



European Communities No. 2 (1994)

# Europe Agreement

establishing an Association between the  
European Communities and their Member States,  
of the one part, and the Czech Republic,  
of the other part  
including Exchanges of Letters  
with Declarations and Final Act

Luxembourg, 4 October 1993

[The Agreement is not in force]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
January 1994*

LONDON : HMSO





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**EUROPE AGREEMENT  
ESTABLISHING AN ASSOCIATION BETWEEN THE  
EUROPEAN COMMUNITIES AND THEIR MEMBER STATES,  
OF THE ONE PART, AND THE CZECH REPUBLIC, OF THE OTHER PART**

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, Contracting Parties to the Treaty establishing the European Economic Community<sup>1</sup>, the Treaty establishing the European Coal and Steel Community<sup>1</sup> and the Treaty establishing the European Atomic Energy Community<sup>1</sup>, hereinafter referred to as "Member States", and the European Economic Community, the European Coal and Steel Community, the European Atomic Energy Community, hereinafter referred to as "the Community",

of the one part, and

The Czech Republic, of the other part,

Considering the importance of the links existing between the Community, its Member States and the Czech Republic and the common values that they share;

Recognizing that the Community and the Czech Republic wish to strengthen these links and to establish close and lasting relations, based on reciprocity, which would allow the Czech Republic to take part in the process of European integration, thus strengthening and widening the relations established in the past notably by the Agreement on Trade and Commercial and Economic Co-operation, signed between the Community and the Czech and Slovak Federal Republic on 7 May 1990<sup>2</sup>, and by the Interim Agreement between the Community and the Czech and Slovak Federal Republic which entered into force on 1 March 1992;

Recognizing that the dissolution of the Czech and Slovak Federal Republic as of 1 January 1993 prior to the entry into force of the Europe Agreement signed between the Community and the Czech and Slovak Federal Republic on 16 December 1991<sup>3</sup> has made it necessary to conclude separate Europe agreements with each of the Czech Republic and the Slovak Republic;

Considering the opportunities for a relationship of a new quality offered by the emergence of a new democracy in the Czech Republic;

Considering the commitment of the Community and its Member States and of the Czech Republic to strengthening the political and economic freedoms which constitute the very basis of the association;

Recognizing the establishment in the Czech Republic of a new political order which respects the rule of law and human rights, including the rights of persons belonging to minorities, and operates a multi-party system with free and democratic elections;

Acknowledging the readiness of the Community to contribute to the strengthening of this new democratic order as well as to support the creation in the Czech Republic of a new economic order founded upon the principles of a free market economy;

Considering the firm commitment of the Community and its Member States and of the Czech Republic to the full implementation of all principles and provisions contained in particular in the Final Act of the Conference on Security and Co-operation in Europe (CSCE)<sup>4</sup>, the concluding documents of Vienna<sup>5</sup> and Madrid<sup>6</sup> and the Charter of Paris<sup>7</sup> for a new Europe;

Conscious of the importance of the Europe Agreement hereinafter referred to as the "Agreement", to establishing in Europe a system of stability based on co-operation, with the Community as one of the cornerstones;

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<sup>1</sup> Treaty Series No. 47 (1988), Cm 455.

<sup>2</sup> European Communities No. 11 (1991) Cm 1432.

<sup>3</sup> Not published.

<sup>4</sup> Cmnd. 6198.

<sup>5</sup> Cm 649.

<sup>6</sup> Cmnd. 9066.

<sup>7</sup> Cm 1464.

Believing that a link should be made between full implementation of association on the one hand, and the actual accomplishment of the Czech Republic's political, economic, and legal reforms on the other hand, as well as the introduction of the factors necessary for co-operation and the rapprochement between the parties' systems, notably in the light of the conclusions of the CSCE Bonn Conference;

Desirous of establishing regular political dialogue on bilateral and international issues of mutual interest;

Taking account of the Community's willingness to provide decisive support for the implementation of reform and to help the Czech Republic cope with the economic and social consequences of structural readjustment;

Taking account furthermore of the Community's willingness to set up instruments of co-operation and economic, technical and financial assistance on a global and multiannual basis;

Considering the commitment of the Community and the Czech Republic to free trade, and in particular to compliance with the rights and obligations arising out of the General Agreement on Tariffs and Trade<sup>1</sup>;

Bearing in mind the economic and social disparities between the Community and the Czech Republic and thus recognizing that the objectives of this association should be reached through appropriate provisions of this Agreement;

Convinced that this Agreement will create a new climate for their economic relations and in particular for the development of trade and investment, instruments which are indispensable for economic restructuring and technological modernization;

Desirous of establishing cultural co-operation and developing exchanges of information;

Recognizing the fact that the Czech Republic's ultimate objective is to accede to the Community, and that this association, in the view of the Parties, will help the Czech Republic to achieve this objective,

Have decided to conclude this Agreement and to this end have designated as their Plenipotentiaries,

The Kingdom of Belgium:

Robert Urbain,  
Secretary of State for Foreign Trade and European Affairs

The Kingdom of Denmark:

Niels Helveg Petersen,  
Minister for Foreign Affairs

The Federal Republic of Germany:

Klaus Kinkel,  
Minister for Foreign Affairs

The Hellenic Republic:

Michel Papakonstantinou,  
Minister for Foreign Affairs

The Kingdom of Spain:

Javier Solana,  
Minister for Foreign Affairs

The French Republic:

Alain Juppe,  
Minister for Foreign Affairs

Ireland:

Dick Spring,  
Minister for Foreign Affairs

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<sup>1</sup> Basic Instruments and Selected Documents, General Agreement on Tariffs and Trade, Volume IV, Text of the General Agreement. (Sales No. GATT/1969-1, available through Agency Section, Her Majesty's Stationery Office, PO Box 276, London SW8 5DT.)

The Italian Republic:

Paolo Baratta,  
Secretary of State for Foreign Trade

The Grand Duchy of Luxembourg:

Jacques Poos,  
Minister for Foreign Affairs

The Kingdom of the Netherlands:

Peter Kooijmans,  
Minister for Foreign Affairs

The Portuguese Republic:

José Manuel Durão Barroso,  
Minister for Foreign Affairs

The United Kingdom of Great Britain and Northern Ireland:

David Heathcoat-Amory  
Minister of State for Foreign Affairs

The European Economic Community, The European Atomic Energy Community and the European Coal and Steel Community:

Willy Claes,  
Minister for Foreign Affairs of the Kingdom of Belgium  
President-in-Office of the Council of the European Communities

Sir Leon Brittan,  
Vice-President of the Council of the European Communities

Hans van den Broek,  
Member of the Commission of the European Communities

The Czech Republic:

Josef Zieleniec,  
Minister for Foreign Affairs

Who, having exchanged their full powers, found in good and due form,

Have agreed as follows:

#### ARTICLE 1

1. An Association is hereby established between the Community and its Member States on the one part and the Czech Republic on the other part:

2. The aim of this agreement is:

- to provide an appropriate framework for the political dialogue, allowing the development of close political relations between the parties;
- to promote the expansion of trade and the harmonious economic relations between the parties and so to foster the dynamic economic development and prosperity in the Czech Republic;
- to provide a basis for the Community's financial and technical assistance to the Czech Republic;
- to provide an appropriate framework for the Czech Republic's gradual integration into the Community. To this end, the Czech Republic shall work towards fulfilling the necessary conditions;
- to promote co-operation in cultural matters.

#### TITLE I

#### **Political Dialogue**

#### ARTICLE 2

A regular political dialogue is established between the parties which they intend to develop and intensify as an effective means to accompany and consolidate the rapprochement between the Community and the Czech Republic, support the political and economic changes under way in that country and contribute to the establishment of lasting links of solidarity and new forms of co-operation. The political dialogue and co-operation, based on shared values and aspirations:

- will facilitate the Czech Republic's full integration into the community of democratic nations and progressive rapprochement with the Community. The economic rapprochement provided for in this Agreement will lead to greater political convergence;
- will lead to an increasing convergence of positions on international issues and in particular on those issues likely to have substantial effects on one or the other party;
- will contribute to the rapprochement of the parties' positions on security issues.

#### ARTICLE 3

At ministerial level, political dialogue shall take place within the Association Council. This shall have general responsibility for all matters which the parties might wish to put to it.

#### ARTICLE 4

Other procedures and mechanisms for political dialogue shall be set up by the parties and in particular in the following forms:

- meetings as appropriate of the President of the Czech Republic on the one hand and the President of the European Council and the President of the Commission of the European Communities on the other;
- meetings at senior official level (political directors) between officials of the Czech Republic, on the one hand, and the Presidency of the Council of the European Communities and the Commission on the other;
- taking full advantage of diplomatic channels;
- including the Czech Republic in the group of countries receiving regular information on the issues dealt with by the European Political Co-operation as well as exchanging information with the view to achieving the objectives defined in Article 2;
- any other means which would make a useful contribution to consolidating, developing and stepping up this dialogue.

#### ARTICLE 5

Political dialogue at parliamentary level shall take place within the framework of the Parliamentary Association Committee.

### TITLE II

#### General Principles

#### ARTICLE 6

Respect for the democratic principles and human rights established by the Helsinki Final Act and the Charter of Paris for a New Europe, as well as the principles of market economy, inspire the domestic and external policies of the Parties and constitute essential elements of the present Association.

#### ARTICLE 7

1. The Association includes a transition period of a maximum duration of ten years divided into two successive stages, each in principle lasting five years. The first stage shall begin when this Agreement enters into force.
2. The Association Council shall proceed regularly to examine the application of this Agreement and the accomplishment of the Czech Republic's economic reforms on the basis of the principles established in the preamble.
3. During the course of the twelve months preceding the expiration of the first stage, the Association Council shall meet to decide the transition to the second stage as well as on any possible changes to be brought about as regards measures as concerns the content of the provisions governing the second stage. In doing this, it will take into account the results of the examination mentioned in paragraph 2.
4. The two stages envisaged in paragraphs 1, 2 and 3 do not apply to Title III.



## TITLE III

### Free Movement of Goods

#### ARTICLE 8

1. The Community and the Czech Republic shall gradually establish a free trade area in a transitional period lasting a maximum of ten years starting from the entry into force of this Agreement in accordance with the provisions of this Agreement and in conformity with those of the General Agreement on Tariffs and Trade (GATT).
2. The Combined Nomenclature of goods shall be applied to the classification of goods in trade between the two parties.
3. For each product the basic duty to which the successive reductions set out in this Agreement are to be applied shall be the duty actually applied by the Czech and Slovak Federal Republic *erga omnes* on 29 February 1992.
4. If, after entry into force of this Agreement, any tariff reduction is applied on an *erga omnes* basis, in particular reductions resulting from the tariff agreement concluded as a result of the GATT Uruguay Round, such reduced duties shall replace the basic duties referred to in paragraph 3 as from that date when such reductions are applied.
5. The Community and the Czech Republic shall communicate to each other their respective basic duties.

## CHAPTER I

### Industrial Products

#### ARTICLE 9

1. The provisions of this Chapter shall apply to products originating in the Community and in the CSFR listed in Chapters 25 to 97 of the Combined Nomenclature with the exception of the products listed in Annex I.
2. The provisions of Articles 10 to 14 included do not apply to products mentioned in Articles 16 and 17.

#### ARTICLE 10

1. Customs duties on imports applicable in the Community to products originating in the Czech Republic other than those listed in Annexes II and III shall be abolished on the entry into force of this Agreement.
2. Customs duties on imports applicable in the Community to products originating in the Czech Republic which are listed in Annex II shall be reduced, on the date of entry into force of this Agreement, by 20% of the basic duty and one year thereafter by a further 20% of the basic duty. Duties shall be totally abolished by the end of the second year after the entry into force of the Agreement.
3. The products of Czech Republic origin listed in Annex III shall benefit from a suspension of customs duties on imports within the limits of annual Community tariff quotas or ceilings increasing progressively in accordance with the conditions defined in that Annex so as to arrive at a complete abolition of customs duties on imports of the products concerned at the end of the third year after the entry into force of the Agreement.  
  
At the same time, customs duties on imports applicable to import quantities in excess of the quotas or ceilings provided for above shall be progressively dismantled from the entry into force of this Agreement by annual reductions of 15%. By the end of the third year, remaining duties shall be abolished.
4. Quantitative restrictions and measures having an effect equivalent to quantitative restrictions on imports to the Community shall be abolished on the date of entry into force of this Agreement with regard to the products originating in the Czech Republic.

## ARTICLE 11

1. Customs duties on imports applicable in the Czech Republic to products originating in the Community which are listed in Annex IV shall be abolished on the date of entry into force of this Agreement.

2. Customs duties on imports applicable in the Czech Republic to products originating in the Community which are listed in Annex V shall be progressively reduced in accordance with the following timetable:

- on the date of entry into force of this Agreement each duty shall be reduced to 80% of the basic duty;
- three years after the date of entry into force of this Agreement each duty shall be reduced to 40% of the basic duty;
- five years after the date of entry into force of this Agreement the remaining duties shall be eliminated.

3. Customs duties on imports applicable in the Czech Republic to products originating in the Community which are listed in Annex VI shall be progressively reduced according to the following timetable:

- three years after the date of entry into force of this Agreement each duty shall be reduced to 80% of the basic duty;
- five years after the date of entry into force of this Agreement each duty shall be reduced to 60% of the basic duty;
- seven years after the date of entry into force of this Agreement each duty shall be reduced 40% of the basic duty;
- nine years after the date of entry into force of this Agreement the remaining duties shall be eliminated.

4. Customs duties on imports applicable in the Czech Republic to products originating in the Community which are listed in Annex VII shall be progressively reduced in accordance with the following timetable:

- on the date of entry into force of this Agreement each duty shall be reduced to 80% of the basic duty;
- three years after the date of entry into force of this Agreement each duty shall be reduced to 60% of the basic duty;
- five years after the date of entry into force of this Agreement each duty shall be reduced to 40% of the basic duty;
- seven years after the date of entry into force of this Agreement each duty shall be reduced to 20% of the basic duty;
- nine years after the date of entry into force of this Agreement the remaining duties shall be eliminated.

5. Quantitative restrictions on imports into the Czech Republic of products originating in the Community shall be abolished upon entry into force of this Agreement, except for those listed in Annex VIII, which shall be progressively abolished by the end of the transitional period.

6. Measures having an effect equivalent to quantitative restrictions on imports into the Czech Republic of products originating in the Community shall be abolished upon entry into force of this Agreement.

## ARTICLE 12

The provisions concerning the abolition of customs duties on imports shall also apply to customs duties of a fiscal nature.

#### ARTICLE 13

The Community and the Czech Republic shall abolish upon entry into force of this Agreement in trade between themselves, any charges having an effect equivalent to customs duties on imports.

#### ARTICLE 14

1. The Community and the Czech Republic shall progressively abolish between them at the latest by the end of the fifth year after entry into force of this Agreement any customs duties on exports and charges having equivalent effect.
2. Quantitative restrictions on exports to the Czech Republic and any measures having equivalent effect shall be abolished by the Community on the entry into force of this Agreement.
3. Quantitative restrictions on exports to the Community and any measures having equivalent effect shall be abolished by the Czech Republic upon entry into force of this Agreement, except for those restrictions listed in Annex IX which shall be abolished at the latest by the end of the fifth year after the entry into force of this Agreement.

#### ARTICLE 15

Each Party declares its readiness to reduce its customs duties in trade with the other Party more rapidly than is provided for in Articles 10 and 11 if its general economic situation and the situation of the economic sector concerned so permit.

The Association Council may make recommendations to this effect.

#### ARTICLE 16

Protocol No. 1 lays down the arrangements applicable to the textile products referred to therein.

#### ARTICLE 17

Protocol No. 2 lays down the arrangements applicable to products covered by the Treaty establishing the European Coal and Steel Community.

#### ARTICLE 18

1. The provisions of this Chapter do not preclude the retention by the Community of an agricultural component in the duties applicable to products listed in Annex X in respect of products originating in the Czech Republic.
2. The provisions of this Chapter do not preclude the introduction of an agricultural component by the Czech Republic in the duties applicable to the products listed in Annex X in respect of products originating in the Community.

### CHAPTER II

#### **Agriculture**

#### ARTICLE 19

1. The provisions of this Chapter shall apply to agricultural products originating in the Community and in the Czech Republic.
2. The term "agricultural products" means the products listed in Chapters 1 to 24 of the Combined Nomenclature and the products listed in Annex I, but excluding fishery products as defined by Regulation (EEC) No. 3687/91.

## ARTICLE 20

Protocol No. 3 lays down the trade arrangements for processed agricultural products which are listed in such protocol.

## ARTICLE 21

1. The Community shall abolish at the date of entry into force of this Agreement the quantitative restrictions on imports of agricultural products originating in the Czech Republic maintained by virtue of Council Regulation (EEC) No. 288/82 in the form existing on the date of signature hereof.
2. The agricultural products originating in the Czech Republic listed in Annex XIa or Annex XIb shall benefit, upon the date of entry into force of this Agreement, from the reduction of levies within the limit of Community quotas or from the reduction of customs duties and upon the conditions provided in the same Annex.
3. Imports into the Czech Republic of agricultural products originating in the Community shall be free of quantitative restrictions.
4. The Community and the Czech Republic shall grant each other the concessions referred to in Annexes XII, XIII and XIV, on a harmonious and reciprocal basis, in accordance with the conditions laid down therein.
5. Taking account of the volume of trade in agricultural products between them, of their particular sensitivity, of the rules of the Common Agricultural Policy of the Community, of the rules of the agricultural policy of the Czech Republic, and of the consequences of the multilateral trade negotiations under the General Agreement on Tariffs and Trade, the Community and the Czech Republic shall examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibilities of granting each other further concessions.

## ARTICLE 22

Notwithstanding other provisions of this Agreement, and in particular Article 31, if, given the particular sensitivity of the agricultural markets, imports of products originating in one Party, which are the subject of concessions granted in Article 21, cause serious disturbance to the markets in the other Party, both Parties shall enter into consultations immediately to find an appropriate solution. Pending such solution, the Party concerned may take the measures it deems necessary.

## CHAPTER III

### **Fisheries**

## ARTICLE 23

The provisions of this Chapter shall apply to fishery products originating in the Community and in the Czech Republic, which are covered by Regulation (EEC) No. 3687/91 on the common organization of the market in the sector of fishery products.

## ARTICLE 24

The fishery products originating in the Czech Republic listed in Annex XV shall benefit upon the date of entry into force of this Agreement from the reduction of customs duties provided in that Annex. The provisions of Article 21(5) shall apply *mutatis mutandis* to fishery products.

## CHAPTER IV

### Common Provisions

#### ARTICLE 25

The provisions of this Chapter shall apply to trade in all products except where otherwise provided herein or in Protocols Nos 1, 2 and 3.

#### ARTICLE 26

1. No new customs duties on imports or exports or charges having equivalent effect shall be introduced, nor shall those already applied be increased, in trade between the Community and the Czech Republic from the date of entry into force of this Agreement.
2. No new quantitative restriction on imports or exports or measure having equivalent effect shall be introduced, nor shall those existing be made more restrictive, in trade between the Community and the Czech Republic from the date of entry into force of this Agreement.
3. Without prejudice to the concessions granted under Article 21, the provisions of paragraphs 1 and 2 of this Article shall not restrict in any way the pursuance of the respective agricultural policies of the Czech Republic and the Community or the taking of any measures under such policies.

#### ARTICLE 27

1. The two Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Party and like products originating in the territory of the other Party.
2. Products exported to the territory of one of the two Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

#### ARTICLE 28

1. This Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade except insofar as they alter the trade arrangements provided for in this Agreement.
2. Consultations between the Parties shall take place within the Association Council concerning agreements establishing such customs unions or free trade areas and, where requested, on other major issues related to their respective trade policy with third countries. In particular in the event of a third country acceding to the Community, such consultations shall take place so as to ensure that account can be taken of the mutual interests of the Community and the Czech Republic stated in this Agreement.

#### ARTICLE 29

Exceptional measures of limited duration which derogate from the provisions of Article 11 and Article 26(1) may be taken by the Czech Republic in the form of increased customs duties.

These measures may only concern infant industries, or certain sectors undergoing restructuring or facing serious difficulties, particularly where these difficulties produce important social problems.

Customs duties on imports applicable in the Czech Republic to products originating in the Community introduced by these measures may not exceed 25% ad valorem and shall maintain an element of preference for products originating in the Community. The total value of imports of the products which are subject to these measures may not exceed 15% of total imports from the Community of industrial products, as defined in Chapter I, during the last year for which statistics are available.

These measures shall be applied for a period not exceeding five years unless a longer duration is authorized by the Association Council. They shall cease to apply at the latest at the expiration of the transitional period.

No such measures can be introduced in respect of a product if more than 3 years have elapsed since the elimination of all duties and quantitative restrictions or charges or measures having an equivalent effect concerning that product.

The Czech Republic shall inform the Association Council of any exceptional measures it intends to take and, at the request of the Community, consultations shall be held in the Association Council on such measures and the sectors to which they apply before they are applied. When taking such measures the Czech Republic shall provide the Association Council with a schedule for the elimination of the customs duties introduced under this Article. This schedule shall provide for a phasing out of these duties starting at the latest two years after their introduction at equal annual rates. The Association Council may decide on a different schedule.

#### ARTICLE 30

If one of the Parties finds that dumping is taking place in trade with the other Party within the meaning of Article VI of the General Agreement on Tariffs and Trade, it may take appropriate measures against this practice in accordance with the Agreement relating to the application of Article VI of the General Agreement on Tariffs and Trade, with related internal legislation and with the conditions and procedures laid down in Article 34.

#### ARTICLE 31

Where any product is being imported in such increased quantities and under such conditions as to cause or threaten to cause:

- serious injury to domestic producers of like or directly competitive products in the territory of one of the Contracting Parties, or
- serious disturbances in any sector of the economy or difficulties which could bring about serious deterioration in the economic situation of a region,

the Community or the Czech Republic, whichever is concerned, may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 34.

#### ARTICLE 32

Where compliance with the provisions of Articles 14 and 26 leads to

- (i) re-export towards a third country against which the exporting Party maintains, for the product concerned, quantitative export restrictions, export duties or measures having equivalent effect,

or

- (ii) a serious shortage, or threat thereof, of a product essential to the exporting Party,

and where the situations above referred to give rise, or are likely to give rise, to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 34. The measures shall be non-discriminatory and be eliminated when conditions no longer justify their maintenance.

### ARTICLE 33

The Member States and the Czech Republic shall progressively adjust any State monopolies of a commercial character so as to ensure that, by the end of the fifth year following entry into force of this Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States and of the CSFR. The Association Council will be informed about the measures adopted to implement this objective.

### ARTICLE 34

1. In the event of the Community or the Czech Republic subjecting imports of products liable to give rise to the difficulties referred to in Article 31 to an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows, it shall inform the other Party.

2. In the cases specified in Articles 30, 31 and 32, before taking the measures provided for therein or, in cases to which paragraph 3(d) applies, as soon as possible, the Community or the Czech Republic, as the case may be, shall supply the Association Council with all relevant information with a view to seeking a solution acceptable to the two Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of this Agreement.

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

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

(a) As regards Article 31, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Association Council, which may take any decision needed to put an end to such difficulties.

If the Association Council or the exporting Party has not taken a decision putting an end to the difficulties or no other satisfactory solution has been reached within thirty days of the matter being referred, the importing Party may adopt the appropriate measures to remedy the problem. These measures must not exceed the scope of what is necessary to remedy the difficulties which have arisen.

(b) As regards Article 30, the Association Council shall be informed of the dumping case as soon as the authorities of the importing Party have initiated an investigation. When no end has been put to the dumping within the meaning of Article VI of the GATT or no other satisfactory solution has been reached within thirty days of the matter being referred to the Association Council, the importing Party may adopt the appropriate measures.

(c) As regards Article 32, the difficulties arising from the situations referred to in that Article shall be referred for examination to the Association Council.

The Association Council may take any decision needed to put an end to the difficulties. If it has not taken such a decision within thirty days of the matter being referred to it, the exporting Party may apply appropriate measures on the exportation of the product concerned.

(d) Where exceptional circumstances requiring immediate action make prior information or examination, as the case may be, impossible, the Community or the Czech Republic whichever is concerned may, in the situations specified in Articles 30, 31 and 32, apply forthwith the precautionary and provisional measures strictly necessary to deal with the situation, and the Association Council will be informed immediately.

### ARTICLE 35

Protocol No. 4 lays down rules of origin for the application of tariff preferences provided for in this Agreement.

## ARTICLE 36

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of exhaustable natural resources; the protection of national treasures of artistic, historic or archaeological value or the protection of intellectual, industrial and commercial property or rules relating to gold and silver. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

## ARTICLE 37

Protocol No. 5 lays down the specific provisions to apply to trade between the Czech Republic of the one part and Spain and Portugal of the other part.

## TITLE IV

### **Movement of Workers, Establishment, Supply of Services**

#### CHAPTER I

#### **Movement of Workers**

##### ARTICLE 38

1. Subject to the conditions and modalities applicable in each Member State:
  - the treatment accorded to workers of Czech Republic nationality, legally employed in the territory of a Member State shall be free from any discrimination based on nationality, as regards working conditions, remuneration or dismissal, as compared to its own nationals;
  - the legally resident spouse and children of a worker legally employed in the territory of a Member State, with the exception of seasonal workers and of workers coming under bilateral agreements within the meaning of Article 42, unless otherwise provided by such agreements, shall have access to the labour market of that Member State, during the period of that worker's authorized stay of employment.
2. The Czech Republic shall, subject to the conditions and modalities applicable in that country, accord the treatment referred to in paragraph 1 to workers who are nationals of a Member State and are legally employed in its territory as well as to their spouse and children who are legally resident in the said territory.

##### ARTICLE 39

1. With a view to co-ordinating social security systems for workers of Czech Republic nationality, legally employed in the territory of a Member State and for the members of their family, legally resident there, and subject to the conditions and modalities applicable in each Member State:
  - all periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions and annuities in respect of old age, invalidity and death and for the purpose of medical care for such workers and such family members;
  - any pensions or annuities in respect of old age, death, industrial accident or occupational disease, or of invalidity resulting therefrom, with the exception of non-contributory benefits, shall be freely transferable at the rate applied by virtue of the law of the debtor Member State or States;
  - the workers in question shall receive family allowances for the members of their family as defined above.
2. the Czech Republic shall accord to workers who are nationals of a Member State and legally employed in its territory, and to members of their families legally resident there, treatment similar to that specified in the second and third indents of paragraph 1.



#### ARTICLE 40

1. The Association Council shall by decision adopt the appropriate provisions to implement the objective set out in Article 39.
2. The Association Council shall by decision adopt detailed rules for administrative co-operation providing the necessary management and control guarantees for the application of the provisions referred to in paragraph 1.

#### ARTICLE 41

The provisions adopted by the Association Council in accordance with Article 40 shall not affect any rights or obligations arising from bilateral agreements linking the Czech Republic and the Member States where those agreements provide for more favourable treatment of nationals of the Czech Republic or of the Member States.

#### ARTICLE 42

1. Taking into account the labour market situation in the Member State, subject to its legislation and to the respect of rules in force in that Member State in the area of mobility of workers:
  - the existing facilities for access to employment for the Czech Republic workers accorded by Member States under bilateral agreements ought to be preserved and if possible improved;
  - the other Member States shall consider favourably the possibility of concluding similar agreements.
2. The Association Council shall examine granting other improvements including facilities of access for professional training, in conformity with rules and procedures in force in the Member States, and taking account of the labour market situation in the Member States and in the Community.

#### ARTICLE 43

During the second stage referred to in Article 7, or earlier if so decided, the Association Council shall examine further ways of improving the movement of workers, taking into account inter alia the social and economic situation in the Czech Republic and the employment situation in the Community. The Association Council shall make recommendations to such end.

#### ARTICLE 44

In the interest of facilitating the restructuring of labour resources resulting from the economic restructuring in the Czech Republic the Community shall provide technical assistance for the establishment of a suitable social security system in the Czech Republic as set out in Article 88.

### CHAPTER II

#### Establishment

#### ARTICLE 45

1. The Czech Republic shall, during the transitional periods referred to in Article 7, facilitate the setting up of operations on its territory by Community companies and nationals. To that end, it shall
  - (i) grant, from entry into force of this Agreement for the establishment of Community companies and nationals a treatment no less favourable than that accorded to its own nationals and companies, save for the sectors and matters referred to in Annexes XVIa and XVIIb, where such treatment shall be granted at the latest by the end of the transitional period referred to in Article 7 and,
  - (ii) grant, from entry into force of this Agreement, in the operation of Community companies and nationals established in the Czech Republic a treatment no less favourable than that accorded to its own companies and nationals,

(iii) notwithstanding the provisions of indents (i) and (ii), the national treatment as described in indents (i) and (ii), shall be applicable for Community nationals establishing in the Czech Republic as self-employed persons only from the start of the sixth year following the entry into force of this Agreement.

2. The Czech Republic shall, during the transitional periods referred to in paragraph 1, not adopt any new regulations or measures which introduce discrimination as regards the establishment and operations of Community companies and nationals in its territory in comparison to its own companies and nationals.

3. Each Member State shall grant, from entry into force of this Agreement, a treatment no less favourable than that accorded to its own companies and nationals for the establishment of Czech Republic companies and nationals and shall grant in the operation of Czech Republic companies and nationals established in its territory a treatment no less favourable than that accorded to its own companies and nationals.

4. For the purposes of this Agreement

(a) "Establishment" shall mean

(i) as regards nationals, the right to take up and pursue economic activities as self-employed persons and to set up and manage undertakings, in particular companies, which they effectively control. Self-employment and business undertakings by nationals shall not extend to seeking or taking employment in the labour market of another Party.

The provisions of this Chapter do not apply to those who are not exclusively self-employed;

(ii) as regards companies, the right to take up and pursue economic activities by means of the setting up and management of subsidiaries, branches and agencies;

(b) "subsidiary" of a company shall mean a company which is effectively controlled by the first company;

(c) "economic activities" shall in particular include activities of an industrial character, activities of a commercial character, activities of craftsmen and activities of the professions.

5. The Association Council shall during the transitional periods referred to in paragraph 1(i) and (iii) examine regularly the possibility of accelerating the granting of national treatment in the sectors referred to in Annexes XVIa and XVIIb and the inclusion of areas or matters listed in Annex XVIc within the scope of application of the provisions of paragraphs 1, 2 and 3 of this Article. Amendments may be made to these Annexes by decision of the Association Council.

Following the expiration of the transitional periods referred to in paragraph 1(i) and (iii), the Association Council may exceptionally, upon request of the Czech Republic, and if the necessity arises, decide to prolong the duration of exclusion of certain areas or matters listed in Annexes XVIa and XVIIb for a limited period of time.

6. The provisions concerning establishment and operation of Community and Czech Republic companies and nationals contained in paragraphs 1, 2 and 3 of this Article shall not apply to the areas or matters listed in Annex XVIc.

7. Notwithstanding the provisions of this Article, Community companies established in the territory of the Czech Republic shall have, upon entry into force of this Agreement, where necessary for the conduct of the economic activities for which they are established, the right to acquire, use, rent and sell real property, and as regards natural resources, agricultural land and forestry, the right to lease.

The Czech Republic shall grant these rights, where necessary for the conduct of the economic activities for which they are established, to branches and agencies established in the Czech Republic of Community companies at the latest by the end of the sixth year following the entry into force of this Agreement.

The Czech Republic shall grant these rights, where necessary for the conduct of the economic activities for which they are established, to Community nationals established in the Czech Republic as self-employed persons at the latest by the end of the transitional period referred to in Article 7.

#### ARTICLE 46

1. Subject to the provisions of Article 45, with the exception of financial services described in Annex XVIa, each Party may regulate the establishment and operation of companies and nationals on its territory, insofar as these regulations do not discriminate against companies and nationals of the other Party in comparison to its own companies and nationals.

2. In respect of financial services, described in Annex XVIa, this Agreement does not prejudice the right of the Parties to adopt measures necessary for the conduct of the Party's monetary policy, or for prudential grounds in order to ensure the protection of investors, depositors, policy holders, or persons to whom a fiduciary duty is owed, or to ensure the integrity and stability of the financial system. These measures shall not discriminate on grounds of nationality against companies and nationals of the other Party in comparison to its own companies and nationals.

#### ARTICLE 47

In order to make it easier for Community nationals and Czech Republic nationals to take up and pursue regulated professional activities in the Czech Republic and the Community respectively, the Association Council shall examine which steps are necessary to be taken to provide for the mutual recognition of qualifications. It may take all necessary measures to that end.

#### ARTICLE 48

The provisions of Article 46 do not preclude the application by a Contracting Party of particular rules concerning the establishment and operation in its territory of branches and agencies of companies of another Party not incorporated in the territory of the first Party, which are justified by legal or technical differences between such branches and agencies as compared to branches and agencies of companies incorporated in its territory, or, as regards financial services, for prudential reasons. The difference in treatment shall not go beyond what is strictly necessary as a result of such legal or technical differences, or, as regards financial services, described in Annex XVIa, for prudential reasons.

#### ARTICLE 49

1. A "Community company" and a "Czech Republic company" respectively shall for the purpose of this Agreement mean a company or a firm set up in accordance with the laws of a Member State or of the Czech Republic respectively and having its registered office, central administration, or principal place of business in the territory of the Community or the Czech Republic respectively. However, should the company or firm, set up in accordance with the laws of a Member State or of the Czech Republic respectively, have only its registered office in the territory of the Community or the Czech Republic respectively, its operations must possess a real and continuous link with the economy of one of the Member States or the Czech Republic respectively.

2. With regard to international maritime transport, shall also be beneficiaries of the provisions of this Chapter and Chapter III of this Title, a national or a shipping company of the Member States or of the Czech Republic respectively established outside the Community or the Czech Republic respectively and controlled by nationals of a Member State, or Czech Republic nationals respectively, if their vessels are registered in that Member State or in the Czech Republic respectively in accordance with their respective legislations.

3. A Community and a Czech Republic national respectively shall, for the purpose of this Agreement, mean a natural person who is a national of one of the Member States or of the Czech Republic respectively.

4. The provisions of this Agreement shall not prejudice the application by each Party of any measure necessary to prevent the circumvention of its measures concerning third country access to its market through the provisions of this Agreement.

## ARTICLE 50

For the purpose of this Agreement “financial services” shall mean those activities described in Annex XVIa. The Association Council may extend or modify the scope of Annex XVIa.

## ARTICLE 51

During the first six years following the date of entry into force of this Agreement, or for the sectors referred to in Annex XVIa and Annex XVIb, during the transitional period referred to in Article 7, the Czech Republic may introduce measures which derogate from the provisions of this Chapter as regards the establishment of Community companies and nationals if certain industries:

- are undergoing restructuring, or
- are facing serious difficulties, particularly where these entail serious social problems in the Czech Republic, or
- face the elimination or a drastic reduction of the total market share held by Czech Republic companies or nationals in a given sector or industry in the Czech Republic, or
- are newly emerging industries in the Czech Republic.

Such measures:

- (i) shall cease to apply at the latest two years after the expiration of the sixth year following the date of entry into force of this Agreement, or for the sectors included in Annex XVIa and Annex XVIb upon the expiration of the transitional period referred to in Article 7, and
- (ii) shall be reasonable and necessary in order to remedy the situation and
- (iii) shall only relate to establishments in the Czech Republic to be created after the entry into force of such measures and shall not introduce discrimination concerning the operations of Community companies or nationals already established in the Czech Republic at the time of introduction of a given measure compared to Czech Republic companies or nationals.

The Association Council may exceptionally, upon request of the Czech Republic, and if the necessity arises, decide to prolong the periods referred to in indent (i) above for a given sector for a limited period of time.

While devising and applying such measures, the Czech Republic shall grant whenever possible to Community companies and nationals a preferential treatment, and in no case a treatment less favourable than that accorded to companies or nationals from any third country.

Prior to the introduction of these measures, the Czech Republic shall consult the Association Council and shall not put them into effect before a one month period following the notification to the Association Council of the concrete measures to be introduced by the Czech Republic, except where the threat of irreparable damage requires the taking of urgent measures in which case the Czech Republic shall consult the Association Council immediately after their introduction.

Upon the expiration of the sixth year following the entry into force of this Agreement, or for the sectors included in Annex XVIa and Annex XVIb upon expiration of the transitional period referred to in Article 7, the Czech Republic may introduce such measures only with the authorization of the Association Council and under conditions determined by the latter.

## ARTICLE 52

1. The provisions of this Chapter shall not apply to air transport services, inland-waterways transport services and maritime cabotage transport services.
2. The Association Council may make recommendations for improving establishment and operations in the areas covered by paragraph 1.

#### ARTICLE 53

1. Notwithstanding the provisions of Chapter I of this Title, the beneficiaries of the rights of establishment granted by the Czech Republic and the Community respectively shall be entitled to employ, or have employed by one of their subsidiaries, in accordance with the legislation in force in the host country of establishment, in the territory of the Czech Republic and the Community respectively, employees who are nationals of Community Member States and the Czech Republic respectively, provided that such employees are key personnel as defined in paragraph 2 and that they are employed exclusively by such beneficiaries or their subsidiaries. The residence and work permits of such employees shall only cover the period of such employment.

2. Key personnel of the beneficiaries of the rights of establishment herein referred to as “organization” are:

(a) Senior employees of an organization who primarily direct the management of the organization, receiving general supervision or direction principally from the board of directors or shareholders of the business, including:

- directing the organization or a department or sub-division of the organization;
- supervising and controlling the work of other supervisory, professional or managerial employees;
- having the authority personally to engage and dismiss or recommend engaging, dismissing or other personnel actions.

(b) Persons employed by an organization who possess high or uncommon:

- qualifications referring to a type of work or trade requiring specific technical knowledge;
- knowledge essential to the organization’s service, research equipment, techniques or management.

These may include, but are not limited to, members of accredited professions.

Each such employee must have been employed by the organization concerned for at least one year preceding the detachment by the organization.

#### ARTICLE 54

1. The provisions of this Chapter shall be applied subject to limitations justified on grounds of public policy, public security or public health.

2. They shall not apply to activities which in the territory of each Party are connected, even occasionally, with the exercise of official authority.

#### ARTICLE 55

Companies which are controlled and exclusively owned jointly by Czech Republic companies or nationals and Community companies or nationals shall also be beneficiaries of the provisions of this Chapter and Chapter III of this Title.

### CHAPTER III

#### Supply of Services between the Community and the Czech Republic

#### ARTICLE 56

1. The Parties undertake in accordance with the provisions of this Chapter to take the necessary steps to allow progressively the supply of services by Community or Czech Republic companies or nationals who are established in a Party other than that of the person for whom the services are intended taking into account the development of the services sector in the Parties.

2. In step with the liberalization process mentioned in paragraph 1, and subject to the provisions of Article 59(1), the Parties shall permit the temporary movement of natural persons providing the service or who are employed by the service provider as key personnel as defined in Article 53(2), including natural persons who are representatives of a Community or Czech Republic company or national and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service provider, where those representatives will not be engaged in making direct sales to the general public or in supplying services themselves.

3. The Association Council shall take the measures necessary to implement progressively the provisions of paragraph 1.

#### ARTICLE 57

With regard to supply of transport services between the Community and the CSFR, the following replaces the provisions of Article 56:

1. With regard to international maritime transport the Parties undertake to apply effectively the principle of unrestricted access to the market and traffic on a commercial basis.

(a) the above provision does not prejudice the rights and obligations under the United Nations Code of Conduct for Liner Conferences, as applied by one or the other Contracting Party to this Agreement. Non-conference liners will be free to operate in competition with a conference as long as they adhere to the principle of fair competition on a commercial basis.

(b) The Parties affirm their commitment to a freely competitive environment as being an essential feature of the dry and liquid bulk trade.

2. In applying the principles of paragraph 1, the Parties shall:

(a) not introduce cargo sharing clauses in future bilateral agreements with third countries, other than in those exceptional circumstances where liner shipping companies from one or the other Party to this Agreement would not otherwise have an effective opportunity to ply for trade to and from the third country concerned;

(b) prohibit cargo sharing arrangements in future bilateral agreements concerning dry and liquid bulk trade;

(c) abolish, upon entry into force of this Agreement, all unilateral measures, administrative, technical and other obstacles which could have restrictive or discriminatory effects on the free supply of services in international maritime transport.

3. With a view to assuring a co-ordinated development and progressive liberalization of transport between the Parties adapted to their reciprocal commercial needs, the conditions of mutual market access in air transport and in inland transport shall be dealt with by special transport agreements to be negotiated between the Parties after the entry into force of this Agreement.

4. Prior to the conclusion of the agreements referred to in paragraph 3, the Parties shall not take any measures or actions which are more restrictive or discriminatory as compared to the situation existing on the day preceding the day of entry into force of this Agreement.

5. During the transitional period, the Czech Republic shall progressively adapt its legislation including administrative, technical and other rules to that of the Community legislation existing at any time in the field of air and inland transport insofar as it serves liberalization purposes and mutual access to markets of the Parties and facilitates the movement of passengers and of goods.

6. In step with the common progress in the achievement of the objectives of this Chapter, the Association Council shall examine ways of creating the conditions necessary for improving freedom to provide air and inland transport services.

#### ARTICLE 58

The provisions of Article 54 shall apply to the matters covered by this Chapter.

## CHAPTER IV

### General Provisions

#### ARTICLE 59

1. For the purpose of Title IV of this Agreement, nothing in the Agreement shall prevent the Parties from applying their laws and regulations regarding entry and stay, work, labour conditions and establishment of natural persons, and supply of services, provided that, in so doing, they do not apply them in a manner as to nullify or impair the benefits accruing to any Party under the terms of a specific provision of this Agreement. This provision does not prejudice the application of Article 54.

2. The provisions of Chapters II, III and IV of Title IV shall be adjusted by decision of the Association Council in the light of the result of the negotiations on services taking place in the Uruguay Round and in particular to ensure that under any provision of the present Agreement a Party grants to the other Party a treatment no less favourable than that accorded under the provisions of a future General Agreement on Trade and Services (GATS).

3. The exclusion of Community companies and nationals established in the Czech Republic in accordance with the provisions of Chapter II of Title IV from public aid granted by the Czech Republic in the areas of public education services, health related and social services and cultural services shall, for the duration of the transitional period referred to in Article 7, be deemed compatible with the provisions of Title IV and with the competition rules referred to in Title V.

## TITLE V

### Payments, Capital, Competition and other Economic Provisions, Approximation of Laws

#### CHAPTER I

##### Current Payments and Movement of Capital

#### ARTICLE 60

The Contracting Parties undertake to authorize, in freely convertible currency, any payments on the current account of balance of payments to the extent that the transaction underlying the payments concern movements of goods, services or persons between the Parties which have been liberalized pursuant to this Agreement.

