Egypt No. 1 (2020)

Agreement

establishing an Association between the United Kingdom of Great Britain and Northern Ireland and the Arab Republic of Egypt

Cairo, 5 December 2020

[The Agreement is not in force]

Presented to Parliament
by the Secretary of State for Foreign, Commonwealth and Development Affairs
by Command of Her Majesty
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AGREEMENT ESTABLISHING AN ASSOCIATION BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE ARAB REPUBLIC OF EGYPT

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ("the United Kingdom") and THE ARAB REPUBLIC OF EGYPT ("Egypt") (hereinafter referred to as "the Parties"),

RECOGNISING that the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, done at Luxembourg on 25 June 2001 ("the EU-Egypt Agreement") will cease to apply to the United Kingdom at the end of the transition period pursuant to Article 126 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, done at Brussels and London on 24 January 2020, during which the rights and obligations under the EU-Egypt Agreement continue to apply to the United Kingdom;

DESIRING that the rights and obligations between the Parties as provided for by the EU-Egypt Agreement should continue;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Objectives

1. The overriding objective of this Agreement is to preserve the links between the Parties established by the association created in Article 1 of the EU-Egypt Agreement.

2. In particular, the Parties agree to preserve the preferential conditions relating to trade between the Parties which resulted from the EU-Egypt Agreement and to provide a platform for further trade liberalisation between the Parties.

3. For the avoidance of doubt, it is confirmed that the Parties establish an association as well as a free trade area in goods and associated rules in accordance with this Agreement and affirm the aims in Article 1 of the EU-Egypt Agreement.

ARTICLE 2

Definitions and interpretation

1. Throughout this Instrument:

(a) "Incorporated Agreement" means the provisions of the EU-Egypt Agreement as incorporated into this Agreement (and related expressions are to be read accordingly); and

(b) "*mutatis mutandis*" means with the technical changes necessary to apply the EU-Egypt Agreement as if it had been concluded between the United Kingdom and Egypt, taking into account the object and purpose of this Agreement.

2. Throughout the Incorporated Agreement and this Instrument, "this Agreement" means this Instrument and the Incorporated Agreement.

3. Throughout the Incorporated Agreement references to financial cooperation cover a range of forms of such cooperation and means by which it may occur, including cooperation through multilateral and regional organisations.

ARTICLE 3

Incorporation of the EU-Egypt Agreement

1. The provisions of the EU-Egypt Agreement in effect immediately before it ceases to apply to the United Kingdom are incorporated into this Agreement, *mutatis mutandis*, subject to the provisions of this Instrument.

2. The obligations in the Joint Declarations made by the parties to the EU-Egypt Agreement in relation to that Agreement shall apply with the same effect, *mutatis mutandis*, to the Parties to this Agreement, subject to any modifications provided for in Annex I to this Instrument.

ARTICLE 4

References to European Union law

1. Except as otherwise provided, references in this Agreement to European Union law are to be read as references to that European Union law in force as incorporated or implemented in United Kingdom law as retained European Union law on the day after the United Kingdom ceases to be bound by the relevant European Union law.

2. In this Article "United Kingdom law" includes the law of the territories for whose international relations the United Kingdom is responsible and to whom this Agreement extends, as set out in Article 6.

ARTICLE 5

References to the euro

Notwithstanding Article 3(1), references to the euro (including "EUR" and "€") in the Incorporated Agreement shall continue to be read as such in this Agreement.

ARTICLE 6

Territorial application

1. For the avoidance of doubt in relation to incorporated Article 90, this Agreement shall apply, in respect of the United Kingdom, to the extent that and under the conditions which the EU-Egypt Agreement applied immediately before it ceased to apply to the United Kingdom, to the United Kingdom and the following territories for whose international relations it is responsible:

(a) Gibraltar; and

(b) the Channel Islands and the Isle of Man.

2. Notwithstanding paragraph 1 and Article 11 of this Instrument, this Agreement shall apply to those territories for whose international relations the United Kingdom is responsible from the date of written notification by the United Kingdom to Egypt of the application of this Agreement to those territories.

ARTICLE 7

Continuation of time periods

1. Unless this Instrument provides otherwise:

(a) if a period in the EU-Egypt Agreement has not yet ended, the remainder of that period shall be incorporated into this Agreement; and

(b) if a period in the EU-Egypt Agreement has ended, any ongoing right or obligation in the EU-Egypt Agreement shall apply between the Parties and that period shall not be incorporated into this Agreement.

2. Notwithstanding paragraph 1, a reference in the Incorporated Agreement to a period relating to a procedure or other administrative matter (such as a review, committee procedure or notification) shall not be affected.

