months of accession, give notification of those credit institutions which may qualify for a temporary derogation from the application of the said Directive. The period of that temporary derogation may not extend beyond 1 January 1993.

2. Council Directive 78/473/EEC of 30 May 1978 (OJ No L 151, 7. 6. 1978, p. 25).

(a) The Kingdom of Spain may reserve, for insurers established in Spain, for a period expiring on 31 December 1991 and for risks situated on its territory, a share of the co-insurance contracts referred to by the Directive concerned, up to the following percentages, which are on a downward sliding scale, and according to the following timetable:

- until 31 December 1988, 100 %,
- as from 1 January 1989, 75 %,
- as from 1 January 1990, 40 %,
- as from 1 January 1991, 20 %.

(b) Throughout the period of the temporary derogations referred to above, the general or special facilities which result from Spanish legislative provisions or Conventions existing before accession between Spain and one or more other Member States will be maintained and applied on a non-discriminatory basis with regard to all the other Member States. The treatment which Spain will grant to insurers of third countries may not be more favourable than that applicable to insurers of the other Member States.

3. Council Directive 78/686/EEC of 25 July 1978 (OJ No L 233, 24. 8. 1978, p. 1).

Until such time as the training of dental practitioners in Spain under the conditions laid down pursuant to Directive 78/687/EEC is completed and until 31 December 1990 at the latest, freedom of establishment and freedom to provide services shall be deferred for qualified dental practitioners from the other Member States in Spain and for qualified Spanish doctors practising dentistry in the other Member States.

During the temporary derogation provided for above, general or special facilities concerning the right of establishment and the freedom to provide services which would exist pursuant to Spanish provisions or Conventions governing relations between the Kingdom of Spain and any other Member State will be maintained and applied on a non-discriminatory basis with regard to all other Member States.

### III. TRANSPORT

1. Council Regulation No 11 of 27 June 1960 (OJ No 52, 18. 6. 1960, p. 1121/60), as amended by Council Regulation (EEC) No 3626/84 of 19 December 1984 (OJ No L 335, 22. 12. 1984, p. 4).

Within six months of their accession the new Member States shall, after consulting the Commission take the measures stipulated pursuant to the last subparagraph of Article 14 (2).

2. Council Regulation (EEC) No 1017/68 of 19 July 1968 (OJ No L 175, 23. 7. 1968, p. 1), as amended by:

- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

Within six months of their accession, the new Member States shall, after consulting the Commission, take the measures stipulated pursuant to the last sentence of Article 21 (6).

3. Council Regulation (EEC) No 1191/69 of 26 June 1969 (OJ No L 156, 28. 6. 1969, p. 1), as amended by:
  - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

The right to compensation provided for in the second subparagraph of Article 6 (3) and in the first subparagraph of Article 9 (2) shall take effect in the new Member States as from 1 January 1987.

4. Council Regulation (EEC) No 1463/70 of 20 July 1970 (OJ No L 164, 27. 7. 1970, p. 1), as amended by:
  - the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
  - Council Regulation (EEC) No 1787/73 of 25 June 1973 (OJ No L 181, 4. 7. 1973, p. 1),
  - Council Regulation (EEC) No 2828/77 of 12 December 1977 (OJ No L 334, 24. 12. 1977, p. 5),
  - the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

(a) For vehicles registered in Spain for the first time before accession and used for national transport operations other than the transport of dangerous substances, recording equipment shall be installed gradually under the following conditions:

- For vehicles used for the transport of passengers, the recording equipment must be installed and used respectively during 1986 on vehicles registered for the first time before 1 January 1972, during 1987 on vehicles registered for the first time before 1 January 1977, and during 1988 on vehicles registered for the first time between 1 January 1977 and 1 January 1986.
- For vehicles used for the transport of goods, other than dangerous substances, the recording equipment must be installed and used respectively during 1986 on vehicles of a maximum authorized weight of 25 tonnes and over, during 1987 on vehicles of a maximum authorized weight of 14 tonnes and over, during 1988 on vehicles of a maximum authorized weight of six tonnes and over, and during 1989 on vehicles having a maximum authorized weight of from 3,5 tonnes up to, but excluding, six tonnes.

(b) Application of this Regulation shall be postponed in Portugal:

- until 1 January 1989 for vehicles registered for the first time before accession and engaged in national transport operations other than the transport of dangerous substances,

- until 1 January 1991 for vehicles registered and driven exclusively in the autonomous regions of the Azores and Madeira.

5. Council Directive 77/143/EEC of 29 December 1976 (OJ No L 47, 18. 2. 1977, p. 47).

The Portuguese Republic may postpone overall implementation of this Directive until 1 January 1988 for vehicles engaged in international transport operations between Portugal and the other Member States and until 1 January 1990 for vehicles used for national transport operations within Portugal.

The Portuguese Republic shall endeavour to apply the Directive as from accession, step by step, beginning with the oldest vehicles.

As from 1 January 1988, the Portuguese Republic shall give every guarantee that the motor vehicles and their trailers referred to in the said Directive, registered in Portugal and engaged in transport operations between Member States, have actually undergone the roadworthiness test, in particular by linking such test to the issue of permits.

6. Council Directive 77/796/EEC of 12 December 1977 (OJ No L 334, 24. 12. 1977, p. 37).

For the new Member States, the date fixed in Article 5 (2) shall be 1 January 1983.

#### IV. TAXATION

1. Council Directive 72/464/EEC of 19 December 1972 (OJ No L 303, 31. 12. 1972, p. 1), as last amended by Council Directive 84/217/EEC of 10 April 1984 (OJ No L 104, 17. 4. 1984, p. 18).

Notwithstanding Article 4 (2):

(a) The Kingdom of Spain may, by way of transitional measures, progressively align the rate of the proportional excise duty for cigarettes of dark tobacco on that of cigarettes of light tobacco according to the following procedures:

- application of this transitional measure will be for four years from the date of accession,
- the elimination of the difference existing, at the date of accession, between the two rates of proportional excise duty shall be achieved in five equal annual instalments on 1 January each year.

(b) The Portuguese Republic may, until 31 December 1992, derogate from the

Community arrangements concerning excise duty on manufactured tobacco, produced and consumed in the autonomous regions of the Azores and Madeira, under the following conditions:

- The incidences of the excise duty on the cigarettes of the price category most widely sold respectively in mainland Portugal and in the autonomous regions of the Azores and Madeira shall be calculated on the date of accession and communicated to the Commission.
- Three years after accession the excise duty rates applied in the autonomous regions shall be increased by a third of the difference between the incidences calculated according to the provision in the first indent and shall be increased by a second third, five years after accession.
- Should the excise duty in mainland Portugal be increased while this derogation is being applied, the rates of the excise duty in force in the autonomous regions of the Azores and Madeira shall be increased by the same proportion.

2. Council Directive 76/308/EEC of 15 March 1976 (OJ No L 73, 19. 3. 1976, p. 18), as amended by:

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 79/1071/EEC of 6 December 1979 (OJ No L 331, 27. 12. 1979, p. 10).

Council Directive 77/799/EEC of 19 December 1977 (OJ No L 336, 27. 12. 1977, p. 15), as amended by Council Directive 79/1070/EEC of 6 December 1979 (OJ No L 331, 27. 12. 1979, p. 8).

Throughout the duration of the temporary derogation enabling the Portuguese Republic to postpone until 1 January 1989 the introduction of the common system of value-added tax, the Community mechanisms for the compulsory recovery of claims and for mutual assistance shall be applicable to the turnover tax which will be in force in Portugal.

3. Sixth Council Directive 77/388/EEC of 17 May 1977 (OJ No L 145, 13. 6. 1977, p. 1), as amended by:

- In accordance with Article 28 (2), for the food products listed below:

CCT heading No	Description
02.01	Meat and edible offal of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04, fresh, chilled or frozen
02.02	Dead poultry (that is to say, fowl, ducks, geese, turkeys and guinea fowl) and edible offal thereof (except liver), fresh, chilled or frozen

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Eleventh Council Directive 80/368/EEC of 26 March 1980 (OJ No L 90, 3. 4. 1980, p. 41),
- Tenth Council Directive 84/386/EEC of 31 July 1984 (OJ No L 208, 3. 8. 1984, p. 58).

(a) For the implementation of Article 24 (2) to (6):

- the Kingdom of Spain may grant tax exemption to taxable persons whose annual turnover does not exceed the equivalent in national currency of 10 000 ECU at the conversion rate of the day of its accession,
- the Portuguese Republic may grant tax exemption to taxable persons whose annual turnover does not exceed the equivalent in national currency, respectively, of 15 000 ECU during the first three years following the coming into force for Portugal of the common system of value-added tax, and of 10 000 ECU thereafter, at the conversion rate of the day of its accession. The granting of exemption which is higher than the equivalent of 10 000 ECU will give rise to compensation for the calculation of own resources in accordance with Regulation (EEC, Euratom, ECSC) No 2892/77, as amended by Regulation (EEC, Euratom, ECSC) No 3625/83.

(b) For the application of the provisions in Article 28 (3) (b), the Portuguese Republic shall be authorized to exempt the transactions listed in points 2, 3, 6, 9, 10, 16, 17, 18, 26 and 27 of Annex F.

These exemptions may not have any effect on own resources for which the basis of assessment will have to be reconstituted, in accordance with Regulation (EEC, Euratom, ECSC) No 2892/77, as amended by Regulation (EEC, Euratom, ECSC) No 3625/83.

(c) Provided that Article 95 of the EEC Treaty is respected, and provided that the necessary measures are taken to avoid any impact on own resources, in accordance with Regulation (EEC, Euratom, ECSC) No 2892/77, as amended by Regulation (EEC, Euratom, ECSC) No 3625/83, the Portuguese Republic may apply exemptions with refund of the tax paid at the preceding stage:

CCT heading No	Description
03.01	Fish, fresh (live or dead), chilled or frozen
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process: A. Dried, salted or in brine: I. Whole, headless or in pieces b) Cod ( <i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i> )
03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water: B. Molluscs: II. Mussels III. Snails, other than sea snails IV. Other
04.01	Milk and cream, fresh, not concentrated or sweetened: A. Of a fat content, by weight, not exceeding 6 %: II. Other B. Other
04.02	Milk and cream, preserved, concentrated or sweetened
ex 04.04	'Flamengo' cheeses
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not: A. Eggs in shell, fresh or preserved
07.01	Vegetables, fresh or chilled
07.02	Vegetables (whether or not cooked), preserved by freezing
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared:
07.05	Dried leguminous vegetables, shelled, whether or not skinned or split
08.01	Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not: B. Bananas C. Pineapples D. Avocados
ex 08.02	Fresh citrus fruit
08.03	Figs, fresh or dried: A. Fresh
08.04	Grapes, fresh or dried: A. Fresh
08.06	Apples, pears and quinces, fresh
08.07	Stone fruit, fresh
08.08	Berries, fresh

CCT heading No	Description
08.09	Other fruit, fresh
10.06	Rice
11.01	Cereal flours
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted: A. Lard and other pig fat
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified: A. Olive oil
19.02	Malt extract; 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: ex B. Other: — Preparations for infant food
19.03	Macaroni, spaghetti and similar products
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: ex D. Other: — Bread
22.01	Waters, including spa waters and aerated waters; ice and snow: ex B. Other: — Waters

- by way of temporary derogation for five years following the expiry of the period during which introduction of the common system of value-added tax may be postponed, for the following farm inputs:

CCT heading No	Description
Chapter I	Live animals
06.01	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips
10.01	Wheat and meslin (mixed wheat and rye)
10.02	Rye
10.03	Barley
10.04	Oats
10.05	Maize
10.07	Buckwheat, millet, canary seed, and grain sorghum; other cereals

CCT heading No	Description
12.01	Oil seeds and oleaginous fruit, whole or broken: A. For sowing
ex 12.03	Seeds, fruit and spores, of a kind used for sowing: — Excluding flower seeds
12.04	Sugar beet, whole or sliced, fresh, dried or powdered; sugar cane
ex 12.07	Plants and parts of trees, bushes, shrubs or other plants, being goods of a kind used for insecticidal, fungicidal or similar purposes, fresh or dried, whole, cut, crushed, ground or powdered
12.09	Cereal straw and husks, unprepared, or chopped but not otherwise prepared
12.10	Mangolds, swedes, fodder roots; hay, lucerne, clover, sainfoin, forage kale, lupines, vetches and similar forage products
13.03	Vegetable saps and extracts, pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products: A. Vegetable saps and extracts: V. Of pyrethrum and of the roots of plants containing rotenone
14.01	Vegetable materials of a kind used primarily for plaiting (for example, cereal straw, cleaned, bleached or dyed, osier, reeds, rushes, rattans, bamboos, raffia and lime bark): ex C. Other: — Raffia
23.01	Flour and meals, of meat, offals, fish, crustaceans or molluscs, unfit for human consumption; greaves
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils
23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included
23.07	Sweetened forage; other preparations of a kind used in animal feeding
28.02	Sulphur, sublimed or precipitated; colloidal sulphur
28.38	Sulphates (including alums) and persulphates: A. Sulphates (excluding alums): II. Of potassium; of copper VI. Of iron; of nickel VIII. Other
ex 38.11	Disinfectants, insecticides, fungicides, for use in agriculture
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: A. Fusel oil; Dippel's oil
82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry



CCT heading No	Description
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades): A. Saws (non-mechanical)
ex 84.10	Pumps, motor pumps for liquids, used in agriculture
84.24	Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertilizer distributors); lawn and sports ground rollers
84.25	Harvesting and threshing machinery; straw and fodder presses; hay or grass mowers; winnowing and similar cleaning machines for seed, grain or leguminous vegetables and egg-grading and other grading machines for agricultural produce (other than those of a kind used in the bread-grain milling industry falling within heading No 84.29)
84.26	Dairy machinery (including milking machines)
84.27	Presses, crushers and other machinery, of a kind used in wine-making, cider-making, fruit juice preparation or the like
84.28	Other agricultural, horticultural, poultry-keeping and bee-keeping machinery; germination plant fitted with mechanical or thermal equipment; poultry incubators and brooders
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
87.01	Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys: A. Agricultural walking tractors, with either a spark ignition or a compression ignition engine B. Agricultural tractors (excluding walking tractors) and forestry tractors, wheeled
ex 87.06	Parts and accessories of the motor vehicles falling within subheadings 87.01 A and B
87.14	Other vehicles (including trailers), not mechanically propelled, and parts thereof: ex A. Animal-drawn vehicles used in agriculture

## V. COMMERCIAL POLICY

Council Regulation (EEC) No 288/82 of 5 February 1982 (OJ No L 35, 9. 2. 1982, p. 1), as amended by:

- Commission Regulation (EEC) No 2303/82, of 18 August 1982 (OJ No L 246, 21. 8. 1982, p. 7),
- Commission Regulation (EEC) No 2417/82, of 3 September 1982 (OJ No L 258, 4. 9. 1982, p. 8), as corrected in OJ No L 354, 16. 12. 1982, p. 36,

— Council Regulation (EEC) No 899/82, of 28 March 1983 (OJ No L 103, 21. 4. 1983, p. 1), as corrected in OJ No L 58, 2. 3. 1982, p. 31, OJ No L 189, 1. 7. 1982, p. 80, OJ No L 260, 8. 9. 1982, p. 16 and OJ No L 351, 11. 12. 1982, p. 35.

In accordance with Article 19, the Kingdom of Spain may retain, in accordance with the practice in force in the Community, after accession, the measures it has taken in order to make the import of the 14 products whether used or new but in poorly maintained condition listed hereafter subject to special authorization.

CCT heading No	Description
40.11	Rubber tyres, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds: B. Other: ex II. Other: — Inner tubes of the kind used on bicycles or cycles with auxiliary motor — Used tyre cases and tubeless tyres
63.01	Clothing, clothing accessories, travelling rugs and blankets, household linen and furnishing articles (other than articles falling within heading No 58.01, 58.02 or 58.03), of textile materials, footwear and headgear of any material, showing signs of appreciable wear and imported in bulk or in bales, sacks or similar bulk packings
73.24	Containers, of iron or steel, for compressed or liquefied gas
Chapter 84	Boilers, machinery and mechanical appliances; parts thereof
Chapter 85	Electrical machinery and equipment; parts thereof
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)
Chapter 87	Vehicles, other than railway or tramway rolling stock, and parts thereof
89.01	Ships, boats and other vessels not falling within any of the following headings of this Chapter
89.02	Vessels specially designed for towing (tugs) or pushing other vessels
89.03	Light-vessels, fire-floats, dredgers of all kinds, floating cranes, and other vessels the navigability of which is subsidiary to their main function; floating docks; floating or submersible drilling or production platforms
90.17	Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments)
Chapter 93	Arms and ammunition; parts thereof
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
97.03	Other toys; working models of a kind used for recreational purposes

## VI. SOCIAL POLICY

1. Council Regulation (EEC) No 2950/83 of 17 October 1983 (OJ No L 289, 22. 10. 1983, p. 1).

For the application of Article 3 with regard to Portugal, the centres already set up at the date of accession will be covered by the same provisions as those laid down in paragraph 2 of the said Article, provided the depreciation calculation is based on the residual value of the vocational training

centres. The depreciation for these centres will be regarded as definitively written off on the expiry of the sixth year following the date of accession.

2. Council Directive 80/1107/EEC of 27 November 1980 (OJ No L 327, 3. 12. 1980, p. 8).

The periods of three and four years laid down pursuant to the first and second subparagraphs respectively of Article 11 (1) run, with respect to the Portuguese Republic, from the accession thereof.

## VII. APPROXIMATION OF LEGISLATION

1. Council Directive 65/65/EEC of 26 January 1965 (OJ No L 22, 9.2. 1965, p. 369), as amended by Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28. 11. 1983, p. 1).

Council Directive 75/318/EEC of 20 May 1975 (OJ No L 147, 9. 6. 1975, p. 1), as amended by Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28. 11. 1983, p. 1).

Second Council Directive 75/319/EEC of 20 May 1975 (OJ No L 147, 9. 6. 1975, p. 13), as amended by:

- Council Directive 78/420/EEC of 2 May 1978 (OJ No L 123, 11. 5. 1978, p. 26),
- Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28. 11. 1983, p. 1).

Council Directive 78/25/EEC of 12 December 1977 (OJ No L 11, 14. 1. 1978, p. 18), as amended by:

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Directive 81/464/EEC of 24 June 1981 (OJ No L 183, 4. 7. 1981, p. 33).

The Portuguese Republic may postpone until 1 January 1991 the entry into force of the measures necessary for it to conform to the provisions of the Directives in question, concerning proprietary medicinal products.

However, on accession, the Portuguese Republic accepts without repetition, in accordance with the said Directives, preclinical and clinical trials and control tests on each batch of medicinal products carried out in the present Member States. To this end, each batch of medicinal products imported into Portugal must include the official report on the control tests carried out in the Member State of origin.

2. Council Directive 73/173/EEC of 4 June 1973 (OJ No L 189, 11. 7. 1973, p. 7), as amended by:
  - Council Directive 80/781/EEC of 22 July 1980 (OJ No L 229, 30. 8. 1980, p. 57),
  - Council Directive 80/1271/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 70),
  - Commission Directive 82/473/EEC of 10 June 1982 (OJ No L 213, 21. 7. 1982, p. 17).

Until 31 December 1988, the Portuguese Republic may continue to permit the marketing in its territory of dangerous preparations (solvents) whose classification, packaging and labelling do not comply with the conditions required by that Directive but which were being marketed in accordance with the rules in Portugal before accession and are still in stock on the date of accession.

3. Council Directive 73/241/EEC of 24 July 1973 (OJ No L 228, 16. 8. 1973, p. 23), as amended by:
  - Council Directive 74/411/EEC of 1 August 1974 (OJ No L 221, 12. 8. 1974, p. 17),
  - Council Directive 74/644/EEC of 19 December 1974 (OJ No L 349, 28. 12. 1974, p. 63),
  - Council Directive 75/155/EEC of 4 March 1975 (OJ No L 64, 11. 3. 1975, p. 21),
  - Council Directive 76/628/EEC of 20 July 1976 (OJ No L 223, 16. 8. 1976, p. 1),
  - Council Directive 78/609/EEC of 29 June 1978 (OJ No L 197, 22. 7. 1978, p. 10),
  - Council Directive 78/842/EEC of 10 October 1978 (OJ No L 291, 17. 10. 1978, p. 15),
  - 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 80/608/EEC of 30 June 1980 (OJ No L 170, 3. 7. 1980, p. 33).

Until 31 December 1987, and without prejudice to the possible subsequent inclusion of these products in this Directive, the Kingdom of Spain may continue to authorize the marketing on its internal market of products of the type 'familiar a la taza', 'a la taza' and 'familiar lacteado' under the name of chocolate.

4. Council Directive 75/726/EEC of 17 November 1975 (OJ No L 311, 1. 12. 1975, p. 40), as amended by:
  - Council Directive 79/168/EEC of 5 February 1979 (OJ No L 37, 13. 2. 1979, p. 27),
  - 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

Until 31 December 1988, the Portuguese Republic may continue to permit the marketing in its territory of fruit juices and nectars of which the composition, the manufacturing characteristics, the packaging and the labelling do not comply with the conditions required by that Directive, but which were being marketed in accordance with the rules in Portugal before accession.

5. Council Directive 76/118/EEC of 18 December 1975 (OJ No L 24, 30. 1. 1976, p. 49), as amended by:
  - Council Directive 78/630/EEC of 19 June 1978 (OJ No L 206, 29. 7. 1978, p. 12),
  - 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
  - Council Directive 83/635/EEC of 13 December 1983 (OJ No L 357, 21. 12. 1983, p. 37).

Although this product does not fall within the scope of that Directive and subject to subsequent amendment of the said Directive, the Kingdom of Spain may retain the designation 'leche concentrada' for the type of Spanish milk product thus designated.

6. Council Directive 77/728/EEC of 7 November 1977 (OJ No L 303, 28. 11. 1977, p. 23), as amended by:

— Commission Directive 81/916/EEC of 5 October 1981 (OJ No L 342, 28. 11. 1981, p. 7), as corrected in OJ No L 357, 12. 12. 1981, p. 23 and No L 78, 24. 3. 1981, p. 28,

— Council Directive 83/265/EEC of 16 May 1983 (OJ No L 147, 6. 6. 1983, p. 11).

Until 31 December 1988, the Portuguese Republic may continue to permit the marketing in its territory of paints, varnishes, printing inks, adhesives and similar products of which the classification, the packaging and the labelling do not comply with the conditions required by this Directive, but which were being marketed in accordance with the rules in Portugal before accession and are still in stock on the date of accession.

7. Council Directive 78/611/EEC of 29 June 1978 (OJ No L 197, 22. 7. 1978, p. 19).

During a period expiring not later than 31 December 1986, the Kingdom of Spain is authorized to place upon its market petrols of the quality 'super', whose maximum authorized lead content is maintained at a level of 0,60 gram per litre for 'super' with a RON of 96 and of 0,65 gram per litre for 'premium' with a RON of 98.

During a period expiring not later than 31 December 1987, the Portuguese Republic is authorized to place upon its market petrol of the quality 'super', whose maximum authorized lead content is greater than 0,4 gram per litre.

8. Council Directive 78/631/EEC of 26 June 1978 (OJ No L 206, 29. 7. 1978, p. 13), as amended by:

— Council Directive 81/187/EEC of 26 March 1981 (OJ No L 88, 2. 4. 1981, p. 29),

— Commission Directive 84/291/EEC of 18 April 1984 (OJ No L 144, 30. 5. 1984, p. 1).

Until 31 December 1988, the Portuguese Republic may continue to permit the marketing in its territory of dangerous preparations (pesticides), of which the classification, packaging and labelling

do not comply with the conditions required by that Directive, but which were being marketed in accordance with the rules in Portugal before accession and are still in stock on the date of accession.

9. Council Decision 80/372/EEC of 26 March 1980 (OJ No L 90, 3. 4. 1980, p. 45).

For the purposes of applying Article 1 (2) of that Decision to Portugal, 1977 shall be taken as the reference year for calculating the reduction in use of chlorofluorocarbons.

#### VIII. FISHERIES

1. Council Regulation (EEC) No 3796/81 of 29 December 1981 (OJ No L 379, 31. 12. 1981, p. 1), as amended by Council Regulation (EEC) No 3655/84 of 19 December 1984 (OJ No L 340, 28. 12. 1984, p. 1).

(a) By way of derogation from the time-limit relating to the expiry of aid referred to in Article 6 (2) (b), Portugal may grant aid, for five years from the date on which they are recognized, to producers' organizations founded within five years of the date of accession of Portugal.

(b) By way of derogation from the third subparagraph of Article 21 (3), for a period not beyond 31 December 1988, Portugal will communicate to the Commission information under conditions requiring less detail than those laid down by the Community rules and at periods to be determined in accordance with the procedure laid down in Article 33.

2. Council Regulation (EEC) No 171/83 of 25 January 1983 (OJ No L 24, 27. 1. 1983, p. 14), as amended by:

— Council Regulation (EEC) No 2931/83 of 4 October 1983 (OJ No L 288, 21. 10. 1983, p. 1),

— Council Regulation (EEC) No 1637/84 of 7 June 1984 (OJ No L 156, 13. 6. 1984, p. 1),

— Council Regulation (EEC) No 2178/84 of 23 July 1984 (OJ No L 199, 28. 7. 1984, p. 1),

— Council Regulation (EEC) No 2664/84 of 18 September 1984 (OJ No L 253, 21. 9. 1984, p. 1),

— Council Regulation (EEC) No 3625/84 of 18 December 1984 (OJ No L 335, 22. 12. 1984, p. 3).

The time-limit for notification provided for in Article 19 (5) is 1 July 1986.

ANNEX XXXIII

List provided for in Article 391 (1) of the Act of Accession

1. **Transport Committee**

Set up by Article 83 of the EEC Treaty and whose Statute was established by the Council Decision of 15 September 1958 (OJ No 25, 27. 11. 1958, p. 509/58), as amended by Council Decision 64/390/EEC of 22 June 1964 (OJ No 102, 29. 6. 1964, p. 1602/64).

2. **European Social Fund Committee**

Set up by Article 124 of the EEC Treaty and whose Statute was established by Council Decision 83/517/EEC of 17 October 1983 (OJ No L 289, 22. 10. 1983, p. 42).

3. **Advisory Committee of the Supply Agency (Euratom)**

Set up by the Statute of the Agency of 6 November 1958 (OJ No 27, 6. 12. 1958, p. 534/58), as amended by:

- Council Decision 73/45/Euratom of 8 March 1973 (OJ No L 83, 30. 3. 1973, p. 20),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

4. **Advisory Committee on Freedom of Movement for Workers**

Set up by Council Regulation No 15 of 16 August 1961 (OJ No 57, 26. 8. 1961, p. 1073/61), as amended by:

- Council Regulation No 38/64/EEC of 25 March 1964 (OJ No 62, 17. 4. 1964, p. 965/64),
- Council Regulation (EEC) No 1612/68 of 15 October 1968 (OJ No L 257, 19. 10. 1968, p. 2).

5. **Advisory Committee on Vocational Training**

Set up by Council Decision 63/266/EEC of 2 April 1963 (OJ No 63, 20. 4. 1963, p. 1338/63) and whose Statute was adopted by Council Decision 63/688/EEC of 18 December 1963 (OJ No 190, 30. 12. 1963, p. 3090/63), as amended by:

- Council Decision 68/189/EEC of 9 April 1968 (OJ No L 91, 12. 4. 1968, p. 26),
- the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

6. **Advisory Committee on Social Security for Migrant Workers**

Set up by Council Regulation (EEC) No 1408/71 of 14 June 1971 (OJ No L 149, 5. 7. 1971, p. 2), as amended by Council Regulation (EEC) No 2001/83 of 2 June 1983 (OJ No L 230, 22. 8. 1983, p. 6).

7. **Advisory Committee on Safety, Hygiene and Health Protection at Work**

Set up by Council Decision 74/325/EEC of 27 June 1974 (OJ No L 185, 9. 7. 1974, p. 15), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17).

8. **Management Board of the European Centre for the Development of Vocational Training**

Set up by Council Regulation (EEC) No 337/75 of 10 February 1975 (OJ No L 39, 13. 2. 1975, p. 1).

9. **Administrative Board of the European Foundation for the Improvement of Living and Working Conditions**

Set up by Council Regulation (EEC) No 1365/75 of 26 May 1975 (OJ No L 139, 30. 5. 1975, p. 1).

10. **Advisory Committee on Medical Training**

Set up by Council Decision 75/364 of 16 June 1975 (OJ No L 167, 30. 6. 1975, p. 17).

11. **Advisory Committee on Nursing Training**

Set up by Council Decision 77/454/EEC of 27 June 1977 (OJ No L 176, 15. 7. 1977, p. 11).

12. **Scientific Advisory Committee to examine the toxicity and ecotoxicity of chemical compounds**

Set up by Commission Decision 78/618/EEC of 28 June 1978 (OJ No L 198, 22. 7. 1978, p. 17), as amended by:

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Commission Decision 80/1084/EEC of 7 November 1980 (OJ No L 316, 25. 11. 1980, p. 21).