#### ARTICLE 61

1. With regard to transactions on the capital account of balance of payments, from the entry into force of this Agreement, the Member States and the Czech Republic respectively shall ensure the free movement of capital relating to direct investments made in companies formed in accordance with the laws of the host country and investments made in accordance with the provisions of Chapter II of Title IV, and the liquidation or repatriation of these investments and of any profit stemming therefrom. Notwithstanding the above provision, such free movement, liquidation and repatriation shall be ensured by the end of the fifth year following the entry into force of this Agreement for all investments linked to establishment of nationals establishing in the Czech Republic as self-employed persons pursuant to Chapter II of Title IV.

2. Without prejudice to paragraph 1, the Member States, as from the entry into force of this Agreement, and the Czech Republic as from the end of the fifth year following the entry into force of this Agreement, shall not introduce any new foreign exchange restrictions on the movement of capital and current payments connected therewith between residents of the Community and the Czech Republic and shall not make the existing arrangements more restrictive.

3. The Parties shall consult each other with a view to facilitating the movement of capital between the Community and the Czech Republic in order to promote the objectives of this Agreement.

#### ARTICLE 62

1. During the five years following the date of entry into force of this Agreement, the Contracting Parties shall take measures permitting the creation of the necessary conditions for the further gradual application of Community rules on the free movement of capital.

2. By the end of the fifth year from the entry into force of this Agreement, the Association Council shall examine ways of enabling Community rules on the movement of capital to be applied in full.

#### ARTICLE 63

With reference to the provisions of this Chapter, and notwithstanding the provisions of Article 65, until a full convertibility of the Czech Republic currency in the meaning of Article VIII of the International Monetary Fund is introduced, the Czech Republic may in exceptional circumstances apply exchange restrictions connected with the granting or taking up of short and medium-term credits to the extent that such restrictions are imposed on the Czech Republic for the granting of such credits and are permitted according to the Czech Republic's status under the IMF.

The Czech Republic shall apply these restrictions in a non-discriminatory manner. They shall be applied in such a manner as to cause the least possible disruption to this Agreement. The CSFR shall inform the Association Council promptly of the introduction of such measures and of any changes therein.

### CHAPTER II

#### Competition and other Economic Provisions

#### ARTICLE 64

1. The following are incompatible with the proper functioning of the Agreement, insofar as they may affect trade between the Community and the Czech Republic:

- (i) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
- (ii) abuse by one or more undertakings of a dominant position in the territories of the Community or of the Czech Republic as a whole or in a substantial part thereof;
- (iii) any public aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods.

2. Any practices contrary to this Article shall be assessed on the basis of criteria arising from the application of the rules of Articles 85, 86 and 92 of the Treaty establishing the European Economic Community.

3. The Association Council shall, within three years of the entry into force of this Agreement, adopt the necessary rules for the implementation of paragraphs 1 and 2. Until the implementing rules are adopted, practices incompatible with paragraph 1 shall be dealt with by the Contracting Parties on their respective territories according to their respective legislations. This is without prejudice to paragraph 6.

4. (a) For the purposes of applying the provisions of paragraph 1(iii), the Parties recognize that during the first five years after the entry into force of this Agreement, any public aid granted by the Czech Republic shall be assessed taking into account the fact that the Czech Republic shall be regarded as an area identical to those areas of the Community described in Article 92(3)(a) of the Treaty establishing the European Economic Community. The Association Council shall, taking into account the economic situation of the Czech Republic, decide whether that period should be extended by further periods of five years.



- (b) Each Party shall ensure transparency in the area of public aid, inter alia by reporting annually to the other Party on the total amount and the distribution of the aid given and by providing, upon request, information on aid schemes. Upon request by one Party, the other Party shall provide information on particular individual cases of public aid.
5. With regard to products referred to in Chapters II and III of Title III:
- the provisions of paragraph 1(iii) do not apply;
  - any practices contrary to paragraph 1(i) should be assessed according to the criteria established by the Community on the basis of Articles 42 and 43 of the Treaty establishing the European Economic Community and in particular of those established in Council Regulation No. 26/1962.
6. If the Community or the Czech Republic considers that a particular practice is incompatible with the terms of paragraph 1, and:
- is not adequately dealt with under the implementing rules referred to in paragraph 3, or
  - in the absence of such rules, and if such practice causes or threatens to cause serious prejudice to the interest of the other Party or material injury to its domestic industry, including its services industry,
- it may take appropriate measures after consultation within the Association Council or after thirty working days following referral for such consultation.
- In the case of practices incompatible with paragraph 1(iii), such appropriate measures may, where the General Agreement on Tariffs and Trade applies thereto, only be adopted in accordance with the procedures and under the conditions laid down by the General Agreement on Tariffs and Trade and any other relevant instrument negotiated under its auspices which are applicable between the Parties.
7. Notwithstanding any provisions to the contrary adopted in accordance with paragraph 3, the Parties shall exchange information taking into account the limitations imposed by the requirements of professional and business secrecy.
8. This Article shall not apply to the products covered by the Treaty establishing the European Coal and Steel Community which are the subject of Protocol No. 2.

#### ARTICLE 65

1. Where one or more Member States of the Community or the Czech Republic is in serious balance of payments difficulties, or under imminent threat thereof, the Community or the Czech Republic, as the case may be, may, in accordance with the conditions established under the General Agreement on Tariffs and Trade, adopt restrictive measures, including measures relating to imports, which shall be of limited duration and may not go beyond what is necessary to remedy the balance of payments situation. The measures shall be progressively relaxed as balance of payments conditions improve and they shall be eliminated when conditions no longer justify their maintenance. The Community or the Czech Republic, as the case may be, shall inform the other Party forthwith of their introduction and, whenever practicable, of a time schedule for their removal.
2. The Parties shall nevertheless endeavour to avoid the imposition of restrictive measures for balance of payments purposes.
3. Any restrictive measures shall not apply to transfers related to investment and in particular to the repatriation of amounts invested or reinvested and of any kind of revenues stemming therefrom.

#### ARTICLE 66

With regard to public undertakings, and undertakings to which special or exclusive rights have been granted, the Association Council shall ensure that as from the third year following the date of entry into force of this Agreement, the principles of the Treaty establishing the European Economic Community, in particular Article 90, and the principles of the concluding document of the April 1990 Bonn meeting of the Conference on Security and Co-operation in Europe, in particular entrepreneurs' freedom of decision, are upheld.

#### ARTICLE 67

1. The Czech Republic shall continue to improve the protection of intellectual, industrial and commercial property rights in order to provide, by the end of the fifth year after the entry into force of this Agreement, a level of protection similar to that existing in the Community, including comparable means of enforcing such rights.
2. Within the same time, the Czech Republic shall apply to accede to the Munich Convention on the Grant of European Patents of 5 October 1973<sup>1</sup>. The Czech Republic shall also accede to the other multilateral conventions on intellectual, industrial and commercial property rights referred to in Annex XVII paragraph 1 to which Member States are Parties, or which are de facto applied by Member States.

#### ARTICLE 68

1. The Contracting Parties consider the opening up of the award of public contracts on the basis of non-discrimination and reciprocity, in particular in the GATT context, to be a desirable objective.
2. The Czech Republic companies as defined in Article 49, shall be granted access to contract award procedures in the Community pursuant to Community procurement rules under a treatment no less favourable than that accorded to Community companies as of the entry into force of this Agreement.

Community companies as defined in Article 49 shall be granted access to contract award procedures in the Czech Republic under a treatment no less favourable than that accorded to Czech Republic companies at the latest at the end of the transitional period referred to in Article 7.

Community companies established in the Czech Republic under the provisions of Chapter II of Title IV shall have upon entry into force of this Agreement access to contract award procedures under a treatment no less favourable than that accorded to Czech Republic companies.

The Association Council shall periodically examine the possibility for the Czech Republic to introduce access to award procedures in the Czech Republic for all Community companies prior to the end of the transitional period.

3. As regards establishment, operations, supply of services between the Community and the Czech Republic as well as employment and movement of labour linked to the fulfilment of public contracts, the provisions of Articles 37 to 59 are applicable.

### CHAPTER III

#### Approximation of Laws

#### ARTICLE 69

The Contracting Parties recognize that the major precondition for the Czech Republic's economic integration into the Community is the approximation of the Czech Republic's existing and future legislation to that of the Community. The Czech Republic shall endeavour to ensure that its legislation will be gradually made compatible with that of the Community.

#### ARTICLE 70

The approximation of laws shall extend to the following areas in particular: customs law, company law, banking law, company accounts and taxes, intellectual property, protection of workers at the workplace, financial services, rules on competition, protection of health and life of humans, animals and plants, consumer protection, indirect taxation, technical rules and standards, nuclear law and regulation, transport and the environment.

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<sup>1</sup> Treaty Series No. 16 (1982) Cmnd. 8510.

#### ARTICLE 71

The Community shall provide the Czech Republic with technical assistance for the implementation of these measures, which may include inter alia:

- the exchange of experts;
- the provision of early information especially on relevant legislation;
- organization of seminars;
- training activities;
- aid for the translation of Community legislation in the relevant sectors.

#### TITLE VI

##### **Economic Co-operation**

#### ARTICLE 72

1. The Community and the Czech Republic shall establish economic co-operation aimed at contributing to the Czech Republic's development and growth potential. Such co-operation shall strengthen existing economic links on the widest possible foundation, to the benefit of both Parties.
2. Policies and other measures will be designed to bring about economic and social development of the Czech Republic and will be guided by the principle of sustainable development. These policies should ensure that environmental considerations are also fully incorporated from the outset and that they are linked to the requirements of harmonious social development.
3. To this end the co-operation should focus in particular on policies and measures related to industry including the mining sector, investment, agriculture, energy, transport, regional development and tourism.
4. Special attention must be devoted to measures capable of fostering co-operation between the countries of Central and Eastern Europe with a view to a harmonious development of the region.

#### ARTICLE 73

##### **Industrial Co-operation**

1. Co-operation shall aim at promoting the modernization and restructuring of Czech Republic industry in both public and private sectors as well as industrial co-operation between economic operators of both sides, with the particular objective of strengthening the private sector.
2. Particular attention shall be paid to:
  - the restructuring of individual sectors; in this context, the Association Council will examine in particular the problems affecting the sectors of coal and steel and the conversion of the defence industry;
  - the establishment of new undertakings in areas offering potential for growth.
3. Industrial co-operation initiatives take into account priorities determined by the Czech Republic. The initiatives should seek in particular to establish a suitable framework for undertakings, to improve management know-how and to promote transparency as regards markets and conditions for undertakings, and will include technical assistance where appropriate.

## ARTICLE 74

### **Investment Promotion and Protection**

1. Co-operation shall aim to establish a favourable climate for private investment, both domestic and foreign, which is essential to economic and industrial reconstruction in the Czech Republic.
2. The particular aims of co-operation shall be:
  - to improve the institutional framework for investments in the Czech Republic;
  - the extension by the Member States and the Czech Republic of agreements for the promotion and protection of investment;
  - to implement suitable arrangements for the transfer of capital;
  - to proceed with deregulation and to improve economic infrastructure;
  - to exchange information on investment opportunities in the form of trade fairs, exhibitions, trade weeks and other events.

## ARTICLE 75

### **Industrial Standards and Conformity Assessment**

1. The Parties shall co-operate with the aim to achieve the Czech Republic's full conformity with Community technical regulations and European standardization and conformity assessment procedures.
2. To this end, co-operation shall seek:
  - to promote the use of Community technical regulations and European standards and conformity assessment procedures;
  - where appropriate, to achieve the conclusion of agreements on mutual recognition in these fields;
  - to encourage the Czech Republic's participation in the work of specialized organizations (CEN, CENELEC, ETSI, EOTC).
3. The Community will provide the Czech Republic with technical assistance where appropriate.

## ARTICLE 76

### **Co-operation in Science and Technology**

1. The parties shall promote co-operation in research and technological development. They shall devote special attention to the following:
  - the exchange of information on each other's science and technology policies;
  - the organization of joint scientific meetings (seminars and workshops);
  - joint R&D activities aimed at encouraging scientific progress and the transfer of technology and know-how;
  - training activities and mobility programmes for researchers and specialists from both sides;
  - the development of an environment conducive to research and the application of new technologies and adequate protection of the intellectual property of the results of research;
  - participation of the Czech Republic in the Community programmes in accordance with paragraph 3.

Technical assistance shall be provided where appropriate.

2. The Association Council shall determine the appropriate procedures for developing co-operation.

3. Co-operation under the Community's framework programme in the field of research and technological development shall be implemented according to specific arrangements to be negotiated and concluded in accordance with the legal procedures of each Party.

#### ARTICLE 77

##### **Education and Training**

1. The parties shall co-operate with the aim of raising the level of general education and professional qualifications in the Czech Republic, taking into consideration the priorities of the Czech Republic. Institutional frameworks and plans of co-operation will be established building on the European Training Foundation and the TEMPUS programme. Participation of the Czech Republic in other Community programmes could also be considered in this context.

2. The co-operation shall focus in particular on the following areas and according to modalities to be determined jointly by the parties:

- reform of the education and training system in the Czech Republic;
- initial training, in-service training and retraining, including the training of public and private sector executives and senior civil servants, particularly in priority areas to be determined;
- co-operation between universities, co-operation between universities and firms, and mobility for teachers, students, administrators and young people;
- promoting teaching in the field of European Studies within the appropriate institutions;
- mutual recognition of periods of studies and diplomas.

3. In the field of translation, co-operation will focus on training of translators and interpreters and promotion of Community linguistic norms and terminology.

#### ARTICLE 78

##### **Agriculture and the Agro-industrial Sector**

1. Co-operation in this area shall have as its aim the modernization of agriculture and the agro-industrial sector. It shall endeavour in particular to:

- develop private farms and distribution channels, methods of storage, marketing, etc.;
- modernize the rural infrastructure (transport, water supply, telecommunications);
- land-use planning, including construction and urban planning;
- improve productivity and quality by using appropriate methods and products; provide training and monitoring in the use of anti-pollution methods connected with inputs;
- develop and modernize processing firms and their marketing techniques;
- promote complementarity in agriculture;
- promote industrial co-operation in agriculture and the exchange of know-how, particularly between the private sectors in the Community and the Czech Republic;
- develop co-operation on animal health and plant health with the aim of bringing about gradual harmonization with Community standards through assistance for training and the organization of checks.

2. To these ends, technical assistance shall be provided by the Community as appropriate.

#### ARTICLE 79

##### **Energy**

1. Within the principles of the market economy, the parties shall co-operate to develop the progressive integration of the energy markets of the Czech Republic and the Community. They shall pay particular attention to the Community's proposals for a European Energy Charter and the parallel integration of such markets with the other countries of Central and Eastern Europe.

2. The Co-operation shall include among others technical assistance when appropriate in the following areas:

- formulation and planning of energy policy both at national and regional level;
- opening up the energy market to a greater degree, including facilitating transit of gas and electricity;
- study of the modernization of energy infrastructures;
- improvement of distribution as well as improvement and diversification of supply;
- management and training for the energy sector;
- the development of energy resources;
- the promotion of energy saving and energy efficiency;
- the environmental impact of energy production and consumption;
- the nuclear energy sector;
- the electricity and gas sectors, including the consideration of the possibility of the interconnection of the supply networks;
- the formulation of framework conditions for co-operation between undertakings in this sector, which could include the encouragement of joint ventures;
- the transfer of technology and know-how, which may include if appropriate the promotion and commercialization of efficient energy technologies.

#### ARTICLE 80

##### **Nuclear Safety**

1. The aim of co-operation is to provide for a safer use of nuclear energy.
2. Co-operation shall mainly cover the following topics:
  - nuclear safety, nuclear emergency preparedness and management;
  - radiation protection, including environmental radiation monitoring;
  - fuel cycle problems, safeguarding of nuclear materials;
  - radioactive waste management;
  - decommissioning and dismantling of nuclear installations;
  - decontamination.
3. Co-operation will include exchange of information and experience and R&D activities in accordance with Article 76.

#### ARTICLE 81

##### **Environment**

1. The Parties shall develop and strengthen their co-operation on environment and human health, which they have judged to be a priority.
2. Co-operation shall concern:
  - effective monitoring of pollution levels; systems of information on the state of the environment;
  - combating regional and transboundary air pollution;
  - sustainable, efficient and environmentally effective use and production of energy; safety of industrial plants; development of relevant technologies and production processes;
  - classification and safe handling of chemicals;
  - effective prevention and reduction of water pollution, especially of sources of drinking water and transboundary watercourses;
  - waste reduction, recycling and safe disposal (including radioactive wastes);
  - the environmental impact of agriculture; soil erosion; the protection of forests and flora and fauna; restoring ecological stability of the countryside;

- land-use planning, including construction and urban planning;
  - use of economic and fiscal instruments;
  - global climate change and its prevention;
  - environmental education and awareness;
  - international conventions in the area of environment.
3. Co-operation shall take place through:
- exchange of information and experts, including information and experts dealing with the transfer of clean technologies; development of information systems on environment;
  - training programmes;
  - joint research activities;
  - approximation of laws (Community standards);
  - co-operation at regional level (including co-operation within the framework of the European Environment Agency, when established by the Community) and international level;
  - development of strategies, particularly with regard to global and climatic issues.

## ARTICLE 82

### Transport

1. The Parties shall develop and step up co-operation in order to enable the Czech Republic to:
- restructure and modernize transport;
  - improve circulation of passengers and goods and the access to the transport market by removing administrative, technical and other obstacles;
  - facilitate Community transit in the Czech Republic by road, rail, river and combined transport;
  - achieve operating standards comparable to those in the Community.
2. The co-operation shall include the following in particular:
- economic, legal and technical training programmes;
  - the provision of technical assistance and advice, and the exchange of information;
  - the provision of means to develop infrastructure in the Czech Republic.
3. The co-operation shall include the following priority areas:
- the construction and modernization of road transport, including the gradual easing of transit conditions;
  - the management of railways and airports, including co-operation between the appropriate national authorities;
  - the modernization, on major routes of common interest and trans-European links, of road, inland waterway, railway, port and airport infrastructure;
  - land-use planning including construction and urban planning;
  - the promotion of road-rail transport, containerization, transshipment and the construction of terminals;
  - the replacement of transport technical equipment in order to meet Community standards;
  - the promotion of joint technological and research programmes in accordance with Article 76.
  - the development of legislative measures and the implementation of policies in all areas of transportation, compatible with the transport policies applicable in the Community.

## ARTICLE 83

### **Telecommunications**

1. The Parties shall expand and strengthen co-operation in this area, and shall to this end initiate in particular the following actions:
  - exchange information on telecommunications policies;
  - exchange technical and other information and organize seminars, workshops and conferences for experts of both sides;
  - conduct training and advisory operations;
  - carry out transfers of technology;
  - have the appropriate bodies from both sides carry out joint projects;
  - promote European standards, systems of certification and regulatory approaches;
  - promote new communications, services and facilities, particularly those with commercial applications.
2. These activities shall focus on the following priority areas:
  - the modernization of the Czech Republic's telecommunications network and its integration into European and world networks;
  - co-operation within the structures of European standardization;
  - the integration of trans-European systems; the legal and regulatory aspects of telecommunications;
  - the management of telecommunications in the new economic environment: organizational structures, strategy and planning, purchasing principles;
  - land-use planning, including construction and urban planning.

## ARTICLE 84

### **Banking, insurance, other financial services and audit co-operation**

1. The Parties shall co-operate with the aim of establishing and developing a suitable framework for the encouragement of banking, insurance and financial services sector in the Czech Republic.
  - (a) The co-operation shall focus on:
    - the adoption of a common accounting system compatible with European standards;
    - the strengthening and restructuring of the banking and financial sectors;
    - the improvement of supervision and regulation of banking and financial services;
    - the preparation of translations of Community and Czech Republic legislation;
    - the preparation of glossaries of terminology;
    - the exchange of information in particular in respect of proposed legislation.
  - (b) To this end, the co-operation shall include the provision of technical assistance and training.
2. The Parties shall co-operate with the aim of developing efficient audit systems in the Czech Republic following standard Community methods and proceedings.
  - (a) Co-operation shall focus on:
    - the establishment in the Czech Republic of an independent Supreme Audit Office;
    - the establishment of internal audit units in government agencies;
    - the exchange of relevant audit information;
    - the uniformization of audit documentation;
    - training and advisory operations.
  - (b) To this end, technical assistance shall be provided by the Community as appropriate.



## ARTICLE 85

### **Monetary Policy**

At the request of the Czech Republic authorities, the Community shall provide technical assistance designed to support the efforts of the Czech Republic towards the introduction of full convertibility of the Crown and the gradual approximation of its policies to those of the European Monetary System. This will include informal exchange of information concerning the principles and the functioning of the European Monetary System.

## ARTICLE 86

### **Money Laundering**

1. The Parties agree on the necessity of making every effort and co-operating in order to prevent the use of their financial systems for laundering of proceeds from criminal activities in general and drug offences in particular.
2. Co-operation in this area shall include administrative and technical assistance with the purpose of establishing suitable standards against money laundering equivalent to those adopted by the Community and international fora in this field, in particular the Financial Action Task Force (FATF).

## ARTICLE 87

### **Regional Development**

1. The Parties shall strengthen co-operation between them on regional development and land-use.
2. To this end, any of the following measures may be undertaken:
  - the exchange of information by national, regional or local authorities on regional and land-use planning policy;
  - the provision of assistance to the Czech Republic for the formulation of such policy;
  - joint action by regional and local authorities in the area of economic development;
  - the study of co-ordinated approaches for the development of border areas between the Community and the Czech Republic and other Czech Republic areas with severe regional disparities;
  - exchange visits to explore the opportunities for co-operation and assistance;
  - the exchange of civil servants or experts;
  - the provision of technical assistance;
  - the establishment of programmes for the exchange of information and experience, by methods including seminars.

## ARTICLE 88

### **Social Co-operation**

1. With regard to health and safety, the Parties shall develop co-operation between them with the aim of improving the level of protection of the health and safety of workers, taking as a reference the level of protection existing in the Community. Co-operation shall comprise the following in particular:
  - the provision of technical assistance;
  - the exchange of experts;
  - co-operation between firms;
  - the exchange of information and administrative and other relevant assistance to firms, training operations.

2. With regard to employment, co-operation between the Parties shall focus notably on upgrading job-finding and careers-advice services, providing back-up measures and promoting local development to assist industrial restructuring.

It shall also include measures such as the performance of studies, provision of the services of experts and information and training.

3. With regard to social security, co-operation between the Parties shall seek to adapt the social security systems to the new economic and social situation, primarily by providing the services of experts and information and training.

#### ARTICLE 89

##### **Tourism**

The Parties shall increase and develop co-operation between them, which shall include:

- facilitating the tourist trade;
- increasing the flow of information through international networks, databanks, etc.;
- transferring know-how through training, exchanges, seminars;
- executing regional tourist projects such as cross-frontier projects, town-twinning, etc.;
- exchanging views and providing for appropriate exchanges of information on major issues of mutual interest affecting the tourism sector;
- encouraging the development of infrastructure conducive to investment in the tourism sector.

#### ARTICLE 90

##### **Small and Medium-sized Enterprises**

1. The Parties shall aim to develop and strengthen private sector small and medium-sized enterprises and co-operation between SMEs in the Community and the Czech Republic.

2. They shall encourage the exchange of information and know-how in the following areas:

- bringing about the legal, administrative, technical, tax and financial conditions necessary to the establishment and expansion of SMEs and for cross-border co-operation;
- the provision of the specialized services required by SMEs (management training, accounting, marketing, quality control, etc.) and the strengthening of agencies providing such services;
- the establishment of appropriate links with Community operators with the aim of improving the flow of information to SMEs and promoting cross-border co-operation (e.g. the Business Co-operation Network (BC-NET), Euro-Info Centres, conferences, etc.).

3. The co-operation will include the provision of technical assistance in particular for the establishment of appropriate institutional support for SMEs, at national and regional level, in respect of financial, training, advisory, technological and commercial services.

#### ARTICLE 91

##### **Information and Communication**

With regard to information and communication, the Community and the Czech Republic shall take appropriate steps to stimulate effective mutual exchange of information. Priority shall be given to programmes aimed at providing the general public with basic information about the Community and specific circles in the Czech Republic with more specialized information, including, where possible, access to Community databases.

## ARTICLE 92

### Consumer Protection

1. The Parties shall co-operate with the aim of achieving full compatibility of the Czech Republic with the Community consumer protection system.
2. To this end, the co-operation shall comprise, within existing possibilities:
  - exchange of information and experts;
  - access to Community databases;
  - training operations and technical assistance.

## ARTICLE 93

### Customs

1. The aim of co-operation shall be to guarantee compliance with all the provisions scheduled for adoption in connection with trade and to achieve the approximation of the Czech Republic's customs system to that of the Community, thus helping to ease the steps towards liberalization planned under this Agreement.
2. Co-operation shall include the following in particular:
  - the exchange of information;
  - the development of cross-frontier infrastructure between the Parties;
  - the interconnection between the transit systems of the Community and the Czech Republic;
  - the simplification of inspections and formalities in respect of the carriage of goods;
  - the organization of seminars and placements.Technical assistance shall be provided where appropriate.
3. Without prejudice to further co-operation provided for in this Agreement, and in particular Article 96, the mutual assistance between administrative authorities in customs matters of the Contracting Parties shall take place in accordance with the provisions of Protocol No. 6.

## ARTICLE 94

### Statistical Co-operation

1. Co-operation in this area shall have as its aim the development of an efficient statistical system to provide, in a rapid and timely fashion, the reliable statistics needed to plan and monitor the process of reform and to contribute to the development of private enterprise in the Czech Republic.
2. The Parties shall co-operate in particular:
  - to strengthen the service of statistics of the Czech Republic;
  - to bring about harmonization with international (and particularly Community) methods, standards and classifications;
  - to provide the data needed to maintain and monitor economic reform;
  - to provide private-sector economic operators with the appropriate macro-economic and micro-economic data;
  - to guarantee the confidentiality of data;
  - to exchange statistical information.
3. Technical assistance shall be provided by the Community as appropriate.

## ARTICLE 95

### **Economics**

1. The Community and the Czech Republic will facilitate the process of economic reforms and integration by co-operating to improve understanding of the fundamentals of their respective economies and of implementing economic policy in market economies.
2. To these ends the Community and the Czech Republic will:
  - exchange information on macro-economic performance and prospects and on strategies for development where appropriate;
  - analyse jointly economic issues of mutual interest, including the framing of economic policy and the instruments for implementing it;
  - through the programme of Action for Co-operation in Economics in particular, encourage extensive co-operation among economists and managers in the Community and the Czech Republic, in order to speed the transfer of know-how for the drafting of economic policies, and provide for wide dissemination of the results of policy-relevant research.

## ARTICLE 96

### **Drugs**

1. The co-operation is in particular aimed at increasing the efficiency of policies and measures to counter the supply and illicit traffic of narcotics and psychotropic substances and the reduction of abuse of these products.
2. The Contracting Parties shall agree on the necessary methods of co-operation to attain these objectives, including the modalities of the implementation of common actions. Their actions will be based on consultation on and close co-ordination of the objectives and the policy measures in the fields targeted in paragraph 1.
3. The co-operation between the Contracting Parties will comprise technical and administrative assistance which could deal in particular with the following areas: the drafting and implementation of national legislation; the creation of institutions and information centres and of social and health centres; the training of personnel and research; the prevention of diversion of precursors used for the purpose of illicit manufacture of narcotic drugs or psychotropic substances.

The Parties may agree to include other areas.

## TITLE VII

### **Cultural Co-operation**

#### ARTICLE 97

1. The Parties undertake to promote cultural co-operation. Where appropriate, Community's cultural co-operation programmes, or those of one or more Member States may be extended to the Czech Republic and further activities of interest to both sides developed.

This co-operation may notably cover:

- literary translation;
- conservation and restoration of monuments and sites (architectural and cultural heritage);
- training for those dealing with cultural affairs;
- the organization of European-oriented cultural events;

2. The Parties shall co-operate in the promotion of the audiovisual industry in Europe. The audiovisual sector in the Czech Republic could in particular participate in activities set up by the Community in the MEDIA programme for 1991–1995 in accordance with the procedures laid down by the bodies responsible for managing each activity and in accordance with the provisions of the Decision of the Council of the European Communities of 21 December 1990, which established the programme.

The Parties shall co-ordinate, and where appropriate, harmonize, their policies regarding the regulation of cross-border broadcasts, technical standards and the promotion of European audiovisual technology.

## TITLE VIII

### Financial Co-operation

#### ARTICLE 98

In order to achieve the objectives of this Agreement and in accordance with Articles 99, 100, 102 and 103, without prejudice to Article 101, the Czech Republic shall benefit from temporary financial assistance from the Community in the form of grants and loans, including loans from the European Investment Bank according to the provisions of Article 18 of the Statute of the Bank.

#### ARTICLE 99

This financial assistance shall be covered by:

- the Operation PHARE measures provided for in Council Regulation (EEC) No. 3906/89, as amended, for as long as they are applicable; thereafter grants will be made available by the Community, either within the framework of the Operation PHARE on a multiannual basis, or within a new financial multiannual framework established by the Community following consultations with the Czech Republic and taking into account the considerations set out in Articles 102 and 103;
- the loan(s) provided by the European Investment Bank until the expiry date of the availability thereof; following consultations with the Czech Republic the Community shall fix the maximum amount and period of availability of loans from the European Investment Bank for the Czech Republic for subsequent years.

#### ARTICLE 100

The objectives and the areas of the Community's financial assistance shall be laid down in an indicative programme to be agreed between the two Parties. The Parties shall inform the Association Council.

#### ARTICLE 101

1. The Community shall, in case of special need, taking into account the availability of all financial resources, on request of the Czech Republic and in co-ordination with international financial institutions, in the context of the G-24, examine the possibility of granting temporary financial assistance

- to support measures with the aim to introduce and maintain the convertibility of the Czech Republic currency;
- to support medium-term stabilization and structural adjustment efforts, including balance of payments assistance.

2. This financial assistance is subject to the Czech Republic's presentation of IMF supported programmes in the context of G-24, as appropriate, for convertibility and/or for restructuring its economy, to the Community's acceptance thereof, to the Czech Republic's continued adherence to these programmes and, as an ultimate objective, to rapid transition to reliance on finance from private sources.

3. The Association Council will be informed of the conditions under which this assistance will be provided and of the respect of the obligations undertaken by the Czech Republic concerning such assistance.

#### ARTICLE 102

The Community financial assistance shall be evaluated in the light of the needs which arise and of the Czech Republic's development level, and taking into account established priorities and the absorption capacity of the Czech Republic economy, the ability to repay loans and accomplishment of a market economy system and restructuring in the Czech Republic.

#### ARTICLE 103

In order to permit optimum use of the resources available, the Contracting Parties shall ensure that Community contributions are made in close co-ordination with those from other sources such as the Member States, other countries, including the G-24, and international financial institutions, such as the International Monetary Fund, the International Bank for Reconstruction and Development and the European Bank for Reconstruction and Development.

### TITLE IX

#### **Institutional, General and Final Provisions**

#### ARTICLE 104

An Association Council is hereby established which shall supervise the implementation of this Agreement. It shall meet at ministerial level once a year and when circumstances require. It shall examine any major issues arising within the framework of this Agreement and any other bilateral or international issues of mutual interest.

#### ARTICLE 105

1. The Association Council shall consist of the members of the Council of the European Communities and members of the Commission of the European Communities, on the one hand, and of members appointed by the Government of the Czech Republic, on the other.
2. Members of the Association Council may arrange to be represented, in accordance with the conditions to be laid down in its rules of procedure.
3. The Association Council shall establish its rules of procedure.
4. The Association Council shall be presided in turn by a member of the Council of the European Communities and a member of the Government of the Czech Republic, in accordance with the provisions to be laid down in its rules of procedure.
5. Where applicable, the European Investment Bank will take part, as an observer, in the work of the Association Council.

#### ARTICLE 106

The Association Council shall, for the purpose of attaining the objectives of this Agreement, have the power to take decisions in the cases provided for therein. The decisions taken shall be binding on the Parties which shall take the measures necessary to implement the decisions taken. The Association Council may also make appropriate recommendations.

It shall draw up its decisions and recommendations by agreement between the two Parties.

#### ARTICLE 107

1. Each of the two Parties may refer to the Association Council any dispute relating to the application or interpretation of this Agreement.
2. The Association Council may settle the dispute by means of a decision.
3. Each Party shall be bound to take the measures involved in carrying out the decision referred to in paragraph 2.

4. In the event of it not being possible to settle the dispute in accordance with paragraph 2, either Party may notify the other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within two months. For the application of this procedure, the Community and the Member States shall be deemed to be one Party to the dispute.

The Association Council shall appoint a third arbitrator.

The arbitrators' decisions shall be taken by majority vote.

Each party to the dispute must take the steps required to implement the decision of the arbitrators.

#### ARTICLE 108

1. The Association Council shall be assisted in the performance of its duties by an Association Committee composed of representatives of the members of the Council of the European Communities and of members of the Commission of the European Communities on the one hand and of representatives of the Government of the Czech Republic on the other, normally at senior civil servant level.

In its rules of procedure the Association Council shall determine the duties of the Association Committee, which shall include the preparation of meetings of the Association Council and how the Committee shall function.

2. The Association Council may delegate to the Association Committee any of its powers. In this event the Association Committee shall take its decisions in accordance with the conditions laid down in Article 106.

#### ARTICLE 109

The Association Council may decide to set up any other special committee or body that can assist it in carrying out its duties.

In its rules of procedure, the Association Council shall determine the composition and duties of such committees or bodies and how they shall function.

#### ARTICLE 110

An Association Parliamentary Committee is hereby established. It shall be a forum for Members of the Czech Republic Parliament and the European Parliament to meet and exchange views. It shall meet at intervals which it shall itself determine.

#### ARTICLE 111

1. The Association Parliamentary Committee shall consist of members of the European Parliament, on the one hand, and of Members of the Czech Republic Parliament, on the other.

2. The Association Parliamentary Committee shall establish its rules of procedure.

3. The Association Parliamentary Committee shall be presided each in turn by the European Parliament and the Czech Republic Parliament, in accordance with the provisions to be laid down in its rules of procedure.

#### ARTICLE 112

The Association Parliamentary Committee may request relevant information regarding the implementation of this Agreement from the Association Council, which shall then supply the Committee with the requested information.

The Association Parliamentary Committee shall be informed of the decisions of the Association Council.

The Association Parliamentary Committee may make recommendations to the Association Council.

#### ARTICLE 113

Within the scope of this Agreement, each Party undertakes to ensure that natural and legal persons of the other Party have access free of discrimination in relation to its own nationals to the competent courts and administrative organs of the Parties to defend their individual rights and their property rights, including those concerning intellectual, industrial and commercial property.

#### ARTICLE 114

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

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to the production of, or trade in, arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in the event of serious internal disturbances affecting the maintenance of law and order, in time of war or serious international tension constituting threat of war or in order to carry out obligations it has accepted for the purpose of maintaining peace and international security.

#### ARTICLE 115

1. In the fields covered by this Agreement and without prejudice to any special arrangements contained therein:

- the arrangements applied by the Czech Republic in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms;
- the arrangements applied by the Community in respect of the Czech Republic shall not give rise to any discrimination between Czech Republic nationals or its companies or firms.

2. The provisions of paragraph 1 are without prejudice to the right of the Contracting Parties to apply the relevant provisions of their fiscal legislation to taxpayers who are not in identical situations as regards their place of residence.

#### ARTICLE 116

Products originating in the Czech Republic shall not enjoy more favourable treatment when imported into the Community than that applied by Member States among themselves.

The treatment granted to the Czech Republic under Title IV and Chapter I of Title V shall not be more favourable than that accorded by Member States among themselves.

#### ARTICLE 117

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

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



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

#### ARTICLE 118

This Agreement shall not, until equivalent rights for individuals and economic operators have been achieved under this Agreement, affect rights assured to them through existing agreements binding one or more Member States, on the one hand, and the Czech Republic, on the other.

#### ARTICLE 119

Protocols 1, 2, 3, 4, 5, 6, 7 and 8 and Annexes I to XVII shall form an integral part of this Agreement.

#### ARTICLE 120

This Agreement is concluded for an unlimited period.

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

#### ARTICLE 121

This Agreement shall apply, on the one hand, to the territories in which the Treaties establishing the European Economic Community, the European Atomic Energy Community, and the European Coal and Steel Community are applied and under the conditions laid down in those Treaties and, on the other hand, to the territory of the Czech Republic.

#### ARTICLE 122

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

#### ARTICLE 123

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

This Agreement shall enter into force on the first day of the second month following the date on which the Contracting Parties notify each other that the procedures referred to in the first paragraph have been completed.

Upon its entry into force, this Agreement shall replace the Agreement between the European Economic Community, the European Atomic Energy Community and the Czech and Slovak Federal Republic on trade, economic and commercial co-operation signed in Brussels on 7 May 1990, and the Protocol between the European Coal and Steel Community and the Czech and Slovak Federal Republic initialled in Brussels on 28 June 1991, before the entry into force hereof.

ARTICLE 124

1. In view of the fact that provisions equivalent to those of certain parts of the Agreement and thus of the Europe Agreement signed between the Community and its Member States on 16 December 1991 and the Czech and Slovak Federal Republic, in particular those relating to the movements of goods, were put into effect since 1 March 1992 by means of an Interim Agreement on trade and trade related measures between the Community and the Czech and Slovak Federal Republic signed on 16 December 1991, as amended by the Supplementary Protocols between the Community and each of the Czech Republic and the Slovak Republic, the Parties agree that in such circumstances for the purposes of Title III, Articles 64, 66 and 67 of the Agreement and Protocols Nos. 1 (with the exception of its Article 3), 2, 3, 4 and 5 and 6, the term "date of entry into force of the Agreement" shall mean:

- 1 March 1992 in relation to obligations taking effect on the date of entry into force of the Agreement, and
- 1 January 1992 in relation to obligations taking effect after the date of entry into force by reference to the date of entry into force.

2. In the case of entry into force of the Agreement after 1 January in any year, the provisions of Protocol No. 7 shall apply.

Done at Luxembourg on the fourth day of October one thousand nine hundred and ninety-three.