ARTICLE 8

Further provision in relation to the Association Council and the Association Committee

1. The Association Committee which the Parties establish under incorporated Article 77 shall ensure that this Agreement operates properly.

2. Upon entry into force of this Agreement, any decisions adopted by the Association Council or the Association Committee established by the EU-Egypt Agreement before the EU-Egypt Agreement ceased to apply to the United Kingdom shall, to the extent those decisions relate to the Parties to this Agreement, be deemed to have been adopted, *mutatis mutandis*, and subject to the provisions of this Instrument, by the Association Council or the Association Committee established under incorporated Articles 74 and 77, respectively.

3. Nothing in paragraph 2 prevents the Association Council or the Association Committee making decisions which modify, are different to, revoke or supersede the decisions deemed to have been adopted by it under that paragraph.

ARTICLE 9

Integral parts of this Agreement

The Annexes and Footnotes to this Instrument are integral to this Agreement.

ARTICLE 10

Amendments

1. The Parties may agree, in writing, to amend this Agreement. An amendment shall enter into force on the first day of the second month following the date of receipt of the later of the Parties' notifications that they have completed their internal procedures, or on such date as the Parties may agree.

2. Notwithstanding paragraph 1, the Association Council (or the Association Committee insofar as such powers are delegated to it by the Association Council) may decide that the Annexes, Appendices, Protocols, Joint Declarations and Footnotes to this Agreement should be amended. The Parties may adopt such a decision of the Association Council or the Association Committee subject to their internal procedures.

ARTICLE 11

Entry into force

1. Article 92 of the EU-Egypt Agreement shall not be incorporated into this Agreement.

2. Each of the Parties shall notify the other in writing, through diplomatic channels, of the completion of the procedures required by its law for the entry into force of this Agreement.

3. This Agreement shall enter into force on the later of:

(a) the date on which the EU-Egypt Agreement ceases to apply to the United Kingdom; and

(b) the date of the later of the notifications by which the Parties notify each other that they have completed their respective legal procedures.

4. The United Kingdom shall submit notifications under this Article to the Ministry of Foreign Affairs of Egypt or its successor. Egypt shall submit notifications under this Article to the United Kingdom's Foreign, Commonwealth and Development Office or its successor.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

Done in duplicate at Cairo this fifth day of December 2020 in the English and Arabic languages, both texts being equally authoritative.

For the Government of the United Kingdom of Great Britain and Northern Ireland:	**For the Government of the Arab Republic of Egypt:**
SIR GEOFFREY ADAMS	**BADR ABDELATTY**

ANNEX I

The incorporation of the provisions of the EU-Egypt Agreement into this Agreement is further modified as follows and as set out in Annex II:

1. MODIFICATIONS TO TITLE I
POLITICAL DIALOGUE

   (a) In Article 5(2) for the word "shall" substitute "may".

2. MODIFICATIONS TO TITLE II
FREE MOVEMENT OF GOODS

   (a) Article 15(1) shall not be incorporated into this Agreement.

   (b) In Article 15(2) the words "Without prejudice to the provisions of paragraph 1 and" shall not be incorporated into this Agreement.

   (c) In Article 15(3) for the words "the Agreement in the form of an Exchange of Letters signed at Brussels on 28 October 2009" substitute "this Agreement".

   (d) In Article 18(3) for the words "1 January 1999" substitute "the date of entry into force of this Agreement".

   (e) Article 19 shall not be incorporated into this Agreement.

   (f) In Article 21(2) the final sentence shall not be incorporated into this Agreement.

3. MODIFICATIONS TO TITLE IV
CAPITAL MOVEMENTS AND OTHER ECONOMIC MATTERS

   (a) In Article 34(2) for the words "the Agreement" substitute "this Agreement".

4. MODIFICATIONS TO TITLE V
ECONOMIC COOPERATION

   (a) In Article 43(a) the first and second bullet points shall not be incorporated into this Agreement.

   (b) In the second bullet point of Article 45 the words "and to networks created in the context of decentralised cooperation" shall not be incorporated into this Agreement.

   (c) Article 48 shall not be incorporated into this Agreement.

(d) In Article 51 the following shall not be incorporated into this Agreement:

i. in the first bullet point the words "linked to the main trans-European lines of communication"; and

ii. the second bullet point.

(e) In the second paragraph of Article 52 the fifth bullet point shall not be incorporated into this Agreement.

(f) In the fourth bullet point of Article 53 the words "and for their linking to European Community networks" shall not be incorporated into this Agreement.