13. **Advisory Committee on the Training of Dental Surgeons**  
Set up by Council Decision 78/688/EEC of 25 July 1978 (OJ No L 233, 24. 8. 1978, p. 15).
14. **Advisory Committee on Veterinary Training**  
Set up by Council Decision 78/1028/EEC of 18 December 1978 (OJ No L 362, 23. 12. 1978, p. 10).
15. **Advisory Committee on the Training of Midwives**  
Set up by Council Decision 80/156/EEC of 21 January 1980 (OJ No L 33, 11. 2. 1980, p. 13).
16. **Advisory Committee on Equal Opportunities for Women and Men**  
Set up by Commission Decision 82/43/EEC of 9 December 1981 (OJ No L 20, 28. 1. 1982, p. 35).
17. **Board of Governors and Scientific Council of the Joint Nuclear Research Centre**  
Set up by Commission Decision 84/339/Euratom of 24 May 1984 (OJ No L 177, 4. 7. 1984, p. 29).
18. **Management and coordination advisory Committees for Community research, development and demonstration activities**  
Set up by Council Decision 84/338/Euratom, ECSC, EEC of 29 June 1984 (OJ No L 177, 4. 7. 1984, p. 25).
19. **Scientific and Technical Information and Documentation Committee (STIDC)**  
Set up by Council Decision 84/567/EEC of 27 November 1984 (OJ No L 314, 4. 12. 1984, p. 19).

ANNEX XXXIV

List provided for in Article 391 (2) of the Act of Accession

- (a) 1. **Arbitration Committee**
- Set up by Article 18 of the EAEC Treaty and whose rules were established by Council Regulation No 7/63/Euratom of 3 December 1963 (OJ No 180, 10. 12. 1963, p. 2849/63).
2. **Joint Advisory Committee on Social Questions arising in Road Transport**
- Set up by Commission Decision 65/362/EEC of 5 July 1965 (OJ No 130, 16. 7. 1965, p. 2184/65).
3. **Advisory Committee on Fisheries**
- Set up by Commission Decision 71/128/EEC of 25 February 1971 (OJ No L 68, 22. 3. 1971, p. 18), as amended by Commission Decision 73/429/EEC of 31 October 1973 (OJ No L 355, 24. 12. 1973, p. 61).
4. **Consumers' Consultative Committee**
- Set up by Commission Decision 73/306/EEC of 25 September 1973 (OJ No L 283, 10. 10. 1973, p. 18), as amended by:
- Commission Decision 79/906/EEC of 3 December 1976 (OJ No L 341, 10. 12. 1976, p. 42),
  - Commission Decision 80/1087/EEC of 16 October 1980 (OJ No L 320, 27. 11. 1980, p. 33).
5. **Advisory Committee on Customs Matters**
- Set up by Commission Decision 73/351/EEC of 7 November 1973 (OJ No L 321, 22. 11. 1973, p. 37), as amended by:
- Commission Decision 79/921/EEC of 21 December 1976 (OJ No L 362, 31. 12. 1976, p. 55),
  - Commission Decision 78/883/EEC of 20 October 1978 (OJ No L 299, 26. 10. 1978, p. 39),
  - Commission Decision 81/342/EEC of 5 May 1981 (OJ No L 133, 20. 5. 1981, p. 31),
  - Commission Decision 83/111/EEC of 7 March 1983 (OJ No L 66, 12. 3. 1983, p. 23).
6. **Joint Committee on Social Problems in Sea Fishing**
- Set up by Commission Decision 74/441/EEC of 25 July 1974 (OJ No L 243, 5. 9. 1974, p. 19), as amended by Commission Decision 83/53/EEC of 24 January 1983 (OJ No L 44, 16. 2. 1983, p. 21).
7. **Joint Committee on Social Problems of Agricultural Workers**
- Set up by Commission Decision 74/442/EEC of 25 July 1974 (OJ No L 243, 5. 9. 1974, p. 22), as amended by Commission Decision 83/54/EEC of 24 January 1983 (OJ No L 44, 16. 2. 1983, p. 22).
8. **Committee of Experts of the European Foundation for the Improvement of Living and Working Conditions**
- Set up by Council Regulation (EEC) No 1365/75 of 26 May 1975 (OJ No L 139, 30. 5. 1975, p. 1).
9. **Mixed Committee on the harmonization of working conditions in the coal industry**
- Set up by Commission Decision 75/782/ECSC of 24 November 1975 (OJ No L 329, 23. 12. 1975, p. 35).
10. **Scientific Committee on Cosmetology**
- Set up by Commission Decision 78/45/EEC of 19 December 1977 (OJ No L 13, 17. 1. 1978, p. 24).
11. **Scientific and Technical Committee for Fisheries**
- Set up by Commission Decision 79/572/EEC of 8 June 1979 (OJ No L 156, 23. 6. 1979, p. 29).
12. **Joint Committee on Inland Waterways**
- Set up by Commission Decision 80/991/EEC of 9 October 1980 (OJ No L 297, 6. 11. 1980, p. 28).
13. **Advisory Committee on Foodstuffs**
- Set up by Commission Decision 80/1073/EEC of 24 October 1980 (OJ No L 318, 26. 11. 1980, p. 28).
14. **Committee on Commerce and Distribution**
- Set up by Commission Decision 81/428/EEC of 20 May 1981 (OJ No L 165, 23. 6. 1981, p. 24).
15. **Committee for the European Development of Science and Technology**
- Set up by Commission Decision 82/835/EEC of 6 December 1982 (OJ No L 350, 10. 12. 1982, p. 45).

**16. Advisory Committee on Community Policy regarding Forestry and Forestry-based Industries**  
Set up by Commission Decision 83/247/EEC of 11 May 1983 (OJ No L 137, 26. 5. 1983, p. 31).

**17. Industrial Research and Development Advisory Committee (Irdac)**  
Set up by Commission Decision 84/128/EEC of 29 February 1984 (OJ No L 66, 8. 3. 1984, p. 30).

**18. Joint Committee on Railways**  
Set up by Commission Decision 85/13/EEC of 19 December 1984 (OJ No L 8, 10. 1. 1985, p. 26).

(b) The Advisory and Scientific Committees established under the common agricultural policy for which the advisability of an overall renewal on the date of accession will be agreed upon, before accession, between the Kingdom of Spain, the Portuguese Republic and the Commission.



ANNEX XXXV

List provided for in Article 393 to the Act of Accession

CUSTOMS LEGISLATION

1. Council Regulation (EEC) No 222/77 of 13 December 1976 (OJ No L 38, 9. 2. 1977, p. 1), as amended by:

- Council Regulation (EEC) No 983/79 of 14 May 1979 (OJ No L 123, 19. 5. 1979, p. 1),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Council Regulation (EEC) No 3813/81 of 15 December 1981 (OJ No L 383, 31. 12. 1981, p. 28),
- Council Regulation (EEC) No 3617/82 of 17 December 1982 (OJ No L 382, 31. 12. 1982, p. 6):

1 March 1986.

2. Commission Regulation (EEC) No 223/77 of 22 December 1976 (OJ No L 38, 9. 2. 1977, p. 20), as amended by:

- Commission Regulation (EEC) No 1601/77 of 11 July 1977 (OJ No L 182, 22. 7. 1977, p. 1),
- Commission Regulation (EEC) No 526/79 of 20 March 1979 (OJ No L 74, 24. 3. 1979, p. 1),
- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),
- Commission Regulation (EEC) No 1964/79 of 6 September 1979 (OJ No L 227, 7. 9. 1979, p. 12),
- Commission Regulation (EEC) No 137/80 of 9 January 1980 (OJ No L 18, 24. 1. 1980, p. 13),
- Commission Regulation (EEC) No 902/80 of 14 April 1980 (OJ No L 97, 15. 4. 1980, p. 20), as corrected in OJ No L 254, 27. 9. 1980, p. 47,
- Commission Regulation (EEC) No 3298/80 of 18 December 1980 (OJ No L 344, 19. 12. 1980, p. 16),
- Commission Regulation (EEC) No 1664/81 of 23 June 1981 (OJ No L 166, 24. 6. 1981, p. 11), as corrected in OJ No L 243, 26. 8. 1981, p. 18,

- Commission Regulation (EEC) No 2105/81 of 16 July 1981 (OJ No L 207, 27. 7. 1981, p. 1),

- Commission Regulation (EEC) No 3220/81 of 11 November 1981 (OJ No L 324, 12. 12. 1981, p. 9),

- Commission Regulation No 1499/82 of 11 June 1982 (OJ No L 161, 12. 6. 1982, p. 11),

- Commission Regulation No 1482/83 of 8 June 1983 (OJ No L 151, 9. 6. 1983, p. 29), as corrected in OJ No L 285, 18. 10. 1983, p. 24:

1 March 1986.

3. Commission Regulation (EEC) No 2826/77 of 5 December 1977 (OJ No L 333, 24. 12. 1977, p. 1), as amended by:

- Commission Regulation (EEC) No 607/78 of 29 March 1978 (OJ No L 83, 30. 3. 1978, p. 17),

- the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17),

- Commission Regulation (EEC) No 1653/79 of 25 July 1979 (OJ No L 192, 31. 7. 1979, p. 32),

- Commission Regulation (EEC) No 1976/80 of 25 July 1980 (OJ No L 192, 26. 7. 1980, p. 23),

- Commission Regulation (EEC) No 2966/82 of 5 November 1982 (OJ No L 310, 6. 11. 1982, p. 11),

- Commission Regulation (EEC) No 3026/84 of 30 October 1984 (OJ No L 287, 31. 10. 1984, p. 7):

1 March 1986.

4. Commission Regulation (EEC) No 3177/80 of 5 December 1980 (OJ No L 335, 12. 12. 1980, p. 1):

(a) 1 January 1993 for industrial products;

(b) 1 January 1996 for agricultural products.

5. Commission Regulation (EEC) No 3178/80 of 5 December 1980 (OJ No L 335, 12. 12. 1980, p. 3):

(a) 1 January 1993 for industrial products;

(b) 1 January 1996 for agricultural products.

6. Commission Regulation (EEC) No 1577/81 of 12 June 1981 (OJ No L 154, 13. 6. 1981, p. 26), as amended by:

— Commission Regulation (EEC) No 3523/81 of 8 December 1981 (OJ No L 355, 10. 12. 1981, p. 26),

— Commission Regulation (EEC) No 3063/82 of 18 November 1982 (OJ No L 323, 19. 11. 1982, p. 8),

— Commission Regulation (EEC) No 1012/84 of 10 April 1984 (OJ No L 101, 13. 4. 1984, p. 25):

1 January 1996.

## ANNEX XXXVI

### List provided for in Article 395 of the Act of Accession

#### I. RIGHT OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES

1. Council Directive 63/607/EEC of 15 October 1963 (OJ No 159, 2. 11. 1963, p. 2661/63):  
Portugal: 1 January 1991.
2. Second Council Directive 65/264/EEC of 13 May 1965 (OJ No 85, 19. 5. 1965, p. 1437/65):  
Portugal: 1 January 1991.
3. Directive 68/369/EEC of 15 October 1968 (OJ No L 260, 22. 10. 1968, p. 22), as amended by the 1972 Act of Accession (OJ No L 73, 27. 3. 1972, p. 14):  
Portugal: 1 January 1991
4. Directive 70/451/EEC of 29 September 1970 (OJ No L 218, 3. 10. 1970, p. 37), as amended by the 1972 Act of Accession (OJ No 73, 27. 3. 1972, p. 14):  
Portugal: 1 January 1991.
5. Council Directive 78/686/EEC of 25 July 1978 (OJ No L 233, 24. 8. 1978, p. 1):  
Spain: 1 January 1991.

#### II. TAXATION

- First Council Directive 67/227/EEC of 11 April 1967 (OJ No 71, 14. 4. 1967, p. 1301/67),
- Second Council Directive 67/228/EEC of 11 April 1967 (OJ No 71, 14. 4. 1967, p. 1303/67),
- Sixth Directive 77/388/EEC of 17 May 1977 (OJ No L 145, 13. 6. 1977, p. 1),
- Eighth Council Directive 79/1072/EEC of 6 December 1979 (OJ No L 331, 27. 12. 1979, p. 11),

- Council Directive 83/181/EEC of 28 March 1983 (OJ No L 105, 23. 4. 1983, p. 38),
- Tenth Council Directive 84/386/EEC of 31 July 1984 (OJ No L 208, 3. 8. 1984, p. 58):  
Portugal: 1 January 1989.

#### III. ENVIRONMENT

1. Council Directive 75/439/EEC of 16 June 1975 (OJ No L 194, 25. 7. 1975, p. 23):  
Portugal: 1 January 1989.
2. Council Directive 75/440/EEC of 16 June 1975 (OJ No L 194, 25. 7. 1975, p. 26):  
Portugal: 1 January 1989.
3. Council Directive 76/160/EEC of 8 December 1975 (OJ No L 31, 5. 2. 1976, p. 1), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):  
Portugal: 1 January 1993.
4. Council Directive 78/319/EEC of 20 March 1978 (OJ No L 84, 31. 3. 1978, p. 43), as amended by the 1979 Act of Accession (OJ No L 291, 19. 11. 1979, p. 17):  
Portugal: 1 January 1989.
5. Council Directive 79/869/EEC of 9 October 1979 (OJ No L 271, 29. 10. 1979, p. 44), as amended by Council Directive 81/855/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 16):  
Portugal: 1 January 1989.
6. Council Directive 80/778/EEC of 15 July 1980 (OJ No L 229, 30. 8. 1980, p. 11), as amended by Council Directive 81/858/EEC of 19 October 1981 (OJ No L 319, 7. 11. 1981, p. 19):  
Portugal: 1 January 1989.



## **PROTOCOLS**



**Protocol No 1**  
**on the Statute of the European Investment Bank**

PART ONE

**ADJUSTMENTS TO THE STATUTE OF THE EUROPEAN INVESTMENT BANK**

*Article 1*

The following is substituted for Article 3 of the Protocol on the Statute of the Bank

*'Article 3*

In accordance with Article 129 of this Treaty, the following shall be members of the Bank:

- the Kingdom of Belgium,
- the Kingdom of Denmark,
- the Federal Republic of Germany,
- the Hellenic Republic,
- the Kingdom of Spain,
- the French Republic,
- Ireland,
- the Italian Republic,
- the Grand Duchy of Luxembourg,
- the Kingdom of the Netherlands,
- the Portuguese Republic,
- the United Kingdom of Great Britain and Northern Ireland.'

*Article 2*

The following is substituted for the first subparagraph of Article 4 (1) of the Protocol on the Statute of the Bank:

'1. The capital of the Bank shall be 28 800 million ECU, subscribed by the Member States as follows:

— Germany	5 508 725 000
— France	5 508 725 000
— Italy	5 508 725 000
— United Kingdom	5 508 725 000
— Spain	2 024 928 000
— Belgium	1 526 980 000
— Netherlands	1 526 980 000
— Denmark	773 154 000
— Greece	414 190 000

— Portugal	266 922 000
— Ireland	193 288 000
— Luxembourg	38 658 000.'

*Article 3*

The following is substituted for Article 5 (1) of the Protocol on the Statute of the Bank:

'1. The subscribed capital shall be paid in by Member States to the extent of 9,01367457 % on average of the amounts laid down in Article 4 (1).'

*Article 4*

The following is substituted for Article 10 of the Protocol on the Statute of the Bank:

*'Article 10*

Save as otherwise provided in this Statute, decisions of the Board of Governors shall be taken by a majority of its members. This majority must represent at least 45 % of the subscribed capital. Voting by the Board of Governors shall be in accordance with the provisions of Article 148 of this Treaty.'

*Article 5*

The following is substituted for the first three subparagraphs of Article 11 (2) of the Protocol on the Statute of the Bank:

'2. The Board of Directors shall consist of 22 directors and 12 alternates.

The directors shall be appointed by the Board of Governors for five years as shown below:

- three directors nominated by the Federal Republic of Germany,
- three directors nominated by the French Republic,
- three directors nominated by the Italian Republic,
- three directors nominated by the United Kingdom of Great Britain and Northern Ireland,
- two directors nominated by the Kingdom of Spain,

- one director nominated by the Kingdom of Belgium,
- one director nominated by the Kingdom of Denmark,
- one director nominated by the Hellenic Republic,
- one director nominated by Ireland,
- one director nominated by the Grand Duchy of Luxembourg,
- one director nominated by the Kingdom of the Netherlands,
- one director nominated by the Portuguese Republic,
- one director nominated by the Commission.

The alternates shall be appointed by the Board of Governors for five years as shown below:

- two alternates nominated by the Federal Republic of Germany,
- two alternates nominated by the French Republic,
- two alternates nominated by the Italian Republic,
- two alternates nominated by the United Kingdom of Great Britain and Northern Ireland,

- one alternate nominated by common accord of the Kingdom of Denmark, the Hellenic Republic and Ireland,
- one alternate nominated by common accord of the Benelux countries,
- one alternate nominated by common accord of the Kingdom of Spain and the Portuguese Republic,
- one alternate nominated by the Commission.'

*Article 6*

The following sentence is substituted for the second sentence of Article 12 (2) of the Protocol on the Statute of the Bank:

'A qualified majority shall require 15 votes in favour.'

*Article 7*

The following is substituted for the first subparagraph of Article 13 (1) of the Protocol on the Statute of the Bank:

'1. The Management Committee shall consist of a President and six Vice-Presidents appointed for a period of six years by the Board of Governors on a proposal from the Board of Directors. Their appointments shall be renewable.'

PART TWO  
*OTHER PROVISIONS*

*Article 8*

1. The Kingdom of Spain and the Portuguese Republic shall pay the sums of 91 339 340 and 12 040 186 ECU respectively as their share of the capital paid up by the Member States as of 1 January 1986, in five equal six-monthly instalments falling due on 30 April and 31 October. The first instalment shall be payable on whichever of these two dates next follows the date of accession.

2. With regard to the part remaining to be paid up, on the date of accession, under the increases in capital decided on 15 June 1981 and on 11 June 1985, the Kingdom of Spain and the Portuguese Republic shall participate proportionally and in accordance with the timetable laid down for those increases in capital.

3. The amounts to be paid up pursuant to paragraph 1 and under the part remaining to be paid up of the increase in capital decided upon on 15 June 1981 shall correspond to the capital shares to be paid up by the new Member States calculated in accordance with the

provisions of Article 5 of the Protocol on the Statute of the Bank which fixed the percentage to be paid up by the Member States at 10,17857639 % of the subscribed capital before the increase in capital of 11 June 1985 referred to in paragraph 2.

*Article 9*

The Kingdom of Spain and the Portuguese Republic shall, on the dates indicated in Article 8 (1), contribute towards the reserve fund, the supplementary reserve and those provisions equivalent to reserves, and to the amount still to be appropriated to the reserves and provisions corresponding to the balance of the profit and loss account, as at 31 December of the year prior to accession, as stated in the Bank's approved balance sheet, an amount corresponding to respectively

$$\frac{7,031}{92,0421875} = 7,63888842 \%$$

of the reserves and provisions for the Kingdom of Spain and to

$$\frac{0,9268125}{92,0421875} = 1,00694315 \%$$

of these reserves and provisions for the Portuguese Republic.



#### *Article 10*

The payments laid down in Articles 8 and 9 of this Protocol shall be made by the Kingdom of Spain and by the Portuguese Republic in their freely transferable national currency.

The amounts payable shall be calculated on the basis of the rate of conversion between the ECU and the peseta and the escudo respectively, obtaining on the last working day of the month preceding the relevant due dates of payment. This formula shall also be used for the capital adjustment provided for in Article 7 of the Protocol on the Statute of the Bank. That adjustment shall also apply to payments already made by the Kingdom of Spain and the Portuguese Republic.

#### *Article 11*

1. Upon accession, the Board of Governors shall increase the membership of the Board of Directors by appointing two directors nominated by the Kingdom of

Spain and one director nominated by the Portuguese Republic, together with one alternate nominated by common accord of the Kingdom of Spain and the Portuguese Republic.

2. The terms of office of the directors and alternate thus appointed shall expire at the end of the annual meeting of the Board of Governors during which the annual report for the 1987 financial year is examined.

#### *Article 12*

1. The Board of Governors, acting on a proposal from the Board of Directors, shall appoint the sixth Vice-President referred to in Article 7 of this Protocol during the three months following accession.

2. The term-of-office of the Vice-President thus appointed shall expire at the end of the annual meeting of the Board of Governors during which the annual report for the 1987 financial year is examined.

### **Protocol No 2**

#### **concerning the Canary Islands and Ceuta and Melilla**

#### *Article 1*

1. Products originating in the Canary Islands or in Ceuta and Melilla and products coming from third countries imported into the Canary Islands or into Ceuta and Melilla under the arrangements which are applicable there to them shall not be deemed, when released for free circulation in the customs territory of the Community, to be goods fulfilling the conditions of Articles 9 and 10 of the EEC Treaty, nor goods in free circulation under the ECSC Treaty.

2. The customs territory of the Community shall not include the Canary Islands and Ceuta and Melilla.

3. Except where otherwise provided for in this Protocol, the acts of the institutions of the Community regarding customs legislation for foreign trade shall apply under the same conditions to trade between the customs territory of the Community, on the one hand, and the Canary Islands and Ceuta and Melilla, on the other.

4. Except where otherwise provided for in this Protocol, the acts of the institutions of the Community regarding the common commercial policy, be they autonomous or enacted by agreement, directly linked to the import or export of goods, shall not be applicable to the Canary Islands or to Ceuta and Melilla.

5. Except where otherwise provided for in the Act of Accession, including this Protocol, the Community shall apply in its trade with the Canary Islands and with Ceuta and Melilla, for products falling within Annex II to the EEC Treaty, the general arrangements which it applies in its foreign trade.

#### *Article 2*

1. Subject to Articles 3 and 4 of this Protocol, products originating in the Canary Islands and in Ceuta and Melilla, shall, when released for free circulation in the customs territory of the Community, qualify for exemption from customs duties under the conditions defined in paragraphs 2 and 3.

2. In that part of Spain which is included in the customs territory of the Community, the exemption from customs duties referred to in paragraph 1 shall be granted as from 1 January 1986.

With regard to the remainder of the customs territory of the Community, customs duties on the import of products originating in the Canary Islands or in Ceuta and Melilla shall be abolished in accordance with the same timetable and under the same conditions as those provided for in Articles 30, 31 and 32 of the Act of Accession.

3. By way or derogation from paragraphs 1 and 2, manufactured tobacco falling within heading No 24.02 of the Common Customs Tariff which is processed in the Canary Islands shall qualify, in the customs territory of the Community, for exemption from customs duties within the limit of tariff quotas.

These quotas shall be opened and allocated by the Council, acting by a qualified majority on a proposal from the Commission, taking as the reference base the average of the three best of the last five years for which statistics are available. The Council shall act in good time so as to provide for the opening and allocation of these quotas on 1 January 1986.

In order to avoid a situation whereby this arrangement results in economic difficulties in one or more Member States because of the reconsignment of manufactured tobacco imported into another Member State, the Commission shall adopt, after consulting the Member States, all methods of administrative cooperation which prove necessary.

#### *Article 3*

1. Fishery products falling within heading Nos 03.01, 03.02, 03.03, 16.04, 16.05 and subheadings 05.15 A and 23.01 B of the Common Customs Tariff and originating in the Canary Islands or Ceuta and Melilla, shall, within the limit of tariff quotas calculated by product and on the average quantities actually disposed of during 1982, 1983 and 1984, benefit from the arrangements hereinafter defined, intended respectively for that part of Spain which is included in the customs territory of the Community, on one hand, and for the Community as at present constituted, on the other:

- Where the said products are imported into that part of Spain which is included in the customs territory of the Community, they shall qualify for exemption from customs duties. They may not be deemed to be in free circulation in that part of Spain within the meaning of Article 10 of the EEC Treaty when they are reconsigned to another Member State.
- Where the said products are released for free circulation in the remainder of the customs territory of the Community, they shall qualify for the progressive reduction of customs duties according to the same timetable and under the same conditions as those provided for in Article 173 of the Act of Accession, provided that the reference prices are complied with.

2. As from 1 January 1993 for the fishery products referred to in paragraph 1, and from 1 January 1996 for the sardine preparations and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff, the products concerned shall qualify for exemption from customs duties in the whole of the customs territory of the Community up to the limit of the tariff quotas calculated by product and on the average quantities actually disposed of during 1982, 1983 and 1984 in

that part of Spain which is included in the customs territory of the Community or exported to the Community as at present constituted. The release for free circulation for products imported into the customs territory of the Community, under these tariff quotas, shall be subject to compliance with the rules laid down by the common organization of markets and in particular with respect to reference prices.

3. The Council, acting by qualified majority on a proposal from the Commission, shall each year adopt provisions opening and allocating tariff quotas in accordance with the detailed rules laid down in paragraphs 1 and 2. For 1986 the Council shall act in good time so as to provide for the opening and allocation of the quotas by 1 January 1986.

#### *Article 4*

1. The agricultural products appearing in Annex A, originating in the Canary Islands, shall, when they are released for free circulation in the customs territory of the Community, qualify under the conditions laid down in this Article, for exemption from customs duties within the limit of tariff quotas calculated on the average quantities actually disposed of during 1982, 1983 and 1984 respectively, intended for that part of Spain which is included in the customs territory of the Community, on the one hand, and for the Community as at present constituted, on the other:

- (a) until 31 December 1995, for those of the products referred to above falling within Regulation (EEC) No 1035/72 and until 31 December 1992 for the other products referred to, the products in question shall qualify:
  - in that part of Spain which is included in the customs territory of the Community, for an exemption from customs duties, without application, where this arises, of the system of reference prices,
  - in the remainder of the customs territory of the Community, for the same conditions as those adopted for the same products coming from that part of Spain which is included in the customs territory of the Community, as long as the system of reference prices is complied with, where they are applicable;
- (b) as from 1 January 1996 for those of the products referred to above falling within Regulation (EEC) No 1035/72 and from 1 January 1993 for the other products referred to, the products in question shall qualify for exemption from customs duties in the whole of the customs territory of the Community as long as the system of reference prices is complied with, where they are applicable.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt in good time measures so as to provide for the opening and allocation of those quotas by 1 January 1986.

2. (a) By way of derogation from paragraph 1, when bananas falling within subheading 08.01 B of the common Customs Tariff, originating in the Canary Islands, are released for free circulation in that part of Spain which is included in the customs territory of the Community, they shall qualify for exemption from customs duties. Bananas imported under the abovementioned arrangements may not be deemed to be in free circulation in the said part of Spain within the meaning of Article 10 of the EEC Treaty when they are reconsigned to another Member State.
- (b) Until 31 December 1995, the Kingdom of Spain may maintain, for the bananas referred to in (a) which are imported from the other Member States, the quantitative restrictions and measures having equivalent effect which it applied on the import of these products under the previous national arrangements.

Notwithstanding Article 76 (2) of the Act of Accession and until the setting up of a common organization of the market for that product, the Kingdom of Spain may retain, to the extent that is strictly necessary to ensure the maintenance of the national organization, quantitative restrictions on imports of bananas referred to in (a) imported from third countries.

#### *Article 5*

1. Where application of the arrangement referred to in Article 2 (2) could lead to a substantial increase in the import of certain products originating in the Canary Islands or in Ceuta and Melilla such as might prejudice Community producers, the Council, acting by qualified majority on a proposal from the Commission, may subject the access of these products to the customs territory of the Community to special conditions.

2. Where, because the Common Commercial Policy and the Common Customs Tariff are not applied to the import of raw materials or intermediate products into the Canary Islands or Ceuta and Melilla, imports of a product originating in the Canary Islands or in Ceuta or Melilla cause, or may cause, serious injury to a producer activity exercised in one or more Member States, the Commission, at the request of a Member State or on its own initiative, may take the appropriate measures.

#### *Article 6*

1. On import into the Canary Islands or into Ceuta and Melilla, products originating in the customs territory of the Community shall qualify for exemption from the customs duties and charges having equivalent effect under the conditions defined in paragraphs 2 and 3.

2. The customs duties existing in the Canary Islands and in Ceuta and Melilla and the charge known as the 'arbitrio insular — tarifa general' existing in the Canary Islands shall be abolished progressively, with regard to products originating in the customs territory of the Community, according to the same timetable and under the same conditions as those provided for in Articles 30, 31 and 32 of the Act of Accession.

3. The so-called 'arbitrio insular — tarifa especial' of the Canary Islands shall be abolished with regard to products originating in the customs territory of the Community on 1 March 1986.

However, the said charge may be maintained, on the import of the products listed in Annex B, at a rate corresponding to 90 % of the rate indicated opposite each of the products on the said list and on condition that this reduced rate is applied on a uniform basis to all imports of the products concerned originating in the whole of the customs territory of the Community. The said charge will be abolished by 1 January 1993 at the latest unless the Council, acting by qualified majority on a proposal from the Commission, decides that it should be prolonged on the basis of the trend in the economic situation in the Canary Islands for each of the products concerned.

The said charge may at no time be higher than the level of the Spanish customs tariff as modified with a view to the progressive introduction of the Common Customs Tariff.

#### *Article 7*

The customs duties and charges having an effect equivalent to such duties and the trade arrangements applied on the import to the Canary Islands and to Ceuta and Melilla of goods coming from a third country may not be less favourable than those applicable by the Community in accordance with its international commitments or its preferential arrangements with regard to such third country, providing that the same third country grants, to imports from the Canary Islands and from Ceuta and Melilla, the same treatment as that which it grants to the Community. However, the arrangements applied to imports into the Canary Islands and into Ceuta and Melilla with regard to goods coming from such third country may not be more favourable than those applied with regard to the imports of products originating in the customs territory of the Community.

#### *Article 8*

The arrangements applicable to trade in goods between the Canary Islands, on the one hand, and Ceuta and Melilla, on the other, shall be at least as favourable as those applicable pursuant to Article 6.