[Here follow the signatures]

## LIST OF ANNEXES

I	Article 9(1) & Article 19(2)	DEFINITION OF INDUSTRIAL AND AGRICULTURAL PRODUCTS
II	Article 10(2)	COMMUNITY TARIFF CONCESSIONS
III	Article 10(3)	COMMUNITY TARIFF CONCESSIONS
IV	Article 11(1)	Czech Republic TARIFF CONCESSIONS
V	Article 11(2)	Czech Republic TARIFF CONCESSIONS
VI	Article 11(3)	Czech Republic TARIFF CONCESSIONS
VII	Article 11(4)	Czech Republic TARIFF CONCESSIONS
VIII	Article 11(5)	Czech Republic CONCESSIONS: QUANTITATIVE RESTRICTIONS ON IMPORTS
IX	Article 14(3)	Czech Republic EXPORT LICENSING ITEMS
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XIa	Article 21(2)	COMMUNITY AGRICULTURAL CONCESSIONS
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XII	Article 21(4)	ARRANGEMENTS FOR IMPORTS OF LIVE BOVINE ANIMALS INTO THE COMMUNITY
XIII	Article 21(4)	COMMUNITY AGRICULTURAL CONCESSIONS
XIV	Article 21(4)	Czech Republic AGRICULTURAL CONCESSIONS
XV	Article 24	COMMUNITY FISHERY CONCESSIONS
XVIa	Title IV, Chapter II	ESTABLISHMENT: “ FINANCIAL SERVICES ”
XVIb	Article 45(1)(i) Article 45(5) Article 51(i)	ESTABLISHMENT: “ SECTORS RELATED TO THE END OF THE TRANSITIONAL PERIOD ”
XVIc	Article 45(5) and (6)	ESTABLISHMENT: “ EXCLUDED SECTORS ”
XVII	Article 67(2)	INTELLECTUAL PROPERTY

## List of products referred to in Articles 9 and 19 of the Agreement

CN code	Description
ex 3502	Albumins, albuminates and other albumin derivatives:
ex 3502 10	Egg albumin:
	Other:
3502 10 91	Dried (for example, in sheets, scales, flakes, powder)
3502 10 99	Other
ex 3502 90	Other:
	Albumins, other than egg albumin:
	Milk albumin (lactalbumin):
3502 90 51	Dried (for example, in sheets, scales, flakes, powder)
3502 90 59	Other
4501	Natural cork, raw or simply prepared; waste cork; crushed, granulated or ground cork
5201 00	Cotton, not carded or combed
5301	Flax, raw or processed but not spun; flax tow and waste (including yarn waste and garnetted stock)
5302	True hemp ( <i>Cannabis sativa</i> L.), raw or processed but not spun; tow and waste of true hemp (including yarn waste and garnetted stock)

**List of products referred to in Article 10(2)**

CN code 1991

7202 21 10

7202 21 90

7202 29 00

## List of products referred to in Article 10(3)

CN code 1993	Basic tariff quota <sup>(1)</sup> <sup>(3)</sup>	Basic tariff ceiling <sup>(2)</sup> <sup>(3)</sup>
	(ECU)	(ECU)
(1)	(2)	(3)
2523		4 926 240
2817 00 00		31,800
2818 10 00		2 834 370
2823 00 00		2 495 790
2827 10 00	114,840	
2831 10 00		410 850
2831 90 00		
2833 22 00		112 860
2833 25 00		549 100
2835 23 00		44 550
2836 60 00		977 130
2902 50 00		9 277 290
2902 60 00	2 122 320	
2903 22 00		1 880
2903 61 00		412 830
2905 31 00		39 690
2907 11 00		182 650
2907 15 00		654 390
2909 41 00		11 030
2917 11 00		196 020
2918 14 00	140 700	
2921 19 30		252 450
2921 41 00		2 202 750
2933 71 00		1 859 280
2936 22 00		10 500
2936 28 00		
2936 29 90		
2941 40 00		8 820
3102 10 10	131 670	
3102 30 10		10 710
3102 30 90		
3102 40 10		1 669 800
3102 40 90		
3102 80 00		676 000
3102 10 90		184 920
3102 21 00		
3102 29 10		
3102 50 90		
3102 60 00		
3102 70 00		
3102 90 00		
3105		2 801 400
3206 42 00		99 990
3605 00 00		380 240
3901 20 00		12 993 750

CN code 1993	Basic tariff quota <sup>(1)</sup> <sup>(3)</sup>	Basic tariff ceiling <sup>(2)</sup> <sup>(3)</sup>
	(ECU)	(ECU)
(1)	(2)	(3)
3904 10 00 3904 21 00 3904 22 00		2 992 500
3912 20 19 3912 20 90		519 750
3920 20 21 3920 20 29		12 960
3903 3915 20 00 3920 30 00 3920 99 50		4 474 800
4011 40 4011 50 10 4011 50 90 4013 20 00 4013 90 10		4 038 210
4011 10 00 4011 20 00 4011 30 90 4011 91 00 4011 99 00 4012 10 30 4012 10 50 4012 10 80 4012 20 90 4012 90 10 4012 90 90 4013 10 10 4013 10 90 4013 90 90	3 402 000	
4202 12 11 4202 12 19 4202 22 10 4202 32 10 4202 92 11 4202 92 19		3 150 000
4202 11 10 4202 11 90 4202 12 91 4202 12 99 4202 19 91 4202 19 99 4202 21 00 4202 22 90 4202 29 00 4202 31 00 4202 32 90 4202 39 00 4202 91 10 4202 91 80 4202 92 91 4202 92 98 4202 99 00		4 725 000
4203 10 00 4203 21 00 4203 29 91 4203 29 99 4203 30 00 4203 40 00	3 870 000	
4203 29 10	2 315 600	
4411	2 000 000	
6401 6402	365 820	

CN code 1993	Basic tariff quota <sup>(1)</sup> <sup>(3)</sup>	Basic tariff ceiling <sup>(2)</sup> <sup>(3)</sup>
	(ECU)	(ECU)
(1)	(2)	(3)
6403	1 926 250	
6404	739 010	
6405 90 10		
6908	2 951 410	
6911	572 220	
7004	1 405 800	
7005	873 180	
7010 90 21		2 924 400
7010 90 31		
7010 90 41		
7010 90 43		
7010 90 45		
7010 90 47		
7010 90 51		
7010 90 53		
7010 90 55		
7010 90 57		
7010 90 61		
7010 90 67		
7010 90 71		
7010 90 77		
7010 90 81		
7010 90 87		
7010 90 99		
7013	2 740 500	
7019 10 51	241 500	
7207 19 39		407 700
7207 20 79		
7216 60 11		
7216 60 19		
7216 60 90		
7216 90 50		
7216 90 60		
7216 90 91		
7216 90 93		
7216 90 95		
7216 90 97		
7216 90 98		
7217 11 10		1 339 100
7217 11 91		
7217 11 99		
7217 12 10		
7217 12 90		
7217 13 11		
7217 13 19		
7217 13 91		
7217 13 99		
7217 19 10		
7217 19 90		
7217 21 00		
7217 22 00		
7217 23 00		
7217 29 00		
7304 10 10	5 788 300	
7304 10 30		
7304 10 90		
7304 20 91		
7304 20 99		
7304 31 91		
7304 31 99		
7304 39 10		
7304 39 51		
7304 39 59		



CN code 1993	Basic tariff quota <sup>(1)</sup> <sup>(3)</sup>	Basic tariff ceiling <sup>(2)</sup> <sup>(3)</sup>
	(ECU)	(ECU)
(1)	(2)	(3)
7304 39 91		
7304 39 93		
7304 39 99		
7304 41 90		
7304 49 10		
7304 49 91		
7304 49 99		
7304 51 11		
7304 51 19		
7304 51 91		
7304 51 99		
7304 59 10		
7304 59 31		
7304 59 39		
7304 59 91		
7304 59 93		
7304 59 99		
7304 90 90 <sup>(7)</sup>		
7305 11 00		
7305 12 00		
7305 19 00		
7305 20 10		
7305 20 90		
7305 31 00		
7305 39 00		
7305 90 00		
7306 10 11		
7306 10 19		
7306 10 90		
7306 20 00		
7306 30 21		
7306 30 29		
7306 30 51		
7306 30 59		
7306 30 71		
7306 30 78		
7306 30 90		
7306 40 91		
7306 40 99		
7306 50 91		
7306 50 99		
7306 60 31		
7306 60 39		
7306 60 90		
7306 90 00 <sup>(7)</sup>		
7317		805 750
7318 15 81	415 500	
8532		3 874 500
8539 10 90	1 686 600	
8539 21 30		
8539 21 91		
8539 21 99		
8539 22 10		
8539 22 90		
8539 29 31		
8539 29 39		
8539 29 91		
8539 29 99		
8540 11 10		2 619 540
8540 11 30		
8540 11 50		
8540 11 80		
8701 20	3 601 620	
8701 90	10 649 340	

CN code 1993	Basic tariff quota <sup>(1)</sup> <sup>(3)</sup>	Basic tariff ceiling <sup>(2)</sup> <sup>(3)</sup>
	(ECU)	(ECU)
(1)	(2)	(3)
8703 21 10		79 678 170
8703 22 11		
8703 22 19		
8703 23 11		
8703 23 19		
8703 31 10		
8703 32 11		
8703 32 19		
8703 33 11*10 ——— <sup>(4)</sup>		
8703 33 19*10 ——— <sup>(5)</sup>		
8703 90 90*11 ——— <sup>(6)</sup>		
8704 22 91		6 350 400
8704 22 99		
8704 23 91		
8704 23 99		
9401 20 00		9 395 840
9401 30 10		
9401 30 90		
9401 40 00		
9401 50 00		
9401 61 00		
9401 69 00		
9401 71 00		
9401 79 00		
9401 80 00		
9401 90 90		
9403 10 10		47 005 680
9403 10 51		
9403 10 59		
9403 10 91		
9403 10 93		
9403 10 99		
9403 20 91		
9403 20 99		
9403 30 11		
9403 30 19		
9403 30 91		
9403 30 99		
9403 40 00		
9403 50 00		
9403 60 10		
9403 60 30		
9403 60 90		
9403 70 90		
9403 90 10		
9403 90 30		
9403 90 90		
9405 91 19		1 039 500

- (<sup>1</sup>) Imports in excess of these quotas shall attract customs duties in the manner set out in the Agreement.
- (<sup>2</sup>) For imports in excess of these ceilings, the Community may reintroduce customs duties in the manner set out in the Agreement.
- (<sup>3</sup>) These amounts will be increased:  
—by 20% at the entry into force of the Agreement  
—by a further 20% on 1 January 1993  
—by a further 10% on 1 July 1993  
—by a further 30% on 1 January 1994.
- (<sup>4</sup>) Motor caravans, new, of a cylinder capacity exceeding 2 500 cm<sup>3</sup> but not exceeding 3 000 cm<sup>3</sup>.
- (<sup>5</sup>) Other vehicles, new, with compression-ignition internal combustion piston engine (diesel or semi-diesel) of a cylinder capacity exceeding 2 500 cm<sup>3</sup> but not exceeding 3 000 cm<sup>3</sup>.
- (<sup>6</sup>) Vehicles other than with electric motors, new, of a cylinder capacity not exceeding 3 000 cm<sup>3</sup>.
- (<sup>7</sup>) From 1 June 1993 to 31 December 1995, subject to any subsequent modification, the provisions of Decisions 1/93(C) and 1/93(S) of the Joint Committee acting in accordance with the Interim Agreement on trade and trade related matters between the Community and the CSFR signed on 16 December 1991 as amended by the Supplementary Protocols between the Community and each of the Czech Republic and the Slovak Republic, will be applicable.

## List of products referred to in Article 11(1)

2501 00	2905 17	3201 90	3801 90	4302 20
2513 21	2905 22	3204 12	3803 00	4302 30
2520 20	2905 29	3204 13	3804 00	
2522 10	2906 11	3214 10	3807 00	4401 21
2522 20	2906 12	3214 90	3808 90	4401 27
2522 30	2906 14	3215 90	3809 92	4404 10
	2906 19		3812 20	4404 20
2703 00	2906 21	3301 11	3816 00	4405 00
2707 10	2906 29	3301 12	3823 10	4407 10
2707 20	2907 12	3301 13		4407 99
2707 30	2907 13	3301 14	3904 69	4408 10
2707 40	2907 14	3301 19	3904 90	4408 20
2707 50	2907 19	3301 21	3907 10	4408 90
2707 60	2907 21	3301 22	3907 20	4412 11
2707 91	2908 90	3301 23	3907 40	4416 00
2711 12	2911 00	3301 24	3907 60	4418 50
2711 13	2912 12	3301 25	3912 11	
2711 14	2912 29	3301 26	3912 12	4501 90
2711 19	2912 49	3301 29	3912 20	4502 00
2712 90	2914 21	3301 90	3912 31	4503 10
2713 90	2914 23		3912 90	4504 10
2713 90	2914 29	3401 19	3913 90	4504 90
2715 00	2914 30	3401 20	3920 72	
	2915 32	3402 11	3920 73	4601 10
	2917 12	3402 12	3920 91	
2803 00	2917 14	3402 13		4802 10
2804 80	2932 21	3402 19	4001 30	4802 60
2806 10	2935 00	3402 20	4005 10	4806 30
2809 20	2936 21	3402 90	4005 20	4806 40
2811 21	2936 22	3403 11	4005 91	4814 30
2811 29	2936 23	3403 91	4006 10	
2816 10	2936 24	3403 99	4006 90	4905 10
2816 20	2936 25	3405 30	4007 00	4907 00
2816 30	2936 26	3405 40	4009 50	
2818 20	2936 90	3405 90	4010 99	5002 00
2818 30	2937 10		4014 16	5004 00
2822 00	2937 21	3501 10	4014 90	5005 00
2824 10	2937 22	3502 10		
2824 20	2937 29	3502 90	4104 10	5107 10
2824 90	2937 91		4104 21	5107 20
2827 37	2937 99	3603 00	4104 22	5108 10
2829 11	2938 10	3604 10	4104 29	5108 20
2830 30	2938 90	3606 10	4104 31	5109 10
2832 10	2939 21	3606 90	4104 39	5109 90
2832 20	2939 29		4105 11	5113 00
2832 30	2939 30	3702 10	4105 12	
2833 11	2939 70	3702 31	4105 19	5203 00
2833 22	2941 20	3702 32	4105 20	5205 25
2833 23	2941 40	3702 39	4106 11	5205 45
2833 29	2941 50	3702 41	4106 12	5206 45
2833 30	2941 90	3702 42	4106 19	5207 10
2836 20		3702 43	4106 20	5207 90
2836 40		3702 44	4107 10	
2836 60	3002 10	3702 51	4107 90	5306 10
2836 91	3002 90	3702 52	4108 00	5306 20
2836 92	3003 10	3702 53	4109 00	
2840 20	3003 31	3702 54		
2841 30	3005 90	3702 55	4203 10	5406 10
2841 40	3006 10	3702 56	4203 21	5406 20
2841 90	3006 20	3702 91	4203 30	5407 20 11
2843 29	3006 30	3702 92	4203 40	5407 41
2844 10	3006 50	3702 93	4204 00	5407 42
2844 30		3702 94	4206 90	5407 43
2846 10	3101 00	3702 95		5407 44
2846 90	3105 10	3704 00	4302 11	5407 51
2847 00	3105 90	3705 10	4302 12	5407 52
2849 20	3201 10	3705 20	4302 13	5407 53
2851 00	3201 20	3705 90	4302 19	5407 54
2903 21	3201 30			5407 60

5407 71	6814 90	8003 00	8412 39	8450 90
5407 72	6815 20	8004 00	8412 80	8453 10
5407 73		8005 10	8416 10	8453 20
5407 74	6901 00	8007 00	8416 20	8453 90
5407 81	6905 10		8416 30	8455 30
5407 82	6905 90	8101 10	8416 90	8456 20
5407 83	6906 00	8101 92	8418 50	8456 30
5407 84	7001 00	8101 93	8418 61	8456 90
5407 91	7002 10	8101 99	8418 69	8459 39
5407 92	7002 20	8102 10	8419 11	8460 31
5407 93	7002 31	8102 92	8421 11	8460 39
5407 94	7002 32	8102 93	8421 12	8461 20
5408 21	7018 10	8102 99	8421 19	8461 30
5408 22		8104 30	8421 21	8461 90
5408 23	7101 10	8104 90	8421 22	8463 20
5408 24	7101 21	8105 90	8421 29	8463 30
5408 31	7101 22	8107 90	8421 39	8463 90
	7102 21	8108 90	8421 91	8464 10
5508 10	7102 29	8109 90	8421 99	8467 11
5511 10	7102 31	8112 11	8422 20	8467 19
5511 20	7102 39	8112 19	8422 30	8467 81
5511 30	7103 10	8112 40	8422 40	8467 89
	7103 91	8112 99	8422 90	8467 91
5601 10	7103 99	8113 00	8423 90	8467 92
5601 21	7104 10		8432 90	8467 99
5601 22	7106 92	8201 20	8433 90	8470 30
5601 29	7107 00	8201 60	8434 10	8470 40
5604 90	7108 13	8201 90	8434 20	8470 50
	7108 20	8202 10	8434 90	8470 90
5902 90	7109 00	8202 20	8435 90	8472 10
5910 00	7110 19	8202 31	8436 91	8473 10
5911 10	7110 29	8202 32	8436 99	8473 40
5911 20	7110 39	8202 40	8438 10	8476 11
	7110 49	8202 91	8438 20	8476 19
6103 41	7111 00	8202 99	8438 40	8476 90
6111 10	7116 10	8203 20	8438 50	8477 90
6116 93	7116 20	8203 30	8438 60	8478 10
6117 80		8203 40	8440 10	8478 90
	7201 10	8205 30	8440 90	8479 90
6206 10	7201 20	8206 00	8441 10	8480 71
6212 90	7201 30	8208 10	8441 20	8480 79
6214 90	7201 40	8208 20	8441 30	8483 90
6216 00	7203 10	8208 30	8441 40	8484 10
	7203 90	8208 40	8441 80	8484 90
6305 31 91	7204 50	8208 90	8441 90	8485 10
6305 31 99	7205 21	8211 10	8442 10	8485 90
	7205 29	8211 91	8442 20	
6402 11		8211 94	8442 30	8505 20
	7505 11	8213 00	8442 40	8505 30
6501 00	7505 12	8214 10	8442 50	8506 90
6505 10	7505 21		8443 29	8508 10
6507 00	7505 22	8311 00	8443 40	8508 20
	7506 10	8311 30	8443 50	8508 80
6703 00	7506 20		8443 60	8508 90
6704 11	7507 11	8401 10	8443 90	8509 20
6704 19	7507 12	8401 30	8444 00	8509 30
6704 20	7507 20	8401 40	8445 11	8509 90
6704 90		8405 10	8445 12	8510 90
	7606 92	8405 90	8445 13	8516 90
6804 10	7609 00	8406 11	8445 19	8517 20
6804 21	7613 00	8406 19	8445 90	8517 90
6804 22	7614 10	8406 90	8447 90	8518 30
6804 23	7614 90	8411 11	8448 11	8519 21
6804 30		8411 12	8448 32	8519 29
6805 10	7801 10	8411 21	8448 33	8519 31
6805 30	7801 91	8411 22	8448 39	8519 39
6806 10	7801 99	8411 81	8448 41	8519 40
6806 20	7802 00	8411 82	8448 42	8519 91
6806 90	7804 11	8411 91	8448 49	8519 99
6811 30	7804 19	8411 99	8448 51	8520 10
6812 20		8412 10	8448 59	8520 20
6814 10	7906 00	8412 31	8449 00	8520 31

8520 39	8710 00	9018 90	9110 11
8520 90		9019 10	9110 12
8521 10	8802 11	9020 00	9110 19
8521 90	8802 12	9021 11	9110 90
8522 10	8802 50	9021 19	9111 10
8523 11	8803 30	9021 21	9111 20
8523 12	8908 00	9021 29	9111 80
8523 13		9021 30	9111 90
8523 20	9001 10	9021 40	9112 10
8523 90	9001 20	9021 50	9112 80
8524 10	9001 30	9021 90	9112 90
8524 21	9001 40	9022 19	9113 10
8524 22	9001 50	9022 21	9113 20
8524 23	9001 90	9022 29	9113 90
8524 90	9003 11	9022 30	9114 10
8525 30	9003 19	9022 90	9114 20
8526 10	9003 90	9025 11	9114 30
8526 91	9004 10	9025 19	9114 40
8527 11	9004 90	9025 80	9114 90
8527 19	9005 10	9025 90	
8527 21	9005 80	9026 10	9202 10
8527 29	9005 90	9026 20	9202 90
8527 31	9006 10	9026 80	9203 00
8527 32	9006 20	9026 90	9204 10
8527 39	9006 30	9027 10	9204 20
8527 90	9006 40	9027 30	9205 10
8529 10	9006 51	9027 40	9205 90
8529 90	9006 52	9027 50	9206 00
8533 10	9006 53	9027 80	9209 10
8533 21	9006 59	9028 20	9209 20
8533 29	9006 61	9028 90	9209 93
8533 31	9006 62	9029 20	9209 94
8533 39	9006 69	9029 90	9209 99
8533 40	9006 91	9030 10	9301 00
8533 90	9006 99	9030 20	9303 10
8539 10	9007 11	9030 90	9303 90
8539 90	9007 19	9031 40	9305 10
8540 11	9007 21	9031 80	9305 21
8540 12	9007 91	9031 90	9305 29
8540 20	9007 92	9032 10	9305 90
8540 30	9008 10	9032 20	9306 30
8540 41	9008 20	9032 81	9306 90
8540 42	9008 30	9032 90	9307 00
8540 49	9008 40	9033 00	
8540 81	9008 90		9403 70
8540 89	9009 90	9101 11	9405 91
8540 91	9010 90	9101 12	
8540 99	9011 10	9101 19	9507 20
8541 10	9011 20	9101 21	
8541 21	9011 80	9101 29	9601 10
8541 29	9011 90	9101 91	9602 00
8541 30	9012 10	9101 99	9603 10
8541 40	9012 90	9102 11	9603 40
8541 50	9013 20	9102 12	9604 00
8541 60	9013 80	9102 19	9608 91
8541 90	9013 90	9102 21	9609 10
8543 10	9014 10	9102 29	9609 20
8543 20	9014 80	9102 91	9611 00
8543 30	9014 90	9102 99	9614 10
8543 90	9015 20	9103 10	9614 20
8544 70	9015 30	9104 00	9614 90
	9015 40	9105 11	9615 11
8604 00	9015 80	9105 19	9615 19
8609 00	9015 90	9105 21	9616 10
	9017 10	9105 29	
8708 29	9017 20	9105 91	
8708 60	9017 90	9105 99	
8708 70	9018 11	9106 10	
8708 80	9018 19	9107 00	
8708 91	9018 32	9109 11	
8708 92	9018 39	9109 19	
8708 99	9018 50	9109 90	

## List of products referred to in Article 11(2)

2505 10	2827 39	2848 90	2909 60
2519 90	2827 41	2849 90	2910 10
2520 10	2827 49	2850 00	2910 20
2523 10	2827 51		2910 30
2523 21	2827 59	2901 10	2910 90
2523 29	2827 60	2901 21	2912 11
2523 30	2828 10	2901 22	2912 13
2523 90	2828 90	2901 23	2912 19
	2829 19	2901 24	2912 21
2620 20	2829 90	2901 29	2912 30
	2830 10	2902 19	2912 41
2707 99	2830 20	2902 20	2912 42
2708 10	2830 90	2902 30	2912 50
2708 20	2831 10	2902 41	2912 60
2712 10	2831 90	2902 42	2913 00
2712 20	2833 19	2902 43	2914 19
2714 90	2833 21	2902 44	2914 22
	2833 24	2902 50	2914 41
2801 10	2833 25	2902 70	2914 49
2804 10	2833 26	2902 90	2914 50
2804 21	2833 27	2903 11	2914 61
2804 29	2833 40	2903 12	2914 69
2804 30	2834 10	2903 13	2914 70
2804 40	2834 21	2903 15	2915 11
2804 50	2834 22	2903 16	2915 12
2804 61	2834 29	2903 19	2915 13
2804 69	2835 10	2903 22	2915 21
2806 20	2835 21	2903 23	2915 23
2807 00	2835 22	2903 29	2915 24
2808 00	2835 23	2903 30	2915 29
2811 11	2835 24	2903 51	2915 35
2811 19	2835 25	2903 59	2915 39
2811 22	2835 26	2903 61	2915 40
2812 10	2835 29	2903 69	2915 50
2812 90	2835 39	2904 10	2915 60
2815 12	2836 10	2904 20	2915 70
2815 20	2836 30	2904 90	2915 90
2815 30	2836 50	2905 12	2916 13
2818 10	2836 70	2905 16	2916 14
2819 10	2836 93	2905 19	2916 15
2819 90	2836 99	2905 21	2916 19
2820 10	2837 11	2905 31	2916 20
2820 90	2837 19	2905 32	2916 31
2821 10	2838 00	2905 39	2916 32
2821 20	2839 11	2905 41	2916 33
2823 00	2839 19	2905 42	2916 39
2825 10	2839 20	2905 43	2917 11
2825 20	2839 90	2905 44	2917 13
2825 30	2840 11	2905 49	2917 19
2825 40	2840 19	2905 50	2917 20
2825 50	2840 30	2906 13	2917 31
2825 60	2841 10	2907 15	2917 32
2825 70	2841 20	2907 22	2917 33
2825 80	2841 50	2907 23	2917 34
2826 11	2841 60	2907 29	2917 36
2826 12	2841 70	2907 30	2917 37
2826 19	2842 10	2908 10	2917 39
2826 20	2842 90	2908 20	2918 11
2826 30	2843 10	2909 11	2918 12
2826 90	2843 21	2909 19	2918 13
2827 10	2843 30	2909 20	2918 15
2827 20	2843 90	2909 30	2918 16
2827 32	2844 20	2909 41	2918 17
2827 33	2844 40	2909 42	2918 19
2827 34	2844 50	2909 43	2918 21
2827 35	2845 10	2909 44	2918 22
2827 36	2845 90	2909 49	2918 23
2827 38	2848 10	2909 50	2918 29

2918 30	2934 90	3213 10	3806 90
2918 90	2936 10	3213 90	3808 40
2919 00	2936 27	3215 11	3809 10
2920 10	2936 28	3215 19	3809 91
2920 90	2936 29		3809 99
2921 11	2937 92	3301 30	3810 10
2921 12	2939 10	3302 10	3810 90
2921 19	2939 40	3302 90	3811 11
2921 21	2939 50	3303 00	3811 19
2921 22	2939 60	3304 10	3811 21
2921 29	2939 90	3304 20	3811 29
2921 30	2940 00	3304 30	3811 90
2921 42	2941 10	3304 91	3812 10
2921 43	2941 30	3304 99	3812 30
2921 44	2942 00	3305 10	3813 00
2921 45		3305 20	3814 00
2921 49	3001 10	3305 30	3815 11
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9406 00	9613 10
	9613 20
9501 00	9613 30
9502 10	9613 80
9502 91	9613 90
9502 99	9615 90
9503 10	9616 20
9503 20	9617 00
9503 30	9618 00
9503 41	
9503 49	9701 90
9503 50	
9503 60	
9503 70	
9503 80	
9503 90	
9504 10	
9504 20	
9504 30	
9504 40	
9504 90	
9505 10	
9505 90	
9506 11	
9506 12	
9506 19	
9506 21	
9506 29	
9506 31	
9506 32	
9506 39	
9506 40	
9506 51	
9506 59	
9506 61	
9506 62	
9506 69	
9506 70	
9506 91	
9506 99	
9507 10	
9507 30	
9507 90	
9508 00	
9601 90	
9603 21	
9603 29	
9603 30	
9603 50	
9603 90	
9605 00	
9606 10	
9606 21	
9606 22	
9606 29	
9606 30	
9607 11	
9607 19	
9607 20	
9608 10	
9608 20	
9608 31	
9608 39	
9608 40	
9608 50	
9608 60	
9608 99	
9609 90	
9610 00	
9612 10	

## List of products referred to in Article 11(3)

2710 00	4802 51	5702 52	6108 21
2710 00	4802 52	5702 92	6108 22
	4802 53	5703 10	6108 29
2814 20	4804 41	5703 20	6108 31
2817 00	4804 42	5703 30	6108 32
2835 31	4804 49	5703 90	6108 39
2837 20	4804 51	5705 00	6108 91
2849 10	4804 52		6108 92
	4804 59	5806 20	6108 99
2902 11	4805 21	5806 32	6109 10
2902 60	4805 22	5806 39	6109 90
2903 14	4805 23	5806 40	6110 20
2903 62	4805 29	5807 10	6110 30
2905 15	4805 50	5807 90	6111 20
2907 11	4805 60		6112 11
2915 22	4805 70	5911 31	6112 12
2915 31	4805 80	5911 32	6112 19
2915 33	4806 20	5911 40	6112 31
2915 34	4807 10	5911 90	6112 39
2916 11	4808 10		6112 41
2916 12	4809 20	6101 10	6112 49
2918 14	4811 10	6101 20	6114 20
2921 41	4816 10	6102 10	6115 11
	4816 20	6102 20	6115 12
3102 21	4818 10	6102 90	6115 20
3102 40	4819 10	6103 11	6115 91
3102 80	4819 20	6103 19	6115 92
3102 90	4819 30	6103 21	6115 93
3105 20	4819 40	6103 22	6115 99
3105 59	4819 50	6103 31	
3105 60	4819 60	6103 32	6201 11
	4820 20	6103 42	6201 12
3207 40	4820 30	6104 12	6201 13
	4820 40	6104 13	6201 19
3602 00	4820 50	6104 22	6201 91
	4820 90	6104 23	6201 92
3802 10	4822 10	6104 29	6201 93
3808 10	4822 90	6104 32	6201 99
3808 20	4823 20	6104 33	6202 11
3808 30		6104 39	6202 12
	5208 31	6104 42	6202 13
3904 10	5208 32	6104 43	6202 19
3906 10	5208 33	6104 44	6202 91
3915 10	5208 39	6104 49	6202 92
3915 20	5208 41	6104 52	6202 93
3915 30	5208 42	6104 53	6202 99
3915 90	5208 43	6104 59	6203 11
3920 51	5208 49	6104 62	6203 12
3920 62	5209 32	6104 63	6203 19
	5209 42	6104 69	6203 21
4010 10	5211 42	6105 10	6203 22
4010 91		6105 20	6203 25
4011 10	5301 10	6105 90	6203 29
4011 20	5301 21		6203 31
4012 10	5309 11	6106 10	6203 32
4012 20	5309 19	6106 90	6203 33
4012 90		except 6106 90 10	6203 39
	5503 40		6203 41
4418 10		6107 11	6203 42
4418 20	5603 00	6107 12	6203 43
4418 90	5605 00	6107 21	6203 49
	5607 41	6107 22	6204 11
4707 10	5607 49	6107 29	6204 12
4707 20	5607 50	6107 91	6204 13
4707 30	5607 90	6107 92	6204 19
4707 90		6107 99	6204 21
	5702 32	6108 11	6204 22
4802 40	5702 42	6108 19	6204 23

6204 31	6403 40	7208 43	7216 90
6204 32	6403 91	7208 44	7217 11
6204 33	6404 19	7208 45	7217 12
6204 41	6404 20	7208 90	7217 13
6204 42	6405 20	7209 11	7217 19
6204 43	6405 90	7209 12	7217 21
6204 44		7209 13	7217 22
6204 49	6908 90	7209 14	7217 23
6204 51	6911 10	7209 21	7217 29
6204 52	6911 90	7209 22	7217 32
6204 53	6914 10	7209 23	7217 33
6204 61		7209 24	7225 10
6204 62	7003 11	7209 31	7225 30
6204 63	7003 19	7209 32	7228 80
6204 69	7003 20	7209 33	
6205 10	7003 30	7209 34	7301 10
	7004 10	7209 41	7301 20
6205 90	7004 90	7209 42	7302 10
	7005 10	7209 43	7302 20
6207 11	7005 21	7209 44	7302 30
6207 19	7005 29	7209 90	7302 40
6207 21	7005 30	7210 11	7302 90
6207 22	7006 00	7210 12	7303 00
6207 29	7007 11	7210 20	7304 10
6207 91	7007 19	7210 31	7304 20
6207 99	7007 21	7210 39	7304 31
6208 19	7007 29	7210 41	7304 39
6208 21	7011 20	7210 49	7304 41
6208 91	7012 00	7210 50	7304 49
6209 30	7013 10	7210 60	7304 51
6210 10	7013 21	7210 70	7304 59
6210 40	7013 29	7210 90	7305 11
6211 11	7013 31	7211 11	7305 12
6211 20	7013 32	7211 12	7305 19
6211 32	7013 39	7211 21	7305 20
6211 33	7013 91	7211 22	7305 31
6211 39	7013 99	7211 29	7305 39
		7211 30	7305 90
6302 21	7113 11	7211 41	7306 10
6302 22	7113 19	7212 10	7306 20
6302 29	7113 20	7212 21	7306 30
6302 31	7114 11	7212 29	7306 40
6302 32	7114 19	7212 30	7306 50
6302 39	7114 20	7212 40	7306 60
6302 52		7212 50	7306 90
6302 53	7202 11	7212 60	7307 21
6302 59	7202 19	7213 10	7307 22
6302 60	7202 21	7213 20	7307 23
6302 91	7202 29	7213 31	7307 29
6302 92	7202 30	7213 39	7307 91
6302 93	7202 41	7213 41	7307 92
6302 99	7202 49	7213 49	7307 93
6303 11	7202 70	7214 10	7307 99
6303 91	7202 80	7214 20	7308 10
6303 92	7202 91	7214 30	7308 20
6303 99	7202 92	7214 40	7308 30
6304 19	7202 99	7214 50	7308 40
6304 92	7208 11	7214 60	7308 90
6304 93	7208 12	7215 10	7309 00
6304 99	7208 13	7215 20	7310 10
6305 20	7208 14	7215 30	7310 21
6307 90	7208 21	7215 40	7310 29
6401 10	7208 22	7215 90	7311 00
6401 91	7208 23	7216 10	7312 10
6401 92	7208 24	7216 21	7312 90
6401 99	7208 31	7216 22	7313 00
6402 19	7208 32	7216 31	7314 11
6402 20	7208 33	7216 32	7314 19
6402 30	7208 34	7216 33	7314 20
6402 91	7208 35	7216 40	7314 30
6402 99	7208 41	7216 50	7314 41
6403 19	7208 42	7216 60	7314 42



7314 49		8535 90
7314 50		8536 10
7315 11		8536 20
7315 12		8536 30
7315 19		8536 41
7315 20		8536 49
7315 81		8536 50
7315 82		8536 61
7315 89	7504 00	8536 69
7315 90	7508 00	8536 90
7317 00		8539 21
7318 11	7603 10	8539 22
7318 12	7603 20	8539 29
7318 13	7604 10	8539 31
7318 14	7604 21	8546 20
7318 15	7604 29	
7318 16	7605 11	8702 10
7318 19	7605 19	8703 21 90
7318 29	7605 21	8703 22 90
7319 20	7605 29	8703 23 90
7319 30	7606 11	8703 24 90
7319 90	7606 12	8703 31 90
7320 10	7606 91	8703 32 90
7320 20	7607 11	8703 33 90
7320 90	7607 19	8703 90
7321 11	7607 20	8704 10
7321 12	7608 10	8704 21
7321 13	7608 20	8704 22
7321 81	7610 10	8704 23
7321 82	7610 90	8704 31
7321 83	7611 00	8704 32
7321 90	7612 10	8704 90
7322 11	7612 90	
7322 19	7615 10	9023 00
7322 90	7615 20	9024 10
7323 10	7616 10	9024 80
7323 91	7616 90	9029 10
7323 92		
7323 93	7803 00	9201 10
7323 94	7804 20	9201 20
7323 99	7805 00	9201 90
7324 10	7806 00	
7324 21		9403 30
7324 29	7903 10	9403 40
7324 90	7903 90	9403 50
7325 10	7904 00	9403 60
7325 91	7905 00	
7325 99	7907 10	
7326 11	7907 90	
7326 19		
7326 20	8005 20	
7326 90	8006 00	
7406 10	8215 10	
7406 20	8215 20	
7407 21	8215 91	
7408 19	8215 99	
7408 22		
7410 11	8436 21	
7410 12	8452 40	
7410 21	8465 96	
7410 22	8465 99	
7411 10		
7411 21	8506 11	
7411 22	8518 22	
7411 29	8519 10	
7412 10	8522 90	
7412 20	8535 10	
7413 00	8535 21	
7415 10	8535 29	
7415 21	8535 30	
7415 31	8535 40	

**List of products referred to in Article 11(4)**

**(New cars)**

8703 21 10  
8703 22 11  
8703 22 19  
8703 23 11  
8703 23 19  
8703 24 10  
8703 31 10  
8703 32 11  
8703 32 19  
8703 33 11  
8703 33 19

**List of import licensing items**

## Non-automatic licences with fixed import quotas

Code	Description of product	Quantity	Cost unit
2612	Uranium ores and concentrates	1	tonne
2844 10 00 2844 20	Natural and enriched uranium	1	tonne
4707	Waste and scrap of paper	1	tonne

List of export licensing items<sup>(1)</sup>

## MINERAL PRODUCTS

2505	Natural sands	m <sup>3</sup>
2507 00	Kaolin, quality of 'Sedlec' first quality	tonne
2517 10	Pebbles, gravel, broken or crushed stone	1 000m <sup>3</sup>
2523 21 04	White cement	tonne
2523 29 00	Cement, grey	tonne
2523 90 90		
2620 11 00	Residues from the manufacture of zinc and zinc scrap	tonne
7902 00 00		
2620 20 00	Residues from the manufacture of lead and lead scrap	tonne
7802 00		
2620 30 00	Residues from the manufacture of copper and copper scrap	tonne
7404 00		
2620 40 00	Residues from the manufacture of aluminium and aluminium scrap	tonne
7602 00		
2701	Coal, energetics	tonne
2701	Coal, suitable for coking	tonne
2702	Lignite including agglomerated lignite	tonne
2704 00	Coke (from metallurgical cokeries)	tonne
2704 00	Coke (from mining cokeries)	tonne
2710 00 27	Motor petrole	tonne
2710 00 29		
2710 00 37		
2710 00 34		
2710 00 36		
2710 00 59	Diesel oil	tonne
2710 00 11	Light heating oils	tonne
2710 00 15		
2710 00 39		
2710 00 61	Heavy heating oils	tonne
2710 00 65		
2710 00 69		
2710 00 71		
2710 00 72		
2710 00 74		
2710 00 76		
2710 00 77		
2710 00 78		
2716 00 00	Electrical energy	megawatt hour

<sup>(1)</sup> The licences are intended for monitoring exports. Any restriction on grounds of difficulties in the Czech Republic market for a listed product shall be introduced by an *ad hoc* decision of the Czech Republic, of which the Community shall be informed immediately.

**PRODUCTS OF THE CHEMICAL OR ALLIED INDUSTRIES INCLUDING  
PHARMACEUTICALS**

2207	Ethyl alcohol (natural and synthetic)	hectolitre
3002 90 10	Human blood	crowns/kg
3002 10	Antisera and other blood fractions	crowns/kg
3003	Medicaments	crowns/kg
3004		
3102 40	Mixtures of ammonium nitrate with calcium carbonate	tonne
<i>Raw hides and skins and leather</i>		
4101 10	Raw hides and skins of bovine	tonne
4101 2		
4101 30		
4102	Raw hides and skins of sheep or lambs	tonne
4103 90 00	Raw hides and skins of swine	tonne
<i>Wood and articles of wood</i>		
4401 10 00	Fuel wood, in logs, in bellets, in twings, in fagots or in similar forms	1 000 m <sup>3</sup>
4401 21 00	Wood in chips or particles, coniferous (not more than 3% bark)	1 000 m <sup>3</sup>
4401 21 00	Wood in chips or particles, coniferous (more than 3% bark)	1 000 m <sup>3</sup>
4401 22 00	Other wood chips (non-coniferous)	1 000 m <sup>3</sup>
4403 20 00	Wood raw poles	1 000 m <sup>3</sup>
4403 91 00		
4403 92 00		
4403 99 10		
4403 99 90		
4403 20 00	Other poles of coniferous trees, pulp wooded	1 000 m <sup>3</sup>
4403 91 00	Other poles of leaf trees, pulp wooded	1 000 m <sup>3</sup>
4403 92 00		
4403 99 10		
4403 99 90		
4403 20 00	Slots, industrial, coniferous	1 000 m <sup>3</sup>
4403 91 00	Slots, industrial, leafy	1 000 m <sup>3</sup>
4403 92 00		
4403 99 10		
4403 99 90		
4406	Wooden railway, sleepers, raw, impregnated including used	1 000 m <sup>3</sup>
4407 10	Dimension stocks for pallets	1 000 m <sup>3</sup>
4407 91		
4407 92		
4407 99		
4407 10	Coniferous sawnwood, not working	1000m <sup>3</sup>
4407 91	Broadleaved sawnwood, not working	1 000 m <sup>3</sup>
4407 92		
4407 99		
<i>Pulp of wood, paper and articles thereof</i>		
4703 21 00	Bleached pulps	tonne
4703 29 00		
4704 21 00		
4704 29 00		
<i>Precious metals and articles thereof</i>		
7106	Silver and residues thereof	gram
7108	Gold and residues thereof	gram

*Base metals and articles of base metal*

7201	Pig iron and non-alloy, steel in ingots	tonne
7206		
7204	Ferrous and steel waste and scrap including remelting scrap	tonne
7207-7216	Flat-rolled products (without the USA and ES)	tonne
7218-7229		
7301-7302		
7304-7306	Steel tubes (without the USA)	tonne

*Instruments and apparatus*

9201-9202	Musical instruments	pieces
9204-9205		

*Works of art, collectors' pieces and antiques*

9705 00 00	Collections and collectors' pieces of zoological, botanical, mineralogical, anatomical, historical, archaeological, palaeontological, ethnographic or numismatic interest	pieces
9706 00 00	Antiques of an age exceeding 100 years (prohibition)	pieces

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**Goods referred to in Article 18, for which the Community retains an agricultural component in the duties and for which the Czech Republic may introduce an agricultural component in the duties**

CN code	Description
2905 43	Mannitol
2905 44	D-glucitol (sorbitol)
ex 3505 10	Dextrins and other modified starches, excluding starches, esterified or etherified of subheading 3505 10 50
3505 20	Glues with a basis of starches, dextrins or other modified starches
3809 10	Dressings and finishing agents with a basis of amylaceous substances
3823 60	Sorbitol, other than that of subheading 2905 44

**List of products referred to in Article 21(2)<sup>(1)</sup>**

The products listed in this Annex will be subject to a levy reduction of 50%.

The quantities in tonnes set out for the Year 3 shall be applicable from 1 July 1993 to 30 June 1994. The amounts imported prior to 1 July 1993 in excess of 50% of the amount for Year 2 shall be deducted from the amount applicable for Year 3.

The quantities in tonnes set out for Year 4 and Year 5 respectively shall be applicable from 1 July 1994 to 30 June 1995 and from 1 July 1995 to 30 June 1996 respectively.

CN code	Description	Year 1	Year 2	Year 3	Year 4	Year 5
		Quantity (in tonnes)				
0207 10 51 0207 10 55 0207 23 11 0207 10 59 0207 23 19 ex 0207 39 55 ex 0207 43 15 ex 0207 39 73 ex 0207 43 53 ex 0207 39 77 ex 0207 43 63	Ducks, ...	155	170	185	200	215
0207 10 71 0207 23 51 0207 10 79 0207 23 59 0207 39 53 0207 43 11 0207 39 61 0207 43 23 ex 0207 39 65 ex 0207 43 31 ex 0207 39 67 ex 0207 43 41 0207 39 71 0207 43 51 0207 39 75 0207 43 61 ex 0207 39 81 ex 0207 43 71	Geese, ...	900	980	1 060	1 140	1 220

<sup>(1)</sup> Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated the preferential scheme is to be determined by application of the CN code and corresponding description taken together.



## List of products referred to in Article 21(2)(1)

CN code	Description	Duty %
0101 19 10	Live horses, for slaughter <sup>(2)</sup>	Free
0101 19 90	Other	12
0203 11 90 0203 12 90 0203 19 90 0203 21 90 0203 22 90 0203 29 90	Meat of swine other than domestic fresh chilled or frozen	Free
0207 31 00 0207 50 10	Fatty liver of geese or ducks	Free <sup>(3)</sup>
0208 10 10	Other meat and edible meat offal of domestic rabbits	7
0208 10 90 0208 20 00	Other than domestic rabbits Of frogs' legs	Free
0208 90 10	Of domestic pigeons	5
0208 90 20 0208 90 40	Of game, other than rabbits or hares	Free
0409 00 00	Natural honey	25
0602 40 90	Budded or grafted roses	6
0603 90 00	Cut flowers, other	7
ex 0604 10 90 0604 91 10 0604 91 90	Foliage, branches and other parts of plants, without flowers of flower buds and grasses, mosses and lichens being goods of a kind suitable for bouquets or for ornamental purposes fresh, dried, dyed, bleached, impregnated or otherwise prepared Fresh	7
0707 00 19	Cucumbers, fresh or chilled (from 16 May to 31 October)	16
0711 40 00	Cucumbers and gherkins	12
0712 20 00	Onions	8
ex 0712 90 90	Horse-radish ( <i>Cochlearia armoracia</i> )	Free
ex 0809 20 20	Sour cherries ( <i>Prunus cerasus</i> ) fresh, from 1 May to 15 July	11 <sup>(4)</sup>
ex 0809 20 60	Sour cherries ( <i>Prunus cerasus</i> ) fresh, from 16 July to 30 April	11
0809 40 90	Sloes	7
0810 20 10	Raspberries <sup>(5)</sup>	9
0810 30 10	Blackcurrants, fresh <sup>(5)</sup>	9
0810 30 30	Redcurrants, fresh <sup>(5)</sup>	9
0810 30 90	Other berries <sup>(5)</sup>	5
0811 10 90	Strawberries <sup>(5)</sup>	13
ex 0811 20 19	Raspberries, with a sugar <sup>(5)</sup> content not exceeding 13% by weight	18
0811 20 31	Raspberries <sup>(5)</sup>	14

CN code	Description	Duty %
0811 20 39	Blackcurrants <sup>(5)</sup>	10
0811 20 51	Redcurrants <sup>(5)</sup>	10
2001 90 20	Fruit of Capsicum other than sweet peppers and pimentos	5
2007 99 10	Plum puree and plum paste <sup>(2)</sup>	24
2007 99 31	Jams, jellies, marmalades, purees and pastes of cherries	25

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) Entry within this CN code is subject to conditions laid down in the relevant Community provisions.

(3) No AGR is levied.

(4) Minimum duty applicable: MIN 2,2 ECU/100 kg net.

(5) Subject to minimum import price arrangements contained in the Annex hereto.

#### Annex to ANNEX XIb

##### Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed for each marketing year for the following products:

0810 20 10	Raspberries
0810 30 10	Blackcurrants
0810 30 30	Redcurrants
0810 30 90	Other berries
0811 10 90	Strawberries
ex 0811 20 19	Raspberries
0811 20 31	Raspberries
0811 20 39	Blackcurrants
0811 20 51	Redcurrants

The minimum import prices are fixed by the Community in consultation with the Czech Republic, taking into consideration the price evolution, imported quantities and market development in the Community.

2. The minimum import prices shall be respected in accordance with the following criteria:

- during each three month period of the marketing year the average unit value for each product listed in paragraph 1, imported into the Community, shall not be lower than the minimum import price for that product,
- during any period of two weeks the average unit value for each product listed in paragraph 1, imported in the Community shall not be lower than 90% of the minimum import price for that product, in so far as the quantities imported during this period are not less than 4% of the normal annual import.