5. MODIFICATIONS TO TITLE VI
CHAPTER 2 - COOPERATION FOR THE PREVENTION AND CONTROL OF ILLEGAL IMMIGRATION AND OTHER CONSULAR ISSUES

(a) In Article 68 for the third paragraph which commences "In respect of the Member States…" substitute:
"In respect of the United Kingdom the obligations in this Article shall apply only in respect of:

(a) British citizens;

(b) British subjects with the right of abode in the United Kingdom; and

(c) British Overseas Territories citizens who acquire their citizenship from a connection with Gibraltar.".

6. MODIFICATIONS TO TITLE VIII
INSTITUTIONAL, GENERAL AND FINAL PROVISIONS

(a) In the first paragraph of Article 82(4) the second sentence, which commences "For the application…." shall not be incorporated into this Agreement.

(b) Article 88 shall not be incorporated into this Agreement.

(c) In the second paragraph of Article 89 after the words "other Party" insert "in writing".

(d) Article 91 shall not be incorporated into this Agreement.

7. MODIFICATIONS TO ANNEX VI

In paragraph 1 for the words "the Agreement" substitute "this Agreement

8. MODIFICATIONS TO PROTOCOL 1
CONCERNING THE ARRANGEMENTS APPLICABLE TO THE IMPORTATION INTO THE EUROPEAN COMMUNITY OF AGRICULTURAL PRODUCTS, PROCESSED AGRICULTURAL PRODUCTS AND FISH AND FISHERY PRODUCTS ORIGINATING IN THE ARAB REPUBLIC OF EGYPT

(a) In the third paragraph of paragraph 3:

(i) before the first sentence insert "Except where otherwise provided, the administration period for tariff quotas applied under this Protocol shall be 1 January to 31 December for each year this Agreement is in force.";

(ii) for the words "the Agreement in the form of an Exchange of Letters" substitute "this Agreement"; and

(iii) for the word "that" substitute "this".

(b) In paragraph 4 the words ", the first increase taking place one year after the entry into force of the Agreement in the form of an Exchange of Letters" shall not be incorporated into this Agreement.

(c) After paragraph 4 insert the following as a new paragraph:

"4 *bis*. Subject to the third paragraph of paragraph 3, for each tariff quota listed in this Protocol that increases over time, the basic volume of the tariff quota during the year this Agreement enters into force shall be:

(i) should this Agreement enter into force in 2020, the volume specified in column b ("Tariff quota"); or

(ii) should this Agreement enter into force after 2020, the volume specified in column b ("Tariff quota") combined with the applicable annual increase calculated in accordance with paragraph 4 for each administration period after 2020 until and including the year of entry into force."

(d) For paragraph 8(a) substitute:

"(a) The Parties acknowledge that the United Kingdom may introduce and apply an entry price system on or after the date of entry into force of this Agreement in order to replicate, in whole or in part, the entry price system that the European Union applies to certain fruits and vegetables in accordance with Article 181 of Council Regulation (EU) No 1308/2013 (and any successor legislation which is applicable upon the entry into force of this Agreement). The modifications in this Protocol shall apply to the extent to which the United Kingdom applies such an entry price system.

If the United Kingdom applies an entry price system to goods originating in Egypt in accordance with United Kingdom legislation that is adopted on or after the entry into force of this Agreement to replicate, in whole or in part, the entry price system applied in accordance with Article 181 of Council Regulation (EU) No 1308/2013 (and any successor legislation which is applicable upon the entry into force of this Agreement), then notwithstanding the conditions under paragraph 2 of this Protocol, for the products to which such entry price system applies and for which the United Kingdom's customs tariff provides for the application of *ad valorem* customs duties and a specific customs duty, the elimination applies only to the *ad valorem* part of the duty.".

(e) In paragraph 8(b) for the number "36 300" substitute "4 944".

(f) In the Annex to Protocol 1, for Table 2, following the chapeau paragraph that commences "For the following products…", substitute:

CN Code ([1])	Description ([2])	a	b	c
		Reduction of the MFN customs duty %	Tariff quota (tonnes net weight)	Reduction of the customs duty beyond the tariff quota %
0702 00 00	Tomatoes, fresh or chilled, from 1 November to 30 June	100 %	unlimited	—
0703 20 00	Garlic, fresh or chilled, from 15 January to 30 June	100 %	732	50 %
0707 00 05	Cucumbers, fresh or chilled, from 15 November to 15 May	100 %	549	—
0709 90 70	Courgettes, fresh or chilled, from 1 October to 30 April	100 %	unlimited	—
0709 90 80	Globe artichokes, fresh or chilled, from 1 November to 31 March	100 %	unlimited	—
0806 10 10	Table grapes, fresh, from 1 February to 31 July	100 %	unlimited	—

[1] CN codes corresponding to Regulation (EC) No 1214/2007 (OJ L 286, 31.10.2007, p. 1).
[2] 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 the application of the CN codes and corresponding description taken together.