*Article 9*

1. The Council, acting by a qualified majority on a proposal from the Commission, shall, before 1 March 1986, adopt the rules for the application of this Protocol and in particular the rules of origin applicable to trade, as referred to in Articles 2, 3, 4, 6 and 8, including the provisions concerning the identification of originating products and the control of origin.

The rules will include, in particular, provisions on marking and/or labelling of products, on the conditions of registration of vessels, on the application of the rule on mixed origin for fishery products, and also provisions enabling the origin of products to be determined.

2. The following shall remain applicable until 28 February 1986:

- the rules of origin provided for by the 1970 Agreement between the European Economic Community and Spain, to trade between the customs territory of the Community as at present constituted, on the one hand, and the Canary Islands and Ceuta and Melilla, on the other,
- the rules of origin provided for by the national provisions in force as at 31 December 1985, to trade between that part of Spain included in the customs territory of the Community, on the one hand, and the Canary Islands and Ceuta and Melilla, on the other.

ANNEX A

List referred to in Article 4 (1)

CCT heading No	Description
06.01	<p>Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower:</p> <p>ex A. Dormant:</p> <ul style="list-style-type: none"> <li>— Other than hyacinths, narcissi, tulips and gladioli</li> </ul>
06.02	<p>Other live plants, including trees, shrubs, bushes, roots, cuttings and slips:</p> <p>A. Unrooted cuttings and slips:</p> <p>II. Other</p> <p>ex D. Other:</p> <ul style="list-style-type: none"> <li>— Roses (all the species 'Rosa'), neither budded nor grafted: <ul style="list-style-type: none"> <li>— with stock of a diameter of 10 mm or less</li> <li>— other</li> </ul> </li> <li>— other than mycelium (spawn of mushrooms and other edible fungi), rhododendrons (azaleas), vegetable and strawberry plants: <ul style="list-style-type: none"> <li>— Outdoor plants: <ul style="list-style-type: none"> <li>— Trees, shrubs, and bushes, other than fruit trees and bushes and forest trees: <ul style="list-style-type: none"> <li>— Rooted cuttings and young plants</li> <li>— Other</li> </ul> </li> </ul> </li> <li>— Other: <ul style="list-style-type: none"> <li>— Perennial plants</li> <li>— Other</li> </ul> </li> <li>— Indoor plants: <ul style="list-style-type: none"> <li>— Rooted cuttings and young plants, excluding cacti</li> <li>— Other than flowering plants with buds or flowers, excluding cacti</li> </ul> </li> </ul> </li> </ul>
06.03	<p>Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared:</p> <p>A. Fresh:</p> <p>I. From 1 June to 31 October:</p> <ul style="list-style-type: none"> <li>— Roses</li> <li>— Carnations</li> <li>— Orchids</li> <li>— Gladioli</li> <li>— Chrysanthemums</li> <li>— Other</li> </ul> <p>II. From 1 November to 31 May:</p> <ul style="list-style-type: none"> <li>— Roses</li> <li>— Carnations</li> <li>— Orchids</li> <li>— Gladioli</li> <li>— Chrysanthemums</li> <li>— Other</li> </ul>
07.01	<p>Vegetables, fresh or chilled;</p> <p>A. Potatoes:</p> <p>II. New potatoes</p> <p>F. Leguminous vegetables, shelled or unshelled:</p> <p>II. Beans (of the species 'Phaseolus')</p>

CCT heading No	Description
<p>07.01 <i>(cont'd)</i></p>	<p>ex H. Onions, shallots and garlic:  — Onions  M. Tomatoes  P. Cucumbers and gherkins:  I. Cucumbers  S. Sweet peppers  T. Other:  II. Aubergines</p>
<p>08.01</p>	<p>Dates, bananas, coconuts, Brazil nuts, cashew nuts, pineapples, avocados, mangoes, guavas and mangosteens, fresh or dried, shelled or not:  D. Avocados</p>

ANNEX B

List referred to in Article 6 (3)

CCT heading No	Description	Rate (%)
02.01	Meat and edible offal of the animal falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals: a) Fresh or chilled	20
	III. Of swine: a) Of domestic swine: ex 1. Carcases or half-carcases: — Fresh or chilled	20
	ex 2. Legs and parts thereof: — Fresh or chilled	20
	ex 3. Fore-ends or shoulders; parts thereof: — Fresh or chilled	20
	ex 4. Loins and parts thereof: — Fresh or chilled	20
	ex 5. Bellies and parts thereof: — Fresh or chilled	20
	6. Other: bb) Other: — Fresh or chilled	20
	ex b) Other: — Fresh or chilled	20
04.01	Milk and cream, fresh, not concentrated or sweetened: A. Of a fat content, by weight, not exceeding 6 %: I. Yoghourt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk: ex a) In immediate packings of a net capacity of two litres or less: — Yoghourt	12,5
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not: A. Eggs in shell, fresh or preserved: I. Poultry eggs: ex b) Other: — Of hens	9
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion: A. Coffee: II. Roasted: a) Not freed of caffeine	19
19.03	Macaroni, spaghetti and similar products: B. Other	12
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: ex C. Tomatoes: — Tomato concentrate, with a dry matter content of more than 30 % by weight, in hermetically sealed containers	10

CCT heading No	Description	Rate (%)
21.04	Sauces; mixed condiments and mixed seasonings: B. Sauces with a basis of tomato purée	9
21.07	Food preparations not elsewhere specified or included: D. Prepared yoghourt; prepared milk in powder form, for use as infants' food or for dietetic or culinary purposes: I. Prepared yoghourt: b) Other	12,5
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: C. Spirituous beverages: I. Rum, arrack and tafia, in containers holding: ex a) Two litres or less: — Rum ex b) More than two litres: — Rum	39,1 Ptas/litre 39,1 Ptas/litre
39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other: ex IV. Polypropylene: — In strips, of a width exceeding 0,1 mm VII. Polyvinyl chloride: ex b) In other forms: — In tubes	10,5 10,5
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06: B. Other: V. Of other materials: ex d) Other: — Plates with a diameter of between 17 and 21 cm and 'glasses' of polystyrene — Bags, sachets and similar articles, of polyethylene — Containers other than carboys, bottles and jars of polystyrene — Tube and pipe fittings, and finished pipes of polyvinyl chloride	15 10,5 15 10,5
42.02	Travel goods (for example, trunks, suitcases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, briefcases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: ex A. Of artificial plastic sheeting: — Bags of polyethylene sheeting	10,5



CCT heading No	Description	Rate (%)
48.05	Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets:	
	A. Paper and paperboard, corrugated	14
ex B. Other:		
	— Creped household paper of a weight per m <sup>2</sup> of 15 g or more and less than 50 g	12,5
ex 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:	
	— Writing blocks	15
48.15	Other paper and paperboard, cut to size or shape:	
ex B. Other:		
	— Toilet paper in rolls	12
	— Paper in strips or rolls for office machines and the like	12
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like:	
ex A. Boxes, bags and other packing containers:		
	— Boxes, of corrugated paper or paperboard	15
	— Bags and sacks, of kraft paper	11
	— Boxes for cigars and cigarettes	14
ex 48.18	Registers, exercise books, notebooks, 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:	
	— Memorandum blocks and exercise books	13
ex 48.19	Paper or paperboard labels, whether or not printed or gummed:	
	— Labels of all kinds, excluding cigar bands	14,5
48.21	Other articles of paper pulp, paper, paperboard or cellulose wadding:	
B. Napkins and napkin liners for babies:		
ex I. Not put up for retail sale:		
	— Of cellulose wadding	14
ex II. Other:		
	— Of cellulose wadding	14
ex D. Bed linen, table linen, toilet linen (including handkerchiefs and cleaning tissues) and kitchen linen; garments:		
	— Hand towels and table napkins	14
ex E. Sanitary towels and tampons:		
	— Sanitary towels, of cellulose wadding	14



## Protocol No 3

### concerning the exchange of goods between Spain and Portugal for the period during which the transitional measures are applied

#### Article 1

1. Except for products falling within Annex II of the EEC Treaty and subject to the provisions of this Protocol, Spain and Portugal shall apply in their trade the treatment agreed upon between each of them, on the one hand, and the Community as at present constituted, on the other, as such treatment is defined in Chapter I of Title II and in Chapter I of Title III of Part Four of the Act of Accession.

2. The Kingdom of Spain shall apply to products originating in Portugal and falling within Chapters 25 to 99 of the Common Customs Tariff, with the exception of those falling within Regulations (EEC) No 2783/75, (EEC) No 3033/80 and (EEC) No 3035/80, the same arrangements as those applied by the Community as at present constituted, with regard to Portugal, in particular with reference to the elimination of customs duties and charges having equivalent effect and of quantitative restrictions on imports and exports, and measures having equivalent effect, to goods falling within the EEC Treaty and fulfilling, in Portugal, the conditions of Articles 9 and 10 of the said Treaty and to goods falling within the ECSC Treaty which are in free circulation, in accordance with this Treaty, in Portugal.

The Portuguese Republic shall apply to products originating in Spain falling within Chapters 25 to 99 of the Common Customs Tariff, with the exception of those falling within Regulations (EEC) No 2783/75, (EEC) No 3033/80 and (EEC) No 3035/80, the same treatment as it applies with respect to the Community as at present constituted.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt before 1 March 1986 the rules of origin applicable to the trade between Spain and Portugal.

#### Article 2

For the purposes of applying Article 48 of the Act concerning the conditions of accession, with regard to the products listed in Annex A, the abolition of exclusive import duties in Spain provided for in paragraph 3 of the said Article shall be carried out by the progressive opening, as from 1 March 1986, of import quotas for products originating in Portugal. The amounts of the quotas for 1986 shall be indicated in the said list.

The Kingdom of Spain shall increase the amounts of the quotas under the conditions given in the same Annex. Increases expressed in percentages shall be added to each quota and the following increase shall be calculated on the basis of the total figure thus obtained.

#### Article 3

1. By way of derogation from Article 1, the Kingdom of Spain shall introduce, for products originating in Portugal and listed in Annex B, from 1 March 1986 to 31 December 1990, zero rate tariff ceilings. Should the quantities provided for each of the said ceilings be attained, the Kingdom of Spain may, until the end of the current calendar year, reintroduce customs duties; in this event these customs duties shall be identical to those which it applies at the same time to the Community as at present constituted.

The amount of the ceilings for 1986 shall be indicated in Annex B and the rate at which the annual progressive increase is carried out shall be the following:

- 1987, 10 %,
- 1988, 12 %,
- 1989, 14 %,
- 1990, 16 %.

The increase shall be added to each quota and the subsequent increase shall be calculated on the basis of the total figure obtained.

2. The arrangements for the tariff ceilings provided for in paragraph 1 will also be applicable for 1990 to the textile products which appear in Annex C.

3. The Kingdom of Spain and the Portuguese Republic may, until 31 December 1990, submit the imports of products appearing in Annex B to prior monitoring for purely statistical purposes.

The Kingdom of Spain may submit the imports of products referred to in Annex C during 1990 to prior monitoring for purely statistical purposes.

At all events, the import of the products referred to above may not be held up in any way as a result of the application of this statistical monitoring.

#### Article 4

1. Until 31 December 1990, the Kingdom of Spain may subject to prior monitoring on import, purely for

statistical purposes, the following products originating in Portugal:

CCT heading No	Description
47.01	Pulp derived by mechanical or chemical means from any fibrous vegetable material
48.01	Paper or paperboard (including cellulose wadding), in rolls or sheets

At all events, the import of the products referred to above may not be held up in any way as a result of the application of this statistical monitoring.

2. Under the conditions and within the time-limit referred to in paragraph 1, the Portuguese Republic may submit the products referred to in paragraph 1, originating in Spain, to prior monitoring on import for purely statistical purposes.

#### Article 5

1. Until 31 December 1988, the Portuguese Republic may subject to prior monitoring on import, purely for statistical purposes, the following products originating in Spain:

- (a) products falling within the ECSC Treaty;  
 (b)

CCT heading No	Description
73.14	Iron or steel wire, whether or not coated, but not insulated
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14: A. High carbon steel: ex VIII. Wire, whether or not coated, but not insulated: — Not coated
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits

At all events, the import of the products referred to above may not be held up in any way as a result of the application of this statistical monitoring.

The two parties may agree to extend this arrangement for statistical monitoring for a period which does not go beyond 31 December 1990. Where there is no agreement, and at the request of one of the two States, the Commission may decide to extend the arrangement if it notes that there are major disturbances on the Portuguese market.

2. Under the conditions provided for in the second subparagraph of paragraph 1, the Portuguese Republic may, until 31 December 1992, submit to prior monitoring on import, purely for statistical purposes, the following products originating in Spain:

CCT heading No	Description
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

3. Under the conditions provided for in the first subparagraph of paragraph 1, the Kingdom of Spain may, until 31 December 1992, subject to prior monitoring, purely for statistical purposes, the products appearing in Annex VII of the Act of Accession and spirituous beverages falling within subheading 22.09 C of the Common Customs Tariff originating in Portugal.

#### Article 6

1. Until 31 December 1990 and for the products referred to in Article 4, where there are abrupt and major changes in their traditional trade patterns, the Kingdom of Spain and the Portuguese Republic shall consult, within a maximum of five working days from the date of request made by one of these Member States to examine the situation, in order to arrive at an agreement on the possible measures to be adopted.

2. Until 31 December 1988 and for the products referred to in Article 5 (1), where there are abrupt and major changes in the import into Portugal of products originating in Spain, the Kingdom of Spain and the Portuguese Republic shall consult each other, within a maximum of five working days from the date on which the request by the Kingdom of Spain, to examine the situation, is received, in order to arrive at an agreement on the possible measures to be adopted.

3. Should it prove impossible, in the consultations provided for in paragraphs 1 and 2, for the Kingdom of Spain and the Portuguese Republic to arrive at an agreement, the Commission, bearing in mind the criteria governing the safeguard clause referred to in Article 379 of the Act of Accession, shall, by an emergency procedure lay down the safeguard measures which it deems necessary, defining the conditions and means of application.

#### Article 7

1. In cases where the compensatory amounts referred to in Articles 72 and 240 of the Act of Accession or the compensatory amounts mechanism referred to in Article 270 are applied in trade between Spain and Portugal to one or more of the commodities considered as having been used in the manufacture of goods covered

by Council Regulation (EEC) No 3033/80 of 11 November 1980 fixing the trade arrangements applicable to certain goods resulting from the processing of agricultural products, the transitional measures applicable shall be determined in accordance with the rules laid down in Articles 53 and 213 of that Act. The compensatory amounts applicable in trade between the Kingdom of Spain and the Portuguese Republic shall be levied or granted by the State in which the prices of the agricultural commodities concerned are the higher.

2. The customs duty constituting the fixed component in the taxation applicable, on the date of accession, to imports to Portugal from Spain and vice versa of goods covered by Regulation (EEC) No 3033/80, shall be determined in accordance with the provisions of Articles 53 and 213 of the Act of Accession.

However, in cases where, for the products listed in Annex XIX of that Act, the customs duty constituting the fixed component in the taxation applicable by Portugal to imports from Spain, calculated according to the above provisions, is less than the duties given in that Annex, the latter shall apply.

In cases where, for these same products, this customs duty is higher than the customs duty constituting the fixed component of the taxation applicable by Portugal to imports from the Community as at present constituted, the latter shall apply.

The previous paragraph shall not apply to chocolate and other food preparations containing cocoa of heading No 18.06 of the Common Customs Tariff. In respect of such products, the fixed component in the taxation applicable by Portugal to imports from Spain may not be higher than 30 %.

#### Article 8

1. The Commission, taking due account of the provisions in force, in particular those relating to Community transit, shall determine the methods of administrative cooperation designed to ensure that the goods fulfilling the conditions required for that purpose benefit from the treatment laid down by this Protocol.

These methods will include *inter alia* the measures necessary to ensure that goods which have benefited from the above treatment in Spain or Portugal, at the time of their further dispatch to the Community as at present constituted, are subject to the same treatment as that which would have been applicable to them had they been imported directly.

2. Until 28 February 1986, the arrangements currently governing trade relations between the Kingdom of Spain and the Portuguese Republic shall remain applicable to trade between Spain and Portugal.

3. The Commission shall determine the provisions applicable from 1 March 1986 to trade, between Spain

and Portugal, in goods obtained in Spain or Portugal, in the manufacture of which were used:

- products which have not been subject to the customs duties and charges having equivalent effect which were applicable to them in Spain or Portugal, or which have benefited from a total or partial refund of such duties or charges,
- agricultural products which do not satisfy the conditions required to be admitted for free circulation in Spain or Portugal.

In adopting these provisions, the Commission shall take account of the rules laid down in the Act of Accession for the elimination of customs duties between the Community as at present constituted and Spain and Portugal and for the gradual application, by the Kingdom of Spain and the Portuguese Republic, of the Common Customs Tariff and of the provisions relating to the common agricultural policy.

#### Article 9

1. Unless the Act of Accession and this Protocol provide otherwise, the customs legislation in force relating to trade with third countries shall apply under the same conditions to trade between Spain and Portugal, for as long as customs duties are levied in respect of such trade.

For fixing the customs valuation in trade between Spain and Portugal, and in trade with third countries until:

- 31 December 1992 in the case of industrial products,
- 31 December 1995 in the case of agricultural products,

the customs territory to be taken into consideration shall be that defined by the legislation in force in the Kingdom of Spain and in the Portuguese Republic on 31 December 1985.

2. In their trade, the Kingdom of Spain and the Portuguese Republic shall apply, as from 1 March 1986, the nomenclature of the Common Customs Tariff and that of the ECSC unified tariff.

#### Article 10

The Portuguese Republic shall apply, in the context of its trade with the Canary Islands and Ceuta and Melilla, the specific arrangements agreed therefor between the Community as at present constituted and the Kingdom of Spain and referred to in Protocol No 2.

#### Article 11

Without prejudice to the second subparagraph of Article 1 (2) the Commission shall on accession adopt every measure of application which may prove necessary with a view to implementing the provisions of this Protocol, and in particular the procedures for applying the monitoring referred to in Articles 3, 4 and 5.

## ANNEX A

## List provided for in Article 2 of Protocol No 3

Quota No	CCT heading No	Description	Basic quota (1986)	Annual rate of increase (%)
1	24.02	Manufactured tobacco; tobacco extracts and essences: A. Cigarettes	300 000 000 units	20
2	24.02	B. Cigars	3 510 000 units	20
3	24.02	C. Smoking tobacco D. Chewing tobacco and snuff E. Other, including agglomerated tobacco in the form of sheets or strip	60 tonnes	20
4	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations: ex A. Light oils: — Excluding spirits for motors and excluding kerosenes	7 427 tonnes	10
5	27.10	ex A. Light oils: — Spirits for motors	9 531 tonnes	10
6	27.10	ex A. Light oils: — Kerosenes	6 000 tonnes	10
7	27.10	C. Heavy oils: I. Gas oils	7 400 tonnes	18,5
8	27.10	C. Heavy oils: II. Fuel oils	13 600 tonnes	12,5
9	27.10  34.03	C. Heavy oils: III. Lubricating oils; other oils  Lubricating preparations, and preparations of a kind used for oil or grease treatment of textiles, leather or other materials, but not including preparations containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals: ex A. Containing petroleum oils or oils obtained from bituminous minerals: — Excluding lubricating preparations for the treatment of textiles, leather, skins and furs	850 tonnes	10

Quota No	CCT heading No	Description	Basic quota (1986)	Annual rate of increase (%)
10	27.11	Petroleum gases and other gaseous hydrocarbons	17 000 tonnes	10
11	27.12	Petroleum jelly	400 tonnes	10
	27.13	Paraffin wax, nitro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured		
12	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals	6 000 tonnes	10
	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)		

**ANNEX B**

**List of products referred to in Article 3 of Protocol No 3**

Ceiling No	CCT heading No	Description	Basic volume (1986)
1	<p align="center">ex 58.04</p> <p align="center">58.09</p> <p align="center">60.01</p>	<p>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:</p> <p>— Of cotton</p> <p>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:</p> <p>B. Lace:</p> <p>  ex I. Hand-made:</p> <p>    — Excluding lace of cotton, wool and man-made fibres</p> <p>    II. Mechanically made</p> <p>Knitted or crocheted fabric, not elastic or rubberized:</p> <p>C. Of other textile materials:</p> <p>  I. Of cotton</p>	65 tonnes
2	<p align="center">60.04</p> <p align="center">60.05</p>	<p>Undergarments, knitted or crocheted, not elastic or rubberized:</p> <p>A. Babies' garments; girls' garments up to and including commercial size 86:</p> <p>  I. T-shirts:</p> <p>    a) Of cotton</p> <p>  II. Lightweight fine knit roll, polo or turtle-neck jumpers and pullovers:</p> <p>    a) Of cotton</p> <p>  III. Other:</p> <p>    b) Of cotton</p> <p>B. Other:</p> <p>  IV. Other:</p> <p>    d) Of cotton</p> <p>      1. Men's and boys':</p> <p>        bb) Pyjamas</p> <p>      2. Women's, girls' and infants':</p> <p>        aa) Pyjamas</p> <p>        bb) Nightdresses</p> <p>Outer garments and other articles, knitted or crocheted, not elastic or rubberized:</p> <p>A. Outer garments and clothing accessories:</p> <p>  II. Other:</p> <p>    ex a) Outer garments of knitted or crocheted textile fabrics of heading No 59.08:</p> <p>      — Of cotton</p> <p>    b) Other:</p> <p>      1. Babies' garments, girls' garments up to and including commercial size 86:</p> <p>        cc) Of cotton</p> <p>      2. Bathing costumes and trunks:</p> <p>        bb) Of cotton</p> <p>      3. Tracksuits:</p> <p>        bb) Of cotton</p> <p>      4. Other outer garments:</p> <p>        cc) Dresses:</p> <p>          44. Of cotton</p> <p>        dd) Skirts, including divided skirts:</p> <p>          33. Of cotton</p>	6 tonnes



Ceiling No	CCT heading No	Description	Basic volume (1986)
	60.05 (cont'd)	<p>A II. e) 4. ee) Trousers:  ex 33. Of other textile materials:  — Of cotton</p> <p>ff) Suits and coordinate suits (excluding ski-suits), for men and boys:  ex 22. Of other textile materials:  — Of cotton</p> <p>gg) Suits and coordinate suits (excluding ski-suits), and costumes, for women, girls and infants:  44. Of cotton</p> <p>hh) Coats, jackets (excluding anoraks, windcheaters, waister jackets and the like) and blazers:  44. Of cotton</p> <p>ijj) Anoraks, windcheaters, waister jackets and the like:  ex 11. Of wool or of fine animal hair, of cotton or of man-made textile fibres:  — Of cotton</p> <p>kk) Ski-suits consisting of two or three pieces:  ex 11. Of wool or fine animal hair, of cotton or of man-made textile fibres:  — Of cotton</p> <p>ll) Other outer garments:  44. Of cotton</p> <p>5. Clothing accessories:  ex cc) Of other textile materials:  — Of cotton</p> <p>B. Other  ex III. Of other textile materials:  — Of cotton</p>	
3	61.01	<p>Men's and boy's outer garments:</p> <p>A. Garments of the 'cowboy' type and other similar garments for amusement and play, less than commercial size 158; garments of textile fabric of heading No 59.08, 59.11 or 59.12:  II. Other  ex a) Coats:  — Of cotton  ex b) Other:  — Of cotton</p> <p>B. Other:  I. Industrial and occupational clothing:  a) Overalls, including boilersuits and bibs and braces:  — Of cotton  b) Other:  1. Of cotton</p> <p>II. Swimwear:  ex b) Of other textile materials:  — Of cotton</p> <p>III. Bath robes, dressing gowns, smoking jackets and similar indoor wear:  b) Of cotton</p> <p>IV. Parkas, anoraks, windcheaters, waister jackets and the like:  b) Of cotton</p> <p>V. Other:  a) Jackets (excluding waister jackets) and blazers:  3. Of cotton  b) Overcoats, raincoats and other coats; cloaks and capes:  3. Of cotton  c) Suits and coordinate suits (excluding ski-suits):  3. Of cotton</p>	10 tonnes

Ceiling No	CCT heading No	Description	Basic volume (1986)
	61.01 <i>(cont'd)</i>	f) Ski-suits consisting of two or three pieces: ex 1. Of wool or of fine animal hair, of cotton or of man-made textile fibres: — Of cotton	
	61.02	g) Other garments: 3. Of cotton Women's, girls' and infants' outer garments: A. Babies' garments; girls' garments up to and including commercial size 86: garments of the 'cowboy' type and other similar garments for amusement and play, less than commercial size 158: I. Babies' garments; girls' garments up to and including commercial size 86: a) Of cotton B. Other: I. Garments of textile fabric of heading No 59.08, 59.11 or 59.12: ex a) Coats: — Of cotton ex b) Other — Of cotton II. Other: a) Aprons, overalls, smock-overalls and other industrial and occupational clothing (whether or not also suitable for domestic use): 1. Of cotton b) Swimwear: ex 2. Of other textile materials — Of cotton c) Bath robes, dressing gowns, bed jackets and similar indoor wear: 2. Of cotton d) Parkas; anoraks, windcheaters, waister jackets and the like: 2. Of cotton e) Other: 1. Jackets (excluding waister jackets) and blazers: cc) Of cotton 2. Coats and raincoats, cloaks and capes: cc) Of cotton 3. Suits and coordinate suits (excluding ski-suits), and costumes: cc) Of cotton 4. Dresses: ee) Of cotton 5. Skirts, including divided skirts: cc) Of cotton 8. Ski-suits consisting of two or three pieces: ex aa) Of wool or of fine animal hair, of cotton or of man-made textile fibres: — Of cotton 9. Other garments: cc) Of cotton	
4	61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs: B. Pyjamas: II. Of cotton C. Other: II. Of cotton	3 tonnes
	61.04	Women's, girls' and infants' undergarments: A. Babies' garments; girls' garments up to and including commercial size 86: I. Of cotton	

Ceiling No	CCT heading No	Description	Basic volume (1986)
	61.04 (cont'd)	B. Other: I. Pyjamas and nightdresses: b) Of cotton II. Other: b) Of cotton	
5	60.04	Undergarments, knitted or crocheted, not elastic or rubberized: B. Other: IV. Other: b) Of synthetic textile fibres: 1. Men's and boys': cc) Underpants and briefs 2. Women's, girls' and infants': dd) Knickers and briefs d) Of cotton: 1. Men's and boys': cc) Underpants and briefs 2. Women's, girls' and infants': cc) Knickers and briefs	1 million articles
6	39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarine-indene resins)	12 000 tonnes
7	45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	1 tonne
8	45.03	Articles of natural cork	200 tonnes
9	45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork:	500 tonnes

ANNEX C

List of products referred to in Article 3 of Protocol No 3

Ceiling No	CCT heading No	Description	Basic volume (1990)
1	55.05	Cotton yarn, not put up for retail sale	245 tonnes
2	55.09	Other woven fabrics of cotton	245 tonnes
3	56.07	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres	325 tonnes
4	60.04	Undergarments, knitted or crocheted, not elastic or rubberized: B. Other: I. T-shirts II. Lightweight fine knit roll, polo or turtle-neck jumpers and pull-overs: a) Of cotton b) Of synthetic textile fibres c) Of regenerated textile fibres IV. Other: b) Of synthetic textile fibres: 1. Men's and boys': aa) Shirts dd) Other 2. Women's, girls' and infants': ee) Other d) Of cotton: 1. Men's and boys': aa) Shirts dd) Other 2. Women's, girls' and infants': dd) Other	814 000 articles
5	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: I. Jerseys and pullovers, containing at least 50 % by weight of wool and weighing 600 g or more per article; garments of the 'cowboy' type and other similar garments for amusement and play, less than commercial size 158: a) Jerseys and pullovers, containing at least 50 % by weight of wool and weighing 600 g or more per article II. Other: b) Other: 4. Other outer garments: bb) Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed jackets and jumpers: 11. Men's and boys': aaa) Of wool bbb) Of fine animal hair ccc) Of synthetic textile fibres ddd) Of regenerated textile fibres eee) Of cotton 22. Women's, girls' and infants': bbb) Of wool ccc) Of fine animal hair ddd) Of synthetic textile fibres eee) Of regenerated textile fibres fff) Of cotton	652 000 articles

Ceiling No	CCT heading No	Description	Basic volume (1990)
6	61.01	Men's and boys' outer garments: B. Other: V. Other: d) Shorts: 1. Of wool or of fine animal hair 2. Of man-made textile fibres 3. of cotton e) Trousers: 1. Of wool or of fine animal hair 2. Of man-made textile fibres 3. Of cotton	407 000 articles
	61.02	Women's, girls' and infants' outer garments: B. Other: II. Other: e) Other: 6. Trousers and slacks: aa) Of wool or of fine animal hair bb) Of man-made textile fibres cc) Of cotton	
7	60.05	Outer garments and other articles knitted or crocheted not elastic or rubberized: A. Outer garments and clothing accessories: II. Other: b) Other: 4. Other outer garments: aa) Blouses and shirt-blouses for women, girls and infants: 22. Of wool or of fine animal hair 33. Of synthetic textile fibres 44. Of regenerated textile fibres 55. Of cotton	293 000 articles
	61.02	Women's, girls' and infants' outer garments: B. Other: II. Other: e) Other: 7. Blouses and shirt-blouses: bb) Of man-made textile fibres cc) Of cotton ex dd) Of other textile materials: — Of wool or of fine animal hair	
8	61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs: A. Shirts: I. Of synthetic textile fibres II. Of cotton ex III. Of other textile materials: — Of wool or of fine animal hair — Of regenerated textile fibres	814 000 articles
9	55.08	Terry towelling and similar terry fabrics, of cotton	325 tonnes

Ceiling No	CCT heading No	Description	Basic volume (1990)
	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: B. Other: III. Toilet linen and kitchen linen: a) Of cotton: 1. Of terry towelling and similar terry fabrics	
10	61.05	Handkerchiefs: A. Of cotton: ex C. Of other textile materials: — of wool or of fine animal hair — of man-made textile fibres	1,6 tonnes
11	62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: B. Other: I. Bed linen: a) Of cotton ex c) Of other textile materials: — Of wool or of fine animal hair — Of man-made textile fibres	407 tonnes
12	51.04  62.03	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02: A. Woven fabrics of synthetic textile fibres: III. Fabrics made from strip or the like or polyethylene or polypropylene, of a width of: a) Less than 3 m  Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: II. Other: b) Of fabric of synthetic textile fibres: I. Made from polyethylene or polypropylene strip	325 tonnes
13	62.02	Bed linen, table linen, toilet linen and kitchen linen, and other furnishing articles: B. Other: II. Table linen: a) Of cotton ex c) Of other textile materials: — Of wool or of fine animal hair — Of man-made textile fibres III. Toilet linen and kitchen linen: a) Of cotton 2. Other ex c) Of other textile materials: — Of wool or of fine animal hair — Of man-made textile fibres	245 tonnes
14	59.04  of which: ex 59.04	Twine, cordage, ropes and cables, plaited or not  — Of synthetic textile fibres	2 282 tonnes  1 466 tonnes

#### Protocol No 4

##### **Mechanism for additional responsibilities within the framework of fisheries agreements concluded by the Community with third countries**

1. A specific system is hereby established for the execution of operations carried out as a complement to fishing activities undertaken by vessels flying the flag of a Member State of the Community in waters falling under the sovereignty or within the jurisdiction of a third country within the framework of responsibilities created under fisheries agreements concluded by the Community with the third countries in question.