3. In case of non respect of one of these criteria the Community may introduce measures ensuring that the minimum import price is respected for each consignment of the product concerned imported from the Czech Republic.

**Arrangements for imports of live bovine animals into the Community**

1. In case the number of animals fixed in the framework of the balance sheet arrangements foreseen in Regulation (EEC) No 805/68 are lower than a reference quantity, a global tariff quota equal to the difference between that reference quantity and the number of animals fixed under the balance sheet arrangements will be opened to imports from Hungary, Poland, the Czech Republic and the Slovak Republic. The reference quantity shall be:

- 217 800 in 1992,
- 237 600 in 1993,
- 257 400 in 1994,
- 277 200 in 1995,
- 297 000 in 1996.

The reduced levy applicable to animals under this quota will be fixed at 25% of the full amount of levy.

This arrangement shall apply to live bovine animals for fattening or for slaughter with a live weight of not less than 160 kg and not more than 300 kg.

2. In case forecasts show that imports into the Community may exceed 425 000 head for any given year, the Community may take safeguard measures in accordance with Regulation (EEC) No 805/68, notwithstanding any other rights given under the Agreement.

In this context, imports of live bovine animals not covered by the arrangements mentioned in paragraph 1 shall be limited to young calves with a live weight of not more than 80 kg. Such imports shall be subject to a management regime in order to ensure regular supply over the year in question.

List of products referred to in Article 21(4)<sup>(1)</sup>

The quantities imported under the CN code referred in this Annex with the exception of codes 0104 and 0204 will be subject to levy and duty reduction of 20% from 1 March 1992, 40% from 1 January 1993 and 60% from 1 July 1993.

The quantities in tonnes set out for Year 3 shall be applicable from 1 July 1993 to 30 June 1994. The amounts imported prior to 1 July 1993 in excess of 50% of the amount for Year 2 shall be deducted from the amount applicable for Year 3.

The quantities in tonnes set out for Year 4 and 5 respectively shall be applicable from 1 July 1994 to 30 June 1995 and from 1 July 1995 to 30 June 1996 respectively.

CN code	Description	Year 1	Year 2	Year 3	Year 4	Year 5
		Quantity (in tonnes)				
0201 0202	Meat of bovine animals fresh, chilled or frozen <sup>(4)</sup>	2 000	2 170	2 330	2 500	2 670
0104 10 30 0104 10 80 0104 20 10 0104 20 90	Live sheep or goats <sup>(2)</sup>	330	455	580	705	830
0204	Meat of sheep or goats <sup>(2)</sup> <sup>(5)</sup>	330	455	580	705	830
0103 92 19 0203 11 10 0203 21 10 0203 12 0203 22 0203 19 55 0203 29 55 0203 19 11 0203 19 13 0203 19 15 0203 19 59 0203 29 11 0203 29 13 0203 29 15 0203 29 59	Live swine, domestic Meat of domestic swine  <sup>(3)</sup> <sup>(3)</sup>	3 140	3 400	3 730	4 000	4 270
0207 10 11 0207 10 15 0207 21 10 0207 10 19 0207 21 90	Chicken carcasses, fresh chilled or frozen	1 200	1 310	1 430	1 540	1 650
0207 39 21 0207 41 41 0207 39 23 0207 41 51	Chicken cuts	700	760	830	890	950
0207 39 11 0207 41 10	Chicken cuts, boneless	1 600	1 750	1 900	2 060	2 210
0207 22 10 0207 22 90 0207 39 31 0207 39 41 0207 42 10 0207 42 41	Turkey	180	200	220	230	250
0402 10 19 0402 21 19 0402 21 91	Skimmed milk powder Whole milk powder Whole milk powder	1 650	1 780	1 980	2 110	2 240
0405 00 11 0405 00 19	Butter	650	715	780	840	910
ex 0406 40 ex 0406 90	Niva Moravsky blok, Primator, Otava Javor, Uzeny block, Kashkaval Akawi, Istambul, Jadel, Hermelin Ostepek, Koliba, Inovec	500	550	600	650	700
0407 00	Eggs of poultry, in shell	3 570	3 900	4 200	4 530	4 870
0408 11 10 0408 19 11 0408 19 19	Eggs yolks, dried <sup>(6)</sup> Eggs yolks, liquid <sup>(6)</sup> Eggs yolks, frozen <sup>(6)</sup>	220	240	260	270	300

CN code	Description	Year 1	Year 2	Year 3	Year 4	Year 5
		Quantity (in tonnes)				
0408 91 10 0408 99 10	Egg yolks, other, dried <sup>(7)</sup> Other than dried <sup>(7)</sup>	1 450	1 585	1 700	1 840	1 970
1003 00 20	Barley for the manufacture of malt	20 000	21 700	23 800	25 400	27 400
1101 00 00	Wheat flour	10 000	11 000	11 750	12 750	13 500
1107 10 99	Malt, not roasted, other than wheat	25 000	27 100	29 700	31 800	33 900
1602 41 10 1602 42 10 1602 49	Prepared/pressed hams of domestic swine Prepared/pressed shoulders of domestic swine Other, of domestic swine	350	385	420	455	490
1210	Hops	4 000	4 350	4 720	5 120	5 470
	Quantity					
	Duty	7,2	5,4	3,6	3,6	3,6

(<sup>1</sup>) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(<sup>2</sup>) The conditions laid down in the 1982 Agreement between the European Economic Community and CSFR on trade in the sheep and goat sector as supplemented by the 1990 Agreement apply with the exception of the products referred to in paragraph 1 and of the quantities referred to in paragraph 2 of the 1982 Agreement which shall be replaced by the products and the quantities in this Annex.

(<sup>3</sup>) Excluding tenderloin presented alone.

(<sup>4</sup>) In case the Czech Republic in a given year benefits from Community financial assistance in the framework of triangular operations, for export of this product/these products to the ex USSR or countries other than Hungary and Poland, and the Slovak Republic which benefit from a G-24 assistance, the quote for this product will be reduced by the amount of such assisted exports for the year in question. However, the quote cannot be less than 1,850 tonnes.

(<sup>5</sup>) In case the Czech Republic in a given year benefits from Community financial assistance in the framework of triangular operations, for export of this product to the ex USSR or countries other than Hungary and Poland and the Slovak Republic, which benefit from G-24 assistance, the quote for this product will be reduced by the amount of such assisted exports for the year in question. However, the quote cannot be less than 265 tonnes.

(<sup>6</sup>) In liquid yolk equivalent: 1 kg of dried yolk = 2,12 kg of liquid yolk.

(<sup>7</sup>) In liquid equivalent: 1 kg of dried egg = 3,9 kg of liquid egg.

## List of products referred to in Article 21(4)(1)

Imports into Czech Republic of the following products originating in the Community shall be subject to the concessions set out below

CN code	Description	Year 1		Year 2		Year 3		Year 4		Year 5	
		Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %
0203 19 55	Meat of swine	unlimited	27	unlimited	24	unlimited	21	unlimited	18	unlimited	15
0203 29 55		unlimited	27	unlimited	24	unlimited	21	unlimited	18	unlimited	15
ex0402	Milk powder	( <sup>2</sup> )									
0403 10 02	Yoghurts	unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 04		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 06		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 12		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 14		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 16		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 22		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 24		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 26		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 32		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 34		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 10 36		unlimited	5	unlimited	5	unlimited	5	unlimited	5	unlimited	5
0403 90 11		unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15
0403 90 13		unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15
0403 90 19		unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15
0403 90 31		unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15
0403 90 33		unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15
0403 90 39		unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15
0403 90 51		unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15
0403 90 53	unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15	
0403 90 59	unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15	
0403 90 61	unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15	
0403 90 63	unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15	
0403 90 69	unlimited	15	unlimited	15	unlimited	15	unlimited	15	unlimited	15	
0405 00	Butter	200	30	230	26	260	22,5	290	18,8	320	15

List of products referred to in Article 21(4)(1) (continued)

CN code	Description	Year 1		Year 2		Year 3		Year 4		Year 5					
		Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %				
0406 10	Fresh cheese	500	9	575	650	7	800	6	5	5	5				
0406 20			9									8	7	6	5
0406 30 39			9									8	7	6	5
0406 40 00			9									8	7	6	5
0406 90 23			9									8	7	6	5
0406 90 31			9									8	7	6	5
0406 90 33			9									8	7	6	5
0406 90 35			9									8	7	6	5
0406 90 63			9									8	7	6	5
0406 90 73			9									8	7	6	5
0406 90 75			9									8	7	6	5
0406 90 77			9									8	7	6	5
0406 90 81			9									8	7	6	5
0406 90 85			9									8	7	6	5
ex0406 90 89			9									8	7	6	5
0408 11	Birds egg yolks, dried	unlimited	17	unlimited	17	unlimited	17	unlimited	17	unlimited	17				
0408 91	Birds eggs, dried	unlimited	17	unlimited	17	unlimited	17	unlimited	17	unlimited	17				
0504 00 00	Guts, bladders etc.	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0				
0602 20	Trees, shrubs and bushes	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2				
0602 30 00	Rhododendrons and azaleas	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2				
0602 40	Roses	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2				
0602 91 00	Mushrooms spawn	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2				
0603 10 11	Roses	unlimited	17	unlimited	17	unlimited	17	unlimited	17	unlimited	17				
0603 10 13	Carnations	unlimited	17	unlimited	17	unlimited	17	unlimited	17	unlimited	17				
0603 10 21	Gladioli	unlimited	17	unlimited	17	unlimited	17	unlimited	17	unlimited	17				
0603 10 25	Chrysanthemums	unlimited	17	unlimited	17	unlimited	17	unlimited	17	unlimited	17				
0603 10 29	Other	unlimited	17	unlimited	17	unlimited	17	unlimited	17	unlimited	17				
0701 10 00	Seed potatoes	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2				
0701 90	Potatoes, other	( <sup>2</sup> )													
ex0702 00	Fresh tomatoes	( <sup>2</sup> )													
0704 10 10	Cauliflowers and headed broccoli( <sup>2</sup> )	unlimited	13,5	unlimited	12	unlimited	10,5	unlimited	9	unlimited	7,5				
0704 10 90		unlimited	13,5	unlimited	12	unlimited	10,5	unlimited	9	unlimited	7,5				
0704 90 10	White cabbages and red cabbages( <sup>2</sup> )	unlimited	12,6	unlimited	11,2	unlimited	9,8	unlimited	8,4	unlimited	7				
0704 90 90	Other	unlimited	12,6	unlimited	11,2	unlimited	9,8	unlimited	8,4	unlimited	7				
0705 11 10	Cabbage lettuce	unlimited	12,6	unlimited	11,2	unlimited	9,8	unlimited	8,4	unlimited	7				
0708 90 00	Leguminous vegetables	unlimited	6	unlimited	6	unlimited	6	unlimited	6	unlimited	6				
0709 20 00	Asparagus	unlimited	6	unlimited	6	unlimited	6	unlimited	6	unlimited	6				

**List of products referred to in Article 21(4)(1) (continued.)**

CN code	Description	Year 1		Year 2		Year 3		Year 4		Year 5	
		Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %
0709 51 90	Mushrooms other <sup>(2)</sup>	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0709 60 10	Sweet peppers <sup>(2)</sup>	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
0709 60 99	Other	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
0709 90 10	Salad vegetables, other than lettuce and chicory <sup>(2)</sup>	unlimited	12,6	unlimited	11,2	unlimited	9,8	unlimited	8,4	unlimited	7
0710 21 00	Peas, frozen <sup>(2)</sup>	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
0710 90 00	Mixed vegetables, frozen	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2
0802 11 90	Almonds in shell, other	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0802 12	Almonds, shelled	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0802 22	Hazelnuts, shelled	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0802 40 00	Chestnuts	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0802 90 50	Pine nuts	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0804 20	Figs	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0804 40	Avocados	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0805 10	Oranges	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0805 20	Mandarins, etc.	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0805 30 10	Lemons ( <i>Citrus limon</i> )	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0806 10 15	Table grapes, other <sup>(2)</sup>	unlimited	20	unlimited	17,5	unlimited	15	unlimited	12,5	unlimited	10
0806 20	Grapes, dried	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0807 10 10	Water melons	unlimited	9,9	unlimited	8,8	unlimited	7,7	unlimited	6,6	unlimited	5,5
0808 10 31	Golden Delicious <sup>(2)</sup>	unlimited	15	unlimited	10	unlimited	10	unlimited	10	unlimited	10
0808 10 33	Granny Smith	unlimited	15	unlimited	10	unlimited	10	unlimited	10	unlimited	10
0808 10 39	Other	unlimited	15	unlimited	10	unlimited	10	unlimited	10	unlimited	10
0809 10 00	Apricots <sup>(2)</sup>	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
0809 20 40	Cherries, other <sup>(2)</sup>	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
0809 30	Peaches	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
0809 40 11	Plums <sup>(2)</sup>	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
0810 90	Other fresh fruit	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0813	Dried fruit, other	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0814 00 00	Peels of citrus fruits, etc.	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
0904 20	Fruits of Capsicum	unlimited	8,1	unlimited	7,2	unlimited	6,3	unlimited	5,4	unlimited	4,5
1001 10 00	Durum wheat	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1005 10	Maize, seed	unlimited	3	unlimited	3	unlimited	3	unlimited	3	unlimited	3
1005 90 00	Maize, other	49 500	10	54 450	8	59 400	7,5	64 350	6,25	69 300	5



**List of products referred to in Article 21(4)(1) (continued)**

CN code	Description	Year 1		Year 2		Year 3		Year 4		Year 5	
		Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %
1006 30	Rice	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1202 10	Ground nuts, in shell	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1202 20	Ground nuts shelled	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2
1207 50	Mustard seeds	unlimited	7	unlimited	7	unlimited	7	unlimited	7	unlimited	7
1211 90	Plants, other	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1212 10 99	Locust bean seeds, other	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1507 10 90	Crude soya bean oil, other	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1507 90 90	Other than crude soya bean oil	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1508 10 90	Groundnut oil, crude	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1509 10	Olive oil, virgin	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1509 90 00	Olive oil, other	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
1512 11 91	Sunflower seed oil	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2
1512 19 91	Sunflower seed oil, other	unlimited	2	unlimited	2	unlimited	2	unlimited	2	unlimited	2
1513 11	Coconut oil, crude	( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )	
1513 19	Other	( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )	
1515 11 00	Linseed oil, crude	( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )	
1515 90	Other fixed vegetable fats and oils	( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )	
1516 10	Animal fats and oils	( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )	
1516 20	Vegetable fats and oils	( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )		( <sup>2</sup> )	
1601 00 91	Dried sausages	} 230	18	} 265	16	} 295	14	} 330	12	} 364	10
1601 00 99	Other sausages, cooked		18		16		14		12		10
1602 20 90	Pate, different sizes		18		16		14		12		10
1602 41 10	Hams and cuts of domestic swine		18		16		14		12		10
1602 42 10	Shoulders and cuts of domestic swine		18		16		14		12		10
1602 49 19	Pork luncheon meat		18		16		14		12		10
1602 49 30	Other meat, including mixtures		27		20		20		18		15
1602 50	Prepared and preserved beef	27	24	21	18	15					

List of products referred to in Article 21(4)(<sup>1</sup>) (continued)

CN code	Description	Year 1		Year 2		Year 3		Year 4		Year 5	
		Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %	Quantity (tonnes)	Duty %
2002 10	Tomatoes prepared or preserved	unlimited	16,2	unlimited	14,4	unlimited	12,6	unlimited	10,8	unlimited	9
2002 90	Tomatoes prepared or preserved, other	unlimited	16,2	unlimited	14,4	unlimited	12,6	unlimited	10,8	unlimited	9
2005 60	Asparagus	unlimited	8	unlimited	8	unlimited	8	unlimited	8	unlimited	8
2005 70 00	Olives	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2005 90 50	Artichokes	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2005 90 90	Other	unlimited	19,8	unlimited	17,6	unlimited	15,4	unlimited	13,2	unlimited	11
2008 30	Citrus fruit	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2008 50	Apricots	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
2008 70	Peaches	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
2008 92	Mixtures of fruits	unlimited	9	unlimited	8	unlimited	7	unlimited	6	unlimited	5
2009 11	Orange juice, frozen	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2009 19	Orange juice, other	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2009 20	Grapefruit juice	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2009 30	Single fruit juice	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2009 60	Grape juice	unlimited	4,5	unlimited	4	unlimited	3,5	unlimited	3	unlimited	2,5
2009 70	Apple juice	unlimited	18	unlimited	16	unlimited	14	unlimited	12	unlimited	10
2303 10	Residues of starch manufacture and similar residues	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2304 00 00	Oil cake resulting for soya oil	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2307 00	Argol	unlimited	0	unlimited	0	unlimited	0	unlimited	0	unlimited	0
2309 90	Animal feed	unlimited	3	unlimited	3	unlimited	3	unlimited	3	unlimited	3
2401	Unmanufactured tobacco	2 000	4	2 000	4	2 000	4	2 000	4	2 000	4

(<sup>1</sup>) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(<sup>2</sup>) To be reviewed in 1993.

(<sup>3</sup>) Duty applied to produce in 1993.

**List of products referred to in Article 24**

CN code	Description	Duty %
0301 99 19	Other live freshwater fish	Free
0302 70 00	Fresh or chilled livers or roes	Free

**Establishment: “ Financial Services (Title IV, Chapter II) ”***Definitions:*

A financial service is any service of a financial nature offered by a financial service provider of a party. Financial services include the following activities:

- A. All insurance and insurance-related services.
  1. Direct insurance (including co-insurance).
    - (i) life
    - (ii) non-life
  2. Reinsurance and retrocession.
  3. Insurance intermediation, such as brokerage and agency.
  4. Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services.
  
- B. Banking and other financial services (excluding insurance).
  1. Acceptance of deposits and other repayable funds from the public.
  2. Lending of all types, including, inter alia, consumer credit, mortgage credit, factoring and financing of commercial transactions.
  3. Financial leasing.
  4. All payment and money transmission services, including credit charge and debit cards, travellers' cheques and bankers' drafts.
  5. Guarantees and commitments.
  6. Trading for own account of customers, whether on an exchange, in an over the counter market or otherwise, the following:
    - (a) money market instruments (cheques, bills, certificates of deposits, etc.).
    - (b) foreign exchange.
    - (c) derivative products including, but not limited to, futures and options.
    - (d) exchange rates and interest rate instruments, including products such as swaps, forward rate agreements, etc.
    - (e) transferable securities.
    - (f) other negotiable instruments and financial assets, including bullion.
  7. Participation in issues of all kinds of securities, including under-writing and placement as agent (whether publicly or privately) and provision of services related to such issues.
  8. Money broking.
  9. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services.
  10. Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments.
  11. Advisory intermediation and other auxiliary financial services on all the activities listed in points 1 to 10 above, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.
  12. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services.

Are excluded from the definition of financial services the following activities:

- (a) Activities carried out by central banks or by any other public institution in pursuit of monetary and exchange rate policies.
- (b) Activities conducted by central banks, government agencies or departments, or public institutions, for the account or with the guarantee of the government, except when those activities may be carried out by financial service providers in competition with such public entities.
- (c) Activities forming part of a statutory system of social security or public retirement plans, except when those activities may be carried out by financial service providers in competition with public entities or private institutions.

#### ANNEX XVIb

**Establishment: “Sectors related to the end of the transitional period”  
(Article 45, paragraph 1(i) and paragraph 5 and Article 51 point(i))**

- armament and defence production;
- steel production;
- acquisition of state owned assets under privatisation process;
- ownership, use, sale and rent of real property;
- dealing and agency activities in real property and natural resources;

#### ANNEX XVIc

**Establishment: “Excluded Sectors” (Article 45, paragraphs 5 and 6)**

- acquisition and sale of natural resources;
- acquisition and sale of agricultural land and forests;
- cultural and historic monuments and buildings.

1. Paragraph 2 of Article 67 concerns the following multilateral convention: Protocol relating to the Madrid Agreement concerning the International Registration of Marks (Madrid 1989)<sup>1</sup>.
2. The Association Council may decide that paragraph 2 of Article 67 shall apply to other multilateral conventions.
3. The Contracting Parties confirm the importance they attach to the obligations arising from the following multilateral conventions:
  - Berne Convention for the Protection of Literary and Artistic Works (Paris Act, 1971)<sup>2</sup>;
  - International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 1961)<sup>3</sup>;
  - Paris Convention for the Protection of Industrial Property (Stockholm Act, 1967 and amended in 1979)<sup>4</sup>;
  - Madrid Agreement concerning the International Registration of Marks (Stockholm Act, 1967 and amended in 1979)<sup>5</sup>;
  - Nice Agreement concerning the International Classification of Goods and Services for the purposes of the Registration of Marks (Geneva 1977, amended 1979)<sup>6</sup>;
  - Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the purposes of Patent Procedures (1977, modified in 1980)<sup>7</sup>;
  - Patent Co-operation Treaty (Washington 1970, amended 1979 and modified in 1984)<sup>8</sup>.
4. For the purposes of Paragraph 3 of this Annex and of the provisions of Article 76, paragraph 1 referring to intellectual property, Contracting Parties shall be the Czech Republic, the European Economic Community and the Member States, each in as far as they are respectively competent for matters concerning industrial, intellectual and commercial property covered by these conventions or by Article 76, paragraph 1.
5. The provisions of this Annex and those of Article 75, paragraph 1 referring to intellectual property are without prejudice to the competence of the European Economic Community and its Member States in matters of industrial, intellectual and commercial property.

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<sup>1</sup> Miscellaneous No. 14 (1991) Cm 1601.

<sup>2</sup> Treaty Series No. 63 (1990) Cm 1212.

<sup>3</sup> Treaty Series No. 38 (1964) Cmnd. 2425.

<sup>4</sup> Treaty Series No. 61 (1970) Cmnd. 4431.

<sup>5</sup> Treaty Series No. 62 (1970) Cmnd. 4426.

<sup>6</sup> Treaty Series No. 72 (1979) Cmnd. 7671.

<sup>7</sup> Treaty Series No. 5 (1981) Cmnd. 8136.

<sup>8</sup> Treaty Series No. 78 (1978) Cmnd. 7340.

LIST OF PROTOCOLS

PROTOCOL No. 1

**on textile and clothing products**

PROTOCOL No. 2

**on products covered by the Treaty establishing the European Coal and Steel Community (ECSC)**

PROTOCOL No. 3

**on trade between the Czech Republic and the Community in processed agricultural products not covered by Annex II to the EEC Treaty**

PROTOCOL No. 4

**Concerning the definition of the concept of 'Originating Products' and methods of administrative co-operation**

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**On concessions with annual limits**

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**On the succession of the Czech Republic in respect of the Exchanges of Letters between the European Economic Community (Community) and the Czech and Slovak Federal Republic concerning transit and land transport infrastructure**

## PROTOCOL No. 1

### on textile and clothing products to the Europe Agreement (“the Agreement”)

#### ARTICLE 1

This Protocol applies to the textile and clothing products (hereinafter ‘textile products’) listed in Annex I to the Additional Protocol to the Europe Agreement on trade in textile products between the European Economic Community and the Czech and Slovak Federal Republic, initialled on 17 December 1992 and applied since 1 January 1993, insofar as quantitative arrangements are concerned, and to Section XI (Chapters 50–63) of the Combined Nomenclature of the Community and, respectively, of the Czech Republic Customs Tariff insofar as tariff aspects are concerned.

#### ARTICLE 2

1. Customs duties on imports applicable in the Community to textile products falling within Section XI (Chapters 50 to 63) of the Combined Nomenclature and originating in the Czech Republic in accordance with Protocol 4 of the Agreement shall be reduced by equal annual amounts leading to their elimination at the end of a period of six years starting from the entry into force of the Agreement, as follows:

- upon the entry into force of the Agreement to five-sevenths of the basic duty,
- at the start of the third year to four-sevenths of the basic duty,
- at the start of the fourth year to three-sevenths of the basic duty,
- at the start of the fifth year to two-sevenths of the basic duty,
- at the start of the sixth year,
- the remaining duties shall be eliminated.

2. The rates of duty applied to direct imports into the Czech Republic of textile products falling within Section XI (Chapters 50 to 63) of the Czech Republic customs tariff and originating in the Community, in accordance with Protocol 4 of the Agreement, shall be progressively eliminated as provided for in Article 11 of the Agreement.

3. The rates of duty applied to reimports into the Community of textile products falling within the categories listed in the Annex to Council Regulation (EEC) No. 636/82 after processing, manufacturing or working in the Czech Republic shall be eliminated on the date of entry into force of the Agreement.

4. The provisions of Article 12 and Article 13 of the Agreement shall apply to trade in textile products between the Parties.

#### ARTICLE 3

From 1 January 1993 the quantitative arrangements and other related issues regarding exports of textile products originating in the Czech Republic to the Community and originating in the Community to the Czech Republic shall be governed by the Additional Protocol to the Europe Agreement on trade in textile products between the European Economic Community and the Czech and Slovak Federal Republic initialled on 17 December 1992 and applied since 1 January 1993 including in particular Agreed Minute No. 5 thereof as amended by the Additional Protocol on trade in textile products between the European Economic Community and the Czech Republic initialled on 17 September 1993.

#### ARTICLE 4

From the entry into force of this Agreement no new quantitative restrictions or measures of equivalent effect shall be imposed except as provided for under the Agreement and its Protocols.



## PROTOCOL 2

### on ECSC products to the Europe Agreement ('the Agreement')

#### ARTICLE 1

This Protocol applies to products listed in Annex I of the ECSC Treaty as identified in the Common Customs Tariff<sup>1</sup>.

#### CHAPTER I

##### ECSC Steel Products

#### ARTICLE 2<sup>2</sup>

Customs duties on imports applicable in the Community on ECSC steel products originating in the Czech Republic shall be progressively abolished in accordance with the following timetable:

1. each duty shall be reduced to 80% on the basic duty on the date of entry into force of the Agreement;
2. further reductions to 60%, 40%, 20%, 10% and 0% of the basic duty shall be made at the beginning of the second, third, fourth and fifth years respectively after the entry into force of the Agreement.

#### ARTICLE 3

Customs duties applicable in the Czech Republic on imports of ECSC steel products originating in the Community shall be progressively abolished in accordance with the following timetable:

1. for products listed in Annex I to this Protocol customs duties shall be abolished on the date of entry into force of the Agreement;
2. for products listed in Annex II to this Protocol customs duties shall be reduced in accordance with Article 11(2) of the Agreement;
3. for products listed in Annex III to this Protocol customs duties shall be reduced in accordance with Article 11(3) of the Agreement.

#### ARTICLE 4

1. Quantitative restrictions on imports into the Community of ECSC steel products originating in the Czech Republic as well as measures having equivalent effect shall be abolished on the date of entry into force of the Agreement.
2. Quantitative restrictions on imports into the Czech Republic of ECSC steel products originating in the Community, as well as measures having equivalent effect, shall be abolished on the date of entry into force of the Agreement.

#### CHAPTER II

##### ECSC Coal Products

#### ARTICLE 5

Customs duties on imports applicable in the Community on ECSC coal products originating in the Czech Republic shall be abolished at the latest one year after the entry into force of the Agreement with the exception of those concerning the products and the regions described in Annex IV, which shall be abolished at the latest four years after the entry into force of the Agreement.

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<sup>1</sup>OJ No. L 247, 10. 9. 1990.

<sup>2</sup>From 1 June 1993 to 31 December 1995, subject to any subsequent modification, the provisions of Decisions 1/93(C) and 1/93(S) of the Joint Committee acting in accordance with the Interim Agreement on trade and trade related matters between the Community and the CSFR signed on 16 December 1991 as amended by the Supplementary Protocols between the Community and each of the Czech Republic and the Slovak Republic, will be applicable.

## ARTICLE 6

Coal products originating in the Community shall be imported into the Czech Republic free of customs duties from the date of entry into force of the Agreement.

## ARTICLE 7

1. Quantitative restrictions applicable in the Community to ECSC coal products originating in the Czech Republic shall be abolished at the latest one year after the entry into force of the Agreement, with the exception of those concerning the products and the regions described in Annex IV, which shall be abolished at the latest four years after the entry into force of the Agreement.
2. Quantitative restrictions on imports applicable in the Czech Federal Republic to coal products originating in the Community as well as measures having equivalent effect shall be abolished as provided for in Article 11(5) of the Agreement.

## CHAPTER III

### Common Provisions

## ARTICLE 8

1. The following are incompatible with the proper functioning of the Agreement, in so far as they may affect trade between the Community and the Czech Republic:
  - (i) all agreements of co-operative or concentrative nature between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
  - (ii) abuse by one or more undertakings of a dominant position in the territories of the Community or of the Czech Republic as a whole or in a substantial part thereof;
  - (iii) public aid in any form whatsoever except derogations allowed pursuant to the ECSC Treaty.
2. Any practices contrary to this Article shall be assessed on the basis of criteria arising from the application of the rules of Articles 65 and 66 of the Treaty establishing the ECSC, Article 85 of the EEC Treaty, and the rules on public aids, including the secondary legislation.
3. The Association Council shall, within three years of the entry into force of the Agreement, adopt the necessary rules for the implementation of paragraphs 1 and 2.
4. The Contracting Parties recognize that during the first five years after the entry into force of the Agreement and by derogation to paragraph 1(iii), the Czech Republic may exceptionally, as regards ECSC steel products, grant public aid for restructuring purposes provided that:
  - it leads to the viability of the benefiting firms under normal market conditions at the end of the restructuring period, and
  - the amount and intensity of such aid are strictly limited to what is absolutely necessary in order to restore such viability and are progressively reduced,
  - the restructuring programme is linked to a global rationalization and reduction of capacity in the Czech Republic.
5. Each Party shall ensure transparency in the area of public aid by a full and continuous exchange of information to the other Party, including amount, intensity and purpose of the aid and detailed restructuring plan.
6. If the Community or the Czech Republic considers that a particular practice is incompatible with the terms of paragraph 1 as amended by paragraph 4, and
  - is not adequately dealt with under the implementing rules referred to in paragraph 3, or

—in the absence of such rules, and if such practice causes or threatens to cause prejudice to the interests of the other Party or material injury to its domestic industry, the affected Party may take appropriate measures if no solution is found through consultation which shall last a maximum of 30 working days. Such consultation shall be held in 30 days from the date the official request is introduced.

In the case of practices incompatible with paragraph 1(iii), such appropriate measures may only cover measures adopted in conformity with the procedures and under the conditions laid down by the General Agreement on tariffs and trade and any other relevant instrument negotiated under its auspices which are applicable between the Parties.

#### ARTICLE 9

The provisions of Articles 12, 13 and 14 of the Agreement shall apply to trade between the Parties in ECSC products.

#### ARTICLE 10

The Parties agree that one of the special bodies established by the Association Council shall be a contact group which will discuss the implementation of this Protocol.

**List of products referred to in Article 3(1) of the Protocol**

<u>CN Code</u>
720110
720120
720130
720140
720310
720390
<u>720450</u>

**List of products referred to in Article 3(2) of the Protocol  
and the rates of duty applicable before the entry into force of the Agreement**

720610	3,3	722012	3,8
720690	2,8	722020	3,8
720711	4	722090	3,8
720712	4	722100	3,8
720719	4	722210	3,8
720720	3,9	722230	3,8
721119	4	722240	3,8
721149	4	722410	3,8
721190	4	722490	3,8
721350	3,8	722520	3,8
721810	3,8	722540	3,8
721890	3,8	722550	3,8
721911	3,8	722590	3,8
721912	3,8	722610	3,8
721913	3,8	722620	3,8
721914	3,8	722691	3,8
721921	3,8	722692	3,8
721922	3,8	722699	3,8
721923	3,8	722710	3,8
721924	3,8	722720	3,8
721931	3,8	722790	3,8
721932	3,8	722810	3,8
721933	3,8	7228201	3,8
721934	3,8	7228309	3,8
721935	3,8	722860	3,8
721990	3,8	722870	3,8
722011	3,8		

**List of products referred to in Article 3(3) of the Protocol  
and the rates of duty applicable before the entry into force of the Agreement**

720211	5	721060	9,3
720299	5,5	721070	7,5
720811	5,9	721090	9,3
720812	5,9	721111	6
720813	5,9	721112	6,3
720814	5,9	721121	6
720821	5,9	721122	6
720822	5,9	721129	6
720823	5,9	721130	5,7
720824	5,9	721141	5,7
720831	6,1	721210	5,4
720832	6,1	721221	5,4
720833	6,1	721229	5,4
720834	6,1	721230	6,5
720835	8,5	721240	5,4
720841	6,8	721250	6,4
720842	6,1	721260	6,5
720843	6,1	721310	5,4
720844	6,1	721320	5,1
720845	6,1	721331	7,3
720890	6,1	721339	7
720911	6,1	721341	7,1
720912	6,1	721349	7,0
720913	6,1	721420	5,9
720914	6,1	721430	5,9
720921	6,1	721440	7
720922	6,1	721450	7
720923	6,1	721460	7
720924	6,1	721590	6,3
720931	6,1	721610	6,5
720932	6,1	721621	6,5
720933	8,5	721622	6,5
720934	6,1	721631	6,5
720941	6,1	721632	9,3
720942	6,1	721633	6,5
720943	8,5	721640	6,5
720944	6,1	721650	6,5
720990	5,6	721690	9,3
721011	5,6	722510	5,9
721012	5,6	722530	5,9
721020	5,6	722880	7
721031	5,6	730110	9,3
721039	7,5	730210	6,8
721041	5,6	730220	8
721049	5,6	730240	8
721050	5,6	730290	8

**Products and regions referred to as exceptions in Article 7 of the ECSC Protocol**

*Products*

Products listed under 'Coal Products' of Annex I of the ECSC Treaty as identified in the Common Customs Tariff<sup>(1)</sup>.

*Regions*

All regions of:

- Federal Republic of Germany,
- Kingdom of Spain.

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<sup>(1)</sup> OJ No. L 247, 10.9.1990.

## PROTOCOL 3

### on trade between the Czech Republic and the Community in processed agricultural products not covered by Annex II to the EEC Treaty

#### ARTICLE 1

In order to take account of cost differences between agricultural products incorporated into certain goods not covered by Article II of the Treaty establishing the European Community, the agreement shall not preclude:

- the inclusion of an agricultural component in the customs levies charged on imports of the goods listed in the Annex,
- the use of internal measures to offset the price differences resulting from agricultural policy,
- the use of measures applying to exports.

#### ARTICLE 2

1. The agricultural component of the customs levies referred to in Article 1 may take the form of a variable component, a flat-rate amount or an *ad valorem* duty.

This component shall relate only to the quantities of agricultural raw materials incorporated.

2. In determining the agricultural component to be levied, account shall be taken of the measures adopted pursuant to Article 20 of the Agreement.

3. Measures relating to exports may not go beyond those applicable to any country which is not a Party to the Agreement.

4. The non-agricultural component of the charges shall be progressively reduced in accordance with the procedure laid down in this Protocol.

#### ARTICLE 3

1. The import levies applicable in the Community to the Czech Republic products listed in Table 1 shall be reduced according to the timetable set out in that table.

2. The variable components listed in Table 1 may be converted into any of the other types of levy referred to in Article 2(1).

#### ARTICLE 4

1. The Czech Republic shall determine the agricultural component of the levies, in accordance with Articles 1 and 2, before 1 July 1994.

The non-agricultural component of the levies shall be determined by subtracting from the levies applicable on 1 January 1992 the agricultural component referred to above.

2. The agricultural component of the levies may not exceed the level of duty which would result from the application to the amounts of agricultural products considered to have been used of the import duties applicable in the Czech Republic to such products from the Community.

3. The agricultural component of the levy may take one of the forms referred to in Article 2(1).

It may later be converted into another of the types of levy referred to Article 2(1), notably to take account of changes in Czechoslovakia's agricultural policy.



#### ARTICLE 5

1. Until 31 December 1994 the Czech Republic shall charge import duty on the goods listed in Table 2 of the Annex at the rates in force on 1 January 1992.
2. From 1 January 1995, the non-agricultural component of the levies, calculated in conformity with Article 4, shall be reduced in accordance with the timetable set out in Table 2 of the Annex.

The duties which will apply from 1 January 1995 shall be definitively determined by the Association Council in accordance with the provisions of Article 6(1).

#### ARTICLE 6

1. By 1 October 1994, the Czech Republic shall notify the Association Council referred to in Article 104 of the Agreement of the agricultural component of the levies concerned, calculated in accordance with Article 4. After consideration of these figures, the Joint Committee shall determine the definitive duties to apply from 1 January 1995.
2. At the end of the first phase of the transitional period, the Association Council shall consider the possibility of replacing the agricultural component referred to in Article 2(1) of this Protocol with compensatory amounts calculated on the basis of the quantities of agricultural products actually used, and the actual differences in the prices of basic agricultural products in each of the Parties. If this becomes the case, the Association Council shall draw up a list of the products to which the compensatory amounts will apply, and a list of basic agricultural products.
3. The Association Council may also consider extending the list of goods covered by this Protocol. If it does so, it shall make the necessary provisions with regard to those goods.
4. The Czech Republic and the Community shall inform each other of the prices of basic agricultural products used to calculate the price compensation referred to in Article 1 of this Protocol.

**Table 1: Duties applicable to goods originating in the Czech Republic on import into the Community**

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:					
0403 10	— Yogurt:					
0403 10 51 to 99	— Flavoured or containing added fruit, nuts or cocoa	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
0403 90	— Other:					
0403 90 71 to 99	— Flavoured or containing added fruit, nuts or cocoa	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils of their fractions of heading No 1516:					
1517 10	— Margarine, excluding liquid margarine:					
1517 10 10	— Containing more than 10% but not more than 15% by weight of milkfats	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
1517 90	— Other:					
1517 90 10	— Containing more than 10% but not more than 15% by weight of milkfats	13 + MOB	6,5 + MOB	0 + MOB	0 + MOB	1
1704	Sugar confectionery (including white chocolate), not containing cocoa:					
1704 10	— Chewing gum, whether or not sugar-coated					
1704 10 11 19	— Containing less than 60% by weight of sucrose (including invert sugar expressed as sucrose)	2 + MOB MAX 23	0 + MOB MAX 23	0 + MOB MAX 23	0 + MOB MAX 23	0
1704 10 91 99	— Containing 60% or more by weight of sucrose (including invert sugar expressed as sucrose)	2 + MOB MAX 18	0 + MOB MAX 18	0 + MOB MAX 23	0 + MOB MAX 18	0

\*This column refers to the number of years after which the final rate of duty will be applied.