0810 10 00	Fresh strawberries, from 1 October to 30 April	100 %	6 000	—
1006 20	Husked (brown) rice	100 %	3 158	—
1006 30	Semi-milled or wholly milled rice, whether or not polished or glazed	100 %	11 053	—
1006 40 00	Broken rice	100 %	12 631	—
1702 50 00	Chemically pure fructose in solid form	100 %	136	100 % on the *ad valorem* duty + 30% on the EA ([3])
ex 1704 90 99	Other sugar confectionery, not containing cocoa, containing: 70 % or more by weight of sucrose	100 %	219	—
ex 1806 10 30	Sweetened cacao powder, containing: 70 % or more but less than 80 % of sucrose (sugar)	100 %	87	—
1806 10 90	Sweetened cacao powder, containing: 80 % or more by weight of sucrose (sugar)	100 %	87	—
ex 1806 20 95	Chocolate and other food preparations containing cocoa, in blocks, slabs or bars 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, containing less than 18 % by weight of cocoa butter, containing: 70 % or more by weight of sucrose	100 %	87	—

[3] EA: agricultural component as referred to in Regulation (EEC) No 3448/93, as amended.

ex 1901 90 99	Other food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included, food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included, containing: 70 % or more by weight of sucrose/isoglucose	100 %	219	—
ex 2101 12 98	Preparations with a basis of coffee, containing: 70 % or more by weight of sucrose/isoglucose	100 %	219	—
ex 2101 20 98	Preparations with a basis of tea or mate, containing: 70 % or more by weight of sucrose/isoglucose	100 %	87	—
ex 2106 90 59	Other flavoured or coloured sugar syrups (excl. isoglucose, lactose, glucose and maltodextrine syrups), containing: 70 % or more by weight of sucrose/isoglucose	100 %	87	—
ex 2106 90 98	Other food preparations not elsewhere specified or included, of a kind used in drink industries, containing: 70 % or more by weight of sucrose/isoglucose	100 %	219	—
ex 3302 10 29	Other preparations of a kind used in drink industries, containing all flavouring agents characterising a beverage, of an actual alcoholic strength by volume not exceeding 0,5 %, containing: 70 % or more by weight of sucrose/isoglucose	100 %	219	—

9. MODIFICATIONS TO PROTOCOL 2
CONCERNING THE ARRANGEMENTS APPLICABLE TO THE IMPORTATION INTO THE ARAB REPUBLIC OF EGYPT OF AGRICULTURAL PRODUCTS, PROCESSED AGRICULTURAL PRODUCTS AND FISH AND FISHERY PRODUCTS ORIGINATING IN THE EUROPEAN COMMUNITY

(a) In the second paragraph of paragraph 3:

(i) before the first sentence insert "Except where otherwise provided, the administration period for tariff quotas applied under this Protocol shall be 1 January to 31 December for each year this Agreement is in force.";

(ii) for the words "the Agreement in the form of an Exchange of Letters" substitute "this Agreement"; and

(iii) for the word "that" substitute "this".

(b) In the Annex to Protocol 2, for Table 2, following the chapeau paragraph that commences "For the following products…", substitute:

HS or Egyptian Code ([1])	Description ([2])	a	b
		Reduction of the MFN customs duty %	Tariff quota (tonnes net weight)
ex 0207	Meat and edible offal, of the poultry of heading 0105, fresh, chilled or frozen: – of fowls of the species *Gallus domesticus*:	35 %	681
0207 11	– – Not cut in pieces, fresh or chilled		
0207 12	– – Not cut in pieces, frozen		
ex 0406 10	Fresh (unripened or uncured) cheese, including whey cheese, and curd (less than 20 kg)	50 %	136
1704	Sugar confectionery (including white chocolate), not containing cocoa	50 %	unlimited
1806	Chocolate and other food preparations containing cocoa	50 %	unlimited

[1] Egyptian codes corresponding to the Egyptian Customs Tariff, published on 5 February 2007.1
[2] Notwithstanding the rules for the interpretation of the Harmonised System (HS) or of the Egyptian tariff nomenclature, the wording for the description is to be considered as having no more than an indicative value.

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	50 %	unlimited
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	50 %	unlimited
2004	Other vegetables prepared or preserved otherwise than by vinegar or ascetic acid, frozen, other than products of heading 2006	50 %	unlimited
ex 3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with bases of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:	35 %	unlimited
3302 10 10	of a kind used in the food or drink industry: – – – compound alcoholic preparations of a kind used for manufacture of beverages		

10. MODIFICATIONS TO PROTOCOL 5
ON MUTUAL ASSISTANCE BETWEEN ADMINISTRATIVE AUTHORITIES IN CUSTOMS MATTERS

(a) In Article 10(1) the words "and the corresponding provisions applying to the Community authorities" shall not be incorporated into this Agreement.