2. Operations considered likely to occur by way of addition to fishing activities subject to the conditions and within the limits stipulated in points 3 and 4 relate to:

- processing, in the territory of the third country concerned, of fishery products caught by vessels flying the flag of a Member State of the Community in the waters of that third country in the course of fishing activities carried out by virtue of a fisheries agreement, with a view to those products being put on the Community market under tariff headings falling within Chapter 03 of the Common Customs Tariff,
- loading or transshipment aboard a vessel flying the flag of a Member State of the Community occurring within the framework of activities provided for under such a fisheries agreement, of fishery prod-

ucts falling within Chapter 03 of the Common Customs Tariff with a view to their transport and any processing for the purpose of being put on the Community market.

3. The import into the Community of products having been the subject of the operations referred to in paragraph 2 shall be carried out subject to suspension, in part or in whole, of the Common Customs Tariff duties or subject to a special system of charges, under the conditions and within the limits of additionality fixed annually in relation to the volume of fishing possibilities deriving from the agreements in question and from their accompanying detailed rules.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall, before 1 March 1986, adopt the general rules of application of this system and in particular the criteria for fixing and apportioning the quantities concerned.

Such adjustments to this system as may prove necessary in the light of experience acquired, shall be adopted in accordance with the same procedure.

The detailed implementing rules of this system and the quantities concerned shall be adopted in accordance with the procedure of Article 33 of Regulation (EEC) No 3796/81.

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#### Protocol No 5

##### **on the participation of the new Member States in the funds of the European Coal and Steel Community**

The contributions of the new Member States to the funds of the European Coal and Steel Community shall be fixed as follows:

- the Kingdom of Spain, 54 400 000 ECU;
- the Portuguese Republic, 2 475 000 ECU.

These contributions shall be paid:

- for the Kingdom of Spain in three interest-free equal annual instalments starting on 1 January 1986,
- for the Portuguese Republic in four interest-free equal annual instalments starting on 1 January 1986.

Each instalment shall be paid in the freely convertible national currency of each of these new Member States.

## Protocol No 6

### concerning annual Spanish tariff quotas on the import of motor vehicles falling within subheading 87.02 A I b) of the Common Customs Tariff referred to in Article 34 of the Act of Accession

1. The Kingdom of Spain shall, from 1 January 1986, open annual tariff quotas for the import of motor vehicles for the transport of persons, with either a spark ignition or a compression ignition engine, other than motor coaches and buses, falling within subheading 87.02 A I b) of the Common Customs Tariff, originating in the Community as at present constituted. The customs duty applicable within the limits of this tariff quota shall be fixed at 17,4 %. The quota shall be abolished on 31 December 1988.

The basic volume of the tariff quota shall be fixed at 32 000 motor vehicles. It shall be increased to 36 000 units on 1 January 1987 and 40 000 units on 1 January 1988.

2. The annual volumes shall be divided into two instalments.

The first instalments shall be subdivided into four categories of cylinder capacity:

- less than 1 275 cc,
- from 1 275 up to and including 1 990 cc,
- more than 1 990 up to and including 2 600 cc,
- more than 2 600 cc.

The second instalments shall make up the reserve.

The distribution of the first instalments shall be fixed as follows:

- (a) for 1986: 28 000 units, of which:
- 3 000 units for the category of less than 1 275 cc,
  - 13 000 units for the category from 1 275 up to and including 1 990 cc,
  - 11 000 units for the category of more than 1 990 up to and including 2 600 cc,
  - 1 000 units for the category of more than 2 600 cc;
- (b) for 1987: 32 000 units, of which:
- 3 400 units for the category of less than 1 275 cc,
  - 14 850 units for the category from 1 275 up to and including 1 990 cc,
  - 12 600 units for the category of more than 1 990 up to and including 2 600 cc,
  - 1 150 units for the category of more than 2 600 cc;
- (c) for 1988: 36 000 units, of which:

- 3 850 units for the category of less than 1 275 cc,
- 16 700 units for the category from 1 275 up to and including 1 990 cc,
- 14 150 units for the category of more than 1 990 up to and including 2 600 cc,
- 1 300 units for the category of more than 2 600.

The annual reserve of 4 000 vehicles for each of the years 1986, 1987 and 1988 shall cover imports of vehicles of all cylinder capacities. However, use of this reserve shall be limited to motor vehicles originating in Italy and the United Kingdom, 2 000 vehicles being allocated to each of these Member States.

3. The provisions relating to the administration and application of the annual tariff quota shall, in particular, guarantee equal and continued access of all motor vehicles constructed in the Community as at present constituted and the uninterrupted application of the customs duty laid down for the said quota to all producers from the Community as at present constituted until the quota is exhausted. The provisions shall ensure that the quota volume is entirely used up at the end of each year.

The position with regard to the use of the annual tariff quota shall be reviewed jointly by the Kingdom of Spain and the Commission on 1 October of each year.

4. The Kingdom of Spain shall forward to the Commission on 15 March, 15 May, 15 July, 15 September, 15 November and 15 January of each year the following information:

- the extent to which each part of the quota is used up,
- any growth in volume of the parts, following withdrawals from the reserve,
- returns to the reserve,
- the state of the reserve,
- any other information the Commission deems necessary.

5. Before any act implementing this Protocol, in whatever form including decree, directive or administrative instruction, is brought into force by the Kingdom of Spain, such act must first be submitted to the Commission so that it may be examined for its compatibility with the Treaty, the Act of Accession and, in particular, this Protocol. The Kingdom of Spain shall notify the Commission of any amendment to the text of such an act.



## Protocol No 7

### on Spanish quantitative quotas

1. The quotas referred to in Article 43 shall be global and open without discrimination to all the present Member States. They shall be open to all operators without restriction.

2. Quotas shall be open in one instalment at the beginning of the calendar year.

However, the Kingdom of Spain may open these quotas in two equal instalments, the second instalment starting at the beginning of the second half of the year. In that case the remainder of the first instalment shall be carried over to the second instalment so as to comply with the global annual amount.

3. The Kingdom of Spain shall notify the Commission each year or each half year and shall publish officially the opening of the quotas.

4. The time-limit for making an application for a licence shall be for a minimum of four weeks from the publication or notification; once this time-limit has expired, the Kingdom of Spain shall grant the licences within a maximum period of 20 working days.

5. The import licence shall be valid for at least six months.

6. The Kingdom of Spain shall furnish information to the Commission at half-yearly intervals on the use of the quotas.

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## Protocol No 8

### on Spanish patents

1. The Kingdom of Spain shall upon accession adjust its patent law so as to make it compatible with the principles of the free movement of goods and with the level of protection of industrial property attained in the Community, in particular in the fields of contractual licensing rules, of exclusive compulsory licensing, of the compulsory exploitation of a patent and also the patent of importation.

To that end, close cooperation shall be instituted between the Commission services and the Spanish authorities; this cooperation shall also cover the problems of transition of current Spanish law towards new law.

2. The Kingdom of Spain shall introduce, in its national legislation, a provision on shifting the burden of proof corresponding to Article 75 of the Luxembourg Convention of 15 December 1975 on the Community patent.

This provision shall apply upon accession with regard to new process patents filed as from the date of accession.

For patents filed prior to that date, this provision shall apply not later than 7 October 1992.

However, this provision shall not apply if the infringement proceedings are brought against the holder of another process patent for the manufacture of a product identical to that obtained as the result of the patented process of the plaintiff, if that other patent was issued before the date of accession. Nevertheless, the Kingdom of Spain shall repeal from accession Article 273 of its law relating to patents, currently in force.

In cases where shifting the burden of proof does not apply, the Kingdom of Spain shall continue to require the patent holder to adduce proof of infringement. In all these cases the Kingdom of Spain shall however pass new legislation with effect from 7 October 1992, introducing a judicial procedure known as 'distrainment-description'.

'Distrainment-description' means a procedure forming part of the system referred to in the preceding paragraphs by which any person entitled to bring an action for infringement may, after obtaining a Court order, granted on his application, cause a detailed description to be made, at the premises of the alleged infringer, by a bailiff assisted by experts, of the processes in question, in particular by photocopying technical documents, with or without actual distrainment. This Court order may order the payment of a security, intended to grant damages to the alleged infringer in case of injury caused by the 'distrainment-description'.

3. The Kingdom of Spain shall accede to the Munich Convention of 5 October 1973 on the European patent within the required time-limits so as to allow it to invoke the provisions of Article 167 of the said Convention solely for chemical and pharmaceutical products.

In this context and taking account of the fulfilment of the undertaking entered into by the Kingdom of Spain under paragraph 1, the Member States of the Community in their capacity as Contracting States to the Munich Convention undertake to use their best endeavours to ensure, should a request be submitted by the Kingdom of Spain in accordance with that Convention, an extension — beyond 7 October 1987 and for the maximum period laid down in the Munich Convention — of the validity of the reserve laid down in the

said Article 167. If the extension of the abovementioned reserve is not obtained, the Kingdom of Spain may rely upon Article 174 of the Munich Convention, it being understood that the Kingdom of Spain will, in any event, accede to that Convention not later than 7 October 1992.

4. On the expiry of the abovementioned derogation, the Kingdom of Spain shall accede to the Luxembourg Convention on the Community patent.

The Kingdom of Spain may invoke Article 95 (4) of the said Convention with a view to introducing the purely technical adaptations made necessary by its accession to the said Convention, it being however understood that such an invocation will in no way delay the accession of the Kingdom of Spain to the Luxembourg Convention beyond the abovementioned date.

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## Protocol No 9

### on trade in textile products between Spain and the Community as at present constituted

#### *Article 1*

The Kingdom of Spain shall, under the conditions laid down in Articles 2, 3 and 4, control until 31 December 1989 exports to the present Member States of the products indicated in the list appearing in Annex A, on the basis of the quantities set out in that list.

#### *Article 2*

The Community and the Kingdom of Spain shall establish, for such time as Article 1 is applicable, administrative cooperation under the conditions defined in Annex B.

#### *Article 3*

After prior notification to the Commission, the Kingdom of Spain may apply to its exports to the present Member States of the products indicated in the list appearing in Annex A the flexibility provisions laid down in Annex C.

#### *Article 4*

The Commission and the competent authorities of the Kingdom of Spain shall enter into, if the situation so requires, appropriate consultations in order to avoid situations arising which would necessitate recourse to protective measures.

#### *Article 5*

1. If the quantities indicated in Annex A are reached, or if sudden and substantial variations as compared with traditional trade flows are recorded with regard to the import into the present Member States of the products listed in Annex B (1), the Commission shall determine, at the request of the Member State concerned and following the emergency procedure laid down in Article 379 (2) of the Act, such protective measures as it deems necessary.

2. If sudden and substantial variations as compared with traditional trade flows are recorded with regard to the import into Spain of the products listed in Annex B (9), the Commission shall determine at the request of the Kingdom of Spain and following the emergency procedure laid down in Article 379 (2) of the Act, such protective measures as it deems necessary.

ANNEX A

List provided for in Article I

Category	CCT heading No	Nimex code (1985)	Description	Unit	1986	1987	1988	1989
1	55.05	55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 51, 53, 55, 57, 61, 65, 67, 69, 72, 78, 81, 83, 85, 87	Cotton yarn, not put up for retail sale	Tonnes	23 791	26 408	29 841	34 317
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62, 64, 66, 72, 74, 76 61.02-66, 68, 72	Men's and boys' outer garments:  Women's, girls' and infants' outer garments: B. Other:  Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	1 000 pieces	9 623	10 682	12 071	13 881
13	60.04 B IV b) 1 cc) 2 dd) d) 1 cc) 2 cc)	60.04-48, 56, 75, 85	Undergarments, knitted or crocheted, not elastic or rubberized: 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	1 000 pieces	48 287	53 599	60 567	69 652
20	62.02 B I a) b)	62.02-12, 13, 19	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: B. Other: Bed linen, woven	Tonnes	1 837	2 039	2 304	2 650
22	56.05 A	56.05-03, 05, 07, 09, 11, 13, 15, 19, 21, 23, 25, 28, 32, 34, 36, 38, 39, 42, 44, 45, 46, 47	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: A. Of synthetic textile fibres: Yarn of discontinuous or waste synthetic fibres, not put up for retail sale	Tonnes	3 958	4 393	4 964	5 709

ANNEX B

Administrative cooperation provided for in Article 2

EXPORTS OF TEXTILE PRODUCTS ORIGINATING IN SPAIN

I. List of products subject to administrative cooperation arrangements:

Category	CCT heading No	Nimexe code (1985)	Description	Unit
1	55.05	55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 51, 53, 55, 57, 61, 65, 67, 69, 72, 78, 81, 83, 85, 87	Cotton yarn, not put up for retail sale	Tonnes
2	55.09	55.09-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99 55.09-06, 07, 08, 09, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 70, 71, 73, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	Other woven fabrics of cotton: 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	Tonnes
3	56.07 A	56.07-01, 04, 05, 07, 08, 10, 12, 15, 19, 20, 22, 25, 29, 30, 31, 35, 38, 39, 40, 41, 43, 45, 46, 47, 49 56.07-01, 05, 07, 08, 12, 15, 19, 22, 25, 29, 31, 35, 38, 40, 41, 43, 46, 47, 49	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres: 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	Tonnes
4	60.04 B I II a) b) c) IV b) I aa) dd) 2 ee) d) I aa) dd) 2 dd)	60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89	Undergarments, knitted or crocheted, not elastic or rubberized:  Shirts, T-shirts, lightweight fine knit roll, polo or turtle-neck jumpers and pullovers, undervests and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments, of cotton or synthetic textile fibres; T-shirts and lightweight fine knit roll, polo or turtle-neck jumpers and pullovers, of regenerated textile fibres, other than babies' garments	1 000 pieces
5	60.05 A I II b) 4 bb) II aaa) bbb) ccc) ddd) eee)		Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories:	1 000 pieces

Category	CCT heading No	Nimexe code (1985)	Description	Unit
	22 bbb) ccc) ddd) eee) fff)	60.05-01, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43	Jerseys, pullovers, slip-overs, waistcoats, twin-sets, cardigans, bedjackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62, 64, 66, 72, 74, 76 61.02-66, 68, 72	Men's and boys' outer garments:  Women's, girls' and infants' outer garments: B. Other:  Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	1 000 pieces
13	60.04 B IV b) 1 cc) 2 dd) d) 1 cc) 2 cc)	60.04-48, 56, 75, 85	Undergarments, knitted or crocheted, not elastic or rubberized:  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	1 000 pices
20	62.02 B I a) c)	62.02-12, 13, 19	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: B. Other: Bed linen, woven	Tonnes
22	56.05 A	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	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: A. Of synthetic textile fibres: Yarn of discontinuous or waste synthetic fibres, not put up for retail sale:  a) Of which acrylic	Tonnes
23	56.05 B	56.05-51, 55, 61, 65, 71, 75, 81, 85, 91, 95, 99	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale: B. Of regenerated textile fibres: Yarn of discontinuous or waste regenerated fibres, not put up for retail sale	Tonnes

2. The Spanish competent authorities shall issue an export licence for any export of textile products of the categories, tariff headings and Nimexe codes referred to in point 1 originating in Spain and intended to be sent to the present Member States with a view to their definitive import.
3. On sight of the export licence referred to in point 2, the Spanish competent authorities shall issue export licence certificates.  
These certificates shall contain in particular the details which must appear on the importer's declaration or request referred to in point 6.
4. The Spanish competent authorities shall notify the Commission within the first 10 days of each quarter, broken down by Member State and product category, of:
  - (a) the quantities for which export certificates have been issued during the preceding quarter;
  - (b) the exports made during the quarter preceding the period referred to in (a).
5. The Spanish competent authorities shall also notify on a quarterly basis the Commission and the competent authorities of the present Member States of the serial numbers of the export licence certificates that have expired and any other information they may consider relevant to the matter.
6. The definitive import into a present Member State of products covered by the present administrative cooperation shall be subject to the submission of an import document. This document shall be issued or endorsed by a competent authority of the importing Member State, free of charge, for all the quantities requested, within a maximum period of five working days after lodging, in accordance with the national laws in force, either a declaration, or simply a request, by any importer from the Member States regardless of where he is established in the Community. This import document shall only be issued or endorsed on the sight of an export licence certificate issued by the Spanish competent authorities.

The declaration or request of the importer shall indicate:

- (a) the name and address of the importer and exporter;
- (b) the description of the product, indicating:
  - the trade designation,
  - the category number of the product indicated in column 1 of the list appearing in point 1,
  - the tariff heading or reference number of the nomenclature of goods of the national statistics of foreign trade,
  - the country of origin;
- (c) the indication of the product in the unit appearing in column 5 of the list appearing in point 1;
- (d) the date or dates laid down for import.

The importing Member State may request further details; this must not however result in any barrier to imports.

This point shall not prevent the definitive import of the products in question if the quantity of products entered for import exceeds *in toto* by less than 5 %, the quantity mentioned in the import document.

7. Where a requested import document concerns a quantity less than the quantity indicated in the export licence certificate, that certificate shall be returned to the importer with a note on the back stating the quantity for which an import document was issued.
8. The present Member States shall notify the Commission within the first 10 days of each quarter, broken down by product category, of:
  - (a) the quantities for which the import documents have been issued or endorsed during the preceding quarter;
  - (b) the imports made during the quarter preceding the period referred to in (a).

#### IMPORTS INTO SPAIN OF TEXTILE PRODUCTS ORIGINATING IN THE COMMUNITY

##### 9. List of products subject to administrative cooperation arrangements:

CCT heading No	Nimexe code (1985)	Description	Unit
55.05	55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 51, 53, 55, 57, 61, 65, 67, 69, 72, 78, 81, 83, 85, 87	Cotton yarn, not put up for retail sale	Tonnes
55.06	55.06-10, 90	Cotton yarn, put up for retail sale	

CCT heading No	Nimexe code (1985)	Description	Unit
55.09	55.09-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	Other woven fabrics of cotton: Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	Tonnes
ex 62.02 A II	ex 62.02-09	Net curtains, other than knitted or crocheted, of cotton	Tonnes
62.02 B I a) B II a) B III a)	62.02-12, 13, 40, 42, 44, 46, 51, 59, 71, 72, 74	Bed linen, table linen, toilet linen and kitchen linen, other than knitted or crocheted, of cotton	
62.02 B IV a)	62.02-83, 85	Curtains and furnishing articles, other than knitted or crocheted of cotton	
62.03	62.03-11, 13, 15, 17, 20, 30, 40, 51, 59, 97, 98	Sacks and bags, of a kind used for the packing of goods, other than knitted or crocheted	
62.05 C	62.05-20	Floor cloths, dishcloths, dusters and the like, other than knitted or crocheted	
ex 62.05 A	ex 62.05-01	Other made up articles, other than knitted or crocheted, of cotton, including dress patterns	
ex 62.05 B	ex 62.05-10		
ex 62.05 E	ex 62.05-93 ex 62.05-95 ex 62.05-99		

10. Import into Spain of the products referred to in point 9 originating in the Member States shall be subject to the submission of an import document. This document shall be issued or endorsed by the Spanish competent authority, free of charge, for all the quantities requested, within a maximum period of five working days after lodging, in accordance with the national laws in force, either a declaration, or simply a request, by any importer from the Member States regardless of where he is established in the Community.

The declaration or request of the importer shall indicate:

- (a) the name and address of the importer and exporter;
- (b) the description of the product, indicating:
  - the trade designation,
  - the tariff heading or reference number of the nomenclature of goods of the national statistics of foreign trade,
  - the country of origin;

(c) the indication of the product in the unit appearing in column 4 of the list appearing in point 9;

(d) the date or dates laid down for import.

The Kingdom of Spain may request further details; this must not however result in any barrier to imports.

This point shall not prevent the definitive import of the products in question if the quantity of products entered for import exceeds, in total, by less than 5%, the quantity mentioned in the import document.

11. The Kingdom of Spain shall notify the Commission, during the first 10 days of the second quarter following the quarter concerned of imports made expressed in units, indicated in column 4 of the list appearing in point 9, broken down by tariff heading, Nimexe code and Member State of origin.

**Common provisions**

12. The Commission and the Spanish authorities shall, at least every quarter, examine their trade and prospects with a view to a thoroughgoing analysis of the situation.

## ANNEX C

### Flexibility laid down in Article 3

The flexibility provisions laid down in Article 3 of this Protocol shall be determined in accordance with the following procedure:

- The carry-over of quantities not utilized during any given year to the corresponding quantities for the following year up to 9 % of the quantities concerned for the actual year of application.
- The advance utilization during any given year of part of the quantities fixed for the following year up to 5 % of the quantities concerned for the year of utilization. Such advance exports shall be deducted from the corresponding quantities fixed for the following year.

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### Protocol No 10

#### on the restructuring of the Spanish iron and steel industry

1. Restructuring plans of Spanish iron and steel undertakings should lead to a situation where the production capacity of the Spanish iron and steel industry for ECSC hot-rolled products does not exceed 18 million tonnes at the end of the period referred to in Article 52, and they should be compatible with the last general steel objectives adopted before the date of accession.

2. From the date of accession, the Commission and the Spanish Government will assess jointly the degree to which the plans, already approved by the Spanish Government and officially forwarded to the Commission on 24 July and 1 August 1984 have been completed and the viability of the iron and steel undertakings to which those plans relate.

3. Should the viability of these undertakings not be satisfactorily guaranteed at the end of a maximum of three years after accession, the Commission, after having received the opinion of the Spanish Government, shall propose, at the end of the first year after accession, to make an addition to those plans, thereby enabling those undertakings to reach a viable state by the end of those plans.

4. The Commission and the Spanish Government will also assess, from the date of accession, the viability of undertakings for which the plans referred to in point 2 above make no provision for aid after the date of accession. Should the viability of these undertakings not be satisfactorily guaranteed at the end of a maximum of three years after accession, the Commission, after having received the opinion of the Spanish Government, will propose, at the end of the first year after accession, restructuring measures thereby enabling those undertakings to reach a viable state by the end of the abovementioned period of three years at the latest.

5. Any aid to the Spanish iron and steel industry forming part of the additions to the plans provided for in point 3 or measures provided for in point 4 shall be notified in advance, and not later than the end of the first year after accession, to the Commission by the Spanish Government. The said Government shall not implement its projects without authorization from the Commission.

The Commission shall assess those projects on the basis of the criteria and in accordance with the procedures defined in the Annex to this Protocol.

6. During the period mentioned in Article 52 of the Act of Accession, Spanish deliveries of ECSC iron and steel products to the remainder of the Community should fulfil the following conditions:

- (a) The level of Spanish deliveries to the remainder of the Community during the first year following accession, shall be that fixed by the Commission after agreement of the Spanish Government and consultation of the Council during the year preceding accession. Should no agreement have been reached on this point, by the date of accession, the level of deliveries shall be fixed, not later than two months after the date of accession, by the Commission with the assent of the Council.

These deliveries will in any event have to be liberalized once the transitional arrangements have expired and, in order to bring about a harmonious transition, their level may be increased before the end of the said arrangements, the level of the first year being considered as a starting point.

Any increase in the level will be made on the basis of:

- the state of progression of the Spanish restructuring plans, taking into account significant



factors in re-establishing the viability of the undertakings; and necessary measures to attain such viability, and

- iron and steel measures which may be in force in the Community after accession so that Spain is not treated less favourably than third countries.
- (b) The Spanish Government hereby undertakes to implement upon accession, under its responsibility and in agreement with the Commission, a mechanism for monitoring deliveries to the remainder of the Community market calculated to ensure strict

observance of the quantitative undertakings agreed or established pursuant to point (a).

This mechanism must be compatible with any other measure of market supervision which may be adopted during the three years following the date of accession, and must not jeopardize the possibility of delivering the agreed quantities.

The Commission will regularly inform the Council of the reliability and the effectiveness of this mechanism. Should it prove to be unsatisfactory, the Commission shall, with the assent of the Council, take the appropriate measures.

## ANNEX

### Procedures and criteria for the assessment of aids

1. All aids to the iron and steel industry, whether specific or non-specific, financed by the Spanish State or through State resources in any form whatsoever may be considered compatible with the orderly functioning of the common market only if they respect the general rules set out in paragraph 2 and satisfy the provisions of paragraphs 3 to 6. Such aids shall be put into effect only in accordance with the procedures established in this Annex.

The concept of aid includes aid granted by regional or local authorities and any aid elements contained in the financing measures taken by the Spanish State in respect of the iron and steel undertakings which it directly or indirectly controls and which do not count as the provision of risk capital according to standard company practice in a market economy.

2. Aids granted to the Spanish iron and steel industry may be considered compatible with the orderly functioning of the common market provided that:

- the recipient undertaking or group of undertakings is engaged in the implementation of a systematic and specific restructuring programme covering the various aspects of restructuring (modernization, reduction of capacity and, where necessary, financial restructuring), which is capable of restoring its competitiveness and of making it financially viable without aid under normal market conditions, by the expiry of the transitional arrangements at the latest,
- the said restructuring programme results in a reduction in the overall production capacity of the recipient undertaking or group of undertakings and does not make provision for an increase in production capacity for the various categories of products for which there is not a growth market,
- the amount and intensity of the aids granted to steel undertakings are progressively reduced,
- the aids in question do not entail distortions of competition and do not affect trading conditions to an extent contrary to the common interest,

- the aids are approved not later than 15 months after accession and do not lead to any payments after the expiry of the transitional arrangements, other than by way of interest subsidies or of payments to honour guarantees on loans disbursed before that date.

3. Aids in support of investment in the iron and steel industry may be considered compatible with the orderly functioning of the common market provided that:

- the Commission has received prior notification of the investment programme where such notification is required by Commission Decision No 3302/81/ECSC of 18 November 1981, on the information to be furnished by steel undertakings about their investments or by any subsequent Decision,
- the amount and intensity of the aids are justified by the extent of the restructuring effort that has been made, account being taken of the structural problems of the region where the investment is to be undertaken, and are limited to what is necessary for that purpose,
- the investment programme takes account of the criteria defined in paragraph 2 and of the general objectives for steel, having regard to any reasoned opinion which the Commission may have issued on the investment programme concerned.

In its examination of such aids the Commission shall take account of the extent of the contribution of the investment programme concerned to other Community objectives, for instance innovation, energy saving and environmental protection, provided that the rules of paragraph 2 are adhered to.

4. Aids to defray the normal costs resulting from the partial or total closure of steel plants may be considered compatible with the orderly functioning of the common market.

The costs eligible for such aid shall be the following:

- allowances paid to workers made redundant or retired before legal retirement age, where such allowances are

not covered by aids pursuant to Article 56 (1) (c) or (2) (b) of the Treaty,

- compensation due to third parties in respect of the termination of contracts, in particular for the supply of raw materials,
- expenditure incurred for the redevelopment of the site, the buildings and/or infrastructures of closed steel plant for alternative industrial use.

Exceptionally and by way of derogation from paragraph 5 of Protocol No 10 and the fifth indent of paragraph 2 of this Annex, aids for closures which could not be foreseen in the programmes notified not more than 12 months after accession may be notified to the Commission after that date and authorized later than the first 15 months following accession.

5. Aids to facilitate the operation of certain undertakings or plants may be considered compatible with the orderly functioning of the common market provided that:

- those aids form an integral part of a restructuring programme as defined in the first indent of paragraph 2,
- they are progressively reduced at least once a year,
- they are limited in intensity and amount to what is absolutely necessary in order to enable operation to continue during the period of restructuring, and are justified by the extent of the restructuring effort made, account also being taken of any aid granted for investment.

In its examination of such aids the Commission shall take account of the problems facing the unit or units in question and the region or regions concerned, and of the secondary effects of the aid on competition on markets other than the steel market, in particular the transport market.