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1704 90 10	— Liquorice extract containing more than 10% by weight of sucrose but not containing other added substances	9	9	9	9	0
1704 90 30	— White chocolate	4+MOB MAX 27 +AD S/Z	2+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	1
1704 90 51 to 99	— Other	6+MOB MAX 27 +AD S/Z	3+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	1
1803	Cocoa paste, whether or not defatted	11	8,8	6,6	0	4
1804 00 00	Cocoa butter, fat and oil	8	6,4	4,8	0	4
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter	9	7,2	5,4	0	4
1806	Chocolate and other food preparations containing cocoa:					
1806 10	— Cocoa powder, containing added sugar or other sweetening matter:					
1806 10 10	— Containing no sucrose or containing less than 65% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	— Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	— Not otherwise sweetened than by the addition of sucrose	3	0	0	0	0
	— Other	10	8	6	0	4
	— Other:					
	— Not otherwise sweetened than by the addition of sucrose	3+MOB	0+MOB	0+MOB	0+MOB	0
	— Other	10+MOB	5+MOB	0+MOB	0+MOB	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1806 10 30	— Containing 65% or more but less than 80% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	— Not otherwise sweetened than by the addition of sucrose	3 + MOB	0 + MOB	0 + MOB	0 + MOB	0
	— Other:	10 + MOB	5 + MOB	0 + MOB	0 + MOB	1
1806 10 90	— Containing 80% or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	— Not otherwise sweetened than by the addition of sucrose	3 + MOB	0 + MOB	0 + MOB	0 + MOB	0
	— Other	10 + MOB	5 + MOB	0 + MOB	0 + MOB	1
1806 20	— Other preparations in blocks or slabs weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg:					
1806 20 10	— Containing 31% or more by weight of cocoa butter or containing a combined weight of 31% or more of cocoa butter and milk fat	9 + MOB MAX 27 + AD S/Z	4,5 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	1
1806 20 30	— Containing a combined weight of 25% or more, but less than 31% of cocoa butter and milk fat	9 + MOB MAX 27 + AD S/Z	4,5 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	1
	— Other:					
1806 20 50	— Containing 18% or more by weight of cocoa butter	9 + MOB MAX 27 + AD S/Z	4,5 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	1
1806 20 70	— Chocolate milk crumb	19 + MOB	12,7 + MOB	6,3 + MOB	0 + MOB	2
1806 20 90	— Other	9 + MOB MAX 27 + AD S/Z	4,5 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	1
	— Other, in blocks, slabs or bars:					
1806 31	— Filled	9 + MOB MAX 27 + AD S/Z	4,5 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	0 + MOB MAX 27 + AD S/Z	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1806 32	— Not filled	9+ MOB MAX 27 + AD S/Z	4,5+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
1806 90	— Other:					
1806 90 11 to 39	— Chocolate and chocolate products	9+ MOB MAX 27 + AD S/Z	4,5+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
1806 90 50	— Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	9+ MOB MAX 27 + AD S/Z	4,5+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
1806 90 60	— Spreads containing cocoa:					
	— In immediate packings of a net capacity of 1 kg or less	12+ MOB MAX 27 + AD S/Z	6+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
	— Other	12+ MOB MAX 27 + AD S/Z	6+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
1806 90 70	— Preparations containing cocoa for making beverages	12+ MOB MAX 27 + AD S/Z	6+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
1806 90 90	— Other	12+ MOB MAX 27 + AD S/Z	6+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	0+ MOB MAX 27 + AD S/Z	1
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included:					
1901 10 00	— Preparations for infant use, put up for retail sale	0+ MOB	0+ MOB	0+ MOB	0+ MOB	0
1901 20	— Mixes and doughs for the preparation of bakers' wares of heading No 1905	0+ MOB	0+ MOB	0+ MOB	0+ MOB	0
1901 90	— Other:					
	— Malt extract:					
1901 90 11	— With a dry extract content of 90% or more by weight	8+ MOB	4+ MOB	0+ MOB	0+ MOB	1
1901 90 19	— Other	8+ MOB	4+ MOB	0+ MOB	0+ MOB	1

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1901 90 90	— Other: — Preparations based on flour of leguminous vegetables in the form of sun-dried discs or dough, known as 'papad'	0	0	0	0	0
1902	— Other Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared: — Uncooked pasta, not stuffed or otherwise prepared:	0+ MOB	0+ MOB	0+ MOB	0+ MOB	0
1902 11	— Containing eggs	12+ MOB	6+ MOB	0+ MOB	0+ MOB	1
1902 19	— Other	12+ MOB	6+ MOB	0+ MOB	0+ MOB	1
1902 20	— Stuffed pasta, whether or not cooked or otherwise prepared:					
1902 20 91 to 99	— Other	13+ MOB	7,5+ MOB	0+ MOB	0+ MOB	1
1902 30	— Other pasta	10+ MOB	5+ MOB	0+ MOB	0+ MOB	1
1902 40	— Couscous					
1902 40 10	— Unprepared	12+ MOB	6+ MOB	0+ MOB	0+ MOB	1
1902 40 90	— Other	10+ MOB	5+ MOB	0+ MOB	0+ MOB	1
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms: — Tapioca and sago substitutes from potato or other starches	10+ MOB	5+ MOB	0+ MOB	0+ MOB	1
	— Other	2+ MOB	0+ MOB	0+ MOB	0+ MOB	0
1904	Prepared foods obtained by the swelling or roasting of cereals or cereals products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:					
1904 10	— Prepared foods obtained by the swelling or roasting of cereals or cereals products	0+ MOB	0+ MOB	0+ MOB	0+ MOB	0
1904 90	— Other: — Rice	3+ MOB	0+ MOB	0+ MOB	0+ MOB	0
	— Other	2+ MOB	0+ MOB	0+ MOB	0+ MOB	0
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers,					

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:					
1905 10	— Crispbread	0+ MOB MAX 24 + AD S/Z	0+ MOB MAX 24 + AD S/Z	0+ MOB MAX 24 + AD S/Z	0+ MOB MAX 24 + AD S/Z	0
1905 20	— Gingerbread and the like	0+ MOB	0+ MOB	0+ MOB	0+ MOB	0
ex 1905 30	— Sweet biscuits; waffles and wafers:					
1905 30 11 to 59 and 99		13+ MOB MAX 35 + AD S/Z	6,5+ MOB MAX 35 + AD S/Z	0+ MOB MAX 35 + AD S/Z	0+ MOB MAX 35 + AD S/Z	1
	— Other:					
	— Waffles and wafers:					
1905 30 91	— Salted, whether or not filled	13+ MOB MAX 30 + AD F/M	6,5+ MOB MAX 30 + AD F/M	0+ MOB MAX 30 + AD F/M	0+ MOB MAX 30 + AD F/M	1
1905 40	— Rusks, toasted bread and similar toasted products	4+ MOB	2+ MOB	0+ MOB	0+ MOB	1
1905 90	— Other:					
1905 90 10	— Matzos	0+ MOB MAX 20 + AD F/M	0+ MOB MAX 20 + AD F/M	0+ MOB MAX 20 + AD F/M	0+ MOB MAX 20 + AD F/M	0
1905 90 20	— Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	0+ MOB	0+ MOB	0+ MOB	0+ MOB	0
	— Other:					
1905 90 30	— Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5% of sugar and not more than 5% of fat	4+ MOB	0+ MOB	0+ MOB	0+ MOB	0
1905 90 40	— Waffles and wafers with a water content exceeding 10% by weight	13+ MOB MAX 30 + AD F/M	6,5+ MOB MAX 30 + AD F/M	0+ MOB MAX 30 + AD F/M	0+ MOB MAX 30 + AD F/M	1
1905 90 45 and 55	— Biscuits; extruded or expanded products, savoury or salted	13+ MOB MAX 30 + AD F/M	6,5+ MOB MAX 30 + AD F/M	0+ MOB MAX 30 + AD F/M	0+ MOB MAX 30 + AD F/M	1
	— Other:					

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1905 90 60	— With added sweetening matter	13+MOB MAX 35 +AD S/Z	6,5+MOB MAX 35 +AD S/Z	0+MOB MAX 35 +AD S/Z	0+MOB MAX 35 +AD S/Z	1
1905 90 90	— Other	13+MOB MAX 30 +AD F/M	6,5+MOB MAX 30 +AD F/M	0+MOB MAX 30 +AD F/M	0+MOB MAX 30 +AD F/M	1
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:					
2101 10	— Extracts, essences and concentrates, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:					
	— Preparations:					
2101 10 99	— Other	13+MOB	6,5+MOB	0+MOB	0+MOB	1
2101 20	— Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté:					
2101 20 10	— Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch:					
	— Preparations with a basis of tea or maté	0	0	0	0	0
	— Other	6	4,4	4,4	4,4	0
2101 20 90	— Other	13+MOB	6,5+MOB	0+MOB	0+MOB	1
2101 30	— Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:					
	— Roasted chicory and other roasted coffee substitutes:					
2101 30 11	— Roasted chicory	18	12,9	7,7	7,7	1
2101 30 19	— Other	2+MOB	0+MOB	0+MOB	0+MOB	0
	— Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:					



CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2101 30 91	— Of roasted chicory	22	15,3	8,6	8,6	1
2101 30 99	— Other	2+MOB	0+MOB	0+MOB	0+MOB	0
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders:					
2102 10	— Active yeasts:					
2102 10 10	— Culture yeast	8	7,4	7,4	7,4	0
2102 10 31 to 39	— Bakers' yeast	4+MOB	2+MOB	0+MOB	0+MOB	1
2102 10 90	— Other	10	8,8	8,8	8,8	0
2102 20	— Inactive yeasts; other single-cell micro-organisms, dead:					
	— Inactive yeasts:					
2102 20 11	— In tablet, cube or similar form, or in immediate packing of a net content not exceeding 1 kg	6	3	3	3	0
2102 30 00	— Prepared baking powders	3	3	3	3	0
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:					
2103 10	— Soya sauce:					
	— With a vegetable oil basis	12	8,2	4,4	4,4	1
	— Other	5	4,4	4,4	4,4	0
2103 20	— Tomato ketchup and other tomato sauces:					
	— Sauces with a basis of tomato purée	6	6	6	6	0
	— Other	16	11,5	7	7	1
2103 30	— Mustard flour and meal and prepared mustard:					
2103 30 90	— Prepared mustard	7	6,5	6,5	6,5	0
2103 90	— Other:					
2103 90 90	— Other:					
	— Containing tomato:					
	— With tomato ketchup	7	5,9	5,9	5,9	0
	— Other	12	9	5,9	5,9	1
	— Other:					
	— With a vegetable oil basis	12	9	5,9	5,9	1
	— Other	5	5	5	5	0
2104	Soups and broths and preparations therefor; homogenized composite food preparations:					

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2104 10	—Soups and broths and preparations therefor:					
	—Containing tomato	11	9	7	7	1
	—Other	11	9	7	7	1
2104 20 00	—Homogenized composite food preparations	17	12,8	8,6	8,6	1
2105	Ice cream and other edible ice, whether or not containing cocoa	12+MOB MAX 27 +AD S/Z	6+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	0+MOB MAX 27 +AD S/Z	1
2106	Food preparations not elsewhere specified or included:					
2106 10	—Protein concentrates and textured protein substances:					
2106 10 10	—Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch	20	14,1	8,2	8,2	1
2106 10 90	—Other	13+MOB	6,5+MOB	0+MOB	0+MOB	1
2106 90	—Other:					
2106 90 10	—Cheese fondues	13+MOB MAX ECU 35/ 100 kg/ net	6,5+MOB MAX ECU 30/ 100 kg/ net	0+MOB MAX ECU 25/ 100 kg/ net	0+MOB MAX ECU 25/ 100 kg/ net	1
	—Other:					
2106 90 91	—Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch:					
ex 2106 90 91	—Hydrolysates of proteins; autolysates of yeast	20	14,8	9,6	4,4	2
ex 2106 90 91	—Other	20	14,8	9,6	4,4	2
2106 90 99	—Other:	13+MOB	6,5+MOB	0+MOB	0+MOB	1
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2209:					

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2202 10	—Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	6	3	0	0	1
2202 90	—Other					
2202 90 10	— Not containing products of heading Nos 0401 to 0404 or fat obtained from products of heading Nos 0401 to 0404:					
ex 2202 90 10	— Containing sugar (sucrose or invert sugar)	6	4,4	4,3	4,4	0
2202 90 91 to 99	— Other	8 + MOB	4 + MOB	0 + MOB	0 + MOB	1
2203	Beer made from malt	14	10	7	7	1
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances:					
2205 10	— In containers holding 2 litres or less:					
2205 10 10	— Of an actual alcoholic strength by volume of 18% volume or less	ECU 17/hl	ECU 13,6/hl	ECU 10,2/hl	0	4
2205 10 90	— Of an actual alcoholic strength by volume exceeding 18% volume	ECU 1,4/% vol/hl + ECU 10/hl	ECU 1,1/% vol/hl + ECU 8/hl	ECU 0,8/% vol/hl + ECU 6/hl	0	4
2205 90	— Other					
2205 90 10	— Of an actual alcoholic strength by volume of 18% volume or less	ECU 14/hl	ECU 11,2/hl	ECU 8,4/hl	0	4
2205 90 90	— Of an actual alcoholic strength by volume exceeding 18% volume	ECU 1,4% vol/hl	ECU 1,1/% vol/hl	ECU 0,8/% vol/hl	0	4
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% volume; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages:					
2208 10	— Compound alcoholic preparations of a kind used, for the manufacture of beverages:	27 MIN ECU 1,6% vol/hl	23 MIN ECU 1,4% vol/hl	19 MIN ECU 1,1% vol/hl	19 MIN ECU 1,1% vol/hl	1
2208 20	— Spirits obtained by distilling grape wine or grape marc:					
2208 20 11 and 19	— In containers holding 2 litres or less	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1

CN code	Description	Rate of duty					applicable after . . . years*
		basic	entry into force	after one year	final		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
2208 20 91 and 99 2208 30	— In containers holding more than 2 litres	ECU 1,6/% vol/hl	ECU 1,4/% vol/hl	ECU 1,1/% vol/hl	ECU 1,1/% vol/hl	1	
	— Whiskies:						
	— Bourbon whiskey, in containers holding:						
2208 30 11	— 2 litres or less <sup>1</sup>	ECU 0,2/% vol/hl + ECU 1,5/hl	ECU 0,2/% vol/hl + ECU 1,3/hl	ECU 0,1/% vol/hl + ECU 1/hl	ECU 0,1/% vol/hl + ECU 1/hl	1	
2208 30 19	— More than 2 litres	ECU 0,2/% vol/hl	ECU 0,2/% vol/hl	ECU 0,1/% vol/hl	ECU 0,1/% vol/hl	1	
	— other, in containers holding:						
2208 30 91	— 2 litres or less	ECU 0,4/% vol/hl + ECU 3/hl	ECU 0,3/% vol/hl + ECU 2,6/hl	ECU 0,3/% vol/hl + ECU 2,1/hl	ECU 0,3/% vol/hl + ECU 2,1/hl	1	
2208 30 99	— More than 2 litres	ECU 0,4/% vol/hl + ECU 3/hl	ECU 0,3/% vol/hl + ECU 2,6/hl	ECU 0,3/% vol/hl + ECU 2,1/hl	ECU 0,3/% vol/hl + ECU 2,1/hl	1	
2208 40	— Rum and taffia:						
2208 40 10	— In containers holding 2 litres or less	ECU 1/% vol/hl + ECU 5/hl	ECU 0,9/% vol/hl + ECU 4,3/hl	ECU 0,7/% vol/hl + ECU 3,5/hl	ECU 0,7/% vol/hl + ECU 3,5/hl	1	
2208 40 90	— In containers holding more than 2 litres	ECU 1/% vol/hl	ECU 0,9/% vol/hl	ECU 0,7/% vol/hl	ECU 0,7/% vol/hl	1	
2208 50	— Gin and Geneva:						
	— Gin, in containers holding:						
2208 50 11	— 2 litres or less	ECU 1/% vol/hl + ECU 5/hl	ECU 0,9/% vol/hl + ECU 4,3/hl	ECU 0,7/% vol/hl + ECU 3,5/hl	ECU 0,7/% vol/hl + ECU 3,5/hl	1	
2208 50 19	— More than 2 litres	ECU 1/% vol/hl	ECU 0,9/% vol/hl	ECU 0,7/% vol/hl	ECU 0,7/% vol/hl	1	
	— Geneva, in containers holding:						
2208 50 91	— 2 litres or less	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1	
2208 50 99	— More than 2 litres	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1	
2208 90	— Other						
	— Arrack, in containers holding:						
2208 90 11	— 2 litres or less	ECU 1/% vol/hl + ECU 5/hl	ECU 0,9/% vol/hl + ECU 4,3/hl	ECU 0,7/% vol/hl + ECU 3,5/hl	ECU 0,7/% vol/hl + ECU 3,5/hl	1	
2208 90 19	— More than 2 litres	ECU 1/% vol/hl	ECU 0,9/% vol/hl	ECU 0,7/% vol/hl	ECU 0,7/% vol/hl	1	
	— Vodka of an alcoholic strength by volume of 45,4% volume or less and plum, pear or cherry spirit (excluding liqueurs), in containers holding:						
	— 2 litres or less:						
2208 90 31	— Vodka	ECU 1,3/% vol/hl + ECU 5/hl	ECU 1,1/% vol/hl + ECU 4,3/hl	ECU 0,9/% vol/hl + ECU 3,5/hl	ECU 0,9/% vol/hl + ECU 3,5/hl	1	

<sup>1</sup> Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

CN code	Description	Rate of duty				
		basic	entry into force	after one year	final	applicable after . . . years*
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2208 90 33	— Plum, pear or cherry spirit (excluding liqueurs)	ECU 1,3/% vol/hl + ECU 5/hl	ECU 1,1/% vol/hl + ECU 4,3/hl	ECU 0,9/% vol/hl + ECU 3,5/hl	ECU 0,9/% vol/hl + ECU 3,5/hl	1
2208 90 39	— More than 2 litres	ECU 1,3/% vol/hl	ECU 1,1/% vol/hl	ECU 0,9/% vol/hl	ECU 0,9/% vol/hl	1
	— Other spirits, liqueurs and other spirituous beverages, in containers holding:					
	— 2 litres or less:					
	— Spirits (excluding liqueurs):					
2208 90 51	— Distilled from fruit	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1
2208 90 53	— Other	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1
	— Other spirituous beverages in containers holding:					
	— 2 litres or less:					
ex 2208 90 55	— Liqueurs:					
	— Containing eggs or egg yolks and/or sugar (sucrose or invert sugar)	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1
ex 2208 90 59	— Other spirituous beverages:					
	— Containing eggs or egg yolks and/or sugar (sucrose or invert sugar)	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1
	— More than 2 litres:					
	— Spirits (excluding liqueurs):					
2208 90 71	— Distilled from fruit	ECU 1,6/% vol/hl	ECU 1,4/% vol/hl	ECU 1,1/% vol/hl	ECU 1,1/% vol/hl	1
2208 90 73	— Other	ECU 1,6/% vol/hl	ECU 1,4/% vol/hl	ECU 1,1/% vol/hl	ECU 1,1/% vol/hl	1
ex 2208 90 79	— Liqueurs and other spirituous beverages	ECU 1,6/% vol/hl	ECU 1,4/% vol/hl	ECU 1,1/% vol/hl	ECU 1,1/% vol/hl	1
	— Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% volume, in containers holding:					
2208 90 91	— 2 litres or less					
ex 2208 90 91	— Other	ECU 1,6/% vol/hl + ECU 10/hl	ECU 1,4/% vol/hl + ECU 9/hl	ECU 1,1/% vol/hl + ECU 7/hl	ECU 1,1/% vol/hl + ECU 7/hl	1
ex 2208 90 99	— Other:					
ex 2208 90 99	— Other	ECU 1,6/% vol/hl	ECU 1,4/% vol/hl	ECU 1,1/% vol/hl	ECU 1,1/% vol/hl	1

**Table 2: Processed agricultural products**

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
0403 10	— Yogurt:					
0403 10 51 to 99	— Flavoured or containing added fruit or cocoa	10	10			2
0403 90	— Other:					
0403 90 71 to 99	— Flavoured or containing added fruit or cocoa	30	30			3
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils of their fractions of heading No 1516:					
1517 10	— Margarine, excluding liquid margarine:					
1517 10 10	— Containing more than 10% but not more than 15% by weight of milkfats	20	20			2
1517 90	— Other:					
1517 90 10	— Containing more than 10% but not more than 15% by weight of milkfats	20	20			2
1704	Sugar confectionery (including white chocolate), not containing cocoa:					
1704 10	— Chewing gum, whether or not sugar coated:					
1704 10 11 and 19	— Containing less than 60% by weight of sucrose (including invert sugar expressed as sucrose)	25	25			1
1704 10 91 and 99	— Containing 60% or more by weight of sucrose (including invert sugar expressed as sucrose)	25	25			1
1704 90 10	— Liquorice extract containing more than 10% by weight of sucrose but not containing other added substances	25	25			1
1704 90 30	— White chocolate	25	25			1
1704 90 51 to 99	— Other	25	25			3
1803	Cocoa paste, whether or not defatted	6	6			2
1804 00 00	Cocoa butter, fat and oil	1,5	1,5			2
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter	10	10			2

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1806	Chocolate and other food preparations containing cocoa:					
1806 10	— Cocoa powder, containing added sugar or other sweetening matter					
1806 10 10	— Containing no sucrose or containing less than 65% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose					
	— Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	15	15			3
	— Not otherwise sweetened than by the addition of sucrose					
	— Other					
	— Other:					
	— Not otherwise sweetened than by the addition of sucrose					
	— Other					
1806 10 30	— Containing 65% or more but less than 80% by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	— Not otherwise sweetened than by the addition of sucrose					
	— Other	15	15			3
1806 10 90	— Containing 80% or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose:					
	— Not otherwise sweetened than by the addition of sucrose					
	— Other					

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1806 20	—Other preparations in blocks or slabs weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg:	15	15			3
1806 20 10	—Containing 31% or more by weight of cocoa butter or containing a combined weight of 31% or more of cocoa butter and milk fat					
1806 20 30	—Containing a combined weight of 25% or more, but less than 31% of cocoa butter and milk fat					
	—Other:					
1806 20 50	—Containing 18% or more by weight of cocoa butter					
1806 20 70	—Chocolate-milk-crumb					
1806 20 90	—Other					
	—Other, in blocks, slabs or bars:					
1806 31	—Filled					
1806 32	—Not filled					
1806 90	—Other:					
1806 90 11 to 39	—Chocolate and chocolate products					
1806 90 50	—Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa					
1806 90 60	—Spreads containing cocoa:					
	—In immediate packings of a net capacity of 1 kg or less					
	—Other					
1806 90 70	—Preparations containing cocoa for making beverages:					
1806 90 90	—Other:					
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not					



CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1901 (contd)	elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included:					
1901 10 00	— Preparations for infant use, put up for retail sale	11	11			1
1901 20	— Mixes and doughs for the preparation of bakers' wares of heading No 1905	11	11			1
1901 90	— Other:					
	— Malt extract:					
1901 90 11	— With a dry extract content of 90% or more by weight	9,8	9,8			3
1901 90 19	— Other	9,8	9,8			3
1901 90 90	— Other:					
	— Preparations based on flour of leguminous vegetables in the form of sun-dried discs or dough, known as 'papad'					
	— Other	9,8	9,8			3
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:					
	— Uncooked pasta, not stuffed or otherwise prepared:					
1902 11	— Containing eggs	12	12			2
1902 19	— Other	12	12			2
1902 20	— Stuffed pasta, whether or not cooked or otherwise prepared:					
1902 20 91	— Other	13	13			1
to 99		12	12			1
1902 30	— Other pasta	10	10			1
1902 40	— Couscous:					
1902 40 10	— Unprepared	11	11			1
1902 40 90	— Other	11	11			1
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms:					

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	— Tapioca and sago substitutes from potato or other starches	4	4			1
1904	— Other Prepared foods obtained by the swelling or roasting of cereals or cereals products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:					
1904 10	— Prepared foods obtained by the swelling or roasting of cereals or cereals products	9	9			1
1904 90	— Other:					
1904 90 10	— Rice	0	0			0
1904 90 90	— Other	9	9			1
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:					
1905 10	— Crispbread	9	9			2
1905 20	— Gingerbread and the like	10	10			2
ex 1905 30	— Sweet biscuits; waffles and wafers:					
1905 30 11 to 59 and 99		10	10			3
	— Other:					
	— Waffles and wafers:					
1905 30 91	— Salted, whether or not filled	10	10			1
1905 40	— Rusks, toasted bread and similar toasted products					
1905 90	— Other:					
1905 90 10	— Matzos	10	10		1	
1905 90 20	— Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products					
	— Other:					

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1905 90 30	— Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5% of sugar and not more than 5% of fat	10	10			1
1905 90 40	— Waffles and wafers with a water content exceeding 10% by weight					
1905 90 50	— Biscuits; extruded or expanded products, savoury or salted					
1905 90 60	— Other: — With added sweetening matter					
1905 90 90	— Other	5	5			1
2101 10 99	— Other					
2101 20	— Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté:	5	5			1
2101 20 10	— Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch:					
	— Preparations with a basis of tea or maté					
	— Other	5	5			1
2101 20 90	— Other	5	5			1
2101 30	— Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:	16	16			3
	— Roasted chicory and other roasted coffee substitutes:					
2101 30 11	— Roasted chicory					
2101 30 19	— Other	16	16			3
	— Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:					

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2101 30 91	— Of roasted chicory	16	16			3
2101 30 99	— Other	16	16			3
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders:					
2102 10	— Active yeasts:					
2102 10 10	— Culture yeasts:	10	10			3
2102 10 31 to 39	— Bakers' yeast	8	8			3
2102 10 90	— Other	8	8			3
2102 20	— Inactive yeasts; other single-cell micro-organisms, dead:					
	— Inactive yeasts:					
2102 20 11	— In tablet, cube or similar form, or in immediate packing of a net content not exceeding 1 kg	8	8			1
2102 30 00	— Prepared baking powders	9	9			1
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:					
2103 10	— Soya sauce:					
	— With a vegetable oil basis					
	— Other	0	0			0
2103 20	— Tomato ketchup and other tomato sauces:					
	— Sauces with a basis of tomato purée	} 10	} 10			} 3
	— Other					
2103 30	— Mustard flour and meal and prepared mustard:					
2103 30 90	— Prepared mustard	9	9			1
2103 90	Other:					
2103 90 90	— Other:					
	— Containing tomato:					
	— With a vegetable oil basis	} 10	} 10			} 1
	— Other					
	— Other:					
	— With a vegetable oil basis					
	— Other					

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2104	Soups and broths and preparations therefor; homogenized composite food preparations					
2104 10	—Soups and broths and preparations therefor:					
	— Containing tomato	} 7	} 7			} 1
	— Other					
2104 20 00	— Homogenized composite food preparations	10	10			1
2105	Ice cream and other edible ice, whether or not containing cocoa	6	6			3
2106	Food preparations not elsewhere specified or included:					
2106 10	Protein concentrates and textured protein substances:					
2106 10 10	— Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk protein, 5% sucrose or isoglucose, 5% glucose or starch	8,8	8,8			1
2106 10 90	— Other	8,8	8,8			1
2106 90	— Other:					
2106 90 10	— Cheese fondues	8,2	8,2			1
	— Other:					
2106 90 91	— Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5% milkfat, 2,5% milk proteins, 5% sucrose or isoglucose, 5% glucose or starch:					
ex 2106 90 91	— Hydrolysates of proteins; autolysates of yeast	8,2	8,2			1
ex 2106 90 91	— Other	8,2	8,2			1
2106 90 99	— Food preparations consisting of natural honey enriched with royal jelly	} 8,2	} 8,2			} 1
2106 90 99	— Other					
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2209:					

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2202 10	— Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	11	11			1
2202 90	— Other:					
2202 90 10	— Not containing products of heading Nos 0401 to 0404 or fat obtained from products of heading Nos 0401 to 0404:					
ex 2202 90 10	— Containing sugar (sucrose or invert sugar)	11	11			1
2202 90 91 to 99	— Other	11	11			1
2203	Beer made from malt	24	24			1
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances:					
2205 10	— In containers holding 2 litres or less:					
2205 10 10	— Of an actual alcoholic strength by volume of 18% volume or less	} 20	} 20			} 2
2205 10 90	— Of an actual alcoholic strength by volume exceeding 18% volume					
2205 90	— Other					
2205 90 10	— Of an actual alcoholic strength by volume of 18% volume or less	} 20	} 20			} 2
2205 90 90	— Of an actual alcoholic strength by volume exceeding 18% volume					
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% volume; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages:					
2208 10	— Compound alcoholic preparations of a kind used for the manufacture of beverages:	27 MIN ECU 1,6% vol/hl	23 MIN ECU 1,4% vol/hl	19 MIN ECU 1,1% vol/hl	19 MIN ECU 1,1% vol/hl	
2208 20	— Spirits obtained by distilling grape wine or grape marc:					

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2208 20 10	— In containers holding 2 litres or less	25	25			1
2208 20 90	— In containers holding more than 2 litres	25	25			1
2208 30	— Whiskies:					
	— Bourbon whiskey, in containers holding:	} 15	} 15			} 1
2208 30 11	— 2 litres or less <sup>1</sup>					
2208 30 19	— More than 2 litres					
	— Other, in containers holding:					
2208 30 91	— 2 litres or less					
2208 30 99	— More than 2 litres					
2208 40	— Rum and taffia:					
2208 40 10	— In containers holding 2 litres or less					
2208 40 90	— In containers holding more than 2 litres					
2208 50	— Gin and Geneva:					
	— Gin, in containers holding:					
2208 50 11	— 2 litres or less					
2208 50 19	— More than 2 litres					
	— Geneva, in containers holding:					
2208 50 91	— 2 litres or less	} 15	} 15			} 1
2208 50 99	— More than 2 litres					
2208 90	— Other:					
	— Arrack, in containers holding:					
2208 90 11	— 2 litres or less					
2208 90 19	— More than 2 litres					
	— Vodka of an alcoholic strength by volume of 45,4% volume or less and plum, pear or cherry spirit (excluding liqueurs), in containers holding:					
	— 2 litres or less:					
2208 90 31	— Vodka					
2208 90 33	— Plum, pear or cherry spirit (excluding liqueurs)					
2208 90 39	— More than 2 litres					
	— Other spirits, liqueurs and other spirituous beverages, in containers holding:					
	— 2 litres or less:					

<sup>1</sup> Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

CN code	Description	Rate of duty				Remarks
		1.1.1992	31.12.1994			Years
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	— Spirits (excluding liqueurs):	}	}			}
2208 90 51	— Distilled from fruit					
2208 90 53	— Other					
	— Other spirituous beverages in containers holding:					
	— 2 litres or less:					
ex 2208 90 55	— Liqueurs:					
	— Containing eggs or egg yolks and/or sugar (sucrose or invert sugar)					
ex 2208 90 59	— Other spirituous beverages:					
	— Containing eggs or egg yolks and/or sugar (sucrose or invert sugar)					
	— More than 2 litres:					
	— Spirits (excluding liqueurs):	}	}			}
2208 90 71	— Distilled from fruit					
2208 90 73	— Other					
ex 2208 90 79	— Liqueurs and other spirituous beverages					
	— Udenatured ethyl alcohol of an alcoholic strength by volume of less than 80% volume, in containers holding:					
2208 90 91	— 2 litres or less	25	25			1



## PROTOCOL 4

### concerning the definition of the concept of 'originating products' and methods of administrative co-operation

#### TITLE I

#### Definition of the Concept of 'Originating Products'

##### ARTICLE 1

##### Origin criteria

For the purpose of implementing the Agreement, and without prejudice to the provisions of Articles 2 and 3 of this Protocol, the following products shall be considered as:

1. products originating in the Community:
  - (a) products wholly obtained in the Community within the meaning of Article 4 of this Protocol;
  - (b) products obtained in the Community incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the Community within the meaning of Article 5 of this Protocol;
2. products originating in the Czech Republic:
  - (a) products wholly obtained in the Czech Republic within the meaning of Article 4 of this Protocol;
  - (b) products obtained in the Czech Republic incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the Czech Republic within the meaning of Article 5 of this Protocol.

##### ARTICLE 2

##### Bilateral cumulation

1. Notwithstanding Article 1(1)(b), materials originating in the Czech Republic within the meaning of this Protocol shall be considered as materials originating in the Community and it shall not be necessary that such materials have undergone sufficient working or processing there, provided however that they have undergone working or processing going beyond that referred to in Article 5(3) of this Protocol.
2. Notwithstanding Article 1(2)(b), materials originating in the Community within the meaning of this Protocol shall be considered as materials originating in the Czech Republic and it shall not be necessary that such materials have undergone sufficient working or processing there, provided however that they have undergone working or processing going beyond that referred to in Article 5(3) of this Protocol.

##### ARTICLE 3

##### Cumulation with materials originating in Poland, Hungary or in the Slovak Republic

1. (a) Notwithstanding Article 1(1)(b) and subject to the provisions of paragraphs 2 and 4, materials originating in Poland, Hungary or in the Slovak Republic within the meaning of Protocol 4 annexed to the Agreements between the Community and these countries shall be considered as originating in the Community and it shall not be necessary that such materials have undergone sufficient working or processing there, provided however that they have undergone working or processing going beyond that referred to in Article 5(3) of this Protocol.
- (b) Notwithstanding Article 1(2)(b) and subject to the provisions of paragraphs 2 and 4, materials originating in Poland, Hungary or in the Slovak Republic within the meaning of Protocol 4 annexed to the Agreements between the Community and these countries shall be considered as originating in the Czech Republic and it shall not be necessary that such materials have undergone sufficient working or processing there, provided however that they have undergone working or processing going beyond that referred to in Article 5(3) of this Protocol.

2. Products which have acquired originating status by virtue of paragraph 1 shall only continue to be considered as products originating in the Community or in the Czech Republic when the value added there exceeds the value of the materials used originating in Poland, Hungary or in the Slovak Republic. If this is not so, the products concerned shall be considered, for the purpose of implementing this Agreement or the Agreements between the Community and Poland, Hungary and the Slovak Republic, as originating in Poland, Hungary or the Slovak Republic, according to which of these countries accounts for the highest value of originating materials used.

No account shall be taken in this allocation of materials originating in Poland, Hungary or in the Slovak Republic which have undergone sufficient working or processing in the Community or in the Czech Republic.

3. 'Value added' shall be taken to be the ex-works price of the products minus the customs value of all the materials used which do not originate in the country or the group of countries where these products are obtained.

4. For the purpose of this Article identical rules of origin to those in this Protocol shall be applied in trade between the Community and Poland, Hungary and the Slovak Republic, and between the Czech Republic and these three countries, and also between each of these three countries themselves.

#### ARTICLE 4

##### **Wholly obtained products**

1. Within the meaning of Article 1(1)(a) and (2)(a), the following shall be considered as wholly obtained either in the Community or in the Czech Republic:

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

2. The term 'their vessels' in paragraph 1(f) shall apply only to vessels:

- which are registered or recorded in the Czech Republic or in a Member State of the Community,
- which sail under the flag of the Czech Republic or of a Member State of the Community,
- which are owned to an extent of at least 50% by nationals of the Czech Republic or of Member States of the Community, or by a company with its head office in one of these States or in the Czech Republic, of which the manager or managers, chairman of the board of directors or the supervisory board, and the majority of the members of such boards are nationals of the Czech Republic or of Member States of the Community and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to these States, to the Czech Republic, to their public bodies or to their nationals,
- of which the master and officers are nationals of the Czech Republic or of Member States of the Community,
- of which at least 75% of the crew are nationals of the Czech Republic or of Member States of the Community,

3. The terms 'the Czech Republic' and 'the Community' shall also cover the territorial waters which surround the Czech Republic and the Member States of the Community.

Sea-going vessels, including factory ships on which the fish caught is worked or processed, shall be considered as part of the territory of the Community or of the Czech Republic provided that they satisfy the conditions set out in paragraph 2.

## ARTICLE 5

### Sufficiently processed products

1. For the purposes of Article 1, non-originating materials are considered to be sufficiently worked or processed when the product obtained is classified in a heading which is different from that in which all the non-originating materials used in its manufacture are classified, subject to paragraphs 2 and 3.

The expressions 'chapters' and 'headings' used in this Protocol shall mean the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System (hereinafter referred to as the 'Harmonized System' or HS).

The expression 'classified' shall refer to the classification of a product or material under a particular heading.

2. For a product mentioned in columns 1 and 2 of the list in Annex II, the conditions set out in column 3 for the product concerned must be fulfilled instead of the rule in paragraph 1.

- (a) Where in the list in Annex II a percentage rule is applied in determining the originating status of a product obtained in the Community or in the Czech Republic, the value added by the working or processing shall correspond to the ex-works price of the product obtained, less the value of third-country materials imported into the Community or the Czech Republic.
- (b) The term 'value' in the list in Annex II shall mean the customs value at the time of the import of the non-originating materials used or, if this is not known and cannot be ascertained, the first ascertainable price paid for these materials in the territory concerned.

Where the value of the originating materials used needs to be established, the provisions of the above subparagraph shall be applied *mutatis mutandis*.

- (c) The term 'ex-works price' in the list in Annex II shall mean the price paid for the product obtained to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used in manufacture, minus any internal taxes which are, or may be repaid when the product obtained is exported.
- (d) 'Customs value' shall be understood as the value determined in accordance with the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade, established in Geneva on 12 April 1979.

3. For the purpose of implementing paragraphs 1 and 2 the following shall be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

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

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

#### ARTICLE 6

##### Neutral elements

In order to determine whether a product originates in the Community or in the Czech Republic, it shall not be necessary to establish the origin of the electrical power, fuel, plant and equipment and machines and tools used to obtain such product nor of materials which do not enter into their final composition.

#### ARTICLE 7

##### Accessories, spare parts and tools

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

#### ARTICLE 8

##### Sets

Sets, as defined in General Rule 3 of the Harmonized System, shall be regarded as originating when all component articles are originating products. Nevertheless, when a set is composed of originating and non-originating articles, the set as a whole shall be regarded as originating provided that the value of the non-originating articles does not exceed 15% of ex-works price of the set.

#### ARTICLE 9

##### Direct transport

1. The preferential treatment provided for under this Agreement or, when the provisions of Article 3(2) are applied, under the Agreements between the Community and Poland, Hungary and the Slovak Republic, applies only to products or materials which are transported between the territories of the Community and the Czech Republic without entering any other territory. However, originating goods constituting one single consignment which is not split up may be transported through territory other than that of the Community or the Czech Republic with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the goods have remained under the surveillance of the customs authorities in the country of transit or of warehousing and that they have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

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

- (a) a single transport document issued in the exporting country covering the passage through the country of transit;
- (b) or a certificate issued by the customs authorities of the country of transit;
  - giving an exact description of the goods,
  - stating the dates of unloading and reloading of the goods or of the embarkation or disembarkation, identifying the ships or other means of transport used, and
  - certifying the conditions under which the goods remained in the transit country,
- (c) or failing these, any substantiating documents.

## ARTICLE 10

### **Territorial requirement**

The conditions set out in this Title relative to the acquisition of originating status must be fulfilled without interruption in the Community or in the Czech Republic except as provided for in Articles 2 and 3.

If originating products exported from the Community or the Czech Republic to another country are returned, except in so far as provided for in Articles 2 and 3, they must be considered as non-originating unless it can be demonstrated to the satisfaction of the customs authorities that:

- the goods returned are the same goods as those exported, and
- they have not undergone any operation beyond that necessary to preserve them in good condition while in that country.

## TITLE II

### **Proof of Origin**

## ARTICLE 11

### **Movement certificate EUR.1**

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

## ARTICLE 12

### **Normal procedure for the issue of certificates**

1. A movement certificate EUR.1 shall be issued only on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorized representative. Such application shall be made on a form, a specimen of which appears in Annex III to this Protocol, which shall be completed in accordance with this Protocol.

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

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

He shall undertake to submit, at the request of the appropriate authorities, any supplementary evidence they may require for the purpose of establishing the correctness of the originating status of the products eligible for preferential treatment and shall undertake to agree to any inspection of his accounts and to any check on the processes of the obtaining of the above products carried out by the said authorities.

Exporters must keep for at least two years the supporting documents referred to in this paragraph.

3. A movement certificate EUR.1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing this Agreement as the Agreement between the Community and Poland, Hungary and the Slovak Republic.

4. The movement certificate EUR.1 shall be issued by the customs authorities of a Member State of the European Economic Community if the goods to be exported can be considered as products originating in the Community within the meaning of Article 1(1) or as products originating in Poland, Hungary or the Slovak Republic within the meaning of Article 3(2) of this Protocol. The movement certificate EUR.1 shall be issued by the customs authorities of the Czech Republic if the goods to be exported can be considered as products originating in the Czech Republic within the meaning of Article 1(2) or as products originating in Poland, Hungary or the Slovak Republic within the meaning of Article 3(2) of this Protocol.

5. Where the cumulation provisions of Articles 2 or 3 are applied, the customs authorities of the Member States of the Community or of the Czech Republic may issue movement certificates EUR.1 under the conditions laid down in this Protocol if the goods to be exported can be considered as originating products within the meaning of this Protocol and provided that the goods covered by the movement certificates EUR.1 are in the Community or in the Czech Republic.

In these cases movement certificates EUR.1 shall be issued subject to the presentation of the proof of origin previously issued or made out. This proof of origin must be kept for at least two years by the customs authorities of the exporting State.

6. Since the movement certificate EUR.1 constitutes the documentary evidence for the application of the preferential tariff arrangements laid down in the Agreement, it shall be the responsibility of the customs authorities of the exporting country to take any steps necessary to verify the origin of the goods and to check the other statements on the certificate.

7. For the purpose of verifying whether the conditions for issuing EUR.1 certificates have been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

8. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in paragraph 1 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions. To this end, the description of the products must be indicated without leaving any blank lines. Where the space is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

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

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

## ARTICLE 13

### **Long-term certificates EUR.1**

1. Notwithstanding the provisions of Article 12(10), a movement certificate EUR.1 may be issued by the customs authorities of the exporting State when only part of the products to which it relates are exported, in the case of a certificate covering a series of exportations of the same products from the same exporter to the same importer, over a maximum period of one year from the date of issue, hereinafter referred to as an 'LT certificate'.

2. LT certificates shall be issued, in accordance with the provisions of Article 12, at the discretion of the customs authorities of the exporting State and according to their own judgment of the need for this procedure, only where the originating status of the goods to be exported is expected to remain unchanged for the period of validity of the LT certificate. If any goods are no longer covered by the LT certificate, the exporter shall immediately inform the customs authorities who issued the certificate.

3. Where the LT certificate procedure applies, the customs authorities of the exporting State may prescribe the use of EUR.1 certificates bearing a distinctive sign by which they may be identified.

4. Box 11 'Customs endorsement' of the EUR.1 certificate must be endorsed as usual by the customs authorities of the exporting State.

5. One of the following phrases shall be entered in box 7 of the EUR.1 certificate:

- 'CERTIFICADO LT VALIDO HASTA EL...'
- 'LT-CERTIFICAT GYLDIGT INDTIL...'
- 'LT-CERTIFICAT GÜLTIG BIS...'
- 'ΠΙΣΤΟΠΟΙΗΤΙΚΟ LT ΙΣΧΥΟΝ ΜΕΧΡΙ...'
- 'LT-CERTIFICATE VALID UNTIL...'
- 'CERTIFICAT LT VALABLE JUSQU'AU...'
- 'CERTIFICATO LT VALIDO FINO AL...'
- 'LT-CERTIFICAAT GELDIG TOT EN MET...'
- 'CERTIFICADO LT VALIDO ATE...'
- 'LT-SWIADECTWO WAZNE DO...'
- 'LT-BIZONYITVANY ERVENYES...-IG'
- 'LT-OSVĚDČENÍ PLATNÉ DO...'
- 'LT OSVEDČENIE PLATNE DO...'

(date indicated in Arabic numerals).

6. Reference is not required in box 8 and box 9 of the LT certificate to the marks and numbers and number and kind of packages and the gross weight (kg) or other measures (litres, m<sup>3</sup>, etc.). Box 8 must, however, contain a description and designation of the goods which is sufficiently precise to allow for their identification.

7. Notwithstanding Article 18, the LT certificate must be submitted to the customs office of import at or before the first importation of any goods to which it relates. When the importer carries out the customs clearance at several customs offices in the State of importation, the customs authorities may require him to produce a copy of the LT certificate to all of those offices.

8. Where an LT certificate has been submitted to the customs authorities, the evidence of the originating status of the imported goods shall, during the validity of the LT certificate, be given by invoices which satisfy the following conditions:

- (a) when an invoice includes both originating goods and non-originating goods, the exporter shall distinguish clearly between these two categories;
- (b) the exporter shall state on each invoice the number of the LT certificate which covers the goods and the date of expiry of the certificate and the names of the country or countries in which the goods originate.

The statement on the invoice made by the exporter of the number of the LT certificate with the indication of the country of origin shall constitute a declaration that the goods fulfil the conditions laid down in this Protocol for the acquisition of preferential origin status.

The customs authorities of the exporting State may require that the entries which, under the above provisions, must appear on the invoice, be supported by the manuscript signature followed by the name of the signatory in clear script;

- (c) the description and the designation of the goods on the invoice shall be in sufficient detail to show clearly that the goods are also listed on the LT certificate to which the invoice refers;
- (d) the invoices can be made out only for the goods exported during the period of validity of the relevant LT certificate. They may however be produced at the customs office of importation within four months of their being made out by the exporter.

9. In the framework of the LT certificate procedure, invoices which satisfy the conditions of this Article may be made out and/or transmitted using telecommunications or electronic data-processing methods. Such invoices shall be accepted by the customs authorities of the importing State as evidence of the originating status of the goods imported in accordance with the procedures laid down by the customs authorities there.

10. Should the customs authorities of the exporting State identify that a certificate and/or invoice issued under the provisions of this Article is invalid in relation to any goods supplied, they shall immediately notify the customs authorities of the importing State of the facts.

11. The provisions of this Article shall not prejudice application of the rules of the Community, the Member States and the Czech Republic on customs formalities and the use of customs documents.

#### ARTICLE 14

##### **Issue of EUR.1 retrospectively**

1. In exceptional circumstances a movement certificate EUR.1 may also be issued after export of the products to which it relates if it was not issued at the time of export because of errors or involuntary omissions or special circumstances.
2. For the implementation of paragraph 1, the exporter must in the written application:
  - indicate the place and date of export of the products to which the certificate relates,
  - certify that no movement certificate EUR.1 was issued at the time of export of the products in question, and state the reasons.
3. The customs authorities may issue a movement certificate EUR.1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

Certificates issued retrospectively must be endorsed with one of the following phrases:

'NACHTRÄGLICH AUSGESTELLT', 'DELIVRÉ A POSTERIORI',  
'RILASCIATO A POSTERIORI', 'ISSUED RETROSPECTIVELY',  
'UDSTEDT EFTERFØLGENDE', 'ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ',  
'EXPEDIDO A POSTERIORI', 'EMITADO A POSTERIORI',  
'WYSTAWIONE RETROSPEKTYWNIÉ', 'KIADVA VISSZAMENŐLEGES  
HATÁLLYAL', 'VYSTAVENO DODATÉCNĚ', 'VYSTAVENE  
DODATOČNE'.