(b) In Article 10(2) the words ", including, where appropriate, legal provisions in force in the Member States of the Community" shall not be incorporated into this Agreement.

(c) In Article 13(1) the words "the competent services of the Commission of the European Communities and" and "as appropriate" shall not be incorporated into this Agreement.

(d) In Article 14(1) the words "Taking into account the respective competencies of the European Community and the Member States," and the third bullet point shall not be incorporated into this Agreement.

(e) In Article 14(2) for the words “or may be concluded between individual Member States and Egypt” substitute “concluded between the United Kingdom and Egypt prior to the date this Agreement is signed”.

11. MODIFICATIONS TO JOINT DECLARATIONS

(a) The Joint Declaration on Article 14 shall not be incorporated into this Agreement.

(b) The Joint Declaration on Article 34 shall not be incorporated into this Agreement.

ANNEX II

1. MODIFICATIONS TO PROTOCOL 4 **CONCERNING THE DEFINITION OF THE CONCEPT OF ORIGINATING PRODUCTS' AND METHODS OF ADMINISTRATIVE COOPERATION**

(a) Protocol 4 shall be replaced by:

TITLE I

GENERAL PROVISIONS

ARTICLE 1

Definitions

For the purposes of this Protocol:

(a) 'manufacture' means any kind of working or processing including assembly or specific operations;

(b) 'material' means any ingredient, raw material, component or part, etc., used in the manufacture of a product;

(c) 'product' means a product being manufactured, even if it is intended for later use in another manufacturing operation;

(d) 'goods' means both materials and products;

(e) 'customs value' means the value as determined in accordance with the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade 1994;

(f) 'ex-works price' means the price paid for the product ex-works to the manufacturer in the United Kingdom or Egypt in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used, minus any internal taxes which are, or may be, repaid when the product obtained is exported;

(g) 'value of materials' means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the United Kingdom or in Egypt;

(h) 'value of originating materials' means the value of such materials as defined in (g) applied *mutatis mutandis*;

(i) ‘value added’ means the ex-works price minus the customs value of each of the materials incorporated which originate in the other countries referred to in Articles 3 and 4 with which cumulation is applicable or, where the customs value is not known or cannot be ascertained, the first ascertainable price paid for the materials in the United Kingdom or in Egypt.

(j) ‘chapters’ and ‘headings’ mean the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonised Commodity Description and Coding System, referred to in this Protocol as ‘the Harmonised System’ or ‘HS’;

(k) ‘classified’ refers to the classification of a product or material under a particular heading;

(l) ‘consignment’ means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice;

(m) ‘territories’ includes territorial waters;

(n) ‘Incorporated Annexes I to IV b’ means Annexes I to IV b of Appendix I to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, as those Annexes are incorporated by Article 40 of this Protocol.

TITLE II

DEFINITION OF THE CONCEPT OF ‘ORIGINATING PRODUCTS’

ARTICLE 2

General requirements

1. For the purpose of implementing this Agreement, the following products shall be considered as originating in the United Kingdom:

(a) products wholly obtained in the United Kingdom within the meaning of Article 5 of this Protocol;

(b) products obtained in the United Kingdom incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the United Kingdom within the meaning of Article 6 of this Protocol.

2. For the purpose of implementing this Agreement, the following products shall be considered as originating in Egypt:

(a) products wholly obtained in Egypt within the meaning of Article 5 of this Protocol;

(b) products obtained in Egypt incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in Egypt within the meaning of Article 6 of this Protocol.

ARTICLE 3

Cumulation in the United Kingdom

1. Without prejudice to the provisions of Article 2(1), products shall be considered as originating in the United Kingdom, if they are obtained there, incorporating materials originating in Switzerland (including Liechtenstein),[1] Iceland, Norway, Turkey or the European Union, provided that the working or processing carried out in the United Kingdom goes beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

2. Without prejudice to the provisions of Article 2(1), products shall be considered as originating in the United Kingdom if they are obtained there, incorporating materials originating in Egypt or any other country referred to in Annex C to this Protocol, provided that the working or processing carried out in the United Kingdom goes beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

3. Without prejudice to the provisions of Article 2(1), working or processing carried out in Iceland, Norway or the European Union, shall be considered as having been carried out in the United Kingdom when the products obtained undergo subsequent working or processing in the United Kingdom that goes beyond the operations referred to in Article 7.