6. Aids to defray expenditure by steel undertakings on research and development projects may be considered compatible with the orderly functioning of the common market

provided that the research and/or development project in question has one of the following objectives:

- a reduction in the costs of production, notably energy saving, or an improvement in productivity,
- an improvement in product quality,
- an improvement in the performance of iron and steel products or an increase in the range of uses of steel,
- an improvement in working conditions as regards health and safety.

The total amount of all aid granted for the above purposes may not exceed 50 % of the eligible costs of the project. The costs eligible for such aid shall mean the costs directly associated with the project and shall exclude in particular all expenditure on investment related to production processes.

7. The Commission shall seek the views of the Member States on the aid projects notified to it by the Spanish Government before adopting a position on them. It shall inform all Member States of the position adopted by it on each aid project.

If, after giving notice to the parties concerned to submit their comments, the Commission finds that an aid is incompatible with the provisions of this Annex, it shall inform the Spanish Government of its decision. Article 88 of the Treaty shall apply in the event of failure by the Spanish Government to comply with that Decision.

8. The Spanish Government shall supply the Commission twice a year with reports on aids disbursed in the course of the preceding six months, on the uses made of such aids and on the results achieved during the same period as regards restructuring. These reports must include details of all financial measures taken by the Spanish State or by regional or local authorities in respect of public steel undertakings. They must be forwarded within two months of the end of each six-month period in a form to be determined by the Commission.

The first of these reports will concern aids disbursed during the first six months following accession.

## Protocol No 11

### on pricing rules

1. Spanish undertakings shall apply, upon accession, the provisions relating to prices of the ECSC Treaty (Articles 4(b), 60 to 64) and the relevant Decisions.

2. Notwithstanding paragraph 1, the undertakings listed hereinafter may retain the following double basing points for a given product:

Iron and steel undertaking	Basing point
— Altos Hornos de Vizcaya (hot-rolled sheet cut from coils, cold-rolled coils and sheet, galvanizing)	Baracaldo (Vizcaya), Lesaca (Navarra)
— Commercial Tetracero SA	Gijón (Asturias), Torrejón de Ardoz (Madrid)
— José Ma. Aristrain SA	Madrid, Factoría Olaberria (Guipúzcoa)
— Redondos Depósitos Unidos SA (Redunisa)	Gijón (Asturias), Teixeiro (Coruña)
— Tetracero SA	Gijón (Asturias), Torrejón de Ardoz (Madrid)

Coal undertaking	Basing point
— Empresa Nacional Carbonífera del Sur (hard coal)	Puertollana (C. Real), Peñarroya (Córdoba)
— Minera Martín Aznar (sub-bituminous coal)	Escucha (Teruel), Castellote (Teruel)

In any event, the basic price of a given product must remain constant, whatever the basing point adopted.

## Protocol No 12

### on the regional development of Spain

THE HIGH CONTRACTING PARTIES,

Desiring to settle certain special problems of concern to Spain and,

Recognize it to be in their common interest that the objectives of this policy be attained;

HAVING AGREED THE FOLLOWING PROVISIONS,

Recall that the fundamental objectives of the European Economic Community include the steady improvement of the living standards and working conditions of the peoples of the Member States and the harmonious development of their economies by reducing the differences existing between the various regions and the backwardness of the less-favoured regions;

Agree, in order to help the Spanish Government to accomplish this task, to recommend that the Community institutions use all the means and procedures laid down by Community rules, particularly by making adequate use of the Community resources intended for the realization of the Community's abovementioned objectives;

Take note of the fact that the Spanish Government has embarked upon the implementation of a policy of regional development designed in particular to stimulate economic growth in the less-developed regions and areas of Spain;

Recognize in particular that, in the application of Articles 92 and 93 of the EEC Treaty, it will be necessary to take into account the objectives of economic expansion and the raising of the standard of living of the population of the less-developed regions and areas of Spain.

## Protocol No 13

### on the exchange of information with the Kingdom of Spain in the field of nuclear energy

#### *Article 1*

1. From the date of accession, such information as has been communicated to Member States, persons and undertakings in accordance with Article 13 of the Euratom Treaty, shall be placed at the disposal of the Kingdom of Spain which shall give it limited distribution within its territory under the conditions laid down in that Article.

2. From the date of accession, the Kingdom of Spain shall place at the disposal of the European Atomic Energy Community information obtained in the nuclear field in Spain which is given limited distribution, in so far as strictly commercial applications are not involved. The Commission shall communicate this information to Community undertakings under the conditions laid down in paragraph 1.

3. This information shall mainly concern:

- nuclear physics (low and high energy),
- radiation protection,

- isotope applications, in particular those of stable isotopes,
- research reactors and relevant fuels,
- research into the field of the fuel cycle (more especially the mining and processing of low-grade uranium ore; optimization of fuel elements for power reactors).

#### *Article 2*

1. In those sectors in which the Kingdom of Spain places information at the disposal of the Community, the competent authorities shall grant upon request licences on commercial terms to Member States, persons and undertakings of the Community where they possess exclusive rights to patents filed in Member States of the Community and in so far as they have no obligation or commitment in respect of third parties to grant

or offer to grant an exclusive or partially exclusive licence to the rights in these patents.

2. Where an exclusive or partially exclusive licence has been granted, the Kingdom of Spain shall encourage and facilitate the granting of sub-licences on com-

mercial terms to Member States, persons and undertakings of the Community by the holders of such licences.

Such exclusive or partially exclusive licences shall be granted on a normal commercial basis.

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#### Protocol No 14

##### on cotton

THE HIGH CONTRACTING PARTIES,

Considering the existence of cotton production in Spain,

HAVE AGREED TO AMEND AS FOLLOWS:

Protocol No 4 on cotton annexed to the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties, so as to include therein the quantity of cotton produced in Spain and to make provision for procedures to align Spanish prices on the common prices, to eliminate intra-Community customs duties and to adopt the Common Customs Tariff:

1. In paragraph 3, the following subparagraph is added after the fifth subparagraph:

'The quantity fixed pursuant to the preceding subparagraph shall be increased by 185 000 tonnes.'

2. The following paragraph is added:

'13. Articles 68, 70, 75, 76, 89, 90 and 91 of the Act of Accession of the Kingdom of Spain and the Portuguese Republic shall apply *mutatis mutandis* to the adoption by the Kingdom of Spain of this Protocol.

Articles 234, 236, 238, 243, 244, 257 and 258 of the abovementioned Act of Accession shall apply *mutatis mutandis* to the adoption by the Portuguese Republic of this Protocol.'

**Protocol No 15**

**on the definition of Portuguese basic duties for certain products**

1. For the products mentioned below, the basic duties on which the Portuguese Republic shall effect the successive reductions provided for in Article 190 shall be those indicated opposite each of them:

CCT heading No	Description	Basic duty (%)
ex 34.02	Organic surface-active agents, surface-active preparations, and washing preparations, whether or not containing soap: — Sodium dodecan-1-yl sulphate — Triethanolamine dodecan-1-yl sulphate — Sulphonic acid, sodium alkylbenzenesulphonate and ammonium alkylbenzenesulphonate — Mixtures and preparations of sodium sulphate, dodecan-1-yl and triethanolamine sulphate	20 20 20 20
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: Q. Foundry core binders based on synthetic resins ex X. Other: — Refractory coatings of a kind used in foundries to improve the surface of cast-iron pieces — Anti-sealing and similar preparations for boilers and for treatment of industrial refrigeration water	20 20 20
39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones): C. Other: II. Aminoplasts: ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Urea, resins, modified with furfuryl alcohol, in etherified solutions, used in foundries III. Alkyds and other polyesters: ex b) Other: — Saturated poly(ethylene terephthalate), other than black polymers, in one of the forms mentioned in Note 3 (a) and (b) to this Chapter, prepared for moulding or extrusion — Powdered, containing additives and pigments, used for thermosetting coatings or paints ex VII. Other: — Epoxy (ethoxyline) resins, powdered, containing additives and pigments, used for thermosetting coatings or paints	20 20 20 20

CCT heading No	Description	Basic duty (%)
39.02	<p>Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins):</p> <p>C. Other:</p> <p>VII. Polyvinyl chloride:</p> <p>ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:</p> <p>— In microsuspension</p> <p>ex X. Copolymers of vinyl chloride with vinyl acetate</p> <p>— Preparations for the moulding of gramophone records</p>	<p>20</p> <p>20</p>
40.06	<p>Unvulcanized natural or synthetic rubber, including rubber latex, in other forms or states (for example, rods, tubes and profile shapes, solutions and dispersions); articles of unvulcanized natural or synthetic rubber (for example, coated or impregnated textile thread, rings and discs):</p> <p>ex B. Other:</p> <p>— Patches for repairing tubes or tyres</p>	<p>20</p>
40.07	<p>Vulcanized rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanized rubber:</p> <p>ex A. Vulcanized rubber thread and cord, whether or not textile covered:</p> <p>— Thread, uncovered, of round cross-section</p>	<p>20</p>
48.07	<p>Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets:</p> <p>ex D. Other:</p> <p>— Flocked paper and paperboard</p>	<p>10</p>
56.01	<p>Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning:</p> <p>ex A. Synthetic textile fibres:</p> <p>— Of polyesters, with a length of less than 65 mm and tenacity of more than 53 cN/tex</p>	<p>16</p>
59.03	<p>Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated:</p> <p>ex B. Other:</p> <p>— Bonded fibre fabrics and similar bonded yarn fabrics, in the piece or simply cut to rectangular shape, flocked</p> <p>— Bonded fibre fabrics and similar bonded yarn fabrics, in the piece or simply cut to rectangular shape, weighing not less than 17 g per m<sup>2</sup> and not more than 80 g per m<sup>2</sup></p>	<p>10</p> <p>20</p>
ex 59.08	<p>Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials:</p> <p>— Unimpregnated, flocked with polyvinyl chloride</p> <p>— Unimpregnated, other than textile-faced flocked with preparations of cellulose derivatives or of other artificial plastic materials with the exception of polyurethane</p>	<p>10</p> <p>10</p>

CCT heading No	Description	Basic duty (%)
ex 59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like: — Flocked	10
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked: — Float glass, not being wired glass, other than ground but not further worked, more than 2 mm and not more than 10 mm in thickness	16
70.08	Safety glass consisting of toughened or laminated glass, shaped or not: ex B. Other: — Laminated glass for vehicles or boats	20
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: — Of soda glass gathered mechanically, other than cut or otherwise decorated drinking glasses, sterilizing bottles and articles of toughened glass	10
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: ex B. Other sheets and plates: IV. Clad, coated or otherwise surface-treated: ex d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): — Coated with polyvinyl chloride	20
73.38	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, or iron or steel: B. Other: ex II. Other: — Bathtubs, of sheets or plates of iron or steel not more than 3 mm in thickness, enamelled	20
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire: ex B. Other: — Bars and rods of round cross-section, of unalloyed copper, coiled — Wire of round cross-section, of unalloyed copper	20 20
ex 83.01	Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like and parts of such frames, of base metal keys for any of the foregoing articles, of base metal; keys for any of the foregoing articles, of base metal: — Lock cases, cylinders and springs, carriers and cams, obtained by sintering	20



CCT heading No	Description	Basic duty (%)
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: B. Other pumps: II. Other: ex a) Pumps: — Centrifugal pumps, submersible, other than metering pumps	20
84.12	Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air: ex B. Other: — Other than parts	20
84.15	Refrigerators and refrigerating equipment (electrical and other): C. Other: ex I. Refrigerators of a capacity of more than 340 litres: — Weighing more than 200 kg each, excluding parts ex II. Other: — Refrigerators and deep-freeze storage units of the chest or cabinet type, weighing not more than 200 kg each, excluding parts	15  15
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: — Electronic hopper scales or scales for discharging a pre-determined weight of material into a bag or container and other electronic instruments weighing out a constant amount, programmable, excluding parts — Electronic machines for weighing and labelling pre-packed products, excluding parts — Electronic weighbridges with capacities over 5 000 kg, excluding parts — Electronic shop scales with digital display, excluding parts — Electronic weighing machines and platforms, with digital display, other than personal weighing scales, excluding parts	20 20 20 20 20
84.41	Sewing machines; furniture specially designed for sewing machines; sewing-machine needles: A. Sewing machines; furniture specially designed for sewing machines: ex III. Parts; furniture specially designed for sewing machines: — Sewing-machine parts, obtained by sintering	20
ex 84.42	Machinery (other than sewing machines) for preparing, tanning or working hides, skins or leather (including boot and shoe machinery): — Press-cutters for hides, skins, furskins, or leather excluding parts	20

CCT heading No	Description	Basic duty (%)
84.53	<p>Automatic data-processing machines and units thereof: magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included:</p> <p>ex B. Other:</p> <ul style="list-style-type: none"> <li>— Integrated operational digital units comprising, as a set, at least one central unit and one input and output unit, for use in industrial systems for production and distribution and use of electrical energy</li> <li>— Modulator/demodulator (Modem) units for data transmission</li> </ul>	<p>20</p> <p>20</p>
84.59	<p>Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:</p> <p>E. Other:</p> <p>ex II. Other machines and mechanical appliances:</p> <ul style="list-style-type: none"> <li>— Injection moulding machines, extrusion moulding machines, grinders and blow moulding machines, for the rubber and artificial plastics industry</li> </ul>	<p>20</p>
84.62	<p>Ball, roller or needle roller bearings:</p> <ul style="list-style-type: none"> <li>— Rings for bearings, obtained by sintering intended for cycles</li> </ul>	<p>20</p>
84.63	<p>Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings:</p> <p>B. Other:</p> <p>ex II. Other:</p> <ul style="list-style-type: none"> <li>— Plain shaft bearings, obtained by sintering: <ul style="list-style-type: none"> <li>— Weighing not more than 500 g each</li> <li>— For gears, self-lubricating, of bronze or iron</li> </ul> </li> </ul>	<p>20</p> <p>20</p>
85.01	<p>Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:</p> <p>B. Other machines and apparatus:</p> <p>I. Generators, motors, (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:</p> <p>ex b) Other:</p> <ul style="list-style-type: none"> <li>— Generating sets with internal combustion engines, of an output of not more than 750 kVA, including sets whose performance is not expressed in kW or kVA, weighing more than 100 kg each</li> <li>— AC generators, weighing more than 100 kg each and of an output of not more than 750 kVA</li> <li>— DC motors and generators, weighing more than 100 kg each, excluding motors and other generators whose performance is not expressed in kW or kVA</li> <li>— Rotary converters, weighing more than 100 kg each</li> </ul>	<p>20</p> <p>20</p> <p>20</p> <p>20</p>



CCT heading No	Description	Basic duty (%)
ex 85.16	<p>Electric traffic control equipment for railways, roads or inland waterways and equipment used for similar purposes in port installations or upon airfields:</p> <p>— Excluding equipment for railways and parts</p>	20
85.17	<p>Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16:</p> <p>ex B. Other:</p> <p>— Excluding burglar, fire and similar alarms and parts</p>	20
85.19	<p>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, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels:</p> <p>ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:</p> <p>— For industrial applications, other than apparatus for making connections in electrical circuits:</p> <p>— Rated at 1 000 V or more:</p> <p>— Make-and-break and isolating switches, including switches for breaking circuits under load rated at not less than 1 kV but less than 60 kV</p> <p>— Fuses rated at not less than 6 kV and up to and including 36 kV, of the HJ type</p> <p>— Rated at less than 1 000 V:</p> <p>— NH-type fuses</p> <p>— Switches from 63 A up to 1 000 A, three- or four-pole, double breaking</p> <p>ex D. Switchboard and control panels:</p> <p>— Fitted with apparatus and instruments:</p> <p>— For industrial applications other than for telecommunications and instrument applications:</p> <p>— Not less than 1 000 V, including removable cells with switches or circuit breakers for metal clad transformers</p> <p>— 1 000 V or less</p>	<p>20</p> <p>20</p> <p>20</p> <p>20</p> <p>20</p> <p>20</p> <p>20</p>
85.23	<p>Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including coaxial cable), whether or not fitted with connectors:</p> <p>ex B. Other:</p> <p>— Wires and cables for power distribution rated at 60 kV or less, not ready for connectors to be fitted or already provided with connectors, insulated with polyethylene, excluding winding wire</p> <p>— copper winding wire, lacquered, varnished or enamelled, of a diameter of 0,40 mm or more but not more than 1,20 mm (class F, grade I and II)</p>	<p>20</p> <p>20</p>

CCT heading No	Description	Basic duty (%)
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> <p>ex b) Other:</p> <p>— With four-wheel drive, a ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of more than 1 560 cm<sup>3</sup> and less than 2 900 cm<sup>3</sup> or a compressed ignition engine of a cylinder capacity of more than 1 980 cm<sup>3</sup> and less than 2 500 cm<sup>3</sup></p> <p>B. For the transport of goods or materials:</p> <p>II. Other:</p> <p>a) With either a spark ignition or a compression ignition engine:</p> <p>1. Motor lorries with either a spark ignition engine of a cylinder capacity of 2 800 cm<sup>3</sup> or more or a compression ignition engine of a cylinder capacity of 2 500 cm<sup>3</sup> or more:</p> <p>ex bb) Other:</p> <p>— With four-wheel drive, a ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of less than 2 900 cm<sup>3</sup></p> <p>2. Other:</p> <p>ex bb) Other:</p> <p>— With four-wheel drive, ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of more than 1 560 cm<sup>3</sup> and less than 2 900 cm<sup>3</sup> or a compression ignition engine of a cylinder capacity of more than 1 980 cm<sup>3</sup> and less than 2 500 cm<sup>3</sup></p>	<p>20</p> <p>20</p> <p>20</p>
87.06	<p>Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03:</p> <p>B. Other:</p> <p>ex II. Other:</p> <p>— Pistons and rod guides for shock absorbers, obtained by sintering</p> <p>— Parts and accessories, obtained by sintering other than parts and accessories for bodies, complete gearboxes, complete rear-axles with differentials, wheels, parts of wheels and wheel accessories, non-driving axles and disc-brake pad assemblies</p> <p>— Wheel-balancing weights</p>	<p>20</p> <p>20</p> <p>20</p>



ANNEX

	Expiry date of contract	Total amount of investment in capital equipment
Isopor — Companhia Portuguesa de Isocianetos, Lda	25 July 1990	37 000 000 US dollars
Renault Portuguesa — Sociedade Commercial e Industrial, Lda	13 February 1990	9 000 000 000 Escudos (1978)
Dea Portuguesa — Sociedade de Equipamentos Automóveis, Lda	28 July 1991	35 000 000 French francs
Somincor — Sociedade Mineira Neves-Corvo, Lda	31 December 1989	13 000 000 000 Escudos
Texas Instruments	31 December 1993	30 000 000 US Dollars
Funfrap — Sociedade de Fundação Franco-Portuguesa, Sarl	30 November 1993	2 300 000 000 Escudos

**Protocol No 17**

**on trade in textile products between Portugal and the other Member States of the Community**

*Article 1*

1. The Portuguese Republic shall, under the conditions laid down in Articles 2, 3 and 4, control, until 31 December 1988, exports to the present Member States and, until 31 December 1989, exports to Spain, of the products indicated in the list appearing in Annex A, on the basis of the quantities set out in that list.

2. At the request of a present Member State which considers that the situation justifies it, the Commission shall extend by one year the application of paragraph 1 on the basis of the quantities indicated for 1989 in the said list.

3. Textile products reimported into the present Member States, under the conditions and on the basis of the quantities set out in Annex B, following processing in Portugal, shall not be charged against the quantities referred to in paragraph 1.

*Article 2*

The Community and the Portuguese Republic shall establish, for such time as Article 1 is applicable, administrative cooperation under the conditions defined in Annex C.

*Article 3*

The Portuguese Republic shall take the appropriate measures to ensure compliance with the quantities referred to in Article 1 and the administrative cooperation measures referred to in Article 2.

*Article 4*

After prior notification to the Commission, the Portuguese Republic may apply to its exports to the present Member States of the products indicated in the list appearing in Annex A the flexibility provisions laid down in Annex D.

*Article 5*

The Commission and the competent authorities of the Portuguese Republic shall enter into, if the situation so requires, appropriate consultations in order to avoid situations arising which would necessitate recourse to protective measures.

*Article 6*

If the situation so requires, particularly taking into account trends in consumption and the progression of imports into Portugal of textile products coming from one or more other Member States, the Commission and the competent authorities of the Portuguese Republic shall consult each other, at the request of the Portuguese Republic, with a view to seeking appropriate solutions intended to avoid recourse to protective measures.

*Article 7*

If the quantities indicated in Annex A are reached, the Commission shall determine, at the request of the Member State concerned and following the emergency procedure laid down in Article 379 (2) of the Act of Accession, such protective measures as it deems necessary.

ANNEX A

List provided for in Article 1 (1)

Category	CCT heading No	Nimexe code (1985)	Description	Mem-ber States	Units	1986	1987	1988	1989
1	55.05	55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 51, 53, 55, 57, 61, 65, 67, 69, 72, 78, 81, 83, 85, 87	Cotton yarn, not put up for retail sale	D F I BNL UK IRL DK GR E	Tonnes	759 203 1 245 687 6 712 1 799 4 050 27 150	842 225 1 382 763 7 450 1 977 4 496 30 165	951 254 1 562 862 8 419 2 257 5 080 34 185	1 094 292 1 796 991 9 682 2 596 5 842 39 211
2	55.09	55.09-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	Other woven fabrics of cotton: Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	D F I BNL UK IRL DK GR E	Tonnes	717 820 396 569 5 694 397 875 155 150	796 910 440 632 6 320 441 971 172 165	899 1 028 497 714 7 142 498 1 097 194 185	1 034 1 182 572 821 8 213 573 1 262 223 211
3	56.07 A	56.07-01, 04, 05, 07, 08, 10, 12, 15, 19, 20, 22, 25, 29, 30, 31, 35, 38, 39, 40, 41, 43, 45, 46, 47, 49	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres: Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics	D F I BNL UK IRL DK GR E	Tonnes	1 343 1 017 235 713 3 878 822 1 062 28 200	1 491 1 129 261 791 4 305 912 1 179 31 220	1 685 1 276 295 894 4 865 1 031 1 332 35 246	1 938 1 467 339 1 028 5 595 1 186 1 532 40 280



Category	CCT heading No	Nimex code (1985)	Description	Member States	Units	1986	1987	1988	1989
4	60.04 B I II a) b) c) IV b) I aa) dd) 2 ee) d) I aa) dd) 2 dd)	60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89	Undergarments, knitted or crocheted, not elastic or rubberized: Shirts, T-shirts, lightweight fine knit roll, polo or turtle-neck jumpers and pullovers, undershirts and the like, knitted or crocheted, not elastic or rubberized, other than babies' garments of cotton or synthetic textiles fibres; T-shirts and lightweight fine knit roll, polo or turtle-neck jumpers and pullovers, of regenerated textile fibres, other than babies' garments	D F I BNL UK IRL DK GR E	1 000 pieces	10 801 7 162 751 5 766 23 874 398 2 535 102 500	11 773 7 807 819 6 285 26 023 434 2 763 111 550	13 068 8 666 909 6 976 28 886 482 3 067 123 616	14 767 9 793 1 027 7 883 32 641 545 3 466 139 702
5	60.05 A I a) II b) 4 bb) II a a a) bb b) cc c) dd d) eee) 22 bb b) cc c) dd d) eee) ff f)	60.05-01, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized of wool of cotton or of man-made textile fibres	D F I BNL UK IRL DK GR E	1 000 pieces	3 525 6 480 950 1 455 4 417 285 1 026 15 400	3 842 7 063 1 036 1 585 4 815 311 1 118 16 440	4 265 7 840 1 150 1 760 5 345 345 1 241 18 493	4 819 8 859 1 300 1 989 6 040 390 1 402 20 562
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)		Men's and boys' outer garments  Women's girls' and infants' outer garments: B. Other:  Men's and boys' woven breeches, shorts and trousers (including slacks); women's girls' and infants' woven trousers and slacks of wool, of cotton or of man-made textile fibres	UK E	1 000 pieces	3 729 250	4 139 275	4 677 308	5 379 351
7	60.05 A II b) 4 aa) 22 33 44 55 61.02 B II e) 7 bb) cc) dd)	61.01-62, 64, 66, 72, 74, 76 61.02-66, 68, 72	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: II. Other Women's girls' and infants' outer garments: B. Other:	D F I BNL UK IRL DK GR E	1 000 pieces	1 630 768 262 251 790 31 472 39 180	1 777 837 286 274 861 34 514 43 198	1 972 929 317 304 956 38 571 48 222	2 228 1 050 358 344 1 080 43 645 54 253

Category	CCT heading No	Nimexe code (1985)	Description	Member States	Units	1986	1987	1988	1989
8	61.03 A	60.05-22, 23, 24, 25 61.02-78, 82, 84	Blouses and shirt-blouses, knitted; crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	D F I BNL UK IRL DK GR E	1 000 pieces	1 876 2 507 853 1 308 2 410 153 637 58 500	2 045 2 733 930 1 426 2 627 167 694 63 550	2 270 3 034 1 032 1 583 2 916 185 770 70 616	2 565 3 428 1 166 1 789 3 295 209 870 79 702
9	55.08 62.02 B III a) I	61.03-11,15, 19  55.08-10, 30, 50, 80 62.02-71	Terry towelling and similar terry fabrics of cotton: Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: B. Other: Woven cotton terry fabrics; toilet and kitchen linen of woven cotton terry fabrics;	D F BNL UK E	Tonnes	1 792 1 521 1 252 9 081 200	1 971 1 673 1 377 9 989 220	2 208 1 874 1 542 11 188 246	2 517 2 136 1 758 12 754 280
13	60.04 B IV b) I cc) 2 dd) d) I cc) 2 cc)	60.04-48, 56, 75, 85	Undergarments, knitted or crocheted, not elastic or rubberized: 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	BNL	1 000 pieces	12 007	13 328	15 061	17 320
19	61.05 A C	61.05-10, 99	Handkerchiefs	F I E	Tonnes	453 120 1	503 133 1	568 150 1	653 172 1
20	62.02 B I a) c)	62.02-12, 13, 19	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; B. Other: Bed linen, woven	D F I BNL UK IRL DK GR E	Tonnes	850 550 197 885 7 509 85 110 28 250	935 605 217 974 8 260 94 121 31 275	1 047 678 243 1 091 9 251 105 136 35 308	1 194 773 273 1 244 10 546 120 155 40 351

Category	CCT heading No	Nimexe code (1985)	Description	Mem-ber States	Units	1986	1987	1988	1989
33	51.04 A III a)  62.03 B II b) I	51.04-06  62.03-51, 59	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip falling within heading No 51.01 or 51.02: A. Woven fabrics of synthetic textile fibres: Sacks and bags, of a kind used for the packing of goods: B. Of other textile materials: II. Other:  Woven fabrics of strip or the like of polyethylene or polypropylene, less than 3 m wide: Woven sacks of such strip or the like	D F I BNL UK IRL DK GR E	Tonnes	662 1 064 539 1 738 2 077 40 509 39 200	728 1 170 593 1 912 2 285 44 560 43 220	815 1 310 664 2 141 2 559 49 627 48 246	929 1 493 757 2 440 2 917 56 715 55 280
39	62.02 B II a) c) III a) 2 c)	62.02-40, 42, 44, 46, 51, 59, 65, 72, 74, 77	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: B. Other:  Woven table linen, toilet and kitchen linen, other than of cotton terry fabric	F UK E	Tonnes	997 804 150	1 097 884 165	1 229 990 185	1 401 1 129 211
90	59.04  of which: 59.04 A	59.04-11, 12, 14, 15, 17, 18, 19, 21, 23, 31, 35, 38, 50, 60, 70, 80	Twine, cordage, ropes and cables, plaited or not: Of synthetic textile fibres: Of abaca (Manila hemp) Of sisal and other fibres of the Agave family Of true hemp Of flax or ramie Of jute or of other textile bast fibres of heading No 57.03 Of other textile materials  Twine, cordage, ropes and cables, plaited or not: Twine, cordage, ropes and cables, of synthetic textile fibres, plaited or not	D F I BNL UK IRL DK GR E  D F BNL UK IRL GR E	Tonnes	10 777 8 322 3 055 3 346 9 038 211 2 729 287 1 400	11 962 9 237 3 391 3 714 10 032 234 3 029 319 1 540	13 517 10 438 3 832 4 197 11 336 264 3 423 360 1 725	15 545 12 004 4 407 4 827 13 036 304 3 936 414 1 967
		59.04-11, 12, 14, 15, 17, 18, 19, 21			Tonnes	1 011 1 281 1 254 2 495 67 135 900	1 112 1 409 1 379 2 745 74 149 990	1 245 1 578 1 545 3 074 83 167 1 109	1 419 1 799 1 761 3 504 95 190 1 264

## Imports under outward processing arrangements

1. For the purposes of this Protocol, processing operations shall mean operations consisting in the processing in Portugal of goods temporarily exported from the Community as at present constituted with a view to their reimport into the Community as at present constituted in the form of compensating products.

2. Only natural or legal persons established in the Community as at present constituted shall qualify for these arrangements.