4. The endorsement referred to in paragraph 3 shall be inserted in the 'Remarks' box on the movement certificate EUR.1.

#### ARTICLE 15

##### **Issue of a duplicate EUR.1**

1. In the event of the theft, loss or destruction of a movement certificate EUR.1, the exporter may apply in writing to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.
2. The duplicate issued in this way must be endorsed with one of the following words:  
'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT',  
'DUPLICATE', 'ΑΝΤΙΓΡΑΦΟ', 'DUPLICADO', 'SEGUNDA VIA',  
'DUPLIKÁT', 'MÁSOLAT'.
3. The endorsement referred to in paragraph 2 shall be inserted in the 'Remarks' box on the movement certificate EUR.1.
4. The duplicate, which must bear the date of issue of the original movement certificate EUR.1, shall take effect as from that date.

#### ARTICLE 16

##### **Simplified procedure for the issue of certificates**

1. By way of derogation from Articles 12, 14 and 15 of this Protocol, a simplified procedure for the issue of EUR.1 movement certificates can be used in accordance with the following provisions.
2. The customs authorities in the exporting State may authorize any exporter, hereinafter referred to as 'approved exporter', making frequent shipments for which EUR.1 movement certificates may be issued and who offers, to the satisfaction of the competent authorities, all guarantees necessary to verify the originating status of the products, not to



submit to the customs office of the application for an EUR.1 certificate relating to those goods, for the purpose of obtaining an EUR.1 certificate under the conditions laid down in Article 12 of this Protocol.

3. The authorization referred to in paragraph 2 shall stipulate, at the choice of the competent authorities, that box No. 11 'Customs endorsement' of the EUR.1 movement certificate must:

- (a) either be endorsed beforehand with the stamp of the competent customs office of the exporting State and the signature, which may be a facsimile, of an official of that office; or
- (b) be endorsed by the approved exporter with a special stamp which has been approved by the customs authorities of the exporting State and corresponds to the specimen given in Annex V of this Protocol. Such stamp may be pre-printed on the forms.

4. In the cases referred to in paragraph 3(a), one of the following phrases shall be entered in box No. 7 'Remarks' of the EUR.1 movement certificate:

'PROCEDIMIENTO SIMPLIFICADO', 'FORENKLET PROCEDURE',  
'VEREINFACHTES VERFAHREN', 'ΑΠΛΟΥΣΤΕΥΜΕΝΗ ΔΙΑΔΙΚΑΣΙΑ',  
'SIMPLIFIED PROCEDURE', 'PROCÉDURE SIMPLIFIÉE',  
'PROCEDURA SEMPLIFICATA', 'VEREENVOUDIGDE PROCEDURE',  
'PROCEDIMENTO SIMPLIFICADO', 'UPROSZCZONA PROCEDURA',  
'EGYSZERUSÍTETT ELJÁRÁS', 'ZJEDNODUŠENÉ ŘÍZENÍ',  
'ZJEDNODUŠENÉ KONANIE'.

5. Box No. 11 'Customs endorsement' of the EUR.1 certificate shall be completed if necessary by the approved exporter.

6. The approved exporter shall, if necessary, indicate in box No. 13 'Request for verification' of the EUR.1 certificate the name and address of the authority competent to verify such certificate.

7. Where the simplified procedure is applied, the customs authorities of the exporting State may prescribe the use of EUR.1 certificates bearing a distinctive sign by which they may be identified.

8. In the authorization referred to in paragraph 2 the competent authorities shall specify in particular:

- (a) the conditions under which the applications for EUR.1 certificates are to be made;
- (b) the conditions under which these applications are to be kept for at least two years;
- (c) in the cases referred to in paragraph 3(b) the authority competent to carry out the subsequent verification referred to in Article 28 of this Protocol.

9. The customs authorities of the exporting State may declare certain categories of goods ineligible for the special treatment provided for in paragraph 2.

10. The customs authorities shall refuse the authorization referred to in paragraph 2 to exporters who do not offer all the guarantees which they consider necessary. The competent authorities may withdraw the authorization at any time. They must do so where the approved exporter no longer satisfies the conditions or no longer offers these guarantees.

11. The approved exporter may be required to inform the competent authorities, in accordance with the rules which they lay down, of the goods to be dispatched by him, so that such authorities may make any verification they think necessary before the departure of the goods.

12. The customs authorities of the exporting State may carry out any check on approved exporters which they consider necessary. Such exporters must allow this to be done.

13. The provisions of this Article shall be without prejudice to the application of the rules of the Community, the Member States and the Czech Republic concerning customs formalities and the use of customs documents.

## ARTICLE 17

### Replacement of certificates

1. It shall at any time be possible to replace one or more movement certificates EUR.1 by one or more other certificates provided that this is done by the customs office or other competent authorities responsible for controlling the goods.
2. When products originating in the Community, the Czech Republic, the Slovak Republic, Poland or Hungary and imported into a free zone under cover of an EUR.1 certificate undergo treatment or processing, the authorities concerned must issue a new EUR.1 certificate at the exporter's request if the treatment or processing undergone is in conformity with the provisions of this Protocol.
3. The replacement certificate shall be regarded as a definite movement certificate EUR.1 for the purpose of the application of this Protocol, including the provisions of this Article.
4. The replacement certificate shall be issued on the basis of a written request from the re-exporter, after the authorities concerned have verified the information supplied in the applicant's request. The date and serial number of the original movement certificate EUR.1 shall be given in box 7.

## ARTICLE 18

### Validity of certificates

1. A movement certificate EUR.1 must be submitted, within four months of the date of issue by the customs authorities of the exporting State, to the customs office of the importing State where the products are entered.
2. Movement certificates EUR.1 which are submitted to the customs authorities of the importing State after the final date of presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificates by the final date set is due to reasons of *force majeure* or exceptional circumstances.
3. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the products have been submitted to them before the said final date.

## ARTICLE 19

### Exhibitions

1. Products sent from the Community or the Czech Republic for exhibition in a country other than the Czech Republic or a Member State of the Community and sold after the exhibition for importation into the Czech Republic or the Community shall benefit on importation from the provisions of the Agreement on condition that the products meet the requirements of this Protocol entitling them to be recognized as originating in the Community or in the Czech Republic and provided that it is shown to the satisfaction of the customs authorities that:
  - (a) an exporter has consigned these products from the Community or the Czech Republic to the country in which the exhibition is held and has exhibited them there;
  - (b) the products have been sold or otherwise disposed of by that exporter to someone in the Community or the Czech Republic;
  - (c) the products have been consigned during the exhibition or immediately thereafter to the Community or the Czech Republic in the state in which they were sent for exhibition;
  - (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.
2. A movement certificate EUR.1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the products and the conditions under which they have been exhibited may be required.

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

#### ARTICLE 20

##### **Submission of certificates**

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

#### ARTICLE 21

##### **Importation by instalments**

Without prejudice to Article 5(3) of this Protocol, where at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the Harmonized System is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon import of the first instalment.

#### ARTICLE 22

##### **Preservation of certificates**

Movement certificates EUR.1 shall be preserved by the customs authorities of the importing State in accordance with the rules in force in that State.

#### ARTICLE 23

##### **Form EUR.2**

1. Notwithstanding Article 11, the evidence of originating status, within the meaning of this Protocol, for consignments containing only originating products and whose value does not exceed ECU 5 110 per consignment, shall be given by a form EUR.2, a specimen of which appears in Annex IV to this Protocol.
2. The form EUR.2 shall be completed and signed by the exporter or, under the exporter's responsibility, by his authorized representative in accordance with this Protocol.
3. A form EUR.2 shall be completed for each consignment.
4. The exporter who applied for the form EUR.2 shall submit at the request of the customs authorities of the exporting State all supporting documents concerning the use of this form.
5. Articles 18, 20 and 22 shall apply *mutatis mutandis* to forms EUR.2.

#### ARTICLE 24

##### **Discrepancies**

The discovery of slight discrepancies between the statements made in the movement certificate EUR.1 or in the form EUR.2 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the document null and void if it is duly established that it corresponds to the products submitted.

## ARTICLE 25

### **Exemptions from proof of origin**

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

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

Furthermore, the total value of those products must not exceed ECU 365 in the case of small packages or ECU 1 025 in the case of the contents of travellers' personal luggage.

## ARTICLE 26

### **Amounts expressed in ecu**

1. Amounts in the national currency of the exporting State equivalent to the amounts expressed in ecu shall be fixed by the exporting State and communicated to the other parties to this Agreement and to the Agreements between the Community and Poland, Hungary and the Slovak Republic. When the amounts are more than the corresponding amounts fixed by the importing State, the latter shall accept them if the goods are invoiced in the currency of the exporting State.

If the goods are invoiced in the currency of another Member State of the Community or in that of the Czech Republic, the Slovak Republic, Poland or Hungary the importing State shall recognize the amount notified by the country concerned.

2. Up to and including 30 April 1993, the ecu, to be used in any given national currency shall be the equivalent in that national currency of the ecu as at 3 October 1990. For each successive period of two years, it shall be the equivalent in that national currency of the ecu as at the first working day in October in the year immediately preceding that two-year period.

## TITLE III

### **Arrangements for Administrative Co-operation**

## ARTICLE 27

### **Communication of stamps and addresses**

The customs authorities of the Member States and of the Czech Republic shall provide each other, through the Commission of the European Communities, with specimen impressions of stamps used in their customs offices for the issue of EUR.1 certificates and with the addresses of the customs authorities responsible for issuing movement certificates EUR.1 and for verifying those certificates and forms EUR.2.

## ARTICLE 28

### **Verification of movement certificates EUR.1 and of forms EUR.2**

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

2. For the purpose of the subsequent verification of movement certificates EUR.1, the customs authorities of the exporting State must keep copies of the certificates, as well as any export documents referring to them, for at least two years.

3. In order to ensure the proper application of this Protocol, the Czech Republic and the Member States of the Community shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR.1, including those issued under Article 12(5), and the forms EUR.2 and the accuracy of the information concerning the actual origin of the products concerned.

4. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall, return the movement certificate EUR.1 or form EUR.2, or a photocopy thereof, to the customs authorities of the exporting State, giving, where appropriate, the reasons of form or substance for an enquiry.

The relevant commercial documents or a copy thereof, shall be attached to the certificate EUR.1 or form EUR.2 and the customs authorities shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

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

6. The customs authorities of the importing State shall be informed of the results of the verification as soon as possible. These results must be such as to make it possible to determine whether the disputed movement certificate EUR.1 or form EUR.2 apply to the products in question and whether those products can, in fact, qualify for the application of the preferential arrangements.

If in cases of reasonable doubt there is no reply within ten months of the date of the verification request, or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting authorities shall refuse, except in the case of force majeure or exceptional circumstances, any benefit from the preferential treatment laid down in the Agreement concerned.

7. Disputes which cannot be settled between the customs authorities of the importing State and those of the exporting State, or which raise a question as to the interpretation of this Protocol, shall be submitted to the Customs Co-operation Committee.

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

9. Where the verification procedure or any other available information appears to indicate that the provisions of this Protocol are being contravened, the Community or the Czech Republic shall on its own initiative or at the request of the other party carry out appropriate enquiries or arrange for such enquiries to be carried out with due urgency to identify and prevent such contraventions, and for this purpose the Community or the Czech Republic may invite the participation of the other party in these enquiries.

10. Where the verification procedure or any other available information appears to indicate that the provisions of this Protocol are being contravened, the products would be accepted as originating products under this Protocol only after completion of such aspects of administrative co-operation set down in this Protocol which may have been activated, including in particular the verification procedure.

Likewise, products would be refused treatment as originating products only after the completion of the verification procedure.

## ARTICLE 29

### Penalties

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect particulars for the purpose of obtaining preferential treatment for products.

## ARTICLE 30

### Free zones

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

## TITLE IV

### Ceuta and Melilla

## ARTICLE 31

### Application of the Protocol

1. The term 'Community' used in this Protocol does not cover Ceuta or Melilla. The term 'products originating in the Community' does not cover products originating in these zones.
2. This protocol shall apply mutatis mutandis to products originating in Ceuta and Melilla, subject to particular conditions set out in Article 32.

## ARTICLE 32

### Special conditions

1. The following provisions shall apply instead of Article 1 and references to that Article shall apply mutatis mutandis to this Article.
2. Providing they have been transported directly in accordance with the provisions of Article 9, the following shall be considered as:
  - (1) products originating in Ceuta and Melilla:
    - (a) products wholly obtained in Ceuta and Melilla;
    - (b) products obtained in Ceuta and Melilla incorporating materials which have not been wholly obtained there provided that:
      - (i) such materials have undergone sufficient working or processing within the meaning of Article 5 of this Protocol; or that
      - (ii) such materials originate in the Czech Republic or the Community within the meaning of this Protocol, provided, however that they have undergone working or processing going beyond that referred to in Article 5(3);
  - (2) products originating in the Czech Republic:
    - (a) products wholly obtained in the Czech Republic;
    - (b) products obtained in the Czech Republic incorporating materials which have not been wholly obtained there, provided that:
      - (i) such materials have undergone sufficient working or processing within the meaning of Article 5 of this Protocol; or that
      - (ii) such materials are originating in Ceuta and Melilla or the Community within the meaning of this Protocol, provided that they have undergone working or processing going beyond that referred to in Article 5(3).
3. Ceuta and Melilla shall be considered as a single territory.
4. The exporter or his authorized representative shall enter 'the Czech Republic' and 'Ceuta and Melilla' in box 2 of movement certificates EUR.1. In addition, in the case of products originating in Ceuta and Melilla, this shall be indicated in box 4 of movement certificates EUR.1.
5. The Spanish customs authorities shall be responsible for the application of this Protocol in Ceuta and Melilla.

## TITLE V

### Final Provisions

#### ARTICLE 33

##### Amendments to the Protocol

The Association Council shall examine at two-yearly intervals, or whenever the Czech Republic or the Community so request, the application of the provisions of this Protocol, with a view to making any necessary amendments or adaptations.

Such examination shall take into account in particular the participation of the contracting parties in free trade zones or customs unions with third countries.

#### ARTICLE 34

##### Customs Co-operation Committee

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

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

#### ARTICLE 35

##### Petroleum products

The products set out in Annex VI shall be temporarily excluded from the scope of this Protocol. Nevertheless, the arrangements regarding administrative co-operation shall apply, *mutatis mutandis*, to these products.

#### ARTICLE 36

##### Annexes

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

#### ARTICLE 37

##### Implementation of the Protocol

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

#### ARTICLE 38

##### Arrangements with Poland, Hungary and the Slovak Republic

The contracting parties shall take any measures necessary for the conclusion of arrangements with Poland, Hungary and the Slovak Republic enabling this Protocol to be applied. The contracting parties shall notify each other of measures taken to this effect.

#### ARTICLE 39

##### Goods in transit or storage

The provisions of the Agreement may be applied to goods which comply with the provisions of this Protocol and which on the date of entry into force of the Agreement are either in transit or are in the Community or in the Czech Republic in temporary storage in bonded warehouses or in free zones, subject to the submission to the customs authorities of the importing State, within four months of that date, of a certificate EUR.1 endorsed retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

## NOTES

*Foreword*

These notes shall apply, where appropriate, to all manufactured products using non-originating materials, even if they are not subject to specific conditions contained in the list in Annex II but are subject instead to the change of heading rule set out in Article 5(1).

**Note 1**

1.1. The first two columns in the list describe the product obtained. The first column gives the heading number or chapter number used in the Harmonized System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns a rule is specified in column 3. Where, in some cases, the entry in the first column is preceded by an 'ex', this signifies that the rule in column 3 applies only to the part of that heading or chapter as described in column 2.

1.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of products in column 2 is therefore given in general terms, the adjacent rule in column 3 applies to all products which, under the Harmonized System, are classified in headings of the chapter or in any of the headings grouped together in column 1.

1.3. Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rule in column 3.

**Note 2**

2.1. The term 'manufacture' covers any kind of working or processing including 'assembly' or specific operations. However, see Note 3.5 below.

2.2. The term 'material' covers any ingredient, raw material, component or part, etc., used in the manufacture of the product.

2.3. The term 'product' refers to the product being manufactured, even if it is intended for later use in another manufacturing operation.

2.4. The term 'goods' covers both materials and products.

**Note 3**

3.1. In the case of any heading not in the list or any part of a heading that is not in the list, the 'change of heading' rule set out in Article 5(1) applies. If a 'change of heading' condition applies to any entry in the list, then it is contained in the rule in column 3.

3.2. The working or processing required by a rule in column 3 has to be carried out only in relation to the non-originating materials used. The restrictions contained in a rule in column 3 likewise apply only to the non-originating materials used.

3.3. Where a rule states that 'materials of any heading' may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression 'manufacture from materials of any heading, including other materials of heading No...' means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.

3.4. If a product made from non-originating materials which has acquired originating status during manufacture by virtue of the change of heading rule or its own list rule is used as a material in the process of manufacture of another product, then the rule applicable to the product in which it is incorporated does not apply to it.

*For example:*

An engine of heading No. 8407, for which the rule states that the value of the non-originating materials which may be incorporated may not exceed 40% of the ex-works price, is made from 'other alloy steel roughly shaped by forging' of heading No. 7224.



If this forging has been forged in the country concerned from a non-originating ingot then the forging has already acquired origin by virtue of the rule for heading No. ex 7224 in the list. It can then count as originating in the value calculation for the engine regardless of whether it was produced in the same factory or another. The value of the non-originating ingot is thus not taken into account when adding up the value of the non-originating materials used.

3.5. Even if the change of heading rule or the other rules contained in the list are satisfied, a product shall not acquire originating status if the processing carried out, taken as a whole, is insufficient within the meaning of Article 5(3).

3.6. The unit of qualification for the application of the origin rules shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonized System. In the case of sets of products which are classified by virtue of General Rule 3 for the interpretation of the Harmonized System, the unit of qualification shall be determined in respect of each item in the set: this provision is equally applicable to sets of headings Nos. 6308, 8206 and 9605.

Accordingly, it follows that:

- when a product composed of a group or assembly of articles is classified under the terms of the Harmonized System in a single heading, the whole constitutes the unit of qualification,
- when a consignment consists of a number of identical products classified under the same heading of the Harmonized System, each product must be taken individually when applying the origin rules,
- where, under General Rule 5 of the Harmonized System, packing is included with the product for classification purposes, it shall be included for the purposes of determining origin.

#### **Note 4**

4.1. The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer origin. Thus if a rule says that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.

4.2. When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more materials may be used. It does not require that all be used.

*For example:*

The rule for fabrics says that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used; one can use one or the other or both.

If, however, a restriction applies to one material and other restrictions apply to other materials in the same rule, then the restrictions only apply to the materials actually used.

*For example:*

The rule for sewing machines specifies that both the thread tension mechanism used and the zigzag mechanism used must originate; these two restrictions only apply if the mechanisms concerned are actually incorporated into the sewing machine.

4.3. When a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

*For example:*

The rule for heading No. 1904 which specifically excludes the use of cereals or their derivatives does not prevent the use of mineral salts, chemicals and other additives which are not produced from cereals.

*For example:*

In the case of an article made from non-woven materials, if the use of only non-originating yarn is allowed for this class of article, it is not possible to start from non-woven cloth—even if non-woven cloths cannot normally be made from yarn. In such cases, the starting material would normally be at the stage before yarn—that is the fibre stage.

See also Note 7.3 in relation to textiles.

4.4. If in a rule in the list two or more percentages are given for the maximum value of non-originating materials that can be used, then these percentages may not be added together. The maximum value of all the non-originating materials used may never exceed the highest of the percentages given. Furthermore, the individual percentages must not be exceeded in relation to the particular materials they apply to.

#### **Note 5**

5.1. The term ‘natural fibres’ is used in the list to refer to fibres other than artificial or synthetic fibres and is restricted to the stages before spinning takes place, including waste, and, unless otherwise specified, the term ‘natural fibres’ includes fibres that have been carded, combed or otherwise processed but not spun.

5.2. The term ‘natural fibres’ includes horsehair of heading No. 0503, silk of heading Nos. 5002 and 5003 as well as the wool fibres, fine or coarse animal hair of heading Nos. 5101 to 5105, the cotton fibres of heading Nos. 5201 to 5203 and the other vegetable fibres of heading Nos. 5301 to 5305.

5.3. The terms ‘textile pulp’, ‘chemical materials’ and ‘paper-making materials’ are used in the list to describe the materials not classified in chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.

5.4. The term ‘man-made staple fibres’ is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of headings Nos. 5501 to 5507.

#### **Note 6**

6.1. In the case of the products classified within those headings in the list to which a reference is made to this Note, the conditions set out in column 3 of the list shall not be applied to any basic textile materials used in their manufacture which, taken together, represent 10% or less of the total weight of all the basic textile materials used (but see also Notes 6.3 and 6.4 below).

6.2. However, this tolerance may only be applied to mixed products which have been made from two or more basic textile materials.

The following are the basic textile materials:

- silk,
- wool,
- coarse animal hair,
- fine animal hair,
- horsehair,
- cotton,
- paper-making materials and paper,
- flax,
- true hemp,
- jute and other textile bast fibres,
- sisal and other textile fibres of the genus *Agave*,
- coconut, abaca, ramie and other vegetable textile fibres,
- synthetic man-made filaments,
- artificial man-made filaments,
- synthetic man-made staple fibres,
- artificial man-made staple fibres.

*For example:*

A yarn of heading No. 5205 made from cotton fibres of heading No. 5203 and synthetic staple fibres of heading No. 5506 is a mixed yarn. Therefore, non-originating synthetic staple fibres that do not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) may be used up to a weight of 10% of the yarn.

*For example:*

A woollen fabric of heading No. 5112 made from woollen yarn of heading No. 5107 and synthetic yarn of staple fibres of heading No. 5509 is a mixed fabric. Therefore synthetic yarn which does not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) or woollen yarn that does not satisfy the origin rules (which require manufacture from natural fibres, not carded or combed or otherwise prepared for spinning) or a combination of the two may be used up to a weight of 10% of the fabric.

*For example:*

Tufted textile fabric of heading No. 5802 made from cotton yarn of heading No. 5205 and cotton fabric of heading No. 5210 is only a mixed product if the cotton fabric is itself a mixed fabric being made from yarns classified in two separate headings or if the cotton yarns used are themselves mixtures.

*For example:*

If the tufted textile fabric concerned had been made from cotton yarn of heading No. 5205 and synthetic fabric of heading No. 5407, then, obviously, the yarns used are two separate basic textile materials and the tufted textile fabric is accordingly a mixed product.

*For example:*

A carpet with tufts made from both artificial yarns and cotton yarns and with a jute backing is a mixed product because three basic textile materials are used. Thus, any non-originating materials that are at a later stage of manufacture than the rule allows may be used, provided their total weight taken together does not exceed 10% of the weight of the textile materials in the carpet. Thus, both the jute backing and/or the artificial yarns could be imported at that stage of manufacture, provided the weight conditions are met.

6.3. In the case of fabrics incorporating 'yarn made of polyurethane segmented with flexible segments of polyether whether or not gimped' this tolerance is 20% in respect of this yarn.

6.4. In the case of fabrics incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of an adhesive between two films of plastic film, this tolerance is 30% in respect of this strip.

#### **Note 7**

7.1. In the case of those textile products which are marked in the list by a footnote referring to this note, textile materials with the exception of linings and interlinings which do not satisfy the rule set out in the list in column 3 for the made up products concerned may be used provided that they are classified in a heading other than that of the product and that their value does not exceed 8% of the ex-works price of the product.

7.2. Any non-textile trimmings and accessories or other materials used which contain textiles do not have to satisfy the conditions set out in column 3 even though they fall outside the scope of Note 4.3.

7.3. In accordance with Note 4.3, any non-originating non-textile trimmings and accessories or other product, which do not contain any textiles, may, anyway, be used freely where they cannot be made from the materials listed in column 3.

*For example:*

If a rule in the list says that for a particular textile item, such as a blouse, yarn must be used, this does not prevent the use of metal items, such as buttons, because they cannot be made from textile materials.

7.4. Where a percentage rule applies, the value of trimmings and accessories must be taken into account when calculating the value of the non-originating materials incorporated.

**List of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status**

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
0201	Meat of bovine animals, fresh or chilled	Manufacture from materials of any heading except meat of bovine animals, frozen of heading No. 0202
0202	Meat of bovine animals, frozen	Manufacture from materials of any heading except meat of bovine animals, fresh or chilled of heading No. 0201
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen	Manufacture from materials of any heading except carcasses of headings Nos. 0201 to 0205
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal	Manufacture from materials of any heading except meat and offal of heading Nos. 0201 to 0206 and 0208 or poultry liver of heading No. 0207
0302 to 0305	Fish, other than live fish	Manufacture in which all the materials of Chapter 3 used must already be originating
0402, 0404 to 0406	Dairy products	Manufacture from materials of any heading except milk or cream of heading No. 0401 or 0402
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa	Manufacture in which: — all the materials of Chapter 4 used must already be originating, — any fruit juice (except those of pineapple, lime or grapefruit) of heading No. 2009 used must be originating, and — the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked, by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter	Manufacture from materials of any heading except birds' eggs of heading No. 0407
ex 0502	Prepared pigs', hogs' or boars' bristles and hair	Cleaning, disinfecting, sorting and straightening of bristles and hair
ex 0506	Bones and horn-cores unworked	Manufacture in which all the materials of Chapter 2 used must already be originating
0710 to 0713	Edible vegetables, frozen or dried, provisionally preserved except for heading Nos. ex 0710 and ex 0711	Manufacture in which all the vegetable materials used must already be originating
ex 0710	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen	Manufacture from fresh or chilled sweet corn
ex 0711	Sweet corn, provisionally preserved	Manufacture from fresh or chilled sweet corn
0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter: —Containing added sugar  —Other	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the value of the ex works price of the product Manufacture in which all the fruit or nuts used must already be originating

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
0812	Fruit and nuts 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	Manufacture in which all the fruit or nuts used must already be originating
0813	Fruit, dried, other than that of heading Nos. 0801 to 0806; mixtures of nuts or dried fruits of this chapter	Manufacture in which all the fruit or nuts used must already be originating
0814	Peel of citrus fruit or melons (including water-melons), fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Manufacture in which all the fruit or nuts used must already be originating
ex Chapter 11	Products of the milling industry; malt, starches; inulin; wheat gluten, except for heading No. ex 1106	Manufacture in which all the cereals, edible vegetables, roots and tubers of heading No. 0714 or fruit used must already be originating
ex 1106	Flour and meal of the dried, shelled leguminous vegetables of heading No. 0713	Drying and milling of leguminous vegetables of heading No. 0708
1301	Lac; natural gums, resins, gum-resins and balsams	Manufacture in which the value of any materials of heading No. 1301 used may not exceed 50% of the ex works price of the product
ex 1302	Mucilages and thickeners derived from vegetable products, modified	Manufacture from non-modified mucilages and thickeners
1501	Lard; other pig fat and poultry fat, rendered, whether or not pressed or solvent-extracted: —Fats from bones or waste.  —Other	Manufacture from materials of any heading except those of heading Nos. 0203, 0206 or 0207 or bones of heading No. 0506  Manufacture from meat or edible offal of swine of heading Nos. 0203 or 0206 or of meat and edible offal of poultry of heading No. 0207
1502	Fats of bovine animals, sheep or goats, raw or rendered, whether or not pressed or solvent-extracted: —Fats from bones or waste  —Other	Manufacture from materials of any heading except those of heading Nos. 0201, 0202, 0204 or 0206 or bones of heading No. 0506  Manufacture in which all the animal materials of Chapter 2 used must already be originating
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified: —Solid fractions of fish oils and fats and oils of marine mammals —Other	Manufacture from materials of any heading including other materials of heading No. 1504  Manufacture in which all the animal materials of Chapters 2 and 3 used must already be originating
ex 1505	Refined lanolin	Manufacture from crude wool grease of heading No. 1505
1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified: —Solid fractions  —Other	Manufacture from materials of any heading including other materials of heading No. 1506  Manufacture in which all the animal materials of Chapter 2 used must already be originating

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 1507 to 1515	Fixed vegetable oils and their fractions, whether or not refined, but not chemically modified: —Solid fractions, except for that of Jojoba oil —Other, except for: —Tung oil, myrtle wax and Japan wax —Those for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture from other materials of heading Nos. 1507 to 1515 Manufacture in which all the vegetable materials used must already be originating
ex 1516	Animal or vegetable fats and oils and their fractions, re-esterified, whether or not refined but not further prepared	Manufacture in which all the animal and vegetable materials used must already be originating
ex 1517	Edible liquid mixtures of vegetable oils of heading Nos. 1507 to 1515	Manufacture in which all the vegetable materials used must already be originating
ex 1519	Industrial fatty alcohols having the character of artificial waxes	Manufacture from materials of any heading including fatty acids of heading No. 1519
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	Manufacture from animals of Chapter 1
1602	Other prepared or preserved meat, meat offal or blood	Manufacture from animals of Chapter 1
1603	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates	Manufacture from animals of Chapter 1. However, all fish, crustaceans, molluscs or other aquatic invertebrates used must already be originating
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	Manufacture in which all the fish or fish eggs used must already be originating
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	Manufacture in which all the crustaceans, molluscs or other aquatic invertebrates used must already be originating
ex 1701	Cane or beet sugar and chemically pure sucrose, in solid form, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel: —Chemically pure maltose and fructose —Other sugars in solid form, flavoured or coloured —Other	Manufacture from materials of any heading including other materials of heading No. 1702 Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product Manufacture in which all the materials used must already be originating
ex 1703	Molasses resulting from the extraction or refining of sugar, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1704	Sugar confectionery (including white chocolate), not containing cocoa	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any other materials of Chapter 17 used does not exceed 30% of the ex works price of the product
1806	Chocolate and other food preparations containing cocoa	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1901	<p>Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos. 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included:</p> <ul style="list-style-type: none"> <li>—Malt extract</li> <li>—Other</li> </ul>	<p>Manufacture from cereals of Chapter 10</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product</p>
1902	<p>Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared</p>	<p>Manufacture in which all the cereals (except durum wheat), meat, meat offal, fish, crustaceans or molluscs used must already be originating</p>
1903	<p>Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms</p>	<p>Manufacture from materials of any heading except potato starch heading No. 1108</p>
1904	<p>Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:</p> <ul style="list-style-type: none"> <li>—Not containing cocoa:</li> <li>—Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared</li> <li>—Other</li> <li>—Containing cocoa</li> </ul>	<p>Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos. 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No. 0710 may not be used</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the cereals and flour (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and</li> <li>—the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product</li> </ul> <p>Manufacture from materials not classified in heading No. 1806, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product</p>
1905	<p>Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products</p>	<p>Manufacture from materials of any heading, except those of Chapter 11</p>
2001	<p>Vegetables, fruit nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid</p>	<p>Manufacture in which all the fruit, nuts or vegetables used must already be originating</p>
2002	<p>Tomatoes prepared or preserved otherwise than by vinegar or acetic acid</p>	<p>Manufacture in which all the tomatoes used must already be originating</p>
2003	<p>Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid</p>	<p>Manufacture in which all the mushrooms or truffles used must already be originating</p>
2004 and 2005	<p>Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen or not frozen</p>	<p>Manufacture in which all the vegetables used must already be originating</p>
2006	<p>Fruits, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized)</p>	<p>Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product</p>

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	Manufacture in which the value of any materials of Chapter 17 used must not exceed 30% of the ex works price of the product
2008	Fruit, nuts and other edible parts of plants otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included: —Fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen —Nuts, not containing added sugar or spirits  —Other	Manufacture in which all the fruit and nuts used must already be originating  Manufacture in which the value of the originating nuts and oil seeds of heading Nos.0801, 0802 and 1202 to 1207 used exceeds 60% of the ex works price of the product  Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
ex 2009	Fruit juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product
ex 2101	Roasted chicory and extracts, essences and concentrates thereof	Manufacture in which all the chicory used must already be originating
ex 2103	—Sauces and preparations therefor, mixed condiments and mixed seasonings	Manufacture in which all the materials used are classified in a heading other than that of the product. However, mustard flour or meal or prepared mustard may be used
ex 2104	—Prepared mustard —Soups and broths and preparations therefor  —Homogenized composite food preparations	Manufacture from mustard flour or meal  Manufacture from materials of any heading, except prepared or preserved vegetables of heading Nos. 2002 to 2005  The rule for the heading in which the product would be classified in bulk shall apply
ex 2106	Sugar syrups, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used must not exceed 30% of the ex works price of the product
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	Manufacture in which all the water used must already be originating
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No. 2009	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex works price of the product and any fruit juice used (except for pineapple, lime and grapefruit juices) must already be originating
ex 2204	Wine of fresh grapes, including fortified wines, and grape must with the addition of alcohol	Manufacture from other grape must
2205, ex 2207, ex 2208 and ex 2209	The following, containing grape materials:  vermouth and other wine of fresh grapes flavoured with plants or aromatic substances; ethyl alcohol and other spirits, denatured or not; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages; vinegar	Manufacture from materials of any heading, except grapes or any material derived from grapes



HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 2208	Whiskies of an alcoholic strength by volume of less than 50% vol	Manufacture in which the value of any cereal based spirits used does not exceed 15% of the ex works price of the product
ex 2303	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% by weight	Manufacture in which all the maize used must already be originating
ex 2306	Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3% of olive oil	Manufacture in which all the olives used must already be originating
2309	Preparations of a kind used in animal feeding	Manufacture in which all the cereals, sugar or molasses, must or milk used must already be originating
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No. 2401 used must already be originating
ex 2403	Smoking tobacco	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No. 2401 used must already be originating
ex 2504	Natural crystalline graphite, with enriched carbon content, purified and ground	Enriching of the carbon content, purifying and grinding of crude crystalline graphite
ex 2515	Marble, merely cut by sawing or otherwise into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of marble (even if already sawn) of a thickness exceeding 25 cm
ex 2516	Granite porphyry, basalt, sandstone and other monumental and building stones, merely cut by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of stones (even if already sawn) of a thickness exceeding 25 cm
ex 2518	Calcined dolomite	Calcination of dolomite not calcined
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead-burned (sintered) magnesia	Manufacture in which all the materials used are classified in a heading other than that of the product. However, natural magnesium carbonate (magnesite) may be used
ex 2520	Plasters specially prepared for dentistry	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 2524	Natural asbestos fibres	Manufacture from asbestos concentrate
ex 2525	Mica powder	Grinding of mica or mica waste
ex 2530	Earth colours, calcined or powdered	Calcination or grinding of earth colours
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65% by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	These are Annex VI products
2709 to 2715	Mineral oils and products of their distillation; bituminous substances; mineral waxes	These are Annex VI products

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos. ex 2811 and ex 2833 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex 2811	Sulphur trioxide	Manufacture from sulphur dioxide
ex 2833	Aluminium sulphate	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex Chapter 29	Organic chemicals, except for heading Nos. ex 2901, ex 2902, ex 2905, 2915, ex 2932, 2933 and 2934, for which the position is set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex 2901	Acyclic hydrocarbons for use as power or heating fuels	These are Annex VI products
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels	These are Annex VI products
ex 2905	Metal alcoholates of alcohols of this heading and of ethanol or glycerol	Manufacture from materials of any heading, including other materials of heading No. 2905. However, metal alcoholates of this heading may be used, provided their value does not exceed 20% of the ex works price of the product
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of heading Nos. 2915 and 2916 used may not exceed 20% of the ex works price of the product
ex 2932	—Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of heading No. 2909 used may not exceed 20% of the ex works price of the product
ex 2932	—Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading
2933	Heterocyclic compounds with nitrogen heteroatom(s) only; nucleic acids and their salts:	Manufacture from materials of any heading. However, the value of all the materials of heading Nos. 2932 and 2933 used may not exceed 20% of the ex works price of the product
2934	Other heterocyclic compounds	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex Chapter 30	Pharmaceutical products, except for heading Nos. 3002, 3003 and 3004, for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
3002	Human blood, animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products: —Products consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses or unmixed products for these uses, put up in measured doses or in forms or packings for retail sale	Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
3003 and 3004	<p>Other:</p> <ul style="list-style-type: none"> <li>—Human blood</li>   <li>—Animal blood prepared for therapeutic or prophylactic uses</li>   <li>—Blood fractions other than antisera, haemoglobin and serum globulin</li>   <li>—Haemoglobin, blood globulin and serum globulin</li>   <li>—Other</li> </ul> <p>Medicaments (excluding goods of heading Nos. 3002, 3005 or 3006)</p>	<p>Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No. 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the materials used are classified within a heading other than that of the product. However, materials of heading No. 3003 or 3004 may be used provided their value, taken together, does not exceed 20% of the ex works price of the product, and</li> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product</li> </ul>
ex Chapter 31  ex 3105	<p>Fertilizers except for heading No. ex 3105, for which the rule is set out below</p> <p>Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorus and potassium; other fertilizers; goods of this chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, except for:</p> <ul style="list-style-type: none"> <li>—Sodium nitrate</li> <li>—Calcium cyanamide</li> <li>—Potassium sulphate</li> <li>—Magnesium potassium sulphate</li> </ul>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product, and</li> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product</li> </ul>
ex Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks; except for heading Nos. ex 3201 and 3205, for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 3201 3205	Tannins and their salts, ethers, esters and other derivatives Colour lakes; preparations as specified in note 3 to this chapter based on colour lakes <sup>1</sup>	Manufacture from tanning extracts of vegetable origin Manufacture from materials of any heading, except heading Nos. 3202 and 3204 provided the value of any materials classified in heading No. 3205 does not exceed 20% of the ex works price of the product
ex Chapter 33 3301	Essential oils and resinoids; perfumery, cosmetic or toilet preparations; except for heading No. 3301, for which the rule is set out below Essential oils (terpeneless or not), including concretes and absolutes; resinoids; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product Manufacture from materials of any heading, including materials of a different 'group' <sup>2</sup> within this heading. However, materials of the same group may be used, provided their value does not exceed 20% of the ex works price of the product
ex Chapter 34 ex 3403 ex 3404	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster; except for heading Nos. ex 3403 and 3404, for which the position is set out below Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70% by weight Artificial waxes and prepared waxes: —With a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax —Other	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product These are Annex VI products These are Annex VI products Manufacture from materials of any heading, except: —hydrogenated oils having the character of waxes of heading No. 1516 —fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading No. 1519 —materials of heading No. 3404 However, these materials may be used provided their value does not exceed 20% of the ex works price of the product
ex Chapter 35 3505	Albuminoidal substances; modified starches; glues; enzymes; except for heading Nos. 3505 and ex 3507 for which the rules are set out below Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product

<sup>1</sup> Note 3 to Chapter 32 says that these preparations are those of a kind used for colouring any material or used as ingredients in the manufacturing of colouring preparations, provided they are not classified within another heading in Chapter 32.