4. For cumulation provided in paragraphs 1 and 2, where the working or processing carried out in the United Kingdom does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in the United Kingdom only where the value added there is greater than the value of the materials used that are originating in any of the other countries. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in the United Kingdom.

[1] Due to the Customs Treaty between Liechtenstein and Switzerland, products originating in Liechtenstein are considered as originating in Switzerland.

5. For cumulation provided in paragraph 3, where the working or processing carried out in the United Kingdom does not go beyond the operation referred to in Article 7, the product obtained shall be considered as originating in the United Kingdom only where the value added there is greater than the value added in any of the other countries.

6. Products originating in the countries referred to in paragraphs 1 and 2 which do not undergo any working or processing in the United Kingdom shall retain their origin if exported into one of these countries.

7. (a) The cumulation provided for in this Article in respect of the European Union may be applied provided that:

i. the United Kingdom, Egypt and the European Union have arrangements on administrative cooperation which ensure a correct implementation of this Article;

ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and

iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

(b) Except as provided for in paragraph 7(a), the cumulation provided for in this Article may be applied provided that:

i. a preferential trade agreement in accordance with Article XXIV of the General Agreement on Tariffs and Trade 1994 ("GATT 1994") is applicable between the countries involved in the acquisition of the originating status and the country of destination;

ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and

iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

8. The United Kingdom shall provide Egypt with details of the agreements or arrangements including their dates of entry into force, and their corresponding rules of origin, which are applied with the other countries referred to in paragraphs 1 and 2.

ARTICLE 4

Cumulation in Egypt

1. Without prejudice to the provisions of Article 2(2), products shall be considered as originating in Egypt, if they are obtained there, incorporating materials originating in the United Kingdom, Switzerland (including Liechtenstein)[1], Iceland, Norway, Turkey or the European Union, provided that the working or processing carried out in Egypt goes beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

2. Without prejudice to the provisions of Article 2(2), products shall be considered as originating in Egypt if they are obtained there, incorporating materials originating in any country referred to in Annex C to this Protocol, provided that the working or processing carried out in Egypt goes beyond the operations referred to in Article 7. It shall not be necessary for such materials to have undergone sufficient working or processing.

3. Where the working or processing carried out in Egypt does not go beyond the operations referred to in Article 7, the product obtained shall be considered as originating in Egypt only where the value added there is greater than the value of the materials used that are originating in any of the other countries referred to in paragraphs 1 and 2. If this is not so, the product obtained shall be considered as originating in the country which accounts for the highest value of originating materials used in the manufacture in Egypt.

4. Products originating in the countries referred to in paragraphs 1 and 2, which do not undergo any working or processing in Egypt, retain their origin if exported into one of these countries.

5. (a) The cumulation provided for in this Article in respect of the European Union may be applied provided that:

   i. the United Kingdom, Egypt and the European Union have arrangements on administrative cooperation which ensure a correct implementation of this Article;

   ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and

   iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

   (b) Except as provided for in paragraph 5(a), the cumulation provided for in this Article may be applied provided that:

[1] Due to the Customs Treaty between Liechtenstein and Switzerland, products originating in Liechtenstein are considered as originating in Switzerland.

i. a preferential trade agreement in accordance with Article XXIV of the GATT 1994 is applicable between the countries involved in the acquisition of the originating status and the country of destination;

ii. materials and products have acquired originating status by the application of rules of origin identical to those in this Protocol; and

iii. notices indicating the fulfilment of the necessary requirements to apply cumulation have been published by the Parties.

6. Egypt shall provide the United Kingdom with details of the agreements or arrangements including their dates of entry into force, and their corresponding rules of origin, which are applied with the other countries referred to in paragraphs 1 and 2.

ARTICLE 5

Wholly obtained products

1. The following shall be considered as wholly obtained in the United Kingdom or Egypt:

(a) mineral products extracted from its soil or from its 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 outside the territorial waters of the Party by its vessels;

(g) products made aboard its factory ships exclusively from products referred to in (f);

(h) used articles collected there fit only for the recovery of raw materials, including used tyres fit only for retreading or for use as waste;

(i) waste and scrap resulting from manufacturing operations conducted there;

(j) products extracted from marine soil or subsoil outside its territorial waters provided that it has sole rights to work that soil or subsoil;

(k) goods produced there exclusively from the products specified in (a) to (j).