Any person referred to in the previous subparagraph who applies to qualify for these arrangements must satisfy the following conditions:

- (a) He must manufacture, on his own account, in a factory situated in the Community as at present constituted, similar products at the same stage of manufacture as the compensating products for which the arrangements are being requested.
- (b) He may have compensating products manufactured in Portugal within the framework of processing operations up to the limit of annual quantities fixed by the competent authorities of the Member State where the application is made, under the conditions described in point 3.
- (c) The goods which he exports temporarily with a view to processing operations must be in free circulation in the Community as at present constituted within the meaning of Article 9 (2) of the EEC Treaty and must originate in the Community as at present constituted within the meaning of Regulation (EEC) No 802/68 and the Implementing Regulations thereof. Derogations from the provisions of this point may be granted by the authorities of the present Member States only for goods of which Community production is insufficient. Such derogations may be granted only up to the limit of 14 % of the total value of the goods<sup>(1)</sup> for which the arrangements have been granted in the Member State concerned during the previous year.

The present Member States shall communicate to the Commission at quarterly intervals the essential details of the derogations thus granted, namely, the nature, origin and quantities of the goods of non-Community origin concerned. The Commission shall communicate this information to the other Member States.

- (d) The processing operations to be carried out in Portugal must not constitute processing of greater importance than that laid down for each product in point 11. The processing operations to be carried out may, however, constitute processing of lesser importance than that laid down for each product in point 11.

The present Member States may derogate from the provisions of (a) of the second subparagraph in respect of persons who do not satisfy the conditions of that subparagraph.

Such derogations will apply only up to the total quantities imported under the specific arrangements existing prior to accession.

<sup>(1)</sup> Total value of the goods shall mean:  
— in respect of previously imported goods, their customs value as defined by Regulation (EEC) No 1224/80 (OJ No L 134, 31. 5. 1980, p. 1).  
— in other cases, the ex-factory price.

In applying the derogations referred to in the previous subparagraph, preference will be given to persons who previously qualified for the specific arrangements referred to above. However, if such persons do not use up the whole of the quantities which they might claim, the remainder of those quantities may be granted to other persons.

3. The competent authorities of each Member State shall divide up, among the persons benefiting from the arrangements referred to in point 2, the annual quantities of compensating products given in the table attached to this Annex, of which the present Member State concerned may authorize the reimport in accordance with the provisions of this Annex.

4. The competent authorities of the Member State into which the compensating products are to be reimported shall issue prior authorization to applicants satisfying the conditions laid down by this Annex.

The prior authorization may be issued either once a year for the total quantity allotted to the applicant under (b) of the second subparagraph of point 2, or in stages during the year for successive partial amounts of the quantity allotted until this is used up.

The applicant shall submit to the competent authorities the contract concluded with the undertaking responsible for carrying out the processing operations on his account in Portugal, or any other proof deemed equivalent by those authorities.

5. The prior authorization shall be granted only if the competent authorities are able to identify the temporarily exported goods in the reimported compensating products.

The competent authorities may refuse to grant the benefit of the arrangements where they observe that it is not possible for them to obtain all the guarantees enabling them to verify in practice that the provisions of point 2 are being complied with.

The prior authorization shall lay down the conditions under which the processing operation must take place, in particular:

- the quantities of goods to be exported and of products to be reimported calculated by reference to the rate of yield fixed on the basis of the technical data of the processing operation or operations to be carried out, if they have been established, or, failing these, the data available in the Community as at present constituted on operations of the same kind,
- the means by which the temporarily exported goods may be identified in the compensating products,
- the time-limit for reimport on the basis of the time necessary to carry out the processing operation or operations.

6. On temporary exportation, the prior authorization issued by the competent authorities shall be presented at the customs office concerned for customs formalities to be accomplished.

7. The present Member States shall communicate to the Commission the figures concerning the prior authorizations issued each month, before the tenth day of the following month.

At the request of the Commission, the present Member States shall inform the Commission of any refusal of prior authorization and of the reasons, with regard to the conditions laid down in this Protocol, which gave rise to the refusal.

8. Without prejudice to the following points, reimportation of compensating products may not be refused by any present Member State which has issued prior authorization for these products, subject to compliance with the conditions laid down in the said authorization and to other customs formalities normally required at the moment of import.

These products may not be reimported into a present Member State other than that in which the prior authorization was issued.

Where compensating products are reimported into the Community as at present constituted, the person making the declaration shall present to the competent authorities the prior authorization accompanied by proof that the processing operation took place in Portugal.

9. The competent authorities of the Member State concerned may, when circumstances so justify:

- grant an extension of the time-limit for reimportation initially fixed,
- authorize reimportation of compensating products in several consignments; in this case, a note shall be taken of the prior authorization as and when the consignments arrive.

The competent authorities of the Member State concerned may, in addition, authorize the reimportation of compensating products even if the processing operations provided for in the prior authorization have not been realized in their entirety.

10. The present Member States shall communicate to the Commission the statistical information relating to all reimportations which take place in their territory under this Protocol. The Commission shall communicate this information to the other present Member States.

11. The maximum levels of processing referred to in (d) of the second subparagraph of point 2 shall be as follows:

Compensating products by category	Maximum level of processing
<i>Categories</i> 4, 5, 7, 8	<i>Operation</i> Processing from fabrics or knitted or crocheted materials

TABLE PROVIDED FOR IN PARAGRAPH 3

Category	CCT heading No	Nimexe code (1985)	Description	Mem-ber States	Units	1986	1987	1988	1989
4	60.04 B I II a) b) c) IV b) I aa) dd) 2 cc) d) I aa) dd) 2 dd)	60.04-19, 20, 22, 23, 24, 26, 41, 50, 58, 71, 79, 89	Undergarments, knitted or crocheted, not elastic or rubberized:  Shirts, T-shirts, lightweight fine knit roll, polo or turtle-neck jumpers and pullovers, undervests and the like, knitted or crocheted not elastic or rubberized, other than babies' garments of cotton or synthetic textiles fibres; T-shirts and lightweight fine knit roll, polo or turtle-neck jumpers and pullovers, of regenerated textile fibres, other than babies' garments	D F BNL EEC	1 000 pieces	14 309  20 343	15 337  22 374	17 374  24 415	19 423  27 469
5	60.05 A I a) II b) 4 bb) I I aaa) bbb) ccc) ddd) eee) 22 bbb) ccc) ddd) eee) fff)	60.05-01, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43	Outer garments and other articles, knitted or crocheted, not elastic or rubberized:  A. Outer garments and clothing accessories:  Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized of wool, of cotton or of man-made textile fibres	D F I BNL IRL DK EEC	1 000 pieces	179 599 74 723  5 14 1 594	195 653 81 788  5 15 1 737	216 725 90 875  6 17 1 929	244 819 102 989  7 19 2 180
7	60.05 A II b) 4 aa) 22 33 44 55  61.02 B II c) 7 bb) cc) dd)	60.05-22, 23, 24, 25  61.02-78, 82, 84	Outer garments and other articles, knitted or crocheted, not elastic or rubberized:  A. Outer garments and clothing accessories: II. Other  Women's, girls' and infants' outer garments:  B. Other:  Blouses and shirt-blouses, knitted; crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres	D F BNL IRL EEC	1 000 pieces	1 438 586 168 36  2 228	1 567 639 183 39  2 428	1 739 709 203 43  2 694	1 965 801 229 49  3 044

Category	CCT heading No	Nimex code (1985)	Description	Member States	Units	1986	1987	1988	1989
8	61.03 A	61.03-11, 15, 19	Men's and boys' undergarments, including collars, shirt fronts and cuffs: Men's and boys' shirts woven, of wool, of cotton or of man-made textile fibres	D F I BNL IRL DK EEC	1 000 pieces	1 198 1 297 371 994 24 74 3 958	1 306 1 414 404 1 083 26 81 4 314	1 450 1 570 448 1 202 29 90 4 789	1 639 1 774 506 1 358 33 102 5 412

## ANNEX C

### Administrative cooperation laid down in Article 2

1. The competent Portuguese authorities shall issue, under the conditions laid down, a 'Boletim de Registo de Exportação (BRE)' or a 'Boletim Global de Exportação (BGE)' for any export of textile products of the categories, tariff headings and Nimexe codes referred to in Annex A originating in Portugal and intended to be sent to the other Member States with a view to their final import.

2. The competent Portuguese authorities shall issue certified copies, either of a BRE or a BGE, for the products covered by this Protocol. The certificates shall comprise in particular the information which should appear in the declaration or request by an importer referred to in point 5.

3. The competent Portuguese authorities shall notify the Commission within the first 10 days of each quarter, broken down by Member State and category of product, of:

- (a) the quantities for which certified true copies of the BRE or BGE have been issued during the preceding quarter;
- (b) the exports made during the quarter preceding the period referred to in (a).

4. The competent Portuguese authorities shall also notify on a quarterly basis the Commission and the competent authorities of the other Member States of the serial numbers of BRE and BGE which have expired and any other information they consider relevant to the matter.

5. Final import into another Member State of products covered by the present administrative cooperation shall be subject to the submission of an import document. This document shall be issued or endorsed by a competent authority of the importing Member State, free of charge, for all the quantities requested, within a maximum period of five working days after lodging, in accordance with the national laws in force, either a declaration, or simply a request by any importer from the other Member States, regardless of where he is established in the Community, without prejudice to compliance with the other conditions required by the rules in force. This import document shall be issued or endorsed only on the sight of a copy, certified by the competent Portuguese authorities, of the BRE or BGE that they have issued.

The declaration or request of the importer shall indicate:

- (a) the name and address of the importer and exporter;
- (b) the description of the product indicating:
  - the trade designation,
  - the category number of the product indicated in column 1 of Annex A,
  - the tariff heading or reference number of the nomenclature of goods of the national statistics of foreign trade,
  - the country of origin;
- (c) the indication of the product in the unit appearing in column 6 of Annex A;
- (d) the date or dates envisaged for import.

The importing Member State may request further details without this resulting in import barriers.

This paragraph shall not prevent the final import of the products in question if the quantity of the products entered for import exceeds, in total, by less than 5 %, that mentioned on the import document.

6. Where a requested import document concerns a quantity less than the quantity indicated in the certified copy of the BRE or the BGE, that copy shall be returned to the importer with a note on the back stating the quantity for which an import document was issued.

7. The other Member States shall notify the Commission within the first 10 days of each quarter and broken down by category of products, of:

- (a) the quantities for which the import documents have been issued or endorsed during the preceding quarter;
- (b) the imports made during the quarter preceding the period referred to in (a).

8. The Commission and the Portuguese authorities shall, at least every quarter, examine the state of their trade and prospects with a view to a thoroughgoing analysis of the situation.

## ANNEX D

### Flexibility laid down in Article 3

The flexibility provisions laid down in Article 3 of this Protocol shall be determined in accordance with the following procedure:

(a) Within each category:

- the advance utilization during any given year of part of the quantities fixed for the following year up to

8,75 % of the quantities concerned for the year of utilization. Such advance exports shall be deducted from the corresponding quantities fixed for the following year,

- the carry-over of quantities not utilized during any given year to the corresponding quantities for the fol-



lowing year up to 8,75 % of the quantities concerned for the actual year of application. An additional carry-over may be authorized by the Commission at the request of the Portuguese authorities.

(b) Between categories:

transfers from one category to another up to 10 % of the level of the category to which the said transfer is made. This provision shall apply to the following operations:

- categories 2 and 3 between each other, excepting Benelux, for which the transfer may be 100 %,
- categories 2 or 3 to 9, 19, 20, 39,
- categories 4, 5, 7, 8, between each other,
- categories 6 and 8, between each other, only for the United Kingdom,

- categories 33 and 90, between each other,
- within heading No 59.04, between sisal and synthetic textile fibres, except for Italy and Denmark, for which the transfer may be 100 %.

These transfers shall be made on the basis of the following equivalents:

Category	Piece/kg	Grams/piece
4	6,48	154
5	4,53	221
6	1,76	568
7	5,55	180
8	4,60	217

*ANNEX E*

**Joint declaration by the Community as at present constituted and Portugal**

For the application of the provisions of Annex B, it is understood that goods of Portuguese origin cannot be considered as originating in the Community within the meaning of Regulation (EEC) No 802/68.

**Protocol No 18**

**on the arrangements for the import into Portugal of motor vehicles coming from other Member States**

*Article 1*

The arrangements defined in the following Articles shall apply to the assembly and import of motor vehicles, regardless of engine type, for the carriage of persons and goods.

Timetable	Annual quota
1 January 1986	440 units
1 January 1985	550 units

*Article 2*

1. As from 1 January 1986, the Portuguese Republic shall open the annual import quotas given in Annex A for motor vehicles imported ready-assembled, hereinafter referred to as 'CBU', originating in other Member States, of a gross weight less than 3 500 kg.

2. The list given in Annex A may be amended by the Council acting by a qualified majority on a proposal from the Commission.

3. As from 1 January 1986, the Portuguese Republic shall open an annual import quota for CBU motor vehicles originating in other Member States, of a gross weight less than 3 500 kg, other than those referred to in the list in Annex A, as shown below:

Within that quota, no make of vehicle may be allotted more than one-quarter of the volume fixed. Each make shall have the right to be allotted a minimum quota of 20 units.

*Article 3*

As from 1 January 1986, the Portuguese Republic shall open annual import quotas for CBU motor vehicles originating in other Member States of a gross weight greater than 3 500 kg, as shown below:

Timetable	Annual quota
1 January 1986	660 units
1 January 1987	770 units

#### Article 4

1. As from 1 January 1986, for vehicles imported in the non-assembled state, hereinafter referred to as 'CKD', of a gross weight less than 2 000 kg for the carriage of persons, the Portuguese Republic shall open one quota per Community make at the beginning of each year, by reference to the basic quotas allotted in 1985 and given in Annex B.

2. The quotas per Community make shall be updated annually. To that end, a corrective factor shall be applied to them, in order to compensate for the increase in price in Portugal and the trend of production prices of CKD motor vehicles.

The sum of all the quotas per make (Community and non-Community) shall be fixed, in constant prices in escudos, at the equivalent of 41 500 motor vehicles for 1986 and 44 000 motor vehicles for 1987.

3. The annual quotas per make and all data relevant to them shall be communicated to the Commission by 15 February each year.

4. The use of the quotas per make allotted as basic quotas shall be free up to a maximum of 90 % in 1986

and 93 % in 1987. The use of the remainder of the quotas per make shall be conditional on the export of motor vehicles or vehicle components on the basis of the value added in Portugal of such exports.

#### Article 5

1. For exporters which have already used all their basic quotas pursuant to Article 4, additional CKD quotas shall be granted during the year on the basis of the value added in Portugal of motor vehicles or motor vehicle components exported.

Additional quotas shall be allotted on the basis of the coefficients given in Annex C.

2. The Council, acting on a proposal from the Commission by a qualified majority, may subsequently, if necessary, fix a ceiling on each make equal to a percentage of the sum of the basic quotas allotted to all the makes.

#### Article 6

The quotas fixed in Articles 4 and 5 may be used for the import of either CKD or CBU motor vehicles.

### ANNEX A

#### List of import quotas referred to in Article 2 (1)

	1 January 1986	1 January 1987
Alfa Romeo	700	800
Audi (Auto-Union)	700	800
BMW (Bayerische Motoren-Werke)	700	800
British Leyland (ex-BMC)	700	800
British Leyland (ex-Leyland)	700	800
Jaguar/Daimler	700	800
Talbot (France)	700	800
Talbot (United Kingdom)	700	800
Citroen	700	800
Daimler-Benz	700	800
Fiat	700	800
Ford (Germany)	700	800
Ford (United Kingdom)	700	800
General Motors (Germany)	700	800
General Motors (United Kingdom)	700	800
Peugeot	700	800
Renault	700	800
VW (Volkswagen)	700	800
Volvo (Netherlands)	700	800
Lancia (Italy)	700	800
Autobianchi (Italy)	700	800
Volvo (Belgium)	700	800
Nuova Innocenti (Italy)	700	800
Porsche (Germany)	700	800
Seat	700	800

*ANNEX C*

**Weighting of the export coefficients referred to in Article 5 (1)**

	1986	1987
CKD	0,6	0,5
CBU and vehicle bodies	0,5	0,45
Semi-finished components	0,4	0,35
Finished components:		
— Engines	0,8	0,7
— Gear boxes	0,8	0,7
— Other mechanical components	0,7	0,6
— Electrical components	0,6	0,5
— Other components	0,55	0,5

*ANNEX B*

**Basic quotas per make allotted in 1985 referred to in Article 4 (1)**

*(Esc 1 000)*

Fiat	2 362 057
Renault	1 879 085
Peugeot	1 614 092
BLMC	1 600 822
Citroen	1 480 199
Ford	1 331 611
General Motors	1 151 434
Talbot	551 350
VW	505 305
BMW	320 773
Mercedes	139 308
Alfa Romeo	49 328
Audi	39 706

**Protocol No 19**

**on Portuguese patents**

1. The Portuguese Republic undertakes, upon accession, to adjust its patent law so as to make it compatible with the principles of the free movement of goods and with the level of protection of industrial property attained in the Community. In particular, the Portuguese Republic shall repeal, on accession, the provisions of Article 8 of Decree No 27/84 of 18 January 1984, under which the holder of a patent granted in Portugal must, in order to enjoy the exclusive rights conferred by that patent, manufacture on Portuguese territory the patented product or the product obtained by using a patented process.

To that end, close cooperation shall be instituted between the Commission services and the Portuguese authorities; this cooperation shall also cover the prob-

lems of transition of current Portuguese law towards new law.

2. The Portuguese Republic shall introduce, in its national legislation, a provision on shifting the burden of proof corresponding to Article 75 of the Luxembourg Convention of 15 December 1975 on the Community patent.

This provision shall apply upon accession with regard to new process patents filed as from the date of accession.

For patents filed prior to that date, this provision shall apply not later than 1 January 1992.

However, this provision shall not apply if infringement proceedings are brought against the holder of another process patent for the manufacture of a product identical to that obtained as the result of the patented process of the plaintiff, if that other patent was issued before the date of accession.

In cases where shifting the burden of proof does not apply, the Portuguese Republic shall continue to require the patent holder to adduce proof of infringement.

In all cases where shifting the burden of proof does not apply on 1 January 1987, including patents filed before the date of accession, the Portuguese Republic shall pass new domestic legislation, with effect from that date introducing a judicial procedure known as 'distrainment-description'.

'Distrainment-description' means a procedure by which any person entitled to bring an action for infringement may, after obtaining a Court order, granted on his application, cause a detailed description to be made, at

the premises of the alleged infringer, by a bailiff assisted by experts, of the processes in question, in particular by photocopying technical documents, with or without actual distraint. This Court order may order the payment of a security, intended to grant damages to the alleged infringer in case of injury caused by the 'distrainment-description'.

3. The Portuguese Republic shall accede on 1 January 1992 to the Munich Convention of 5 October 1973 on the European patent and to the Luxembourg Convention of 15 December 1975 on the Community patent.

The Portuguese Republic may invoke Article 95 (4) of the Luxembourg Convention on the Community patent with a view to introducing the purely technical adaptations made necessary by its accession to the said Convention, it being, however, understood that such an invocation can in no way delay the accession of the Portuguese Republic to the Luxembourg Convention beyond the abovementioned date.

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## Protocol No 20

### on the restructuring of the Portuguese iron and steel industry

1. From the date of accession, no aid may be given to the Portuguese iron and steel industry unless approved by the Commission within the framework of a restructuring plan. The restructuring plan for the Portuguese iron and steel industry should be compatible with the last general steel objectives adopted before the date of accession.

2. From the date of accession, the Commission and the Portuguese Government will assess jointly the plan approved by the Portuguese Government, which is to be officially forwarded to the Commission by 1 September 1985, and the viability of the iron and steel undertaking to which the plan relates.

3. Should the viability of that undertaking not be satisfactorily guaranteed at the end of a maximum of five years after accession, the Commission, after receiving the opinion of the Portuguese Government, shall propose, at the end of the first year after accession, to make an addition to the plan, thereby enabling that undertaking to reach a viable state by the end of the plan.

4. Any aid to the Portuguese iron and steel industry forming part of the addition to the plan provided for in point 3 shall be notified in advance, and not later than the end of the first year after accession, to the Commission by the Portuguese Government. The said Govern-

ment shall not implement its projects without authorization from the Commission.

The Commission shall assess those projects on the basis of the criteria and in accordance with the procedures defined in the Annex to this Protocol.

5. During the period mentioned in Article 212 of the Act of Accession, Portuguese deliveries of ECSC iron and steel products to the remainder of the Community should fulfil the following conditions:

(a) The level of Portuguese deliveries to the remainder of the Community as at present constituted during the first year following accession shall be that fixed by the Commission after agreement of the Portuguese Government and consultation of the Council during the year preceding accession. Whatever the situation, this level may in no circumstances be less than 80 000 tonnes. If no agreement has been reached between the Commission and the Portuguese Government at the latest one month before the date of accession, the quantities which the Portuguese iron and steel industry may deliver during the first three months from the date of accession shall not exceed 20 000 tonnes.

Should no agreement have been reached on this point by the date of accession, the level of deliveries

shall be fixed, not later than two months after the date of accession, by the Commission with the assent of the Council.

These deliveries will in any event have to be liberalized once the transitional arrangements have expired and in order to bring about a harmonious transition, their level may be increased before the end of the said arrangements, the level of the first year being considered as a base line.

Any increase in the level will be made on the basis of:

- the state of progression of the Portuguese restructuring plan, taking into account significant factors in re-establishing the viability of the undertakings, and necessary measures to attain such viability,
- iron and steel measures which may be in force in the Community after accession so that Portugal is not treated less favourably than third countries, and

— trends in deliveries of ECSC iron and steel products to Portugal from the Community as at present constituted.

- (b) The Portuguese Government hereby undertakes to implement upon accession, under its responsibility and in agreement with the Commission, a mechanism for monitoring deliveries to the remainder of the Community market calculated to ensure strict observance of the quantitative undertakings agreed or established pursuant to point (a).

This mechanism must be compatible with any other measure of market supervision which may be adopted during the years following the date of the accession, and must not jeopardize the possibility of delivering the agreed quantities.

The Commission will regularly inform the Council of the reliability and the effectiveness of this mechanism. Should it prove to be unsatisfactory, the Commission shall, with the assent of the Council, take the appropriate measures.

## ANNEX

### Procedures and criteria for the assessment of aid

1. All aid to the iron and steel industry, whether specific or non-specific, financed by the Portuguese State or through State resources in any form whatsoever may be considered compatible with the orderly functioning of the common market only if it respects the general rules set out in paragraph 2 and satisfies the provisions of paragraphs 3 to 6. Such aid shall be put into effect only in accordance with the procedures established in this Annex.

The concept of aid includes aid granted by regional or local authorities and any aid elements contained in the financing measures taken by the Portuguese State in respect of the iron and steel undertaking which it controls and which do not count as the provision of risk capital according to standard company practice in a market economy.

2. Aid granted to the Portuguese iron and steel industry may be considered compatible with the orderly functioning of the common market provided that:

- the recipient undertaking is engaged in the implementation of a systematic and specific restructuring programme covering the various aspects of restructuring (modernization, reduction of capacity and, where necessary, financial restructuring), which is capable of restoring its competitiveness and of making it financially viable without

aid under normal market conditions, by the expiry of the transitional arrangements at the latest,

- in the overall production capacity of the recipient undertaking the said restructuring programme does not make provision for an increase in production capacity for the various categories of products for which there is not a growth market,
- the amount and intensity of the aids granted to the steel undertaking are progressively reduced,
- the aid in question does not entail distortions of competition and does not affect trading conditions to an extent contrary to the common interest,
- the aid is approved not later than 36 months after accession and does not lead to any payments after the expiry of the transitional arrangements, other than by way of interest subsidies or of payments to honour guarantees on loans disbursed before that date.

In taking a decision on such requests for aid as are submitted to it within the framework of the restructuring programme, the Commission shall take account of Portugal's special situation as one of the Member States having a single iron and steel undertaking with only a slight impact on the Community market.

3. Aid in support of investment in the iron and steel industry may be considered compatible with the orderly functioning of the common market provided that:

- the Commission has received prior notification of the investment programme where such notification is required by Commission Decision No 3302/81/ECSC of 18 November 1981, on the information to be furnished by steel undertakings about their investments or by any subsequent decision,
- the amount and intensity of the aid are justified by the extent of the restructuring effort that has been made, account being taken of the structural problems of the region where the investment is to be undertaken, and are limited to what is necessary for that purpose,
- the investment programme takes account of the criteria defined in paragraph 2 and of the general objectives for steel, having regard to any reasoned opinion which the Commission may have issued on the investment programme concerned.

In its examination of such aid the Commission shall take account of the extent of the contribution of the investment programme concerned to other Community objectives, for instance innovation, energy saving and environmental protection, provided that the rules of paragraph 2 are adhered to.

4. Aid to defray the normal costs resulting from the partial or total closure of steel plants may be considered compatible with the orderly functioning of the common market.

The costs eligible for such aid shall be the following:

- allowances paid to workers made redundant or retired before legal retirement age, where such allowances are not covered by aids pursuant to Article 56 (1) (c) or (2) (b) of the Treaty,
- compensation due to third parties in respect of the termination of contracts, in particular for the supply of raw materials,
- expenditure incurred for the redevelopment of the site, the buildings and/or infrastructures of closed steel plant for alternative industrial use.

Exceptionally and by way of derogation from paragraph 4 of Protocol No 20 and the fifth indent of paragraph 2 of this Annex, aid for closures which could not be foreseen in the programmes notified not more than 18 months after accession may be notified to the Commission after that date and authorized later than the first 36 months following accession.

5. Aid to facilitate the operation of certain undertakings or plants may be considered compatible with the orderly functioning of the common market provided that:

- this aid forms an integral part of a restructuring programme as defined in the first indent of paragraph 2,

- it is progressively reduced at least once a year,
- it is limited in intensity and amount to what is absolutely necessary in order to enable operation to continue during the period of restructuring, and is justified by the extent of the restructuring effort made, account also being taken of any aid granted for investment.

In its examination of such aid the Commission shall take account of the problems facing the unit or units in question and the region or regions concerned, and of the secondary effects of the aid on competition on markets other than the steel market, in particular the transport market.

6. Aid to defray expenditure by steel undertakings on research and development projects may be considered compatible with the orderly functioning of the common market provided that the research and/or development project in question has one of the following objectives:

- a reduction in the costs of production, notably energy saving, or an improvement in productivity,
- an improvement in product quality,
- an improvement in the performance of iron and steel products or an increase in the range of uses of steel,
- an improvement in working conditions as regards health and safety.

The total amount of all aid granted for the above purposes may not exceed 50 % of the eligible costs of the project. The costs eligible for such aid shall mean the costs directly associated with the project and shall exclude in particular all expenditure on investment related to production processes.

7. The Commission shall seek the views of the Member States on the aid projects notified to it by the Portuguese Government before adopting a position on them. It shall inform all Member States of the position adopted by it on each aid project.

If, after giving notice to the parties concerned to submit their comments, the Commission finds that an aid is incompatible with the provisions of this Annex, it shall inform the Portuguese Government of its decision. Article 88 of the Treaty shall apply in the event of failure by the Portuguese Government to comply with that decision.

8. The Portuguese Government shall supply the Commission twice a year with reports on aid disbursed in the course of the preceding six months, on the uses made of such aid and on the results achieved during the same period as regards restructuring. These reports must include details of all financial measures taken by the Portuguese State or by regional or local authorities in respect of public steel undertakings. They must be forwarded within two months of the end of each six-month period in a form to be determined by the Commission.

The first of these reports will concern aid disbursed during the first six months following accession.

## Protocol No 21

### on the economic and industrial development of Portugal

THE HIGH CONTRACTING PARTIES,

Desiring to settle certain special problems of concern to Portugal and,

HAVING AGREED THE FOLLOWING PROVISIONS,

Recall that the fundamental objectives of the European Economic Community include the steady improvement of the living standards and working conditions of the peoples of the Member States and the harmonious development of their economies by reducing the differences existing between the various regions and the backwardness of the less-favoured regions;

Take note of the fact that the Portuguese Government has embarked upon the implementation of a policy of industrialization and economic development designed to align the standard of living in Portugal with that of

the other European nations and to eliminate under-employment while progressively evening out regional differences in levels of development;

Recognize it to be in their common interest that the objectives of this policy be attained;

Agree to recommend to this end that the Community institutions use all the means and procedures laid down by the EEC Treaty, particularly by making adequate use of the Community resources intended for the realization of the Community's abovementioned objectives;

Recognize in particular that, in the application of Articles 92 and 93 of the EEC Treaty, it will be necessary to take into account the objectives of economic expansion and the raising of the standard of living of the population.

## Protocol No 22

### on the exchange of information with the Portuguese Republic in the field of nuclear energy

#### *Article 1*

1. From the date of accession, such information as has been communicated to Member States, persons and undertakings in accordance with Article 13 of the Euratom Treaty, shall be placed at the disposal of the Portuguese Republic which shall give it limited distribution within its territory under the conditions laid down in that Article.

2. From the date of accession, the Portuguese Republic shall place at the disposal of the European Atomic Energy Community information obtained in the nuclear field in Portugal which is given limited distribution, in so far as strictly commercial applications are not involved. The commission shall communicate this information to Community undertakings under the conditions laid down in paragraph 1.

3. This information shall mainly concern:

- reactor dynamics,
- radiation protection,
- application of nuclear measuring techniques (in the industrial, agricultural, archeological and geological fields),

- atomic physics (effective measuring of cross sections, pipeline techniques),
- extractive metallurgy of uranium.

#### *Article 2*

1. In those sectors in which the Portuguese Republic places information at the disposal of the Community, the competent authorities shall grant upon request licences on commercial terms to Member States, persons and undertakings of the Community where they possess exclusive rights to patents filed in Member States of the Community and in so far as they have no obligation or commitment in respect of third parties to grant or offer to grant an exclusive or partially exclusive licence to the rights in these patents.