<sup>2</sup> A "group" is regarded as any part of the heading separated from the rest by a semi-colon.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 3507	<p>—Starch ethers and esters</p> <p>—Other</p> <p>Prepared enzymes not elsewhere specified or included</p>	<p>Manufacture from materials of any heading, including other materials of heading No. 3505</p> <p>Manufacture from materials of any heading, except those of heading No. 1108</p> <p>Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product</p>
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex Chapter 37	Photographic or cinematographic goods; except for heading Nos. 3701, 3702 and 3704 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
3701	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitized, unexposed, whether or not in packs	Manufacture in which all the materials used are classified in a heading other than heading No. 3702
3702	Photographic film in rolls, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitized, unexposed	Manufacture in which all the materials used are classified within a heading other than heading Nos. 3701 or 3702
3704	Photographic plates, film, paper, paperboard and textiles, exposed but not developed	Manufacture in which all the materials used are classified in a heading other than heading Nos. 3701 to 3704
ex Chapter 38	Miscellaneous chemical products; except for heading Nos. ex 3801, ex 3803, ex 3805, ex 3806, ex 3807, 3808 to 3814, 3818 to 3820, 3822 and 3823 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product
ex 3801	<p>—Colloidal graphite in suspension in oil and semi-colloidal graphite; carbonaceous pastes for electrodes</p> <p>—Graphite in paste form, being a mixture of more than 30% by weight of graphite with mineral oils</p>	<p>Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product</p> <p>Manufacture in which the value of all the materials of heading No. 3403 used does not exceed 20% of the ex works price of the product</p>
ex 3803	Refined tall oil	Refining of crude tall oil
ex 3805	Spirits of sulphate turpentine, purified	Purification by distillation or refining of raw spirits of sulphate turpentine
ex 3806	Ester gums	Manufacture from resin acids
ex 3807	Wood pitch (wood tar pitch)	Distillation of wood tar
3808 to 3814	Miscellaneous chemical products:	
3818 to 3820	—Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals, of heading No. 3811	These are Annex VI products
3822 and 3823	<p>—The following of heading No. 3823:</p> <p>—Prepared binders for foundry moulds or cores based on natural resinous products</p> <p>—Naphthenic acids, their water insoluble salts and their esters</p>	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
	<ul style="list-style-type: none"> <li>—Sorbitol other than that of heading No. 2905</li> <li>—Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts</li> <li>—Ion exchangers</li> <li>—Getters for vacuum tubes</li> <li>—Alkaline iron oxide for the purification of gas</li> <li>—Ammoniacal gas liquors and spent oxide produced in coal gas purification</li> <li>—Sulphonaphthenic acids, their water insoluble salts and their esters</li> <li>—Fusel oil and Dippel's oil</li> <li>—Mixtures of salts having different anions</li> <li>—Copying pastes with a basis of gelatin, whether or not on a paper or textile backing</li> <li>—Other</li> </ul>	<p>Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product</p>
ex 3901 to 3915	<p>Plastics in primary forms, waste, parings and scrap, of plastic; except for heading No. ex 3907 for which the rule is set out below:</p> <ul style="list-style-type: none"> <li>—Addition homopolymerization products</li> </ul>	<p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product, and</li> <li>—the value of any materials of Chapter 39 used does not exceed 20% of the ex works price of the product<sup>1</sup></li> </ul>
ex 3907	<ul style="list-style-type: none"> <li>—Other</li> </ul>	<p>Manufacture in which the value of the materials of Chapter 39 used does not exceed 20% of the ex works price of the product<sup>1</sup></p>
ex 3907	<p>Copolymer, made from polycarbonate and acrylonitrile-butadiene-styrene copolymer (ABS)</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex works price of the product</p>
ex 3916 to 3921	<p>Semi-manufactures and articles of plastics, except for headings Nos. ex 3916, ex 3917 and ex 3920, for which the rules are set out below:</p> <ul style="list-style-type: none"> <li>—Flat products, further worked than only surface-worked or cut into forms other than rectangular (including square); other products, further worked than only surface-worked</li> <li>—Other: <ul style="list-style-type: none"> <li>—Addition homopolymerization products</li> </ul> </li> <li>—Other</li> </ul>	<p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 50% of the ex works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product, and</li> <li>—the value of any materials of Chapter 39 used does not exceed 20% of the ex works price of the product<sup>1</sup></li> </ul> <p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 20% of the ex works price of the product<sup>1</sup></p>

<sup>1</sup> In the case of products composed of materials classified within both heading Nos. 3901 to 3906, on the one hand, and within heading Nos. 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 3916 and ex 3917	Profile shapes and tubes	Manufacture in which: —the value of all the materials used does not exceed 50% of the ex works price of the product, and —the value of any materials classified in the same heading as the product does not exceed 20% of the ex works price of the product <sup>1</sup>
ex 3920	Ionomer sheet or film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metal ions, mainly zinc and sodium
3922 to 3926	Articles of plastic	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4001 4005	Laminated slabs of crepe rubber for shoes Compounded rubber, unvulcanized, in primary forms or in plates, sheets or strip	Lamination of sheets of natural rubber Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50% of the ex works price of the product
4012	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, interchangeable tyre treads and tyre flaps of rubber	Manufacture from materials of any heading, except those of heading Nos. 4011 or 4012
ex 4017	Articles of hard rubber	Manufacture from hard rubber
ex 4102	Raw skins of sheep or lambs, without wool on	Removal of wool from sheep or lamb skins, with wool on
4104 to 4107	Leather, without hair or wool other than leather of heading No. 4108 or 4109	Retanning of pre-tanned leather or Manufacture in which all the materials used are classified in a heading other than that of the product
4109	Patent leather and patent laminated leather; metallized leather	Manufacture from leather of heading Nos. 4104 to 4107 provided its value does not exceed 50% of the ex works price of the product
ex 4302	Tanned or dressed furskins, assembled: —Plates, crosses and similar forms  —Other	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins Manufacture from non-assembled, tanned or dressed furskins
4303	Articles of apparel, clothing accessories and other articles of fur skin	Manufacture from non-assembled, tanned or dressed furskins, of heading No. 4302
ex 4403	Wood roughly squared	Manufacture from wood in the rough, whether or not stripped of its bark or merely roughed down
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or finger-jointed	Planing, sanding or finger-jointing
ex 4408	Veneer sheets and sheets for plywood, of a thickness not exceeding 6 mm, sliced, and other wood sawn lengthwise, sliced or peeled, of a thickness not exceeding 6 mm, planed, sanded or finger-jointed	Splicing, planing, sanding or finger-jointing
ex 4409	—Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces, sanded or finger-jointed —Beadings and mouldings	Sanding or finger-jointing  Beading or moulding

<sup>1</sup> In the case of products composed of materials classified within both heading Nos. 3901 to 3906, on the one hand, and within heading Nos. 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beading or moulding
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size
ex 4416	Casks, barrels, vats, tubs and other cooper's products and parts thereof, of wood	Manufacture from riven staves, not further worked than sawn on the two principal surfaces
ex 4418	—Builders' joinery and carpentry of wood  —Beadings and mouldings	Manufacture in which all the materials used are classified within a heading other than that of the product. However, cellular wood panels, shingles and shales may be used Beading or moulding
ex 4421	Match splints; wooden pegs or pins for footwear	Manufacture from wood of any heading except drawn wood of heading No. 4409
4503	Articles of natural cork	Manufacture from cork of heading No. 4501
ex 4811	Paper and paperboard, ruled, lined or squared only	Manufacture from paper-making materials of Chapter 47
4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading No. 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes	Manufacture from paper-making materials of Chapter 47
4817	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4818	Toilet paper	Manufacture from paper-making materials of Chapter 47
ex 4819	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4820	Letter pads	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape	Manufacture from paper-making materials of Chapter 47
4909	Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings	Manufacture from materials not classified within heading No. 4909 or 4911
4910	Calendars of any kind, printed, including calendar blocks: —Calendars of the "perpetual" type or with replaceable blocks mounted on bases other than paper or paperboard  —Other	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product Manufacture from materials not classified within heading No. 4909 or 4911



HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock), carded or combed	Carding or combing of silk waste
5501 to 5507 ex Chapter 50 to Chapter 55	<p>Man-made staple fibres</p> <p>Yarn, monofilament and thread</p> <p>Woven fabrics: —Incorporating rubber thread —Other</p>	<p>Manufacture from chemical materials or textile pulp</p> <p>Manufacture from<sup>1</sup></p> <p>—raw silk, silk waste, carded or combed or otherwise processed for spinning, —other natural fibres not carded, combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials</p> <p>Manufacture from single yarn<sup>1</sup></p> <p>Manufacture from<sup>1</sup>:</p> <p>—coir yarn, —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper</p> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex works price of the product</p>
ex Chapter 56  5602	<p>Wadding, felt and non-wovens; special yarns, twine cordage, ropes and cables and articles thereof except for heading Nos. 5602, 5604, 5605 and 5606, for which the rules are set out below</p> <p>Felt, whether or not impregnated, coated, covered or laminated: —Needleloom felt</p> <p>—Other</p>	<p>Manufacture from<sup>1</sup>:</p> <p>—coir yarn, —natural fibres, —chemical materials or textile pulp, or —paper-making materials</p> <p>Manufacture from<sup>1</sup>:</p> <p>—natural fibres, —chemical materials or textile pulp</p> <p>However:</p> <p>—polypropylene filament of heading No. 5402, —polypropylene fibres of heading No. 5503 or 5506, or —polypropylene filament tow of heading No. 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided that their value does not exceed 40% of the ex works price of the product</p> <p>Manufacture from<sup>1</sup>:</p> <p>—natural fibres, —man-made staple fibres made from casein, or —chemical materials or textile pulp</p>

<sup>1</sup> For special conditions relating to products made of a mixture of textile materials, see Note 6.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading No. 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics: —Rubber thread and cord, textile covered  —Other	Manufacture from rubber thread or cord, not textile covered Manufacture from <sup>1</sup> : —natural fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials
5605	Metallized yarn, whether or not gimped, being textile yarn, or strip or the like of heading No. 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal	Manufacture from <sup>1</sup> : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials
5606	Gimped yarn, and strip and the like of heading No. 5404 or 5405, gimped (other than those of heading No. 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn	Manufacture from <sup>1</sup> : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, —chemical materials or textile pulp, or —paper-making materials
Chapter 57	Carpets and other textile floor coverings: —Of needleloom felt   —Of other felt   —Other	Manufacture from <sup>1</sup> : —natural fibres, or —chemical materials or textile pulp. However: —polypropylene filament of heading No. 5402, —polypropylene fibres of heading No. 5503 or 5506, or —polypropylene filament tow of heading No. 5501 of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided that their value does not exceed 40% of the ex works price of the product Manufacture from <sup>1</sup> : —natural fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp Manufacture from <sup>1</sup> : —coir yarn, —synthetic or artificial filament yarn, —natural fibres, or —man-made staple fibres not carded or combed or otherwise processed for spinning
ex Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings, embroidery, except for heading Nos. 5805 and 5810; the rule for heading No. 5810 is set out below:	

<sup>1</sup> For special conditions relating to products made of a mixture of textile materials, see Note 6.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
5810	<ul style="list-style-type: none"> <li>—Combined with rubber thread</li> <li>—Other</li> </ul> <p>Embroidery in the piece, in strips or in motifs</p>	<p>Manufacture from single yarn<sup>1</sup></p> <p>Manufacture from<sup>1</sup>:</p> <ul style="list-style-type: none"> <li>—natural fibres,</li> <li>—man-made staple fibres not carded or combed or otherwise processed for spinning, or</li> <li>—chemical materials or textile pulp</li> </ul> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the materials used are classified in a heading other than that of the product, and</li> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product</li> </ul>
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Manufacture from yarn
5902	<p>Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon:</p> <ul style="list-style-type: none"> <li>—Containing not more than 90% by weight of textile materials</li> <li>—Other</li> </ul>	<p>Manufacture from yarn</p> <p>Manufacture from chemical materials or textile pulp</p>
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading No. 5902	Manufacture from yarn
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from yarn <sup>1</sup>
5905	<p>Textile wall coverings:</p> <ul style="list-style-type: none"> <li>—Impregnated, coated, covered or laminated with rubber, plastics or other materials</li> <li>—Other</li> </ul>	<p>Manufacture from yarn</p> <p>Manufacture from<sup>1</sup>:</p> <ul style="list-style-type: none"> <li>—coir yarn,</li> <li>—natural fibres,</li> <li>—man-made staple fibres not carded or combed or otherwise processed for spinning, or</li> <li>—chemical materials or textile pulp</li> </ul> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex works price of the product</p>

<sup>1</sup> For special conditions relating to products made of a mixture of textile materials, see Note 6.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
5906	Rubberized textile fabrics, other than those of heading No. 5902: —Knitted or crocheted fabrics  —Other fabrics made of synthetic filament yarn, containing more than 90% by weight of textile materials —Other	Manufacture from <sup>1</sup> : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp Manufacture from chemical materials  Manufacture from yarn
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn
ex 5908	Incandescent gas mantles, impregnated	Manufacture from tubular knitted gas mantle fabric
5909 to 5911	Textile articles of a kind suitable for industrial use: —Polishing discs or rings other than of felt of heading No. 5911 —Other	Manufacture from yarn or waste fabrics or rags of heading No. 6310 Manufacture from <sup>1</sup> : —coir yarn, —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
Chapter 60	Knitted or crocheted fabrics	Manufacture from <sup>1</sup> : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted: —Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form —Other	Manufacture from yarn <sup>2</sup>  Manufacture from <sup>1</sup> : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted, except for heading Nos. ex 6202, ex 6204, ex 6206, ex 6209, ex 6210, ex 6211, 6213, 6214, ex 6216 and ex 6217 for which the rules are set out below	Manufacture from yarn <sup>2</sup>

<sup>1</sup> For special conditions relating to products made of a mixture of textile materials, see Note 6.

<sup>2</sup> See Note 7.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 6202 ex 6204 ex 6206 ex 6209, ex 6211 and ex 6217  ex 6210 ex 6216 and ex 6217	Women's, girls' and babies' clothing and 'other made-up clothing accessories', embroidered  Fire-resistant equipment of fabric covered with foil of aluminized polyester	Manufacture from yarn <sup>1</sup> or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex works price of the product <sup>1</sup>
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like:  —Embroidered	Manufacture from unbleached single yarn <sup>1, 2</sup> or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex works price of the product <sup>1</sup>
ex 6217	—Other Interlinings for collars and cuffs, cut out	Manufacture from unbleached single yarn <sup>1, 2</sup> Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 40% of the ex works price of the product
6301 to 6304	Blankets, travelling rugs, bed linen etc; curtains, etc.; other furnishing articles:  —Of felt, of non-wovens  —Other: —Embroidered	Manufacture from <sup>2</sup> : —natural fibres, or —chemical materials or textile pulp
6305	—Other Sacks and bags, of a kind used for the packing of goods	Manufacture from unbleached single yarn <sup>2, 3</sup> or Manufacture from unembroidered fabric (other than knitted or crocheted) provided the value of the unembroidered fabric used does not exceed 40% of the ex works price of the product Manufacture from unbleached single yarn <sup>2, 3</sup> Manufacture from <sup>2</sup> : —natural fibres, —man-made staple fibres not carded or combed or otherwise processed for spinning, or —chemical materials or textile pulp
6306	Tarpaulins, sails for boats, sailboards or landcraft, awnings, sunblinds, tents and camping goods: —Of non-wovens	Manufacture from <sup>1</sup> : —natural fibres, or —chemical materials or textile pulp
ex 6307	—Other Other made-up articles, including dress patterns	Manufacture from unbleached single yarn Manufactures in which the value of all the materials used does not exceed 40% of the ex works price of the product

<sup>1</sup> See Note 7.

<sup>2</sup> For special conditions relating to products made of a mixture of textile materials, see Note 6.

<sup>3</sup> For knitted or crocheted articles, not elastic or rubberized, obtained by sewing or assembly of pieces of knitted or crocheted fabric (cut out or knitted directly to shape) see Note 7.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated provided their total value does not exceed 15% of the ex works price of the set
6401 to 6405	Footwear	Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components of heading No. 6406
6503	Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading No. 6501, whether or not lined or trimmed	Manufacture from yarn or textile fibres <sup>1</sup>
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed	Manufacture from yarn or textile fibres <sup>2</sup>
6601	Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
ex 6803	Articles of slate or of agglomerated slate	Manufacture from worked slate
ex 6812	Articles of asbestos or of mixtures with a basis of asbestos or with a basis of asbestos and magnesium carbonate	Manufacture from materials of any heading
ex 6814	Articles of mica; including agglomerated or reconstituted mica on a support of paper, paperboard or other materials	Manufacture from worked mica (including agglomerated or reconstituted mica)
7006	Glass of heading No. 7003, 7004 or 7005, bent, edge-worked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials	Manufacture from materials of heading No. 7001
7007	Safety glass, consisting of toughened (tempered) or laminated glass	Manufacture from materials of heading No. 7001
7008	Multiple-walled insulating units of glass	Manufacture from materials of heading No. 7001
7009	Glass mirrors, whether or not framed, including rear-view mirrors	Manufacture from materials of heading No. 7001
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex works price of the product
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No. 7010 or 7018)	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex works price of the product or Hand-decoration (with the exception of silk screen printing) of hand-blown glassware, provided the value of the hand-blown glassware does not exceed 50% of the ex works price of the product

<sup>1</sup> See Note 7.

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 7019	Articles (other than yarn) of glass fibres	Manufacture from: —uncoloured slivers, rovings, yarn or chopped strands, or —glass wool
ex 7102 ex 7103 and ex 7104  7106 7108 and 7110	Worked precious or semi-precious stones (natural, synthetic or reconstructed)  Precious metals: —Unwrought  —Semi-manufactured or in powder form (All)	Manufacture from unworked precious or semi-precious stones  Manufacture from materials not classified in heading No. 7106, 7108 or 7110 or Electrolytic, thermal or chemical separation of precious metals of heading No. 7106, 7108 or 7110 or Alloying of precious metals of heading No. 7106, 7108 or 7110 with each other or with base metals Manufacture from unwrought precious metals
ex 7107 ex 7109 and ex 7111  7116  7117	Metals clad with precious metals, semi-manufactured  Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)  Imitation jewellery	Manufacture from metals clad with precious metals, unwrought  Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product  Manufacture in which all the materials used are classified within a heading other than that of the product or Manufacture from base metal parts, not plated or covered with precious metals, provided the value of all the materials used does not exceed 50% of the ex works price of the product
7207  7208 to 7216  7217	Semi-finished products of iron or non-alloy steel  Flat-rolled products, bars and rods, angles, shapes and sections of iron or non-alloy steel  Wire of iron or non-alloy steel	Manufacture from materials of heading Nos. 7201, 7202, 7203, 7204 or 7205  Manufacture from ingots or other primary forms of heading No. 7206  Manufacture from semi-finished materials of heading No. 7207
ex 7218 7219 to 7222  7223	Semi-finished products, flat-rolled products, bars and rods, angles, shapes and sections of stainless steel  Wire of stainless steel	Manufacture from ingots or other primary forms of heading No. 7218  Manufacture from semi-finished materials of heading No. 7218
ex 7224 7225 to 7227  7228  7229	Semi-finished products, flat-rolled products, bars and rods, in irregularly wound coils, of other alloy steel  Other bars and rods of other alloy steel; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel  Wire of other alloy steel	Manufacture from ingots or other primary forms of heading No. 7224  Manufacture from ingots or other primary forms of heading Nos. 7206, 7218 or 7224  Manufacture from semi-finished materials of heading No. 7224

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 7301	Sheet piling	Manufacture from materials of heading No. 7206
7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails	Manufacture from materials of heading No. 7206
7304 7305 and 7306	Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel	Manufacture from materials of heading Nos. 7206, 7207, 7218 or 7224
7308	Structures (excluding prefabricated buildings of heading No. 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture in which all the materials used are classified within a heading other than that of the product. However, welded angles, shapes and sections of heading No. 7301 may not be used
ex 7315	Skid-chains	Manufacture in which the value of all the materials of heading No. 7315 used does not exceed 50% of the ex works price of the product
ex 7322	Radiators for central heating, not electrically heated	Manufacture in which the value of all the materials of heading No. 7322 used does not exceed 5% of the ex works price of the product
ex Chapter 74	Copper and articles thereof, except for heading Nos. 7401 to 7405; the rule for heading No. ex 7403 is set out below	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 7403	Copper alloys, unwrought	Manufacture from refined copper, unwrought, or waste and scrap
ex Chapter 75	Nickel and articles thereof, except for heading Nos. 7501 to 7503;	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex Chapter 76	Aluminium and articles thereof, except for heading Nos. 7601, 7602 and ex 7616; the rules for heading Nos. 7601 and ex 7616 are set out below	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
7601	Unwrought aluminium	Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium



HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 7616	Aluminium articles other than gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, and expanded metal of aluminium	<p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the materials used are classified within a heading other than that of the product. However, gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium may be used, and</li> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product</li> </ul>
ex Chapter 78	Lead and articles thereof, except for heading Nos. 7801 and 7802; the rule for heading No. 7801 is set out below	<p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the materials used are classified within a heading other than that of the product, and</li> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product</li> </ul>
7801	<p>Unwrought lead:</p> <ul style="list-style-type: none"> <li>—Refined lead</li> <li>—Other</li> </ul>	<p>Manufacture from “bullion” or “work” lead</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No. 7802 may not be used</p>
ex Chapter 79	Zinc and articles thereof, except for heading Nos. 7901 and 7902; the rule for heading No. 7901 is set out below	<p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the materials used are classified in a heading other than that of the product, and</li> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product</li> </ul>
7901	Unwrought zinc	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No. 7902 may not be used</p>
ex Chapter 80	Tin and articles thereof, except for heading Nos. 8001, 8002 and 8007; the rule for heading No. 8001 is set out below	<p>Manufacture in which:</p> <ul style="list-style-type: none"> <li>—all the materials used are classified in a heading other than that of the product, and</li> <li>—the value of all the materials used does not exceed 50% of the ex works price of the product</li> </ul>
8001	Unwrought tin	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No. 8002 may not be used</p>
ex Chapter 81	Other base metals, wrought; articles thereof	<p>Manufacture in which the value of all the materials classified in the same heading as the products used does not exceed 50% of the ex works price of the product</p>
8206	Tools of two or more of the heading Nos. 8202 to 8205, put up in sets for retail sale	<p>Manufacture in which all the materials used are classified in a heading other than heading Nos. 8202 to 8205. However, tools of heading Nos. 8202 to 8205 may be incorporated into the set provided their value does not exceed 15% of the ex works price of the set</p>

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8207	Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning or screwdriving), including dies for drawing or extruding metal, and rock-drilling or earth-boring tools	Manufacture in which: —all the materials used are classified in a heading other than that of the product, and —the value of all the materials used does not exceed 40% of the ex works price of the product
8208	Knives and cutting blades, for machines or for mechanical appliances	Manufacture in which: —all the materials used are classified in a heading other than that of the product, and —the value of all the materials used does not exceed 40% of the ex works price of the product
ex 8211	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading No. 8208	Manufacture in which all the materials used are classified in a heading other than that of the product. However, knife blades and handles of base metal may be used
8214	Other articles of cutlery (for example, hair clippers, butcher's or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files)	Manufacture in which all the materials used are classified in a heading other than that of the product. However, handles of base metal may be used
8215	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or table ware	Manufacture in which all the materials used are classified in a heading other than that of the product. However, handles of base metal may be used
ex 8306	Statuettes and other ornaments, of base metal	Manufacture in which all the materials used are classified in a heading other than that of the product. However, the other materials of heading No. 8306 may be used provided their value does not exceed 30% of the ex works price of the product
ex Chapter 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for those falling within the following headings or parts of headings for which the rules are set out below: 8403, ex 8404, 8406 to 8409, 8412, 8415, 8418, ex 8419, 8420, 8425 to 8430, ex 8431, 8439, 8441, 8444 to 8447, ex 8448, 8452, 8456 to 8466, 8469 to 8472, 8480, 8484 and 8485	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8403 and ex 8404	Central heating boilers, other than those of heading No. 8402, and auxiliary plant for central heating boilers	Manufacture in which all the materials used are classified in a heading other than heading No. 8403 or 8404. However, materials which are classified in heading No. 8403 or 8404 may be used provided their value, taken together, does not exceed 5% of the ex works price of the product
8406	Steam turbines and other vapour turbines	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8409	Parts suitable for use solely or principally with the engines of heading No. 8407 or 8408	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8412	Other engines and motors	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8415	Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other heat pumps other than air conditioning machines of heading No. 8415	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 8419	Machines for the wood, paper pulp and paperboard industries	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8425 to 8428	Lifting, handling, loading or unloading machinery	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified in heading No. 8431 are only used up to a value of 5% of the ex works price of the product
8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, temping machines and road rollers: —Road rollers  —Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the value of the materials classified within heading No. 8431 are only used up to a value of 5% of the ex works price of the product
8430	Other moving, grading, levelling, scraping, excavating, temping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the value of the materials classified within heading No. 8431 are only used up to a value of 5% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 8431	Parts for road rollers	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex works price of the product
8444 to 8447	Machines of these headings for use in the textile industry	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex 8448	Auxiliary machinery for use with machines for heading Nos. 8444 and 8445	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8452	Sewing machines, other than book sewing machines of heading No. 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles: —Sewing machines (lock stitch only) with heads of a weight not exceeding 16 kg without motor or 17 kg with motor  —Other	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all of the non-originating materials used in assembling the head (without motor) does not exceed the value of the originating materials used, and —the thread tension, crochet and zigzag mechanisms used are already originating Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8456 to 8466	Machine-tools and machines and their parts and accessories of heading Nos. 8456 to 8466	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8469 to 8472	Office machines (for example, typewriters, calculating machines, automatic data-processing machines, duplicating machines, stapling machines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8485	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers and parts and accessories of such articles; except for those falling within the following headings or parts of headings for which the rules are set out below: 8501, 8502, ex 8518, 8519 to 8529, 8535 to 8537, 8542, 8544 to 8546 and 8548	Manufacture: —in which the value of all the materials used does not exceed 40% of ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8501	Electric motors and generators (excluding generating sets)	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within heading No. 8503 are only used up to a value of 5% of the ex works price of the product
8502	Electric generating sets and rotary converters	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within heading No. 8501 or 8503, taken together, are only used up to a value of 5% of the ex works price of the product
ex 8518	Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; audio-frequency electric amplifiers; electric sound amplifier sets	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8519	Turntables (record-decks), record-players, cassette-players and other sound reproducing apparatus, not incorporating a sound recording device	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8520	Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8521	Video recording or reproducing apparatus	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where the value of all the non-originating materials used does not exceed the value of the originating materials used
8522	Parts and accessories of apparatus of heading Nos. 8519 to 8521	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8523	Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
8524	Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37:	

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
	<p>—Matrices and masters for the production of records</p> <p>—Other</p>	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product</p> <p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within heading No. 8523 are only used up to a value of 5% of the ex works price of the product</p>
8525	Transmission apparatus for radio-telephony, radio-telegraphy, radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8527	Reception apparatus for radio-telephony, radio-telegraphy or radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8528	Television receivers (including video monitors and video projectors), whether or not combined, in the same housing, with radio-broadcast receivers or sound or video recording or reproducing apparatus	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8529	<p>Parts suitable for use solely or principally with the apparatus of heading Nos. 8525 to 8528</p> <p>—Suitable for use solely or principally with video recording or reproducing apparatus</p> <p>—Other</p>	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product</p> <p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product,</p> <p>—where the value of all the non-originating materials used does not exceed the value of the originating materials used</p>
8535 and 8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within heading No. 8538 are only used up to a value of 5% of the ex works price of the product</p>
8537	Boards, panels (including numerical control panels), consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading No. 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, other than switching apparatus of heading No. 8517	<p>Manufacture:</p> <p>—in which the value of all the materials used does not exceed 40% of the ex works price of the product, and</p> <p>—where, within the above limit, the materials classified within heading No. 8538 are only used up to a value of 5% of the ex works price of the product</p>

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8542	Electronic integrated circuits and microassemblies	<b>Manufacture:</b> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within heading No. 8541 or 8542, taken together, are only used up to a value of 5% of the ex works price of the product
8544	Insulated (including enamelled or anodized) wire, cable (including co-axial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	<b>Manufacture</b> in which the value of all the materials used does not exceed 40% of the ex works price of the product
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	<b>Manufacture</b> in which the value of all the materials used does not exceed 40% of the ex works price of the product
8546	Electrical insulators of any material	<b>Manufacture</b> in which the value of all the materials used does not exceed 40% of the ex works price of the product
8548	Electrical parts of machinery or apparatus, not specified or included elsewhere in this chapter	<b>Manufacture</b> in which the value of all the materials used does not exceed 40% of the ex works price of the product
8601 to 8607	Railway or tramway locomotives, rolling-stock and parts thereof	<b>Manufacture</b> in which the value of all the materials used does not exceed 40% of the ex works price of the product
8608	Railway or tramway track fixtures and fittings; mechanical (including electromechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities; port installations or airfields; parts of the foregoing	<b>Manufacture:</b> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8609	Containers (including containers for the transport of fluids) specially designed and equipped for carriage by one or more modes of transport	<b>Manufacture</b> in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex Chapter 87	Vehicles other than railway or tramway rolling-stock and parts and accessories thereof; except for those falling within the following headings or parts of headings for which the rules are set out below: 8709 to 8711, ex 8712, 8715 and 8716	<b>Manufacture</b> in which the value of all the materials used does not exceed 40% of the ex works price of the product
8709	Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles	<b>Manufacture:</b> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8710	Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles	<b>Manufacture:</b> —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 8712	Bicycles without ball bearings	Manufacture from materials not classified within heading No. 8714
8715	Baby carriages and parts thereof	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
8803	Parts of goods of heading No. 8801 or 8802	Manufacture in which the value of all the materials of heading No. 8803 used does not exceed 5% of the ex works price of the product
8804	Parachutes (including dirigible parachutes) and rotachutes; parts thereof and accessories thereto: —Rotachutes  —Other	Manufacture from materials of any heading including other materials of heading No. 8804 Manufacture in which the value of all the materials of heading No. 8804 used does not exceed 5% of the ex works price of the product
8805	Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles	Manufacture in which the value of all the materials of heading No. 8805 used does not exceed 5% of the ex works price of the product
Chapter 89	Ships, boats and floating structures	Manufacture in which all the materials used are classified within a heading other than that of the product. However, hulls of heading No. 8906 may not be used
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof; except for those falling within the following headings or parts of headings for which the rules are set out below: 9001, 9002, 9004, ex 9005, ex 9006, 9007, 9011, ex 9014, 9015 to 9017, ex 9018, 9024 to 9033	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading No. 8544; sheets and plates of polarizing material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product



HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9002	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	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9004	Spectacles, goggles and the like, corrective, protective or other	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex 9005	Binoculars, monoculars, other optical telescopes, and mountings therefor, except for astronomical refracting telescopes and mountings therefor	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 9006	Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than electrically ignited flashbulbs	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9007	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9011	Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 9014	Other navigational instruments and appliances	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9016	Balances of a sensitivity of 5 cg or better, with or without weights	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9017	Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex 9018	Dentists' chairs incorporating dental appliances or dentists' spittoons	Manufacture from materials of any heading, including other materials of heading No. 9018
9024	Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics)	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9025	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9026	Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading No. 9014, 9015, 9028 or 9032	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9027	Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9028	Gas, liquid or electricity supply or production meters, including calibrating meters therefor —Parts and accessories  —Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9029	Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading No. 9014 or 9015; stroboscopes	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading No. 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionizing radiations	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9031	Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this chapter; profile projectors	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9032	Automatic regulating or controlling instruments and apparatus	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9033	Parts and accessories (not specified or included elsewhere in this chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
ex Chapter 91	Clocks and watches and parts thereof; except for those falling under the following headings for which the rules are set out below: 9105, 9109 to 9113	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
9105	Other clocks	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9109	Clock movements, complete and assembled	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where the value of all the non-originating materials used does not exceed the value of the originating materials used
9110	Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements	Manufacture: —in which the value of all the materials used does not exceed 40% of ex works price of the product, and —where, within the above limit, the materials classified within heading No. 9114 are only used up to a value of 5% of the ex works price of the product
9111	Watch cases and parts thereof	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
9112	Clock cases and cases of a similar type for other goods of this chapter, and parts thereof	Manufacture: —in which the value of all the materials used does not exceed 40% of the ex works price of the product, and —where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 5% of the ex works price of the product
9113	Watch straps, watch bands and watch bracelets, and parts thereof: —Of base metal, whether or not plated, or clad with precious metal —Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
Chapter 92	Musical instruments, parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 40% of the ex works price of the product
Chapter 93	Arms and ammunitions; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 9401 and ex 9403	Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m <sup>2</sup> or less	Manufacture in which all the materials used are classified within a heading other than that of the product or Manufacture from cotton cloth already made up in a form ready for use of heading No. 9401 or 9403, provided: —its value does not exceed 25% of the ex works price of the product, and —all the other materials used are already originating and are classified within a heading other than heading No. 9401 or 9403
9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
9503	Other toys; reduced-size ('scale') models and similar recreational models, working or not; puzzles of all kinds	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —provided the value of all the materials used does not exceed 50% of the ex works price of the product
ex 9506	Finished golf club heads	Manufacture from roughly shaped blocks
9507	Fishing rods, fish-hooks and other line fishing tackle; fish landing nets, butterfly nets and similar nets; decoy 'birds' (other than those of heading No. 9208 or 9705) and similar hunting or shooting requisites:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 5% of the ex works price of the product
ex 9601 and ex 9602	Articles of animal, vegetable or mineral carving materials	Manufacture from 'worked' carving materials of the same heading
ex 9603	Brooms and brushes, (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorized, paint pads and rollers, squeegees and mops	Manufacture in which the value of all the materials used does not exceed 50% of the ex works price of the product
9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided their total value does not exceed 15% of the ex works price of the set
9606	Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
9608	Ball point pens; felt tipped and other porous-tipped pens and markers, fountain pens, stylograph pens and other pens; duplicating stylos, propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading No. 9609	Manufacture in which all the materials used are classified within a heading other than that of the product. However, nibs or nib points may be used and the other materials classified within the same heading may also be used provided their value does not exceed 5% of the ex works price of the product

HS Heading No.	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	Manufacture in which: —all the materials used are classified within a heading other than that of the product, and —the value of all the materials used does not exceed 50% of the ex works price of the product
ex 9614	Smoking pipes or pipe bowls	Manufacture from roughly shaped blocks

**Movement Certificates EUR. 1**

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

2. Each certificate shall measure 210 × 297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m<sup>2</sup>. It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

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

**MOVEMENT CERTIFICATE**

<p>1. Exporter (Name, full address, country)</p>	<p><b>EUR. 1      No A 000.000</b></p> <p>See notes overleaf before completing this form</p>	
<p>3. Consignee (Name, full address, country) (Optional)</p>	<p>2. Certificate used in preferential trade between</p> <p>.....</p> <p align="center">and</p> <p>.....</p> <p>(Insert appropriate countries, groups of countries or territories)</p>	
	<p>4. Country, group of countries or territory in which the products are considered as originating</p>	<p>5. Country, group of countries or territory of destination</p>
<p>6. Transport details (Optional)</p>	<p>7. Remarks</p>	
<p>8. Item Number; Makes and numbers; Number and kind of packages (1); Description of goods</p>	<p>9. Gross weight (kg) or other measure (litres, m<sup>3</sup>, etc.)</p>	<p>10. Invoices (Optional)</p>
<p><b>11. CUSTOMS ENDORSEMENT</b></p> <p>Declaration certified</p> <p>Export document (2)</p> <p>Form ..... No.....</p> <p>Customs office .....</p> <p>Issuing country or territory .....      Stamp</p> <p>.....</p> <p>Date .....</p> <p>.....</p> <p align="center">(Signature)</p>		<p><b>12. DECLARATION BY THE EXPORTER</b></p> <p>I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate.</p> <p>Place and date.....</p> <p>.....</p> <p align="center">(Signature)</p>

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

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

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

NOTES

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



**APPLICATION FOR A MOVEMENT CERTIFICATE**

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

<sup>(1)</sup> If goods are not packed, indicate number of articles or state "in bulk" as appropriate

**DECLARATION BY THE EXPORTER**

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

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

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

.....  
.....  
.....  
.....

**SUBMIT** the following supporting documents<sup>(1)</sup>

.....  
.....  
.....  
.....

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

**REQUEST** the issue of the attached certificate for these goods.

.....  
(Place and date)

.....  
(Signature)

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

**FORM EUR. 2**

1. Form EUR. 2 shall be made out on the form of which a specimen appears in this Annex. This form shall be printed in one or more of the languages in which the Agreement is drawn up. Forms shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State. If they are handwritten, they shall be completed in ink and in capital letters.
2. Each Form EUR. 2 shall measure  $210 \times 148$  mm; a maximum tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than  $64 \text{ g/m}^2$ .
3. The competent authorities of the Member States of the Community and of the Czech Republic may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case each form must include a reference to such approval. Each form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

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

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

- <sup>(1)</sup> Insert the countries, groups of countries or territories concerned.
- <sup>(2)</sup> Refer to any verification carried out by the appropriate authorities.
- <sup>(3)</sup> The term country of origin means country, group of countries or territory where the goods are considered to be originating.
- <sup>(4)</sup> The term country means country, group of countries or territory of destination.

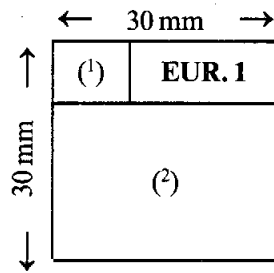
(VERSO)

<p><b>13 Request for verification</b></p> <p>The verification of the declaration by the exporter on the front of this form is requested.<sup>(1)</sup></p> <p>.....19..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p>	<p><b>14 Result of verification</b></p> <p>Verification carried out shows that (*)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended).</p> <p>.....19..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p> <p>(*) Insert X in the appropriate box.</p>
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<sup>(1)</sup> Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

#### Instructions for the completion of form EUR. 2

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

**Specimen impression of the stamp mentioned in Article 16(3)(b)**

(1) Initials or coat of arms of the exporting State.

(2) Such information as is necessary for the identification of the approved exporter.

**List of products referred to in Article 35 which are temporarily excluded from  
the scope of this Protocol**

HS heading No	Description of product
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65% by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
2709 to 2715	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 2901	Acyclic hydrocarbons for use as power or heating fuels
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels
ex 3403	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70% by weight
ex 3404	Artificial waxes and prepared waxes with a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax
ex 3811	Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals

## PROTOCOL 5

### to the Europe Agreement ('the Agreement')

#### CHAPTER I

##### **Specific provisions relating to trade between Spain and the Czech Republic**

###### ARTICLE 1

The provisions of the Agreement relating to trade in Title III shall be amended as follows in order to take account of the measures and undertakings listed in the Act of Accession of the Kingdom of Spain and of the Portuguese Republic to the European Communities (hereinafter called 'the Act of Accession').

###### ARTICLE 2

Under the Act of Accession Spain shall not grant to products originating in the Czech Republic more favourable treatment than it provides for imports originating or in free circulation in other Member States.

###### ARTICLE 3

Quantitative restrictions may be applied to imports into Spain of products originating in the Czech Republic until 31 December 1995 in respect of the products listed in Annex A.

###### ARTICLE 4

Application of the provisions of this Protocol shall be without prejudice to Council Regulation (EEC) No. 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands or Council Decision 91/314/EEC of 26 June 1991 setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican).

#### CHAPTER II

##### **Specific provisions relating to trade between Portugal and the Czech Republic**

###### ARTICLE 5

The provisions of the Agreement relating to trade in Title III shall be amended as follows in order to take account of the measures and undertakings listed in the Act of Accession.

###### ARTICLE 6

Under the Act of Accession Portugal shall not grant the Czech Republic more favourable treatment than is provided for imports originating in other Member States.

###### ARTICLE 7

Quantitative restrictions may be applied to imports into Portugal of products originating in the Czech Republic until 31 December 1995 in respect of the products in Annex B.



## ANNEX A

CN code	Notes	Timetable for liberalization
ex 0102 90 10	(1)	31.12.1995
ex 0102 90 31	(1)	31.12.1995
ex 0102 90 33	(1)	31.12.1995
ex 0102 90 35	(1)	31.12.1995
ex 0102 90 37	(1)	31.12.1995
0103 91 10		31.12.1995
0103 92 11		31.12.1995
0103 92 19		31.12.1995
0201		31.12.1995
0203 11 10		31.12.1995
0203 12 11		31.12.1995
0203 12 19		31.12.1995
0203 19 11		31.12.1995
0203 19 13		31.12.1995
0203 19 15		31.12.1995
0203 19 55		31.12.1995
0203 19 59		31.12.1995
0203 21 10		31.12.1995
0203 22 11		31.12.1995
0203 22 19		31.12.1995
0203 29 11		31.12.1995
0203 29 13		31.12.1995
0203 29 15		31.12.1995
0203 29 55		31.12.1995
0203 29 59		31.12.1995
0206 30 21		31.12.1995
0206 30 31		31.12.1995
0206 41 91		31.12.1995
0206 49 91		31.12.1995
0208 10 10		31.12.1995
0209 00 11		31.12.1995
0209 00 19		31.12.1995
0209 00 30		31.12.1995
0210 11 11		31.12.1995
0210 11 19		31.12.1995
0210 11 31		31.12.1995
0210 11 39		31.12.1995
0210 12 11		31.12.1995
0210 12 19		31.12.1995
0210 19 10		31.12.1995
0210 19 20		31.12.1995
0210 19 30		31.12.1995
0210 19 40		31.12.1995
0210 19 51		31.12.1995
0210 19 59		31.12.1995
0210 19 60		31.12.1995
0210 19 70		31.12.1995
0210 19 81		31.12.1995
0210 20		31.12.1995
0210 90		31.12.1995
0210 90 39		31.12.1995
ex 0210 90 90	(2)	31.12.1995
0401		31.12.1995
0403 10 22		31.12.1995
0403 10 24		31.12.1995
0403 10 26		31.12.1995
ex 0403 90 51	(3)	31.12.1995
ex 0403 90 53	(3)	31.12.1995
ex 0403 90 59	(3)	31.12.1995
0404 10 91		31.12.1995
0404 90 11		31.12.1995
0404 90 13		31.12.1995
0404 90 19		31.12.1995
0404 90 31		31.12.1995
0404 90 33		31.12.1995
0404 90 39		31.12.1995
0405		31.12.1995
ex 0406	(4)	31.12.1995

CN code	Notes	Timetable for liberalization
ex 1001 90 99	(5)	31.12.1995
ex 1004 00 90	(6)	31.12.1995
1101		31.12.1995
1103 11 10		31.12.1995
1103 11 90		31.12.1995
1103 12 00		31.12.1995
1103 13 10		31.12.1995
1103 13 90		31.12.1995
1103 14 00		31.12.1995
1103 19 10		31.12.1995
1103 19 30		31.12.1995
1103 19 90		31.12.1995
1104 11 10		31.12.1995
1104 12 10		31.12.1995
ex 1104 19 10	(7)	31.12.1995
ex 1104 19 30	(7)	31.12.1995
ex 1104 19 50	(7)	31.12.1995
ex 1104 19 99	(7)	31.12.1995
1104 21 10		31.12.1995
1104 21 30		31.12.1995
1104 21 50		31.12.1995
1104 21 90		31.12.1995
1104 22 10		31.12.1995
1104 22 30		31.12.1995
1104 22 50		31.12.1995
1104 22 90		31.12.1995
1104 23 10		31.12.1995
1104 23 30		31.12.1995
1104 23 90		31.12.1995
1104 29 11		31.12.1995
1104 29 15		31.12.1995
1104 29 19		31.12.1995
1104 29 31		31.12.1995
1104 29 35		31.12.1995
1104 29 39		31.12.1995
1104 29 91		31.12.1995
1104 29 95		31.12.1995
1104 29 99		31.12.1995
1104 30 10		31.12.1995
1104 30 90		31.12.1995
1108 11 00		31.12.1995
1109		31.12.1995
1501 00 11		31.12.1995
1501 00 19		31.12.1995
ex 1501 00 90	(8)	31.12.1995
ex 1601	(9)	31.12.1995
ex 1602 10 00	(9)	31.12.1995
ex 1602 20 90	(9)	31.12.1995
1602 41 10		31.12.1995
1602 42 10		31.12.1995
1602 49 11		31.12.1995
1602 49 13		31.12.1995
1602 49 15		31.12.1995
1602 49 19		31.12.1995
1602 49 30		31.12.1995
1602 49 50		31.12.1995
ex 1602 90 10	(10)	31.12.1995
1602 90 51		31.12.1995
ex 1902 20 30	(11)	31.12.1995
2009 60 11		31.12.1995
2009 60 19		31.12.1995
2009 60 51		31.12.1995
2009 60 59		31.12.1995
2009 60 71		31.12.1995
2009 60 79		31.12.1995
2009 60 90		31.12.1995

CN code	Notes	Timetable for liberalization
ex 2204 10 11	(12)	31.12.1995
ex 2204 10 19	(12)	31.12.1995
ex 2204 10 90	(12)	31.12.1995
ex 2204 21 10	(12)	31.12.1995
2204 21 25		31.12.1995
2204 21 29		31.12.1995
2204 21 35		31.12.1995
2204 21 39		31.12.1995
ex 2204 21 49	(12)	31.12.1995
ex 2204 21 59	(12)	31.12.1995
ex 2204 21 90	(12)	31.12.1995
ex 2204 29 10	(12)	31.12.1995
2204 29 25		31.12.1995
2204 29 29		31.12.1995
2204 29 35		31.12.1995
2204 29 39		31.12.1995
ex 2204 29 49	(12)	31.12.1995
ex 2204 29 59	(12)	31.12.1995
ex 2204 29 90	(12)	31.12.1995
2204 30 10		31.12.1995
2204 30 91		31.12.1995
2204 30 99		31.12.1995

*Note:* The restriction applying to tariff heading 0803 with regard to the Member States of the European Economic Community and countries eligible for preferences are transitional, operating until a market organization is established for bananas. These products should therefore be included in this Protocol.

**Explanatory notes regarding the partial restrictions which Spain will maintain until the end of the transitional period**

- (1) Excluding animals for bullfights.
- (2) Domestic swine only.
- (3) Not preserved or concentrated or packed, destined for human consumption only.
- (4) Excluding requesón, emmental, Gruyère, blue cheese, Parmigiano Reggiano and Grana Padano.
- (5) Common bread-making wheat only.
- (6) Tipped oats only.
- (7) Crushed grain only
- (8) Excluding fat from bird bones or residues.
- (9) Only those containing meat or edible offal of domestic swine.
- (10) Only those containing pig blood.
- (11) Only:
  - sausage made of meat, edible offal or blood of domestic swine,
  - any preparation or preserved product containing meat or edible offal of domestic swine.
- (12) Excluding quality wines PSR.