2. The terms ‘its vessels’ and ‘its factory ships’ in paragraphs 1(f) and (g) shall apply only to vessels and factory ships:

(a) which are registered or recorded in the United Kingdom or Egypt;

(b) which sail under the flag of the United Kingdom or Egypt;

(c) which are owned to an extent of at least 50% by nationals of the United Kingdom, a Member State of the European Union or Egypt, or by a company with its head office in one of these States, of which the manager or managers, Chairman of the Board of Directors or the Supervisory Board, and the majority of the members of such boards are nationals of the United Kingdom, a Member State of the European Union or Egypt and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to those States or to public bodies or nationals of the said States;

(d) of which the master and officers are nationals of the United Kingdom, a Member State of the European Union or Egypt; and

(e) of which at least 75% of the crew are nationals of the United Kingdom, a Member State of the European Union or Egypt.

ARTICLE 6

Sufficiently worked or processed products

1. For the purposes of Article 2, products which are not wholly obtained shall be considered to be sufficiently worked or processed when the conditions set out in the list in Incorporated Annex II are fulfilled.

The conditions referred to above indicate the working or processing which must be carried out on non-originating materials used in manufacturing and apply only in relation to such materials. It follows that if a product which has acquired originating status by fulfilling the conditions set out in the list is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated do not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

2. Notwithstanding paragraph 1, non-originating materials which, according to the conditions set out in the list in Incorporated Annex II, should not be used in the manufacture of a product may nevertheless be used, provided that:

(a) their total value does not exceed 10% of the ex-works price of the product;

(b) any of the percentages given in the list for the maximum value of non-originating materials are not exceeded by virtue of this paragraph.

This paragraph shall not apply to products falling within Chapters 50 to 63 of the Harmonised System.

3. Paragraphs 1 and 2 shall apply subject to the provisions of Article 7.

ARTICLE 7

Insufficient working or processing

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 6 are satisfied:

(a) preserving operations to ensure that the products remain in good condition during transport and storage;

(b) breaking-up and assembly of packages;

(c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;

(d) ironing or pressing of textiles;

(e) simple painting and polishing operations;

(f) husking, partial or total bleaching, polishing, and glazing of cereals and rice;

(g) operations to colour sugar or form sugar lumps;

(h) peeling, stoning and shelling, of fruits, nuts and vegetables;

(i) sharpening, simple grinding or simple cutting;

(j) sifting, screening, sorting, classifying, grading, matching (including the making-up of sets of articles);

(k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;

(l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;

(m) simple mixing of products, whether or not of different kinds;

(n) mixing of sugar with any material;

(o) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;

(p) a combination of two or more operations specified in (a) to (n);

(q) slaughter of animals.

2. All operations carried out in the United Kingdom or in Egypt on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

ARTICLE 8

Unit of qualification

1. The unit of qualification for the application of the provisions of this Protocol shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonised System.

It follows that:

(a) when a product composed of a group or assembly of articles is classified under the terms of the Harmonised System in a single heading, the whole constitutes the unit of qualification;

(b) when a consignment consists of a number of identical products classified under the same heading of the Harmonised System, each product must be taken individually when applying the provisions of this Protocol.

2. Where, under General Rule 5 of the Harmonised System, packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

ARTICLE 9

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 which are not separately invoiced, shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

ARTICLE 10

Sets

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

ARTICLE 11

Neutral elements

In order to determine whether a product is an originating product, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

(a) energy and fuel;

(b) plant and equipment;

(c) machines and tools;

(d) goods which neither enter into the final composition of the product nor are intended to do so.

TITLE III

TERRITORIAL REQUIREMENTS

ARTICLE 12

Principle of territoriality

1. Except as provided for in Articles 3 and 4 and paragraph 3 of this Article, the conditions for acquiring originating status set out in Title II shall be fulfilled without interruption in the United Kingdom or in Egypt.

2. Except as provided for in Articles 3 and 4, where originating goods exported from the United Kingdom or from Egypt to another country return, they shall be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:

(a) the returning goods are the same as those exported; and

(b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

3. The acquisition of originating status in accordance with the conditions set out in Title II shall not be affected by working or processing done outside the United Kingdom or Egypt on materials exported from the United Kingdom or Egypt and subsequently re-imported there, provided:

(a) the said materials are wholly obtained in the United Kingdom or Egypt or have undergone working or processing beyond the operations referred to in Article 7 prior to being exported; and

(b) it can be demonstrated to the satisfaction of the customs authorities that:

(i) the re-imported goods have been obtained by working or processing the exported materials; and

(ii) the total added value acquired outside the United Kingdom or Egypt by applying the provisions of this Article does not exceed 10% of the ex-works price of the end product for which originating status is claimed.

4. For the purposes of paragraph 3, the conditions for acquiring originating status set out in Title II shall not apply to working or processing done outside the United Kingdom or Egypt. However, where, in the list in Incorporated Annex II a rule setting a maximum value for all the non-originating materials incorporated is applied in determining the originating status of the end product, the total value of the non-originating materials incorporated in the territory of the Party concerned, taken together with the total added value acquired outside the United Kingdom or Egypt by applying the provisions of this Article, shall not exceed the stated percentage.