2. Where an exclusive or partially exclusive licence has been granted, the Portuguese Republic shall encourage and facilitate the granting of sub-licences on commercial terms to Member States, persons and undertakings of the Community by the holders of such licences.

Such exclusive or partially exclusive licences shall be granted on a normal commercial basis.

## Protocol No 23

### on the arrangements for the import into Portugal of motor vehicles coming from third countries

#### Article 1

The arrangements defined below shall apply to the assembly and import of motor vehicles, regardless of engine-type, for the carriage of persons and goods, from 1 January 1986 to 31 December 1987.

#### Article 2

The Portuguese Republic shall open annual import quotas per make for the import into Portugal of ready-assembled motor vehicles, hereinafter called CBU, coming from non co-contracting third countries, of a gross weight less than 3 500 kilograms, of a maximum of 15 units per producer per year in the case of makes of vehicles which are not assembled in Portugal and, in the case of other makes, of a maximum of 2 % of the number of vehicles of the same make which were assembled in Portugal the previous year.

#### Article 3

The Portuguese Republic shall open an annual total quota for CBU motor vehicles, coming from non-co-contracting third countries, of a weight greater than 3 500 kilograms, of 30 units.

#### Article 4

1. For motor vehicles for the carriage of persons, imported in the non-assembled state, hereinafter called CKD, of a gross weight less than 2 000 kilograms, the Portuguese Republic shall open a quota per make at the beginning of each year, by reference to the basic quotas granted in 1985 as given in the Annex.

2. The quotas per make shall be updated annually. To that end, a corrective factor shall be applied to them, in order to compensate for the increase in prices in Portugal and the trend of production prices of CKD motor vehicles.

3. The use of the quotas per make allotted as basic quotas shall be free up to a maximum of 90 % in 1986 and 93 % in 1987; the use of the remainder of the quotas per make shall be conditional on the export of motor vehicles or vehicle components on the basis of the value added in Portugal of such exports.

#### Article 5

1. For exporters which have already used all their basic quotas pursuant to Article 4, additional CKD quotas shall be granted during the year on the basis of the value added in Portugal of motor vehicles or motor vehicle components exported.

Additional quotas shall be allotted on the basis of the coefficients given in Annex B.

2. For the exporters referred to in paragraph 1, the possibility of additional quotas shall be limited to an overall value which may not exceed 12 % of the total sum of the basic CKD quotas for the makes indicated in Annex A.

#### Article 6

The quotas fixed in Articles 4 and 5 may be used for the import of either CKD or CBU motor vehicles.

### ANNEX A

#### Basic quotas per make — 1985

(Esc 1 000)

Toyota	1 429 811
Datsun	1 151 548
Mazda	188 282
Honda	170 077
Subaru	102 304
Daihatsu	20 315



ANNEX B

Weighting of the export coefficients referred to in Article 5 (1)

	1986	1987
CKD	0,6	0,5
CBU and vehicle bodies	0,5	0,45
Semi-finished components	0,4	0,35
Finished components:		
— Engines	0,8	0,7
— Gearboxes	0,8	0,7
— Other mechanical components	0,7	0,6
— Electrical components	0,6	0,5
— Other components	0,55	0,5

Protocol No 24

on agricultural structures in Portugal

1. As from the date of accession, joint action shall be embarked upon in favour of Portugal, in accordance with the objectives of the common agricultural policy, comprising a specific development programme adapted to the special structural conditions of Portuguese agriculture. The programme, which shall extend over a total period of 10 years, shall have as its particular objectives the substantial improvement of production and marketing conditions together with an improvement in the structural situation of the Portuguese agricultural sector as a whole.

2. The Community shall implement this programme of action in favour of Portugal in a manner on a par with measures already in existence in the Community for its least favoured areas. This programme will be directed towards developing rural infrastructures, agricultural advisory services and the possibilities for vocational training and will contribute towards the reorientation of production, including irrigation, when this proves necessary, drainage and field improvement works.

Furthermore, the Community shall implement the programme in such a way as to meet specifically the needs and special situation of Portugal. The programme shall include, in particular, measures, still to be defined, intended to contribute efficiently to the cessation of activities. At all events, these measures may not be less favourable than those enjoyed by the Member States of the Community as at present constituted, and the conditions for eligibility for Community financing must be adapted to the specific features of the situation in Portugal.

3. The Community will contribute to the desirable objective of the development of agricultural structures in Portugal with a view to attaining objectives in the short, medium and long term as follows:

- (a) short term: improving agricultural advisory services and existing farming conditions by better distribution of available resources, without this entailing a change in the size of holdings or large-scale rationalization measures; improving, moreover, processing and marketing plants as far as possible, bearing in mind the dominant features, or the features as envisaged, of agricultural production;
- (b) medium term: developing a sound infrastructure and the irrigation of areas of dry cultivation, encouraging better use of land and laying down and developing efficient measures for agricultural advisory services, training for agriculture and agricultural research. In this context, the more long-term aspects of cattle improvement could also be considered, such as performance testing and progeny testing of male breeding animals;
- (c) long term: this would consist essentially of promoting the reparcelling of holdings which have been split up and the enlargement of holdings which are not viable at the moment. At the same time an endeavour should be made to correct the imbalance in the age pyramid of the farming population by encouraging elderly farmers to retire and, where appropriate, by implementing measures aimed at making it easier for young people to join the profession under conditions which offer a guarantee as to the long-term viability of their holding.

4. The total estimated cost to be borne by the European Agricultural Guidance and Guarantee Fund, Guidance Section, for application of the specific programme covering in particular the desolate regions of Portugal, including those of the autonomous regions of the Azores and Madeira, shall be in the order of 700

million ECU for its 10-year application period, i.e. in the order of 70 million ECU each year.

5. The rate of Community financing of the expenditure eligible under the specific programme shall be fixed with account being taken of the rates which have been, are or will be applied to the least favoured regions of the Community for similar measures.

6. The Council, acting by qualified majority on a proposal from the Commission, shall adopt, under the conditions provided for in Article 258 of the Act of Accession, the procedures for the specific programme.

7. Before 1 January 1991, the Commission shall present the Council with an appraisal report on the execution of the specific programme.

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### **Protocol No 25**

#### **on the application to Portugal of production disciplines introduced under the common agricultural policy**

1. The Community considers that, taking into account the current situation of Portuguese agriculture, an improvement in productivity will not fail to come about under the impulse of various factors including the application of Community structural provisions and the implementation of the specific programme for agricultural structures in Portugal referred to in Protocol No 24.

2. The Community considers that, even if this increase in productivity occurs within the context of the rationalization of Portuguese agriculture under the influence of conversion actions or the cessation of activity, a certain increase in production will take place.

However, the Community shall encourage such a trend during the first stage since it is a necessary condition for maintaining competitive farming in Portugal within the framework of an enlarged Community.

On the other hand, from the introduction in Portugal, at the start of the second phase, of all the rules of the common agricultural policy, the Community discip-

lines shall be applied in Portugal under the same conditions as those reserved for the least favoured areas of the Community as at present constituted.

3. The situation described above must be slightly adjusted in the following sectors: wine, olive oil, processed fruit and vegetables from tomatoes and sugar beet.

In fact, in these sectors any development of production in Portugal risks aggravating the overall Community production situation. For that reason, the Community considers that the Portuguese Republic may not be exempted from the disciplinary rules adopted at Community level, to apply from the date of accession, whatever the form of transition used for the product in question.

However, the Community shall ensure these production discipline measures are defined so as to take account of the very specific agricultural situation of that Member State; to that end, the provisions of this Act of Accession shall provide that for those sectors a flexibility margin is included, from the beginning, in the application of Community rules relating to the production discipline.

**FINAL ACT**



## TEXT OF THE 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 HELLENIC REPUBLIC,  
HIS MAJESTY THE KING OF SPAIN,  
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,  
THE PRESIDENT OF THE PORTUGUESE REPUBLIC,  
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND,  
and  
THE COUNCIL OF THE EUROPEAN COMMUNITIES  
represented by its President,

Assembled at Lisbon and Madrid on the twelfth day of June in the year one thousand nine hundred and eighty-five on the occasion of the signature of the Treaty concerning the Accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and the European Atomic Energy Community,

Have placed on record the fact that the following texts have been drawn up and adopted within the Conference between the European Communities and the Kingdom of Spain and the Conference between the European Communities and the Portuguese Republic:

- I. the Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community;
- II. the Act concerning the conditions of accession and the adjustments to the Treaties;
- III. the texts listed below which are annexed to the Act concerning the conditions of accession and the adjustments to the Treaties:
  - A. Annex I: List provided for in Article 26 of the Act of Accession,
  - Annex II: List provided for in Article 27 of the Act of Accession,
  - Annex III: List provided for in Article 43 (1) first indent of the Act of Accession,
  - Annex IV: List provided for in Article 43 (1) second indent of the Act of Accession,
  - Annex V: List provided for in Article 48 (3) of the Act of Accession,
  - Annex VI: List provided for in Article 48 (4) of the Act of Accession,
  - Annex VII: List provided for in Article 53 of the Act of Accession,
  - Annex VIII: List provided for in Article 75 (3) of the Act of Accession,
  - Annex IX: List provided for in Article 158 (1) of the Act of Accession,
  - Annex X: List provided for in Article 158 (3) of the Act of Accession,
  - Annex XI: Technical procedures referred to in Article 163 (3) of the Act of Accession,
  - Annex XII: List provided for in Article 168 (4) of the Act of Accession,

- Annex XIII: List provided for in Article 174 of the Act of Accession,  
Annex XIV: List provided for in Article 176 of the Act of Accession,  
Annex XV: List provided for in Article 177 (3) of the Act of Accession,  
Annex XVI: List provided for in Article 177 (5) of the Act of Accession,  
Annex XVII: List provided for in Article 178 of the Act of Accession,  
Annex XVIII: List provided for in Article 200 of the Act of Accession,  
Annex XIX: List provided for in Article 213 of the Act of Accession,  
Annex XX: List provided for in Article 243 (2) (a) of the Act of Accession,  
Annex XXI: List provided for in Article 245 (1) of the Act of Accession,  
Annex XXII: List provided for in Article 249 (2) of the Act of Accession,  
Annex XXIII: List provided for in Article 269 (2) of the Act of Accession,  
Annex XXIV: List provided for in Article 273 (2) of the Act of Accession,  
Annex XXV: List provided for in Article 278 (1) of the Act of Accession,  
Annex XXVI: List provided for in Article 280 of the Act of Accession,  
Annex XXVII: List provided for in Article 355 (3) of the Act of Accession,  
Annex XXVIII: List provided for in Article 361 of the Act of Accession,  
Annex XXIX: List provided for in Article 363 of the Act of Accession,  
Annex XXX: List provided for in Article 364 (3) of the Act of Accession,  
Annex XXXI: List provided for in Article 365 of the Act of Accession,  
Annex XXXII: List provided for in Article 378 of the Act of Accession,  
Annex XXXIII: List provided for in Article 391 (1) of the Act of Accession,  
Annex XXXIV: List provided for in Article 391 (2) of the Act of Accession,  
Annex XXXV: List provided for in Article 393 of the Act of Accession,  
Annex XXXVI: List provided for in Article 395 of the Act of Accession;
- B. Protocol No 1 on the Statute of the European Investment Bank,  
Protocol No 2 concerning the Canary Islands and Ceuta and Melilla,  
Protocol No 3 concerning the exchange of goods between Spain and Portugal for the period during which the transitional measures are applied,  
Protocol No 4 Mechanism for additional responsibilities within the framework of Fisheries Agreements concluded by the Community with third countries,  
Protocol No 5 on the participation of the new Member States in the funds of the European Coal and Steel Community,  
Protocol No 6 concerning annual Spanish tariff quotas on the import of motor vehicles falling within subheading 87.02 A I b) of the Common Customs Tariff referred to in Article 34 of the Act of Accession,  
Protocol No 7 on Spanish quantitative quotas,  
Protocol No 8 on Spanish patents,  
Protocol No 9 on trade in textile products between Spain and the Community as at present constituted,  
Protocol No 10 on the restructuring of the Spanish iron and steel industry,  
Protocol No 11 on pricing rules,  
Protocol No 12 on the regional development of Spain,  
Protocol No 13 on the exchange of information with the Kingdom of Spain in the field of nuclear energy,  
Protocol No 14 on cotton,  
Protocol No 15 on the definition of Portuguese basic duties for certain products,  
Protocol No 16 on the granting by the Portuguese Republic of exemption from customs duties on the import of certain goods,  
Protocol No 17 on trade in textile products between Portugal and the other Member States of the Community,  
Protocol No 18 on the arrangements for the import into Portugal of motor vehicles coming from other Member States,

- Protocol No 19 on Portuguese patents,
- Protocol No 20 on the restructuring of the Portuguese iron and steel industry,
- Protocol No 21 on the economic and industrial development of Portugal,
- Protocol No 22 on the exchange of information with the Portuguese Republic in the field of nuclear energy,
- Protocol No 23 on the arrangements for the import into Portugal of motor vehicles coming from third countries,
- Protocol No 24 on agricultural structures in Portugal,
- Protocol No 25 on the application to Portugal of production disciplines introduced under the common agricultural policy.

- C. The texts of the Treaty establishing the European Economic Community and of the Treaty establishing the European Atomic Energy Community, together with the Treaties amending or supplementing them, including the Treaty concerning the Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community, and the Treaty concerning the accession of the Hellenic Republic to the European Economic Community and the European Atomic Energy Community, in the Spanish and Portuguese languages.

The Plenipotentiaries have taken note of the Decision of the Council of the European Communities of 11 June 1985 concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Coal and Steel Community.

Furthermore the Plenipotentiaries and the Council have adopted the declarations listed below and annexed to this Final Act:

1. Joint declaration of intent on the development and intensification of relations with the countries of Latin America;
2. Joint declaration concerning the economic and social development of the autonomous regions of the Azores and Madeira;
3. Joint declaration on the free movement of workers;
4. Joint declaration relating to workers from the present Member States established in Spain or Portugal and to Spanish or Portuguese workers established in the Community and members of their families;
5. Joint declaration on the elimination of monopolies existing in the new Member States in the sphere of agriculture;
6. Joint declaration on the adjustment of the 'acquis communautaire' in the vegetable oils and fats sector;
7. Joint declaration on the arrangements applicable to trade in agricultural products between the Kingdom of Spain and the Portuguese Republic;
8. Joint declaration on imports from third countries of products subject to the STM;
9. Joint declaration on the application of the regulatory amount to table wines;
10. Joint declaration on the STM in the cereals sector;
11. Joint declaration on Protocol No 2 concerning the Canary Islands and Ceuta and Melilla;
12. Joint declaration on Protocol No 2;
13. Joint declaration on Article 9 of Protocol No 2;
14. Joint declaration concerning fisheries relations with third countries;
15. Joint declaration concerning Protocols to be concluded with certain third countries;
16. Joint declaration on the inclusion of the peseta and the escudo in the ECU.

The Plenipotentiaries and the Council have also taken note of the following declarations to this Final Act:

1. Declaration by the Government of the Federal Republic of Germany on the application to Berlin of the Decision concerning Accession to the European Coal and Steel Community and of the Treaty of Accession to the European Economic Community and to the European Atomic Energy Community.
2. Declaration by the Government of the Federal Republic of Germany on the definition of the term 'nationals'.

The Plenipotentiaries and the Council have also taken note of the arrangement regarding the procedure for adopting certain decisions and other measures to be taken during the period preceding accession which has been reached within the Conference between the European Communities and the Kingdom of Spain and the Conference between the European Communities and the Portuguese Republic and which is annexed to this Final Act.

Finally, the following declarations have been made and are annexed to this Final Act:

A. Joint declarations: Community as at present constituted/Kingdom of Spain:

1. Joint declaration on the Spanish iron and steel industry;
2. Joint declaration on the prices of agricultural products in Spain;
3. Joint declaration on Spanish quality wines produced in specified regions.
4. Joint declaration on certain transitional measures and certain data of an agricultural nature with regard to Spain;
5. Joint declaration on the action programme to be drawn up for the verification of convergence phase in the fruit and vegetable sector with regard to Spain;
6. Joint declaration on the incidence in trade with the other Member States of national aid maintained on a transitional basis by the Kingdom of Spain;
7. Joint declaration on the application in Spain of Community socio-structural measures in the wine sector and provisions enabling the origin to be determined and the commercial movements of Spanish wines to be followed;
8. Joint declaration on future trade arrangements with Andorra.

B. Joint declarations: Community as at present constituted/Portuguese Republic:

1. Joint declaration concerning access to the Portuguese oil market;
2. Joint declaration on the Portuguese iron and steel industry;
3. Joint declaration concerning the First Council Directive of 12 December 1977 on the coordination of the laws, regulations, and administrative provisions relating to the taking up and pursuit of the business of credit institutions;
4. Joint declaration on the prices of agricultural products in Portugal;
5. Joint declaration on the action programme for the first stage of transition to be drawn up for the products subject to transition by stages with regard to Portugal;
6. Joint declaration on certain transitional measures and certain data in the sphere of agriculture with regard to Portugal;
7. Joint declaration on wine in Portugal;



8. Joint declaration on supplies to the sugar refining industry in Portugal:
9. Joint declaration concerning the introduction of the common system of value-added tax in Portugal.

C. Declarations by the European Economic Community:

1. Declaration by the European Economic Community on Spanish and Portuguese workers taking up paid employment in the present Member States;
2. Declaration by the European Economic Community on the participation of Spain and Portugal in the benefits derived from the resources of the European Social Fund;
3. Declaration by the European Economic Community on the participation of Spain and Portugal in the benefits derived from the resources of the European Regional Development Fund;
4. Declaration by the European Economic Community on supplies to the sugar refining industry in Portugal;
5. Declaration by the European Economic Community on Community aid for monitoring and supervising the waters;
6. Declaration by the European Economic Community on the adaptation and modernization of the Portuguese economy;
7. Declaration by the European Economic Community on the application of the Community loan mechanism in favour of Portugal;
8. Declaration by the European Economic Community on the application of the regulatory amount.

D. Declarations by the Kingdom of Spain:

1. Declaration by the Kingdom of Spain: CEE zone;
2. Declaration by the Kingdom of Spain on Latin America;
3. Declaration by the Kingdom of Spain on Euratom;

E. Declarations by the Portuguese Republic:

1. Declaration by the Portuguese Republic on compensatory indemnities referred to in Article 358;
2. Declaration by the Portuguese Republic: CEE zone;
3. Declaration by the Portuguese Republic on monetary questions.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne Slutakt.

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

Σε πίστωση των ανωτέρω, οι υπογεγραμμένοι πληρεξούσιοι υπέγραψαν την παρούσα συνθήκη.

In witness whereof the undersigned Plenipotentiaries have signed this Final Act.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben la presente Acta final.

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

Dá fhianú sin, chuir na Lánchumhachtaigh thíos-síniú a lámh leis an Ionstraim Chríoch-naitheach seo.

En 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 Slot-akte hebben gesteld.

Em fé do que os plenipotenciários abaixo-assinados apuseram as suas assinaturas no final da presente Acta final.

Udfærdiget i Madrid, den tolvte juni nitten hundrede og femogfirs.

Geschehen zu Madrid am zwölften Juni neunzehnhundertfünfundachtzig.

Έγινε στη Μαδρίτη, στις δώδεκα Ιοθνίου χίλια εννιακόσια ογδόντα πέντε.

Done at Madrid on the twelfth day of June in the year one thousand nine hundred and eighty-five.

Hecho en Madrid, el doce de junio de mil novecientos ochenta y cinco.

Fait à Madrid, le douze juin mil neuf cent quatre-vingt-cinq.

Arna dhéanamh i Maidrid, an dóú lá déag de Mheitheamh, míle naoi gcéad ochtó a cúig.

Fatto a Madrid, addi dodici giugno millenovecentottantacinque.

Gedaan te Madrid, de twaalfde juni negentienhonderd vijfentachtig.

Feito em Madrid, aos doze de Junho de mil novecentos e oitenta e cinco.

Wilfried MARTENS  
L. TINDEMANS  
P. NOTERDAEME

Poul SCHLÜTER  
U. ELLEMANN-JENSEN  
Jakob Esper LARSEN

Hans-Dietrich GENSCHER  
POENSGEN

Y. HARALAMBOPOULOS  
Th. PAGALOS  
A. ZAFIRIOU

Felipe GONZÁLEZ  
Fernando MORÁN  
Manuel MARÍN  
Gabriel FERRÁN

Laurent FABIUS  
Roland DUMAS  
C. LALUMIÈRE  
Luc de LA BARRE de NANTEUIL

Gearóid Mac GEARAILT  
Peadar de BARRA  
Andréas Ó RUAIRC

B. CRAXI  
Giulio ANDREOTTI  
Pietro CALAMIA

J. F. POOS  
J. WEYLAND

R. LUBBERS  
H. van den BROEK  
RUTTEN

Mário SOARES  
Rui CHANCERELLE de MACHETE  
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Em fé do que os plenipotenciários abaixo-assinados apuseram as suas assinaturas no final da presente Acta final.

Udfærdiget i Lissabon, den tolvte juni nitten hundrede og femogfirs.

Geschehen zu Lissabon am zwölften Juni neunzehnhundertfünfundachtzig.

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## DECLARATIONS



## **Joint declaration of intent**

### **on the development and intensification of relations with the countries of Latin America**

The Community:

- confirms the importance which it attaches to its traditional links with the countries of Latin America and to the close cooperation which it has developed with those countries,
  - recalls in that context the recent ministerial meeting at San-José in Costa Rica,
  - on the occasion of the accession of Spain and Portugal, reaffirms its resolve to extend and strengthen its economic, commercial and cooperation relations with those countries,
  - is determined to step up its activities to exploit all possible ways of achieving this goal, thus contributing, in particular, to the economic and social development of the Latin-American region, and to efforts aimed at the regional integration thereof,
- will endeavour, more specifically, to give concrete form to ways of strengthening the present links, of developing, extending and diversifying trade as far as possible and of implementing cooperation in the various fields of mutual interest on as wide a basis as possible, using the appropriate instruments and framework to increase the efficiency of the various forms of cooperation,
  - is prepared in this context, in order to promote trade flows, to examine any problems which might arise in the field of trade with a view to finding appropriate solutions, taking into account, in particular, the scope of the generalized system of tariff preferences and the application of the economic cooperation agreements concluded or to be concluded with certain Latin-American countries or groups of countries.

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## **Joint declaration**

### **concerning the economic and social development of the autonomous regions of the Azores and Madeira**

The High Contracting Parties recall that the fundamental objectives of the European Economic Community comprise the constant improvement of living and working conditions of the peoples of the Member States and the harmonious development of their economies by reducing the variation between the different regions and the backwardness of the less-favoured regions.

They note the fact that the Government of the Portuguese Republic and the authorities of the autonomous regions of the Azores and Madeira are pursuing an economic and social development policy the object of which is to overcome the handicaps of these regions,

which arise from their geographical situation, far away from the mainland of Europe, their physical geographical features, the serious deficiency of infrastructures and their economic backwardness.

They recognize that it is in their common interest that the final objectives set by this policy be attained and recall that specific provisions concerning the autonomous regions of the Azores and Madeira have been adopted in the instruments of accession.

The High Contracting Parties agree to recommend to this end that the Community institutions devote special attention to the realization of the above objectives.

**Joint declaration**

**on the free movement of workers**

The enlargement of the Community could give rise to certain difficulties for the social situation in one or more Member States as regards the application of the provisions relating to the free movement of workers.

The Member States declare that they reserve the right, should difficulties of that nature arise, to bring the matter before the institutions of the Community in order to obtain a solution to this problem in accordance with the Treaties establishing the European Communities and the provisions adopted in application thereof.

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**Joint declaration**

**relating to workers from the present Member States established in Spain or Portugal and to Spanish or Portuguese workers established in the Community and members of their families**

1. The present Member States and the new Member States undertake not to apply to nationals of the other Member States who reside or work, in accordance with regulations, on their territory, any new restrictive measure that they may adopt after the date of signature of this Act in the field of the residence and employment of aliens.

2. The present Member States and the new Member States undertake not to introduce in their rules, after the signature of this Act, new restrictions with regard to the taking up of employment by members of families of those workers.

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**Joint declaration**

**on the elimination of monopolies existing in the new Member States in the sphere of agriculture**

1. Subject to the provisions as to derogation provided for under the Act of Accession, the new Member States shall take all adequate measures with a view to abolishing national monopolies concerning the production and marketing of agricultural products:

— on 1 March 1986, as far as the Kingdom of Spain is concerned,

— on 1 March 1986, for products subject to classic transition, and at the beginning of the second stage for products subject to transition in stages, as far as the Portuguese Republic is concerned.

2. However, as far as alcohol is concerned, the new Member States shall adjust their national monopoly in accordance with Articles 48 and 208 of the Act of Accession and with the case law of the Court of Justice.



### **Joint declaration**

#### **on the adjustment of the 'acquis communautaire' in the vegetable oils and fats sector**

Discussions on the adjustment of this 'acquis' to the new situation of the Community as enlarged will be embarked upon as quickly as possible after accession.

These discussions will take place on the basis of Commission proposals which will also take account of guidelines accepted by the Council in October 1983 with regard to olive oil and the development of the market in oils and fats. Should the existence of sur-

pluses for olive oil or a genuine risk of the build-up of surpluses be ascertained, guarantee thresholds will be applied under the conditions indicated in the conclusions reached by the Council at its meeting in March 1984, within the framework of the guidelines to be followed for the organization of the market in products which are witnessing or are likely to witness surplus production or a rapid increase in expenditure. These measures will take account of the repercussions of trade concessions in favour of third countries.

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### **Joint declaration**

#### **on the arrangements applicable to trade in agricultural products between the Kingdom of Spain and the Portuguese Republic**

In their mutual trade in agricultural products, each of the new Member States shall apply in principle with respect to the other the provisions and transitional mechanisms provided for in the Act of Accession under the arrangements applicable to their respective trade with the Community as at present constituted. The introduction of these arrangements shall be made whilst taking into account the existence of a classic transition and a transition by stages in the context of the transitional measures laid down for Portugal, on the one hand, and the existence of a verification of convergence phase in the fruit and vegetable sector under the transitional measures provided for Spain, on the other.

However, with regard to the following sectors:

- cereals and rice,
- products of first-stage processing in the cereals and rice sector,
- wine,
- tomato-based processed products,

the arrangements applicable to trade between the new Member States will be adopted in accordance with the guidelines agreed within the Conference.

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### **Joint declaration**

#### **on imports from third countries of products subject to the STM**

To the extent that the deterioration of the Community market or that of one of its regions is also due to imports from third countries, measures shall only be taken with respect to those imports within the framework and under the conditions of mechanisms already provided for by the common organizations of the market and in compliance with the provisions referring to the international commitments of the Community.

**Joint declaration**

**on the application of the regulatory amount to table wines**

For the purposes of applying Article 123 (2) (a) and Article 338 (2) (a) of the Act of Accession, the adjustment of the regulatory amount intended to take account of the situation of market prices shall be carried out by taking into consideration the specific prices of certain types of product on the basis of their quality and their vatting, bottling and labelling, which should lead to a reduction of the regulatory amount on the basis of the highest price for these types of wine.

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**Joint declaration**

**on the STM in the cereals sector**

Common wheat shall not be subject to STM when it has been subjected to a denaturing method, determined on a Community basis, guaranteeing that it will not be used for bread-making.

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**Joint declaration**

**on Protocol No 2 concerning the Canary Islands and Ceuta and Melilla**

In the event of difficulties arising concerning the maintenance of traditional trade flows for Canary agricultural products, the Community is prepared to examine, within the context of the adjustment measures referred to in the second subparagraph of Article 25 (4) of the Act of Accession, the possibility of:

- altering the tariff quotas between the various products within the overall volume of trade,
- substituting, whilst bearing in mind the absorption capacity of the Community market, for certain of the products covered by the tariff quotas other agricultural products originating in the Canary Islands, following the same criteria as those used for fixing the present tariff quotas.

However, the Community recalls that deliveries under the tariff quotas will follow the rate of traditional trade

flows, without thereby jeopardizing the possibility of exhausting the quotas.

Moreover the Community does not exclude developments in tariff quotas for fishery products of Canary origin related to the reported development of the local Canary fishing fleet.

For the tariff quotas referred to in Article 3 of Protocol No 2, administration 'by product' may include groupings of products in relation to the general structure of production and trade of the products concerned with respect to the relevant destinations. These groupings should not lead to a substantial alteration in traditional trade flows between the Canary Islands and Ceuta and Melilla, and, on the one hand, that part of Spain which is included in the customs territory of the Community, and, on the other, the other Member States.

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**Joint declaration**

**on Protocol No 2**

1. For the application of Article 10 of Protocol No 3, the Portuguese Republic shall eliminate, for products originating in the Canary Islands and Ceuta and Melilla, customs duties on imports and charges having equivalent effect under the same conditions and according to the same timetable as those laid down in Article 190 of the Act concerning the conditions of accession.

2. The application of Articles 88 and 256 of the Act of Accession shall concern all the products falling within Annex II of the EEC Treaty and shall also include any special measures applicable to those products under Protocol No 2.

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**Joint declaration**

**on Article 9 of Protocol No 2**

The rules of application which will be adopted by the Council in accordance with Article 9 (1) of Protocol No 2 will comply with the details agreed upon during negotiations.