ANNEX B

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0103 10 00	2204 21 10
0103 91 10	2204 21 21
0103 92 11	2204 21 23
0103 92 19	2204 21 25
	2204 21 29
	2204 21 31
0701 10 00	2204 21 33
0701 92 10	2204 21 35
0701 90 51	2204 29 10
	2204 29 21
0701 90 59	2204 29 23
	2204 29 25
0803 00 10	2204 29 29
0803 00 90	2204 29 31
	2204 29 33
	2204 29 35
0804 30 00	2204 29 39

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## PROTOCOL 6

### on mutual assistance in customs matters

#### ARTICLE 1

##### Definitions

For the purposes of this Protocol:

- (a) 'customs legislation' shall mean provisions applicable in the territories of the Contracting Parties governing the import, export, transit of goods and their placing under any other customs procedure, including measures of prohibition, restriction and control adopted by the said Parties;
- (b) 'customs duties' shall mean all duties, taxes, fees or any other charges which are levied and collected in the territories of the Contracting Parties, in application of customs legislation, but not including fees and charges which are limited in amount to the approximate costs of services rendered;
- (c) 'applicant authority' shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which makes a request for assistance in customs matters;
- (d) 'requested authority' shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which receives a request for assistance in customs matters;
- (e) 'contravention' shall mean any violation of the customs legislation as well as any attempted violation of such legislation.

#### ARTICLE 2

##### Scope

1. The Contracting Parties shall assist each other, in the manner and under the conditions laid down in this Protocol, in ensuring that customs legislation is correctly applied, in particular by the prevention, detection and investigation of contraventions of this legislation.
2. Assistance in customs matters, as provided for in this Protocol, applies to any administrative authority of the Contracting Parties which is competent for the application of this Protocol. It shall not prejudice the rules governing mutual assistance in criminal matters. Nor shall it cover information obtained under powers exercised at the request of the judicial authority, unless those authorities so agree.

#### ARTICLE 3

##### Assistance on request

1. At the request of the applicant authority, the requested authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, including information regarding operations noted or planned which contravene or would contravene such legislation.
2. At the request of the applicant authority, the requested authority shall inform it whether goods exported from the territory of one of the Contracting Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.
3. At the request of the applicant authority, the requested authority shall take the necessary steps to ensure that a surveillance is kept on:
  - (a) natural or legal persons concerning whom there are reasonable grounds for believing that they are contravening or have contravened customs legislation;
  - (b) movement of goods notified as possibly giving rise to substantial contraventions of customs legislation;
  - (c) means of transport for which there are reasonable grounds for believing that they have been, are or may be used in the contravening of customs legislation.

## ARTICLE 4

### **Spontaneous assistance**

The Contracting Parties shall within their competences provide each other with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- operations which have contravened, contravene or would contravene such legislation and which may be of interest to other Contracting Parties;
- new means or methods employed in realizing such operations;
- goods known to be subject to substantial contravention of customs legislation on import, export, transit or any other customs procedure.

## ARTICLE 5

### **Delivery/Notification**

At the request of the applicant authority, the requested authority shall in accordance with its legislation take all necessary measures in order:

- to deliver all documents, and
- to notify all decisions

falling within the scope of this Protocol to an addressee, residing or established in its territory. In such a case Article 6(3) is applicable.

## ARTICLE 6

### **Form and substance of requests for assistance**

1. Requests pursuant to this Protocol shall be made in writing. Documents necessary for the execution of such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.
2. Requests pursuant to paragraph 1 shall include the following information:
  - (a) the applicant authority making the request;
  - (b) the measure requested;
  - (c) the object of and the reason for the request;
  - (d) the laws, rules, and other legal elements involved;
  - (e) indications as exact and comprehensive as possible on the natural or legal persons being the target of the investigations;
  - (f) a summary of the relevant facts, except in cases provided for in Article 5.
3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to such authority.
4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, take place.

## ARTICLE 7

### **Execution of requests**

1. In order to comply with a request for assistance, the requested authority or, when the latter cannot act on its own, the administrative department to which the request has been addressed by this authority, shall proceed, within its competence and available resources, as though it were acting on its own account or at the request of other authorities of that same Contracting Party, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out.

2. Requests for assistance will be executed in accordance with the laws, rules, and other legal instruments of the requested Contracting Party.
3. Duly authorized officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, obtain from the offices of the requested authority or other authority for which the requested authority is responsible, information relating to the contravention of customs legislation which the applicant authority needs for the purposes of this Protocol.
4. Officials of a Contracting Party may, with the agreement of the other Contracting Party, be present at enquiries carried out in the latter's territory.

#### ARTICLE 8

##### **Form in which information is to be communicated**

1. The requested authority shall communicate results of enquiries to the applicant authority in the form of documents, certified copies of documents, reports and the like.
2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose.

#### ARTICLE 9

##### **Exceptions to the obligation to provide assistance**

1. The Contracting Parties may refuse to give assistance as provided for in this Protocol, where to do so would:
  - (a) be likely to prejudice sovereignty, public policy (l'ordre publique), security or other essential interests; or
  - (b) involve currency or tax regulations other than regulations concerning customs duties; or
  - (c) violate an industrial, commercial or professional secret.
2. Where the applicant authority asks for assistance which it would itself be unable to provide if so asked, it shall draw attention to that fact in its request. It shall then be left to the requested authority to decide how to respond to such a request.
3. If assistance is withheld or denied, the decision and the reasons therefor must be notified to the applicant authority without delay.

#### ARTICLE 10

##### **Obligation to observe confidentiality**

1. Any information communicated in whatsoever form pursuant to this Protocol shall be of a confidential nature. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended under the relevant laws applicable in the Contracting Party which received it and the corresponding provisions applying to the Community authorities.
2. Nominative data shall not be transmitted whenever there are reasonable grounds to believe that the transfer or the use made of the data transmitted would be contrary to the basic legal principles of one of the Parties, and, in particular, if the person concerned would suffer undue disadvantages. Upon request, the receiving Party shall inform the furnishing Party of the use made of the information supplied and of the results achieved.
3. Nominative data may only be transmitted to customs authorities and, in the case of need for prosecution purposes, to public prosecution and judicial authorities. Other persons or authorities may obtain such information only upon previous authorization by the furnishing authority.

4. The furnishing Party shall verify the accuracy of the information to be transferred. Whenever it appears that the information supplied was inaccurate or to be deleted, the receiving Party shall be notified without delay. The latter shall be obliged to carry out the correction or deletion.

5. Without prejudice to cases of prevailing public interest, the person concerned may obtain, upon request, information on the data stores and the purpose of this storage.

## ARTICLE 11

### **Use of information**

1. Information obtained shall be used solely for the purposes of this Protocol and may be used within each Contracting Party for other purposes only with the prior written consent of the administrative authority which furnished the information and shall be subject to any restrictions laid down by that authority. These provisions are not applicable to information concerning offences relating to narcotic drugs and psychotropic substances. Such information may be communicated to other authorities directly involved in the combating of illicit drug traffic, within the limits of Article 2.

2. Paragraph 1 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation.

3. The Contracting Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Protocol.

## ARTICLE 12

### **Experts and witnesses**

An official of a requested authority may be authorized to appear, within the limitations of the authorization granted, as expert or witness in judicial or administrative proceedings regarding the matters covered by this Protocol in the jurisdiction of another Contracting Party, and produce such objects, documents or authenticated copies thereof, as may be needed for the proceedings. The request for an appearance must indicate specifically on what matter and by virtue of what title or qualification the official will be questioned.

## ARTICLE 13

### **Assistance expenses**

The Contracting Parties shall waive all claims on each other for the reimbursement of expenses incurred pursuant to this Protocol, except, as appropriate, for expenses to experts and witnesses and to interpreters and translators who are not dependent upon public services.

## ARTICLE 14

### **Implementation**

1. The management of this Protocol shall be entrusted to the central customs authorities of the Czech Republic on the one hand, and the competent services of the Commission and, where appropriate, the customs authorities of the Member States on the other. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection. They may recommend to the competent bodies amendments which they consider should be made to this Protocol.

2. The Contracting Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Article.



## ARTICLE 15

### **Complementarity**

1. This Protocol shall complement and not impede application of any agreements on mutual assistance which have been concluded or may be concluded between individual or several Member States and the Czech Republic. Nor shall it preclude more extensive mutual assistance granted under such agreements.
2. Without prejudice to Article 11, these agreements do not prejudice Community provisions governing the communication between the competent services of the Commission and the customs authorities of the Member States of any information obtained in customs matters which could be of Community interest.

## PROTOCOL 7

### **On concessions with annual limits**

The Parties agree that if the Agreement comes into force after 1 January in any year, any concession given within the limits of annual quantities will be adjusted to deduct therefrom the amount of products imported during that year originally in the Czech Republic in accordance with the provisions of Protocol 4 of the Interim Agreement signed between the Community and the Czech and Slovak Federal Republic on 16 December 1991 as amended by the Supplementary Protocols between the Community and each of the Czech Republic and Slovak Republic.

## PROTOCOL 8

### **On the succession of the Czech Republic in respect of the Exchanges of Letters between the European Economic Community (Community) and the Czech and Slovak Federal Republic concerning transit and land transport infrastructure**

Whereas upon the signature on 16 December 1991 of the Europe Agreement and the Interim Agreement between the European Communities and its Member States on the one hand and the Czech and Slovak Federal Republic on the other hand, Exchanges of Letters in the form annexed hereto were signed between the European Economic Community on the one hand and the Czech and Slovak Federal Republic on the other hand;

Whereas these Exchanges of Letters were amended by the Exchanges of Letters signed on 19 February 1992 between the European Economic Community on the one hand and the Czech and Slovak Federal Republic on the other hand annexed hereto;

Whereas the Czech Republic has declared, in a letter to the President of the Commission of the European Communities of 15 December 1992 that it "shall assume all the obligations resulting from all the agreements between the Czech and Slovak Federal Republic and the European Communities";

Whereas the Czech Republic is, as of 1 January 1993, a successor state to the Czech and Slovak Federal Republic;

Whereas the Czech Republic undertakes not to worsen the conditions of land transit in comparison to the situation which prevailed under the abovementioned Exchange of Letters in the Czech and Slovak Federal Republic;

The Czech Republic and the Community agree as follows:

#### ARTICLE 1

The Community on the one hand and the Czech Republic on the other hand assume all rights and obligations of the Community on the one hand and the former Czech and Slovak Federal Republic on the other hand contained in the aforementioned Exchanges of Letters.

#### ARTICLE 2

The Czech Republic undertakes to issue such a number of permits as provided for in the Exchange of Letters concerning transit mentioned above. The permits shall be valid (as of 1994) only on the territory of the Czech Republic. The Czech Republic shall issue a permit regularly to a holder of a permit issued by the Slovak Republic under the abovementioned Exchange of Letters, limited to the maximum number foreseen under the abovementioned Exchange of Letters.

#### ARTICLE 3

The amount of administrative charges, taxes and other possible fees imposed on a taxable permit by the Czech Republic under the Exchange of Letters mentioned above shall not exceed 9,250 Czech crowns.

#### ARTICLE 4

The Czech Republic declares that, in order not to create less favourable conditions for transit than prevailed under the abovementioned Exchange of Letters for Community hauliers, it will take all possible measures to prevent unnecessary delays for Community hauliers as a result of checks on the borders between the Czech Republic and the Slovak Republic.

**EXCHANGE OF LETTERS  
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE  
CZECH AND SLOVAK FEDERAL REPUBLIC CONCERNING TRANSIT**

*A. Letter from the Czech and Slovak Federal Republic*

Sir,

During the negotiations of the Europe Agreement between the European Communities and their Member States and the Czech and Slovak Federal Republic (CSFR), the following Agreement was reached:

1. The Parties to the Europe Agreement shall not take any measures which would prejudice the situation resulting from the application of the existing bilateral agreements between the Member States of the Community and the CSFR.
2. More particularly, within the framework of a global solution to the problems of transit through the CSFR for those Member States of the Community most directly concerned, the CSFR hereby grants 2000 additional taxable permits in 1991 in addition to the existing quota granted pursuant to the bilateral agreements for 1991. Furthermore the CSFR shall grant in 1992, 1993 and 1994, in addition to the existing quota granted prior hereto pursuant to the bilateral agreements for 1991, including the previously mentioned 2000 permits, permits in the following way:

	<i>1992</i>	<i>1993</i>	<i>1994</i>
Untaxed	1300	1300	1440 <sup>1</sup>
Taxable	1000	1000	1332 <sup>1</sup>
Third country	—	—	—
combined transport	4000	4000	4680 <sup>2</sup>

Combined transport permits are to be used by lorries to cross CSFR territory by CSFR railroads in the form of "rolling roads", on the condition that the costs and time involved in this mode of transport will be comparable to those of road transit operations with taxes. For the number of permits for which these conditions cannot be met, the CSFR shall provide taxable transit permits. All abovementioned transit permits are of a round-trip character.

In 1995 and in subsequent years, until the entry into force of a bilateral transport agreement between the Community and the CSFR, the CSFR shall increase the number of untaxed, taxable and combined transport licences with the same rates as in 1994.

I should be obliged if you would confirm the agreement of the European Economic Community to the contents of this letter.

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

For  
the Government of the Czech and Slovak Federal Republic

<sup>1</sup>Increase of 2% over 1993.

<sup>2</sup>Increase of 17% over 1993.

B. *Letter from the Community*

Sir,

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

“During the negotiations of the Europe Agreement between the European Communities and their Member States and the Czech and Slovak Federal Republic (CSFR), the following Agreement was reached:

1. The Parties to the Europe Agreement shall not take any measures which would prejudice the situation resulting from the application of the existing bilateral agreements between the Member States of the Community and the CSFR.
2. More particularly, within the framework of a global solution to the problems of transit through the CSFR for those Member States of the Community most directly concerned, the CSFR hereby grants 2000 additional taxable permits in 1991 in addition to the existing quota granted pursuant to the bilateral agreements for 1991. Furthermore the CSFR shall grant in 1992, 1993 and 1994, in addition to the existing quota granted prior hereto pursuant to the bilateral agreements for 1991, including the previously mentioned 2000 permits, permits in the following way:

	<i>1992</i>	<i>1993</i>	<i>1994</i>
Untaxed	1300	1300	1440 <sup>1</sup>
Taxable	1000	1000	1332 <sup>1</sup>
Third country	—	—	—
combined transport	4000	4000	4680 <sup>2</sup>

Combined transport permits are to be used by lorries to cross CSFR territory by CSFR railroads in the form of “rolling roads”, on the condition that the costs and time involved in this mode of transport will be comparable to those of road transit operations with taxes. For the number of permits for which these conditions cannot be met, the CSFR shall provide taxable transit permits. All abovementioned transit permits are of a round-trip character.

In 1995 and in subsequent years, until the entry into force of a bilateral transport agreement between the Community and the CSFR, the CSFR shall increase the number of untaxed, taxable and combined transport licences with the same rates as in 1994.

I should be obliged if you would confirm the agreement of the European Economic Community to the contents of this letter.

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

I have the honour to confirm that the Community is in agreement with the contents of this letter. Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of  
the European Communities

<sup>1</sup>Increase of 2% over 1993.

<sup>2</sup>Increase of 17% over 1993.

**EXCHANGE OF LETTERS  
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE  
CZECH REPUBLIC CONCERNING LAND TRANSPORT INFRASTRUCTURE**

*A. Letter from the Community*

Sir,

I have the honour of confirming to you herewith the position of the Community, expressed during their negotiations of the Europe Agreement between the European Communities and their Member States and the Czech Republic, that the Community shall, within the framework of the financial mechanisms provided for in the Agreement, provide, as appropriate, financing for the improvement of land transport infrastructure, including combined transport.

I should be obliged if you would confirm the agreement of the Czech Republic to the contents of this letter.

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

On behalf of  
the Council of the European Communities

*B. Letter from the Czech Republic*

Sir,

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

“I have the honour of confirming to you herewith the position of the Community, expressed during their negotiations of the Europe Agreement between the European Communities and their Member States and the Czech Republic, that the Community shall, within the framework of the financial mechanisms provided for in the Agreement, provide, as appropriate, financing for the improvement of land transport infrastructure, including combined transport.

I should be obliged if you would confirm the agreement of the Czech Republic to the content of this letter.”

I have the honour to confirm that my government is in agreement with the contents of your letter.

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

For  
the Government of the Czech Republic

**AGREEMENT  
IN THE FORM OF AN EXCHANGE OF LETTERS  
AMENDING THE EXCHANGES OF LETTERS BETWEEN  
THE COMMUNITY AND CZECH AND SLOVAK FEDERAL REPUBLIC  
CONCERNING TRANSIT SIGNED IN BRUSSELS ON 16 DECEMBER 1991**

*A. Letter from the Community*

Sir,

Upon the occasion of the signatures on 16 December 1991 of the Europe Agreement between the Communities and their Member States and the Czech and Slovak Federal Republic and of the Interim Agreement on trade and trade related matters between the European Economic Community ('the Community') and the European Coal and Steel Community of the one part, and the Czech and Slovak Federal Republic, of the other part, Agreements in the form of Exchanges of Letters between the Community and Czechoslovakia concerning transit were signed. The Europe Agreement has not yet come into force. The Interim Agreement came into force on 1 March 1992.

Since the signature of the Exchanges of Letters, the Czech and Slovak Federal Republic increased the fee for taxable transit permits. This decision had consequences on the arrangements made in December concerning transit and the parties consider it necessary to come to an agreement through the present Exchange of Letters, to amend the relevant provisions of the Exchanges of Letters signed on 16 December 1991 to take account thereof.

Accordingly, I propose that the Exchanges of Letters signed on 16 December 1991 be amended as follows:

In paragraph 2 the following sentence shall be inserted after the first sentence of the first subparagraph: 'The fee per taxable permit is 18 500 Czechoslovak crowns.'

The following subparagraph shall be added after the second subparagraph of paragraph 2: 'Both sides agreed that if the transit situation on the territory of former Yugoslavia is not normalized they will jointly examine before the end of the year the possible changes concerning the abovementioned arrangements. Changes in the above provisions can be made by common agreement between the parties.'

If the foregoing is acceptable to the Czech and Slovak Federal Republic, I have the honour to propose that this letter, together with Your Excellency's reply to that effect, shall constitute an amendment to the Exchange of Letters signed on 16 December 1991.

This agreement is hereby approved by the parties in accordance with their respective procedures.

This Agreement shall enter into force on the first day following that on which the parties notify each other that the procedures mentioned in the preceding subparagraph have been completed. It shall apply from 15 March 1992.

I should be obliged if you would confirm the agreement of the Government of the Czech and Slovak Federal Republic to the contents of this letter.

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

On behalf of the Council  
of the European Communities

B. *Letter from the Czech and Slovak Federal Republic*

Sir,

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

' Upon the occasion of the signatures on 16 December 1991 of the Europe Agreement between the Communities and their Member States and the Czech and Slovak Federal Republic and of the Interim Agreement on trade and trade related matters between the European Economic Community ("the Community") and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part. Agreements in the form of Exchanges of Letters between the Community and Czechoslovakia concerning transit were signed. The Europe Agreement has not yet come into force. The Interim Agreement came into force on 1 March 1992.

Since the signature of the Exchanges of Letters, the Czech and Slovak Federal Republic increased the fee for taxable transit permits. This decision had consequences on the arrangements made in December concerning transit and the parties consider it necessary to come to an agreement through the present Exchange of Letters, to amend the relevant provisions of the Exchanges of Letters signed on 16 December 1991 to take account thereof.

Accordingly, I propose that the Exchanges of Letters signed on 16 December 1991 be amended as follows:

In paragraph 2 the following sentence shall be inserted after the first sentence of the first subparagraph: "The fee per taxable permit is 18 500 Czechoslovak crowns."

The following subparagraph shall be added after the second subparagraph of paragraph 2: "Both sides agreed that if the transit situation on the territory of former Yugoslavia is not normalized they will jointly examine before the end of the year the possible changes concerning the abovementioned arrangements. Changes in the above provisions can be made by common agreement between the parties."

If the foregoing is acceptable to the Czech and Slovak Federal Republic, I have the honour to propose that this letter, together with Your Excellency's reply to that effect, shall constitute an amendment to the Exchange of Letters signed on 16 December 1991.

This Agreement is hereby approved by the parties in accordance with their respective procedures.

This Agreement shall enter into force on the first day following that on which the parties notify each other that the procedures mentioned in the preceding subparagraph have been completed. It shall apply from 15 March 1992.

I should be obliged if you would confirm the agreement of the Government of the Czech and Slovak Federal Republic to the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the  
Czech and Slovak Federal Republic



**AGREEMENT  
IN THE FORM OF AN EXCHANGE OF LETTERS  
REPLACING THE EXCHANGES OF LETTERS BETWEEN  
THE COMMUNITY AND CZECH AND SLOVAK FEDERAL REPUBLIC  
ON LAND TRANSPORT INFRASTRUCTURE  
SIGNED IN BRUSSELS ON 16 DECEMBER 1991**

*A. Letter from the Community*

Sir,

Upon the occasion of the signature on 16 December 1991 of the Interim Agreement on trade and trade related matters between the European Economic Community ('the Community') and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part, an Agreement in the form of an Exchange of Letters between the Community and Czechoslovakia concerning land transport infrastructure was signed. The Interim Agreement came into force on 1 March 1992.

Since the signature of the Exchange of Letters, the Czech and Slovak Federal Republic increased the fee for taxable transit permits. This law had consequences on the arrangements made in December concerning transit and the parties consider it necessary to come to an agreement through the present Exchange of Letters, to amend the relevant provisions of the Exchange of Letters signed on 16 December 1991 to take account thereof.

Accordingly, I propose that the text of the Exchange of Letters signed on 16 December 1991 be replaced by the following text:

'I have the honour of confirming to you herewith that the Community has full understanding of the infrastructural and environmental problems the Czech and Slovak Federal Republic is facing in the area of transport and shall, within the framework of the financial mechanisms provided for, provide, as appropriate, financing for the improvement of land transport infrastructure, including combined transport.

In this context, I take note of the Czech and Slovak Federal Republic's explanation of the urgent need for financial assistance to enable its land transport infrastructure to cope with the increased transit traffic in its territory.

The parties agree to seek, in the context of the existing Trade and Co-operation Agreement, possible ways and means to contribute to the improvement of such infrastructure in the Czech and Slovak Federal Republic, paying special attention to border crossings and nearby areas, combined transport, transit motorways, waterways transport and environmental aspects, without prejudice to appraisal of projects according to existing procedures.

The parties further agree to start, at their earliest convenience, discussions about possible Community financial assistance.

The Czech and Slovak Federal Republic will consider further reducing the rate of taxable permits for Community hauliers according to progress in the above discussions.

If the foregoing is acceptable to the Czech and Slovak Federal Republic, I have the honour to propose that this letter, together with Your Excellency's reply to that effect, shall constitute the replacement of the Exchange of Letters signed on 16 December 1991.

This Agreement is hereby approved by the parties in accordance with their respective procedures.

This Agreement shall enter into force on the first day following that on which the parties notify each other that the procedures mentioned in the preceding subparagraph have been completed. It shall apply from 15 March 1992.'

I should be obliged if you would confirm the agreement of the Government of the Czech and Slovak Federal Republic to the contents of this letter.

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

On behalf of the Council  
of the European Communities

*B. Letter from the Czech and Slovak Federal Republic*

Sir,

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

' Upon the occasion of the signatures on 16 December 1991 of the Interim Agreement on trade and trade related matters between the European Economic Community ("the Community") and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part, an Agreement in the form of an Exchange of Letters between the Community and Czechoslovakia concerning land transport infrastructure was signed. The Interim Agreement came into force on 1 March 1992.

Since the signature of the Exchange of Letters, the Czech and Slovak Federal Republic increased the fee for taxable transit permits. This law had consequences on the arrangements made in December concerning transit and the parties consider it necessary to come to an agreement through the present Exchange of Letters, to amend the relevant provisions of the Exchange of Letters signed on 16 December 1991 to take account thereof.

Accordingly, I propose that the text of the Exchange of Letters signed on 16 December 1991 be replaced by the following text:

"I have the honour of confirming to you herewith that the Community has full understanding of the infrastructural and environmental problems the Czech and Slovak Federal Republic is facing in the area of transport and shall, within the framework of the financial mechanisms provided for, provide, as appropriate, financing for the improvement of land transport infrastructure, including combined transport.

In this context, I take note of the Czech and Slovak Federal Republic's explanation of the urgent need for financial assistance to enable its land transport infrastructure to cope with the increased transit traffic in its territory.

The parties agree to seek, in the context of the existing Trade and Co-operation Agreement, possible ways and means to contribute to the improvement of such infrastructure in the Czech and Slovak Federal Republic, paying special attention to border crossings and nearby areas, combined transport, transit motorways, waterways transport and environmental aspects, without prejudice to appraisal of projects according to existing procedures.

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I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the  
Czech and Slovak Federal Republic

**AGREEMENT  
IN THE FORM OF AN EXCHANGE OF LETTERS  
REPLACING THE EXCHANGES OF LETTERS BETWEEN  
THE COMMUNITY AND THE CZECH AND SLOVAK FEDERAL REPUBLIC  
ON LAND TRANSPORT INFRASTRUCTURE  
SIGNED IN BRUSSELS ON 16 DECEMBER 1991**

*A. Letter from the Community*

Sir,

Upon the occasion of the signature on 16 December 1991 of the Europe Agreement between the Communities and their Member States and the Czech and Slovak Federal Republic an Agreement in the form of an Exchange of Letters between the Community and Czechoslovakia concerning land transport infrastructure was signed. The Europe Agreement has not yet come into force.

Since the signature of the Exchange of Letters, the Czech and Slovak Federal Republic increased the fee for taxable transit permits. This law had consequences on the arrangements made in December concerning transit and the parties consider it necessary to come to an agreement through the present Exchange of Letters, to amend the relevant provisions of the Exchange of Letters signed on 16 December 1991 to take account thereof.

Accordingly, I propose that the text of the Exchange of Letters signed on 16 December 1991 be replaced by the following text:

‘I have the honour of confirming to you herewith that the Community has full understanding of the infrastructural and environmental problems the Czech and Slovak Federal Republic is facing in the area of transport and shall, within the framework of the financial mechanisms provided for in the Europe Agreement, provide, as appropriate, financing for the improvement of land transport infrastructure, including combined transport.

In this context, I take note of the Czech and Slovak Federal Republic’s explanation of the urgent need for financial assistance to enable its land transport infrastructure to cope with the increased transit traffic in its territory.

The parties agree to seek, on the basis of this Exchange of Letters and referring to Article 81 in the Europe Agreement, possible ways and means to contribute to the improvement of such infrastructure in the Czech and Slovak Federal Republic, paying special attention to border crossings and nearby areas, combined transport, transit motorways, waterways transport and environmental aspects, without prejudice to appraisal of projects according to existing procedures.

The parties further agree to start, at their earliest convenience, discussions about possible Community financial assistance.

The Czech and Slovak Federal Republic will consider further reducing the rate of taxable permits for Community hauliers according to progress in the above discussions.’

If the foregoing is acceptable to the Czech and Slovak Federal Republic, I have the honour to propose that this letter, together with Your Excellency’s reply to that effect, shall constitute the replacement of the Exchange of Letters signed on 16 December 1991.

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

On behalf of the Council  
of the European Communities

**B. Letter from the Czech and Slovak Federal Republic**

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

' Upon the occasion of the signature on 16 December 1991 of the Europe Agreement between the Communities and their Member States and the Czech and Slovak Federal Republic an Agreement in the form of an Exchange of Letters between the Community and Czechoslovakia concerning land transport infrastructure was signed. The Europe Agreement has not yet come into force.

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Accordingly, I propose that the text of the Exchange of Letters signed on 16 December 1991 be replaced by the following text:

"I have the honour of confirming to you herewith that the Community has full understanding of the infrastructural and environmental problems the Czech and Slovak Federal Republic is facing in the area of transport and shall, within the framework of the financial mechanisms provided for in the Europe Agreement, provide, as appropriate, financing for the improvement of land transport infrastructure, including combined transport.

In this context, I take note of the Czech and Slovak Federal Republic's explanation of the urgent need for financial assistance to enable its land transport infrastructure to cope with the increased transit traffic in its territory.

The parties agree to seek, on the basis of this Exchange of Letters and referring to Article 81 in the Europe Agreement, possible ways and means to contribute to the improvement of such infrastructure in the Czech and Slovak Federal Republic, paying special attention to border crossings and nearby areas, combined transport, transit motorways, waterways transport and environmental aspects, without prejudice to appraisal of projects according to existing procedures.

The parties further agree to start, at their earliest convenience, discussions about possible Community financial assistance.

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If the foregoing is acceptable to the Czech and Slovak Federal Republic, I have the honour to propose that this letter, together with Your Excellency's reply to that effect, shall constitute the replacement of the Exchange of Letters signed on 16 December 1991.

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This Agreement shall enter into force on the first day following that on which the parties notify each other that the procedures mentioned in the preceding subparagraph have been completed. It shall apply from 15 March 1992.

I should be obliged if you would confirm the agreement of the Government of the Czech and Slovak Federal Republic to the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For the  
Czech and Slovak Federal Republic

## **Information on the entry into force of the amending agreements on transit with Hungary and the Czech and Slovak Federal Republic**

The Agreements in the form of exchanges of letters with Hungary and the Czech and Slovak Federal Republic amending or replacing the exchanges of letters on 16 December 1991<sup>1</sup> concerning transit and road infrastructure, which the Council decided to conclude on 7 December 1992, entered into force on 10 December 1992, notification of completion of the procedures required for this purpose having been given on 9 December 1992.

### FINAL ACT

The plenipotentiaries of: 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, Contracting Parties to the Treaty establishing the European Economic Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community, hereinafter referred to as “Member States”, and of the European Economic Community, the European Coal and Steel Community and the European Atomic Energy Community, hereinafter referred to as “the Community”, of the one part, and

the plenipotentiaries of the Czech Republic, of the other part,

meeting at Luxembourg on the fourth day of October in the year one thousand nine hundred and ninety-three for the signature of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic of the other part (“the Europe Agreement”),

have adopted the following texts:

the Europe Agreement, and the following Protocols:

Protocol No. 1 on textile and clothing products

Protocol No 2 on products covered by the Treaty establishing the European Coal and Steel Community (ECSC)

Protocol No 3 on trade between the Czech Republic and the Community in processed agricultural products not covered by Annex II to the EEC Treaty

Protocol No 4 concerning the definition of the concept of “originating products” and methods of administrative co-operation

Protocol No 5 on specific provisions concerning trade between the Czech Republic and Spain and Portugal

Protocol No 6 on mutual assistance in customs matters

Protocol No 7 on concessions with annual limits.

Protocol No 8 on the succession of the Czech Republic in respect of the Exchanges of Letters between the European Economic Community (Community) and the Czech and Slovak Federal Republic concerning transit and land transport infrastructure

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<sup>1</sup>For the exchanges of letters drawn up in the framework of the Interim Agreements on trade and trade-related matters, see OJ No L115 and OJ No L116, 30.4.1992.

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of the Czech Republic have adopted the texts of the joint declarations listed below and annexed to this Final Act:

- Joint declaration on Article 8(4) of the Agreement
- Joint declaration on Article 38(1) of the Agreement
- Joint declaration on Article 38 of the Agreement
- Joint declaration on Article 39 of the Agreement
- Joint declaration on Chapter II of Title IV of the Agreement
- Joint declaration on Chapter III of Title IV of the Agreement
- Joint declaration on Article 57(3) of the Agreement
- Joint declaration on Article 59 of the Agreement
- Joint declaration on Article 60 of the Agreement
- Joint declaration on Article 64 of the Agreement
- Joint declaration on Article 67 of the Agreement
- Joint declaration on Article 109 of the Agreement
- Joint declaration on Article 117(2) of the Agreement
- Joint declaration on Article 5 of Protocol No 6.

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of the Czech Republic have also taken note of the following Exchanges of Letters annexed to this Final Act:

- Exchange of Letters concerning certain arrangements for live bovine animals
- Exchange of Letters concerning Article 68 of the Agreement
- Exchange of Letters concerning the specification of areas of common interest eligible for financial assistance

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of the Czech Republic have further taken note of the Declaration by the French Government annexed to this Final Act:

- Declaration by the French Government on its overseas countries and territories.

The plenipotentiaries of the Czech Republic have taken note of the declarations listed below and annexed to this Final Act:

- Community declaration on Article 6 and 117 of the Agreement
- Community declaration on Chapter I of Title IV of the Agreement
- Community declaration on Article 8(4) of Protocol No 2 on ECSC products.

The plenipotentiaries of the Member States and of the Community have taken note of the declarations listed below and annexed to this Final Act:

- Letter from the Government of the Czech Republic to the Community concerning Protocol No 2.

Done at Luxembourg on the fourth day of October in the year one thousand nine hundred and ninety-three.

## JOINT DECLARATIONS

1. *Article 8(4)*

The Community and the Czech Republic confirm that where a reduction of duties is effected by way of a suspension of duties made for a particular period of time, such reduced duties shall replace the basic duties only for the period of such suspension, and that whenever a partial suspension of duties is made, the preferential margin between the Parties will be preserved.

2. *Article 38(1)*

It is understood that the concept "conditions and modalities applicable in each Member State" includes Community rules where appropriate.

3. *Article 38*

It is understood that the notion "children" is defined in accordance with national legislation of the host country concerned.

4. *Article 39*

It is understood that the notion "members of their family" is defined in accordance with the national legislation of the host country concerned.

5. *Chapter II of Title IV*

Without prejudice to the provisions of Chapter IV of Title IV, the Parties agree that treatment of the nationals or companies of one Party shall be considered to be less favourable than that accorded to those of the other Party if such treatment is either formally or de facto less favourable than the treatment accorded to those of the other Party.

6. *Chapter III of Title IV*

The Parties shall endeavour to achieve a mutually satisfactory result in the framework of the current negotiations on services taking place in the Uruguay Round.

7. *Article 57(3)*

The Parties declare that the Agreements referred to in Article 57(3) should aim at the highest possible extension of the transport regulations and policies applicable in the Community and in the Member States to the relations between the Community and the Czech Republic in the field of transport.

8. *Article 59*

The sole fact of requiring a visa for natural persons of certain Parties and not for those of others shall not be regarded as nullifying or impairing benefits under a specific commitment.

9. *Article 60*

Whenever the Association Council is called upon to take measures for further liberalization in the areas of services or persons, it shall also determine for which transactions related to such measures payments are to be authorized in freely convertible currency.

10. *Article 64*

The Parties shall not make improper use of provisions on professional secrecy to prevent the disclosure of information in the field of competition.



11. *Article 67*

The Parties agree that for the purpose of this Association Agreement “intellectual, industrial and commercial property” is to be given a similar meaning as in Article 36 of the EEC Treaty and includes in particular protection of copyright and neighbouring rights, patents, industrial designs, trademarks and service marks, topographies of integrated circuits, software, geographical indications, as well as protection against unfair competition and protection of undisclosed information on know-how.

12. *Article 109*

The Parties agree that the Association Council, in accordance with Article 109 of the Agreement, will examine the creation of a consultative mechanism composed of members of the Economic and Social Committee of the Community and the corresponding partners of the Czech Republic.

13. *Article 117(2)*

The Parties to the Agreement,

for the purpose of its correct interpretation and its practical application

agree that

the term “cases of special urgency” included in Article 117 of the Agreement means a case of the material breach of the Agreement by one of the Parties. A material breach of the Agreement consists in

(a) repudiation of the Agreement not sanctioned by the general rules of international law

or

(b) violation of essential elements of the Agreement, namely its Article 6.

14. *Article 5 of Protocol No 6*

The Contracting Parties stress that the reference which is made in Article 5 of Protocol No 6 their own legislation may cover, where appropriate, an international commitment they could have contracted, such as the Convention on the service abroad of judicial and extra-judicial documents in civil or commercial matters, concluded in The Hague on 15 November 1965.

**EXCHANGE OF LETTERS  
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND  
THE CZECH REPUBLIC CONCERNING CERTAIN ARRANGEMENTS  
FOR LIVE BOVINE ANIMALS**

*A. Letter from the Community*

Sir,

I have the honour to refer to the discussions concerning trade arrangements for certain agricultural products between the Community and the Czech Republic which have taken place in the framework of the negotiations of an Association Agreement.

I hereby confirm that the Community will take the necessary measures to ensure that the Czech Republic will get full access to the import régime for live bovine animals in the framework of Article 13 of Council Regulation No. 805/68 on the same conditions as Poland, Hungary and the Slovak Republic from the entry into force of this Agreement.

I should be obliged if you would confirm that the Government of the Czech Republic is in agreement with the contents of this letter.

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

On behalf of  
the Council of the European Communities

*B. Letter from the Czech Republic*

Sir,

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

“I have the honour to refer to the discussions concerning trade arrangements for certain agricultural products between the Community and the Czech Republic which have taken place in the framework of the negotiations of an Association Agreement.

I hereby confirm that the Community will take the necessary measures to ensure that the Czech Republic will get full access to the import régime for live bovine animals in the framework of Article 13 of Council Regulation No. 805/68 on the same conditions as Poland, Hungary and the Slovak Republic from the entry into force of this Agreement.

I should be obliged if you would confirm that the Government of the Czech Republic is in agreement with the contents of this letter.”

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For  
the Government of the Czech Republic

**EXCHANGE OF LETTERS  
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY  
AND THE CZECH REPUBLIC CONCERNING ARTICLE 68**

*A. Letter from the Community*

Sir,

I have the honour to refer to the discussions concerning Article 68 of the Europe Agreement.

I hereby confirm that with regard to the provisions of Article 68 of the Europe Agreement, the access to contract award procedures in the Czech Republic granted to Community companies upon entry into force of the Agreement pursuant to Article 68 shall apply to Community companies established in the Czech Republic in the form of subsidiaries as described in Article 45 and in the forms described in Article 55. Notwithstanding the provisions of Article 68, Community companies established in the Czech Republic in the form of branches and agencies as described in Article 45 shall have access to contract award procedures in the Czech Republic at the latest by the end of the transitional period referred to in Article 7.

I should be obliged if you would confirm that the Government of the Czech Republic is in agreement with the contents of this letter.

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

On behalf of  
the Council of the European Communities

*B. Letter from the Czech Republic*

Sir,

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

“I have the honour to refer to the discussions concerning Article 68 of the Europe Agreement.

I hereby confirm that with regard to the provisions of Article 68 of the Europe Agreement, the access to contract award procedures in the Czech Republic granted to Community companies upon entry into force of the Agreement pursuant to Article 68 shall apply to Community companies established in the Czech Republic in the form of subsidiaries as described in Article 45 and in the forms described in Article 55. Notwithstanding the provisions of Article 68, Community companies established in the Czech Republic in the form of branches and agencies as described in Article 45 shall have access to contract award procedures in the Czech Republic at the latest by the end of the transitional period referred to in Article 7.

I should be obliged if you would confirm that the Government of the Czech Republic is in agreement with the contents of this letter.”

I have the honour to confirm that my Government is in agreement with the contents of this letter.

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

For  
the Government of the Czech Republic

**EXCHANGE OF LETTERS  
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE  
CZECH REPUBLIC CONCERNING THE SPECIFICATION OF AREAS  
OF COMMON INTEREST ELIGIBLE FOR FINANCIAL ASSISTANCE**

*A. Letter from the Czech Republic*

Sir,

In the negotiations which led to the signing of the Association Agreement between the Community, its Member States and the Czech Republic it was agreed that the Community financial assistance shall aim at the effective implementation of economic and technical co-operation in areas of common interest, especially the following:

- industrial restructuring and in particular in the conversion of armaments industries;
- harmonization of technical standards, certification procedures and customs;
- science and technology and education;
- implementation of energy saving programmes and restructuring of energy sector;
- restructuring and modernization of the transport and communications infrastructure;
- regional development and environment;
- promotion of small and medium scale enterprise;
- agriculture;
- social co-operation;
- statistical co-operation;
- harmonization of legislation;
- modernization of infrastructure of intellectual, industrial and commercial property;
- banking, insurance and other financial services.

I should be obliged if you would confirm your agreement with the terms of this letter.

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

For  
the Government of the Czech Republic

*B. Letter from the Community*

Sir,

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

“In the negotiations which led to the signing of the Association Agreement between the Community, its Member States and the Czech Republic it was agreed that the Community financial assistance shall aim at the effective implementation of economic and technical co-operation in areas of common interest, especially the following:

- industrial restructuring and in particular in the conversion of armaments industries;
- harmonization of technical standards, certification procedures and customs;
- science and technology and education;
- implementation of energy saving programmes and restructuring of energy sector;
- restructuring and modernization of the transport and communications infrastructure;

- regional development and environment;
- promotion of small and medium scale enterprise;
- agriculture;
- social co-operation;
- statistical co-operation;
- harmonization of legislation;
- modernization of infrastructure of intellectual, industrial and commercial property;
- banking, insurance and other financial services.

I should be obliged if you would confirm your agreement with the terms of this letter. ”

I have the honour to confirm that the Community is in agreement with the contents of your letter.

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

On behalf of  
the Council of the  
European Communities

## UNILATERAL DECLARATIONS

### *Declaration by the French Government*

France notes that the Europe Agreement with the Czech Republic does not apply to the overseas countries and territories associated with the European Economic Community pursuant to the Treaty establishing the European Economic Community.

### *Declarations by the European Community*

#### 1. ARTICLES 6 AND 117

The reference to the respect for human rights as an essential element of the Agreement and to the cases of special urgency has been included in the Agreement as a result of the policy followed by the Community in the area of human rights pursuant to the Council Declaration of 11 May 1992 which foresees such reference in the Co-operation or Association Agreements between the Community and its partners in the Conference on Security and Co-operation in Europe.

#### 2. CHAPTER I OF TITLE IV

The Community declares that nothing in the provisions of Chapter I: "Movement of workers", shall be construed as impairing any competence of Member States as to the entry into and stay on their territories of workers and their family members.

#### 3. ARTICLE 8(4) OF PROTOCOL NO 2 ON ECSC PRODUCTS

It is understood that the possibility of an exceptional extension of the five-year period is strictly limited to the particular case of the Czech Republic and does not impair the position of the Community in relation to other cases nor prejudice international commitments. The possible derogation foreseen in paragraph 4 takes into account the particular difficulties of the Czech Republic in restructuring the steel sector and the fact that this process has been launched very recently.

### *Letter from the Government of the Czech Republic to the Community concerning Protocol No 2*

The Government of the Czech Republic declares that it will not invoke the provisions of Protocol No 2 on ECSC products, in particular Article 8, so as not to call into question the compatibility with this Protocol of the agreements made by the Community coal industry with the electricity companies and the steel industry to secure the sale of Community coal.

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