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**Joint declaration**

**concerning fisheries relations with third countries**

Where the institutions of the Community decide on the appropriate procedures to allow integration of the new Member States into the fisheries agreements entered into by the Community, they shall follow the relevant guidelines agreed during the negotiation conferences.

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**Joint declaration**

**concerning protocols to be concluded with certain third countries**

In negotiations of the protocols to be concluded with co-contracting third countries referred to in Articles 179, 183, 366 and 370, the Community shall take as its basis for negotiation the provisions which have been agreed in the matter during the Conferences between the European Communities and the new Member States.

## **Joint declaration**

### **on the inclusion of the peseta and the escudo in ECU**

Taking into account the current definition of the ECU and subject to any revision thereof which might appear necessary, in due course, on the basis of the experience acquired in the development of the role of the ECU, the Community and the new Member States note that all the Member States have the right for their currency to be included in the ECU, under a Community procedure.

The decisions to include the peseta and the escudo must take into account the necessity of ensuring a stable development of the functions and uses of the ECU; either of these decisions could be made at the request of the new Member State concerned, after consultation with the Monetary Committee, on the occasion of the first five-year review of the weighting of the currencies within the ECU.

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## **Declaration**

**by the Government of the Federal Republic of Germany on the application to Berlin of the Decision concerning accession to the European Coal and Steel Community and of the Treaty of Accession to the European Economic Community and to the European Atomic Energy Community**

The Government of the Federal Republic of Germany reserves the right to declare, when the accession of the Kingdom of Spain and the Portuguese Republic to the European Coal and Steel Community takes effect and upon depositing its instrument of ratification of the Treaty concerning the accession of those countries to the European Economic Community and to the European Atomic Energy Community, that the Decision of the Council of 11 June 1985 concerning accession to the European Coal and Steel Community and the Treaty referred to above shall equally apply to *Land* Berlin.

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## **Declaration**

**by the Government of the Federal Republic of Germany on the definition of the term 'nationals'**

As to the Federal Republic of Germany, the term 'nationals', wherever used in the Act of Accession and in the Annexes thereto, is to be understood to refer to 'Germans as defined in the Basic Law of the Federal Republic of Germany'.

## Joint declaration

### on the Spanish iron and steel industry

1. Once the Treaty of Accession is signed, the Commission and the Spanish Government will jointly analyse the following within the framework of the Community iron and steel policy:

- the objectives of the restructuring plans already approved by the Spanish Government including the payment of aid after the date of accession, in accordance with criteria similar to those adopted in the Community as set out in the Annex to Protocol No 10 annexed to the Act of Accession,
  - the viability of those undertakings which are not covered by a restructuring plan which has already been approved.
2. When drawing up the general steel objectives for 1990, the Commission will carry out with the Kingdom of Spain, in the same way as with the other Member States, the consultations provided for in the Treaty establishing the ECSC.

3. (a) Prior to the date of accession, the Commission, in agreement with the Spanish Government and after consulting the Council will determine the quantities to be delivered by Spanish undertakings onto the rest of the Community market during the first year following the date of accession at a level compatible with the objectives of Spanish restructuring and the forecasts adopted for the development of the Community market.

Whatever the situation, this level may under no circumstances be lower than the yearly average of Community imports of ECSC iron and steel products of Spanish origin in 1976 and 1977.

In the absence of agreement between the Commission and the Spanish Government at the latest one month before the date of accession,

the quantities to be delivered by Spanish undertakings during the first three months from the date of accession may not exceed a quarter of the quantities agreed upon between the Commission and the Spanish Government during the last year. The quantities to be delivered after the first three months following the date of accession are to be laid down within the Council in accordance with the procedural rules laid down under point 6 (a) of Protocol No 10 annexed to the Act of Accession.

(b) The Spanish Government will be responsible for the monitoring mechanism provided for in point 6 (b) of Protocol No 10 annexed to the Act of Accession. It shall inform the Commission of it at the latest three months before the date of accession and will implement it with the Commission's agreement from the date of accession to ensure that the level of quantities to be delivered onto the rest of the Community market from that date is adhered to.

(c) Should market control measures be in force in the remainder of the Community after the date of accession, the Spanish Government will take part in drawing them up in the same way as the other Member States; the measures adopted *vis-à-vis* the Kingdom of Spain must be such as to promote the harmonious integration of its iron and steel industry into the whole of the Community. To this end, the measures decided upon *vis-à-vis* Spain will be based on the same principles as those on which the establishment of the existing rules in the Community will be based.

They will be adopted at the same time and in accordance with the same procedure as those applicable to the rest of the Community.

## Joint declaration

### on the prices of agricultural products in Spain

1. The prices of agricultural products in Spain which shall be taken into consideration as reference prices for the application of the rules referred to:

- in Article 68 of the Act of Accession with a view to price alignment for those products in respect of which reference is made to that Article in Section II of the Act of Accession,
- in Article 135 (1) of the Act of Accession concerning price discipline during the first phase for fruit

and vegetables falling within Regulation (EEC) No 1035/72,

shall be the prices recorded in the acts of the Conference.

The prices were adopted, save in special cases, of the basis on the prices of the 1984/85 marketing year.

In addition to the level of those prices, the acts of the Conference also include, for each product in question,

the detailed rules for price alignment and for the method of price compensation applicable respectively as from:

- 1 March 1986, for products other than fruit and vegetables falling within Regulation (EEC) No 1035/72,
- the beginning of the second phase, for fruit and vegetables falling within Regulation (EEC) No 1035/72.

2. The prices referred to in paragraph 1 shall, where appropriate, be converted to present worth by 1 March 1986 in accordance with the following rules:

- (a) Should Spanish prices, expressed in ECU, be higher than common prices, Spanish prices expressed in ECU shall be maintained at the levels corresponding to the prices recorded in the acts of the Conference.

With regard more particularly to Spanish prices fixed for the 1985/86 marketing year, if their level expressed in ECU leads to an overrun of the variation existing for the 1984/85 marketing year between Spanish prices and common prices, the prices shall be fixed in future marketing years so that this overrun is totally absorbed during the first seven marketing years following accession as indi-

cated in Article 70 (3) (a) and Article 135 (c) of the Act of Accession.

- (b) Should Spanish prices, expressed in ECU, be lower than common prices, their increase may not lead to the common prices for the products in question being exceeded.

No overrun shall be taken into account for the application of the rules of discipline or alignment referred to in paragraph 1.

- 3. For the purposes of the conversion of Spanish prices into ECU, account shall be taken, for the application of the rules for conversion to present worth of the prices referred to in paragraph 2, of the difference existing between the exchange rate recorded at the beginning of the reference marketing year referred to in the acts of the Conference and the rate of conversion obtaining at the time prices are fixed for the following marketing year.

In addition, where the value of the peseta varies by more than 5 % in relation to the value of the ECU between the time prices are fixed and the time they are implemented, account shall be taken of that alteration when the rules for conversion to present worth referred to in paragraph 2 are applied.

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#### **Joint declaration**

##### **on Spanish quality wines produced in specified regions**

Spanish wines which are considered to be quality wines produced in specified regions (psr) within the meaning of Community rules shall be those produced and actually protected and marketed under the designation 'denominación de origen'.

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#### **Joint declaration**

##### **on certain transitional measures and certain data of an agricultural nature with regard to Spain**

1. The transitional measures referred to in Article 91 shall be adopted, where the need arises, in accordance with the procedures and guidelines agreed upon within the Conference.

2. The provisions to be adopted concerning the representative or reference periods referred to in:

- Article 68 and in the Articles which refer to that Article,
- Articles 93 (1), 98, 118 (1) (second indent), 119 (1), 120 (1), 121 (1) and 122 (1) (third indent),

shall be adopted in accordance with the decisions agreed upon within the Conference.

**Joint declaration**

**on the action programme to be drawn up in the fruit and vegetable sector for the verification of convergence phase with regard to Spain**

The action programme to be drawn up in the fruit and vegetable sector, pursuant to Article 134 of the Act of Accession, for the purposes of achieving general objectives during the verification of convergence phase shall be drawn up in close cooperation with the Commission and adopted not later than one month before the date of accession; this action programme shall be published in the 'C' series of the *Official Journal of the European Communities*.

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**Joint declaration**

**on the incidence in trade with the other Member States of national aid maintained on a transitional basis by the Kingdom of Spain**

If, pursuant to Article 80 of the Act of Accession, the Kingdom of Spain is authorized to maintain a national aid on a transitional and degressive basis, the specific procedures designed to ensure equality of access on the Spanish market will only be defined if the grant of that national aid entails an actual modification on the Spanish market of the conditions of competition between domestic products and products imported from the other Member States.

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**Joint declaration**

**on the application in Spain of Community socio-structural measures in the wine sector and provisions enabling the origin to be determined and the commercial movements of Spanish wines to be followed**

**I. STRUCTURAL MEASURES IN THE WINE SECTOR**

The following guidelines shall be adopted with regard to the application to Spain of structural measures in the wine sector:

- (a) The socio-structural measures which shall apply upon accession in Spain shall be the general measures laid down by Regulation (EEC) No 777/85 and (EEC) No 458/80.
- (b) The arrangements of Regulation (EEC) No 777/85 shall be applied in Spain using the following procedures:

- taking into account the soil characteristics of Spanish vineyards and the present division in Spain between areas suitable for yielding table wine and in order to ensure a maximum of effectiveness to the measure of definitive abandonment, the areas classified under category 1 in Spain shall be considered as directly included in the application of the abandonment system,
- the definitive abandonment premiums applicable in Spain shall be adjusted, in relation to the premiums applicable in the Community as at present constituted, in order to take into account the specific conditions of that sector in Spain, without however jeopardizing efforts

aimed at encouraging definitive abandonment in order to stabilize the market. The level of the premium applicable in Spain may not however exceed the Community level.

The estimated cost currently entered in Article 10 of that Regulation should in consequence be adjusted.

- (c) Regulation (EEC) No 458/80, which makes provision for the payment of aid to restructuring carried out under a collective project, will be applied to Spain under the same conditions as those laid down for the present Member States.

The estimated cost currently appearing in Article 9 of that Regulation should in consequence be adjusted.

## II. PROVISIONS ENABLING THE ORIGIN TO BE DETERMINED AND THE COMMERCIAL MOVEMENTS OF SPANISH WINES TO BE FOLLOWED

For the application of Article 125 of the Act of Accession on provisions enabling the origin of Spanish red table wines to be determined and their commercial movements to be followed in intra-Community trade, the control will be carried out by means of the accompanying document established by Regulation (EEC) No 1153/75.

## III

The different specific procedures, to be defined on the basis of the guidelines adumbrated above, will be determined during the interim period.

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### Joint declaration

#### on future trade arrangements with Andorra

An arrangement governing trade relations between the Community and Andorra will be finalized within a period of two years of the date of entry into force of the Act of Accession and will be intended to replace the national arrangements at present in force. These national arrangements will continue to be applied until the abovementioned arrangement comes into force.

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### Joint declaration

#### on access to the Portuguese oil market

The Portuguese authorities may make access to the Portuguese oil market by undertakings from Member States subject to those undertakings satisfying objective and non-discriminatory criteria aimed at upholding the legitimate interest of the Portuguese State with regard to the national availability of supply of petroleum products. These criteria, which must be limited to what is necessary for the purposes of the abovementioned aim, concern:

- the undertakings having at their disposal adequate financial and technical means (e.g. storage),
- the drawing up and observance of three-year plans providing for the cover of the majority of their supplies by medium-term contracts which may be concluded either with Portuguese refineries or refineries of other Member States.



## Joint declaration

### on the Portuguese iron and steel industry

1. Once the Treaty of Accession is signed, the Commission and the Portuguese Government will jointly analyse, within the framework of the Community iron and steel policy, the objectives of the restructuring plan approved by the Portuguese Government including the payment of aid after the date of accession, in accordance with criteria similar to those adopted in the Community as set out in the Annex to Protocol No 20 annexed to the Act of Accession.

2. When drawing up the General Steel Objectives for 1990, the Commission will carry out, with the Portuguese Republic in the same way as with the other Member States, the consultations provided for in the Treaty establishing the ECSC.

3. (a) Prior to the date of accession, the Commission, in agreement with the Portuguese Government and after consulting the Council will determine the quantities to be delivered by the Portuguese iron and steel industry onto the rest of the Community market during the first year following the date of accession at a level compatible with the objectives of Portuguese restructuring and the forecasts adopted for the development of the Community market.

Whatever the situation, this level may under no circumstances be lower than 80 000 tonnes.

In the absence of agreement between the Commission and the Portuguese Government at the latest one month before the date of accession, the quantities to be delivered by the Portuguese iron and steel industry during the first three

months from the date of accession may not exceed 20 000 tonnes. The quantities to be delivered after the first three months following the date of accession are to be laid down in accordance with the procedural rules laid down under point 5 (a) of Protocol No 20 annexed to the Act of Accession.

(b) The Portuguese Government will be responsible for the monitoring mechanism provided for in point 5 (b) of Protocol No 20 annexed to the Act of Accession. It shall inform the Commission of it at the latest three months before the date of accession and will implement it with the Commission's agreement from the date of accession to ensure that the level of quantities to be delivered onto the rest of the Community market from that date is adhered to.

(c) Should market control measures be in force in the remainder of the Community after the date of accession, the Portuguese Government will take part in drawing them up in the same way as the other Member States; the measures adopted *vis-à-vis* the Portuguese Republic must be such as to promote the harmonious integration of the Portuguese iron and steel industry into the whole of the Community. To this end, the measures decided upon *vis-à-vis* Portugal will be based on the same principles as those on which the establishment of the existing rules in the Community will be based.

They will be adopted at the same time and in accordance with the same procedure as those applicable to the rest of the Community.

## Joint declaration

### concerning the First Council Directive of 12 December 1977 on the coordination of the laws, regulations, and administrative provisions relating to the taking up and pursuit of the business of credit institutions

Pursuant to Article 2 (3) of Council Directive 77/780/EEC of 12 December 1977, the Council shall take a decision, at the latest at the end of a period of seven years following accession, on the inclusion in the list referred to in paragraph 2 of the said Article, of the following institutions in Portugal under the conditions laid down below:

(a) the 'Caixa Geral de Depósitos', as regards on the one hand its operations for the administration of

the social security of State officials, and on the other hand, its operations as a State credit institution with respect to the following transactions:

— the receipt and management of compulsory deposits,

— Treasury financing on more favourable conditions than those of the market,

— financing which is integrated into regional policy or into national housing policy and

enjoys interest-rate subsidy or other special conditions as compared with those practised by credit institutions as a whole:

- (b) the 'Crédito Predial Português', as regards its operations relating to financing integrated into regional policy or into national housing policy and enjoying interest-rate subsidy or other special conditions as compared with those practised by credit institutions as a whole.

The decision taken shall be subject to the condition that, before the expiry of a period of seven years from the date of accession, the rules of the institutions referred to in (a) and (b) above have been amended in such a way as to establish separate management between the operations listed above, which would be excluded from the application of Directive 77/780/EEC, and the other operations of the said institutions to which that Directive will have to apply.

### Joint declaration

#### on the prices of agricultural products in Portugal

1. The prices of agricultural products which shall be taken into consideration as reference prices for the application of the rules referred to:

- in Article 236 of the Act of Accession with a view to price alignment for products subject to classic transition,
- in Article 265 (1) of the Act of Accession concerning price discipline during the first stage for products subject to transition by stages,

shall be the price recorded in the acts of the Conference. Those prices were adopted, save in special cases, on the basis of the 1984/85 marketing year, and converted into ECU at the exchange rate obtaining at the beginning of the marketing year in question.

In addition to the level of those prices, the acts of the Conference also contain, for each product concerned, the detailed rules on price alignment and the detailed rules for the method of price compensation applicable respectively from:

- 1 March 1986 for the products subject to classic transition,
- the beginning of the second stage for products subject to transition by stages.

2. Should the Portuguese prices referred to in paragraph 1, expressed in ECU, be higher than the common prices, the Portuguese prices expressed in ECU shall be maintained at a level corresponding to the prices recorded in the acts of the Conference.

With regard more particularly to the Portuguese prices fixed for the 1985/86 marketing year, if their level expressed in ECU pursuant to the second paragraph of Article 236 of the Act of Accession leads to an overrun

of the variation for the 1984/85 marketing year between the Portuguese prices and the common prices, prices shall be fixed in ensuing marketing years so that any such overrun is totally absorbed at the beginning of the fifth marketing year following accession as indicated in Article 238 (3) (a) and during the seven first marketing years following accession as indicated in Article 265 (1) (c) of the Act of Accession respectively.

3. For the prices referred to in paragraph 2, any drop in common prices occurring before accession shall not be taken into consideration for the application of price disciplines.

4. Should the Portuguese prices referred to in paragraph 1, expressed in ECU, be lower than the common prices, their increase may not lead to an overrun of the common prices for the products in question.

The rate to be used for the conversion of the Portuguese prices in question into ECU shall be, for the products subject to classic transition, the rate used in the context of the functioning of the market organizations.

For the products subject to transition by stages, the rate to be used shall be that referred to in the last subparagraph of Article 265 (1) (a).

No overrun shall be taken into account for the application of the rules relating to discipline or alignment referred to in paragraph 1.

Where the prices referred to in paragraph 1 have not yet been fixed for the 1985/86 marketing year, the rules

relating to discipline for the first stage shall apply to all the products in question during the interim period.

With regard to the products subject to classic transition, for the purposes of converting Portuguese prices into ECU, account will be taken, when they are converted to present worth during the interim period, of the difference between the conversion rate recorded at the beginning of the reference marketing year referred to in the acts of the Conference and the conversion rate obtaining at the time prices are fixed for the ensuing marketing year.

In addition, should the value of the escudo vary in relation to the value of the ECU between the time that the common prices are fixed and that of the implementation of the prices in Portugal, account will be taken of that alteration when applying the rules for conversion to present worth referred to above.

With regard to the products subject to transition by stages, for the purposes of converting Portuguese prices into ECU, the rule laid down in the last subparagraph of Article 265 (1) (a) shall apply.

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#### **Joint declaration**

##### **on the action programme to be drawn up for the products subject to transition by stages for the first stage of transition (Portugal)**

The action programme to be drawn up for the products subject to transition by stages pursuant to Article 264 (2) (a) of the Act of Accession for the purposes of achieving specific objectives during the first stage of transition shall be drawn up in close cooperation with the Commission and adopted at the latest one month before the date of accession; this action programme shall be published in the 'C' series of the *Official Journal of the European Communities*.

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#### **Joint declaration**

##### **on certain transitional measures and certain data in the sphere of agriculture (Portugal)**

1. The transitional measures referred to in Article 258 of the Act of Accession shall be adopted, where the need arises, in accordance with the procedures and guidelines agreed upon within the Conference.

2. The provisions concerning the representative or reference periods referred to in:

— Article 236 and in the Articles which refer to that Article,

— Articles 291 (1) 304 (1) (second indent), 305 (1), 306 (1) and 307 (1),

shall be adopted in accordance with the decisions agreed within the Conference.

**Joint declaration**

**on wine in Portugal**

Before the end of the second stage:

1. with regard to the arrangements applicable to vines temporarily authorized in Portugal and referred to in Article 340, the Commission shall examine the situation taking into account the results obtained. The Council acting by a qualified majority on a
2. proposal from the Commission, shall, where appropriate, adopt the necessary measures;
2. with regard to wines produced in the 'vinho verde' region and referred to in Article 341, the Council acting by a qualified majority on a proposal from the Commission shall adopt the arrangements applicable to those wines.

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**Joint declaration**

**on supplies to the sugar refining industry in Portugal**

Within the context of measures connected with decisions on agricultural prices, the Council of the European Communities has adopted, on 23 May 1985, provisions making it possible to take appropriate measures with a view to equalizing the prices of raw cane sugar originating in the French overseas departments and of unrefined beet sugar intended for refining. These measures will enable Portuguese refineries to be supplied with the sugar in question under price conditions similar to those for preferential sugars.

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**Joint declaration**

**concerning the introduction of the common system of value-added tax in Portugal**

Throughout the period of application of the temporary derogation enabling the Portuguese Republic to postpone the introduction of the common system of value-added tax, the Portuguese Republic shall be treated as a third country for the purposes of applying the Directives referred to in point II 'Taxation' of Annex XXXVI.

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**Declaration by the European Economic Community**

**on Spanish and Portuguese workers taking up paid employment in the present Member States**

Under the transitional provisions on the exercise of the right of freedom of movement, the present Member States shall, when they have recourse, in order to satisfy their labour requirements, to labour originating in third countries which does not form part of their regular labour market, grant Spanish and Portuguese nationals the same priority as that enjoyed by nationals of the other Member States.

**Declaration by the European Economic Community**

**on the participation of Spain and Portugal in the resources available under the European Social Fund**

With a view to ensuring that Portugal and the region of Spain which may be eligible for the increased intervention rate are treated according to the same principles as the regions concerned of the present Community as from accession, the Community shall, before accession, make a start on adapting the relevant provisions of the rules governing the European Social Fund pursuant to the procedure applicable for their adoption.

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**Declaration by the European Economic Community**

**on the participation of Spain and Portugal in the benefits derived from the resources of the European Regional Development Fund**

In order to ensure that Spain and Portugal participate in the benefits derived from the resources of the European Regional Development Fund as from accession, the Community will, before accession, adapt the provisions of Council Regulation (EEC) No 1787/84 of 19 June 1984 on the European Regional Development Fund, which fix the upper and lower limits of the range allocated to each Member State.

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**Declaration by the European Economic Community**

**on supplies to the sugar refining industry in Portugal**

The Community is prepared to pay particular attention to the supply situation of Portuguese refineries in future reviews of the common organization of the market in that sector.

In addition, the Community is prepared to carry out, before the end of the transitional period, an overall examination of the supply situation of the refining industry in the Community and in particular of the Portuguese industry, on the basis of a report from the Commission accompanied if necessary by proposals permitting the Council to decide, if need be, on the measures to be taken.

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**Declaration by the European Economic Community**

**on Community aid for monitoring and supervising the waters**

The Community confirms that Community support may be envisaged for monitoring and supervising waters falling under the sovereignty or within the jurisdiction of Portugal.

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**Declaration by the European Economic Community**

**on the adaptation and modernization of the Portuguese economy**

The accession of the Portuguese Republic to the European Communities affords the prospect of modernizing its economy and increasing its growth potential.

To that end, a specific agricultural development programme previously defined in Article 263 and Protocol 24 shall apply immediately upon accession and shall be phased over a total of 10 years.

A similar effort is called for in the industrial field, in order to modernize the production sector and to adapt it to European and international economic realities. The Community is prepared, in the same spirit as for agriculture, to aid Portuguese undertakings, by letting them benefit from its technical support and its credit instruments — both NCI and private operations — and by increased contributions from the European Investment Bank.

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**Declaration by the European Economic Community**

**on the application of the Community loan mechanism in favour of Portugal**

Within the framework of the Community loan mechanism designed to support balances of payments of Member States (in accordance with the provisions of Council Regulation (EEC) No 682/81 of 16 March 1981 as amended by Council Regulation (EEC) No 1131/85 of 30 April 1985) a sum of 1 000 million ECU will be granted to the Portuguese Republic in the form of a loan over the years 1986 to 1991. For the annual division of this total amount, a special effort will be made in 1986 and in 1991.

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**Declaration by the European Economic Community**

**on the application of the regulatory amount**

The Community takes note that application of the regulatory amount arrangements should not affect traditional trade patterns.

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**Declaration by the Kingdom of Spain: CECAF**

The Kingdom of Spain considers that any reference to the zone covered by the Fishery Committee for the Eastern Central Atlantic (CECAF) must be construed without prejudice to the rights of the Kingdom of Spain with respect to the demarcation of Spanish waters. <sup>(1)</sup>

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<sup>(1)</sup> Declaration by the Kingdom of Spain: CECAF, as amended by the Corrigendum published in the OJ of the EC, No L 116 of 4 May 1988.

**Declaration by the Kingdom of Spain**

**on Latin America**

In order to avoid sudden disturbances in its imports originating in Latin America, Spain has highlighted in the negotiations the problems which arise from the application of the 'acquis communautaire' to certain products. Partial and temporary solutions have been adopted for tobacco, cocoa and coffee.

Spain, in accordance with the principles and criteria set out in the Joint declaration adopted by the Conference on Latin America, proposes finding permanent solutions in the context of the generalized system preferences, when next revised, or of other mechanisms existing within the Community.

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**Declaration by the Kingdom of Spain**

**on Euratom**

The Kingdom of Spain, not having acceded to the Treaty on the non-proliferation of nuclear weapons, undertakes to seek actively and as rapidly as possible in close cooperation with the Commission and the Council, the most appropriate solution calculated, whilst taking into account the Community's international commitments, to observe fully the obligations flowing from the Treaty establishing the European Atomic Energy Community, in particular with respect to nuclear supplies and to the movement of nuclear materials within the Community.

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**Declaration by the Portuguese Republic**

**concerning the compensatory indemnities referred to in Article 358**

In adopting the provisions contained in Article 358, concerning the compensatory indemnity arrangements for sardine producers of the Community as at present constituted, the Portuguese delegation keeps open for itself the option of asking the Council to adopt the appropriate measures which might prove necessary to remedy any disturbances in the conditions of competition injurious to the sardine canning industry in Portugal.

The delegation takes the view, furthermore, that the measures likely to be taken following the period of the move towards the alignment of prices are not likely to be of a discriminatory nature.

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### **Declaration by the Portuguese Republic: CECAF**

The Portuguese Republic considers that any reference to the zone covered by the Fishery Committee for the Eastern Central Atlantic (CECAF) must be construed without prejudice to the rights of the Portuguese Republic with respect to the demarcation of Portuguese waters. <sup>(1)</sup>

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### **Declaration by the Portuguese Republic**

#### **on monetary questions**

In order that the movement of the real rate of the Portuguese escudo, particularly in relation to the ECU and to the currencies of the other Member States, may be followed on foreign exchange markets, the Portuguese Republic will, before accession to the Community, take the necessary measures to ensure that the foreign exchange market in Lisbon operates in a comparable fashion to that in the present Member States of the Community.

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<sup>(1)</sup> Declaration by the Portuguese Republic: CECAF, as amended by the Corrigendum published in the OJ of the EC, No L 116 of 4 May 1988.



**Information and consultation procedure  
for the adoption of certain decisions and other measures to be taken during the period  
preceding accession**

**I**

1. In order to ensure that the Kingdom of Spain and the Portuguese Republic, hereinafter referred to as the 'acceding States', are kept adequately informed, any proposal or communication from the Commission of the European Communities which might lead to decisions by the Council of these Communities shall be brought to the knowledge of the acceding States after being transmitted to the Council.
2. Consultations shall take place pursuant to a reasoned request by an acceding State, which shall set out expressly therein its interests as a future member of the Communities and its observations.
3. Administrative decisions shall not, as a general rule, give rise to consultations.
4. Consultations shall take place within an Interim Committee composed of representatives of the Communities and of the acceding States.
5. On the Community side, the members of the Interim Committee shall be the members of the Permanent Representatives Committee or persons designated by them for this purpose. The Commission shall be invited to be represented in this work.
6. The Interim Committee shall be assisted by a Secretariat which shall be that of the Conference, continued for this purpose.
7. Consultations shall normally take place as soon as the preparatory work carried out at Community level with a view to the adoption of decisions by the Council has produced common guidelines enabling such consultations to be usefully arranged.
8. If serious difficulties remain after consultations, the matter may be raised at ministerial level at the request of an acceding State.
9. The above provisions shall apply *mutatis mutandis* to the decisions of the Board of Governors of the European Investment Bank.
10. The procedure laid down in the above paragraphs shall also apply to any decision to be taken by the acceding States which might affect the commitments resulting from their position as future members of the Communities.

**II**

The Kingdom of Spain and the Portuguese Republic shall take the necessary measures to ensure that their accession to the agreements or conventions referred to

in Articles 3 (2) and 4 (2) of the Act concerning the conditions of accession and the adjustments to the Treaties coincides so far as possible, and under the conditions laid down in that Act, with the entry into force of the Treaty of Accession.

In so far as the agreements or conventions between the Member States, referred to in the second sentence of Article 3 (1) and in Article 3 (2), exist only in draft, have not yet been signed, and probably can no longer be signed in the period before accession, the acceding States will be invited to be associated, after the signature of the Treaty of Accession and in accordance with appropriate procedures, with the preparation of those drafts in a positive spirit and in such manner as to facilitate their conclusion.

**III**

With regard to the negotiation of the Protocols of transition and of adjustment with the co-contracting countries referred to in Articles 179 and 366 of the Act concerning the conditions of accession, the representatives of the acceding States shall be associated with the work as observers, side by side with the representatives of the present Member States.

Certain non-preferential agreements concluded by the Community, which remain in force after 1 January 1986, may be the subject of adaptations or adjustments in order to take account of the enlargement of the Community. These adaptations or adjustments will be negotiated by the Community in association with the representatives of the acceding States in accordance with the procedure referred to in the preceding paragraph.

**IV**

The consultations between the acceding States and the Commission provided for in Articles 61 (2) and 223 (2) of the Act concerning the conditions of accession and the adjustments to the Treaties shall take place before accession.

**V**

The acceding States undertake that the granting of the licences referred to in Article 2 of Protocols Nos 13 and 22 on the exchange of information in the field of nuclear energy shall not be deliberately accelerated before accession with a view to reducing the scope of the commitments contained in these Protocols.

**VI**

The institutions of the Community shall, in due course, draw up the texts referred to in Article 397 of the Act concerning the conditions of accession and the adjustments to the Treaties.



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