5. For the purposes of applying the provisions of paragraphs 3 and 4, 'total added value' means all costs arising outside the United Kingdom or Egypt, including the value of the materials incorporated there.

6. The provisions of paragraphs 3 and 4 shall not apply to products which do not fulfil the conditions set out in the list in Incorporated Annex II or which can be considered sufficiently worked or processed only if the general tolerance fixed in Article 6(2) is applied.

7. The provisions of paragraphs 3 and 4 shall not apply to products of Chapters 50 to 63 of the Harmonised System.

8. Any working or processing of the kind covered by the provisions of this Article and done outside the United Kingdom or Egypt shall be done under the outward processing arrangements, or similar arrangements.

ARTICLE 13

Direct transport

1. The preferential treatment provided for under this Agreement shall apply only to products satisfying the requirements of this Protocol, which are transported directly between the Parties or through the territories of the other countries referred to in Articles 3 and 4 with which cumulation is applicable. However, products constituting one single consignment may be transported through other territories with, should the occasion arise, trans-shipment or temporary warehousing in such territories, provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition.

Originating products may be transported by pipeline across a territory other than that of the Parties.

2. Evidence that the conditions set out in paragraph 1 have been fulfilled shall be supplied to the customs authorities of the importing Party by the production of:

(a) a single transport document covering the passage from the exporting Party through the country of transit; or

(b) a certificate issued by the customs authorities of the country of transit:

(i) giving an exact description of the products;

(ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used; and

(iii) certifying the conditions under which the products remained in the transit country; or

(c) failing these, any substantiating documents.

ARTICLE 14

Exhibitions

1. Originating products sent for exhibition in a country other than those referred to in Articles 3 and 4 with which cumulation is applicable, and sold after the exhibition for importation in the United Kingdom or Egypt, shall benefit on importation from the provisions of this Agreement, provided it is shown to the satisfaction of the customs authorities that:

(a) an exporter has consigned these products from the United Kingdom or Egypt 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 a person in the United Kingdom or Egypt;

(c) the products have been consigned during the exhibition or immediately thereafter in the state in which they were sent for exhibition; and

(d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A proof of origin shall be issued or made out in accordance with the provisions of Title V and submitted to the customs authorities of the United Kingdom or Egypt in the normal manner. The name and address of the exhibition shall be indicated thereon. Where necessary, additional documentary evidence of 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 organised 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.

TITLE IV

DRAWBACK OR EXEMPTION

ARTICLE 15

Prohibition of drawback of, or exemption from, customs duties

1. Non-originating materials used in the manufacture of products originating in the United Kingdom or in Egypt for which a proof of origin is issued or made out in accordance with the provisions of Title V shall not be subject in the United Kingdom or Egypt to drawback of, or exemption from, customs duties of whatever kind.

2. The prohibition in paragraph 1 shall apply to any arrangement for refund, remission or non-payment, partial or complete, of customs duties or charges having an equivalent effect, applicable in the United Kingdom or Egypt to materials used in the manufacture, where such refund, remission or non-payment applies, expressly or in effect, when products obtained from the said materials are exported and not when they are retained for home use there.

3. The exporter of products covered by a proof of origin shall be prepared to submit at any time, upon request from the customs authorities, all appropriate documents proving that no drawback has been obtained in respect of the non-originating materials used in the manufacture of the products concerned and that all customs duties or charges having equivalent effect applicable to such materials have actually been paid.

4. The provisions of paragraphs 1, 2 and 3 of this Article shall also apply in respect of packaging within the meaning of Article 8(2), accessories, spare parts and tools within the meaning of Article 9 and products in a set within the meaning of Article 10 when such items are non-originating.

5. The provisions of paragraphs 1 to 4 shall apply only in respect of materials which are of the kind to which this Agreement applies.

6. The prohibition in paragraph 1 of this Article shall not apply if the products are considered as originating in the United Kingdom or Egypt without application of cumulation with materials originating in Switzerland (including Liechtenstein), Turkey or one of the countries referred to in Articles 3(2) and 4(2).

TITLE V

PROOF OF ORIGIN

ARTICLE 16

General requirements

1. Products originating in one of the Parties shall, on importation into the other Party, benefit from the provisions of this Agreement upon submission of one of the following proofs of origin:

(a) a movement certificate EUR.1, a specimen of which appears in Incorporated Annex III a;

(b) a movement certificate EUR-MED a specimen of which appears in Incorporated Annex III b; or

(c) in the cases specified in Article 22(1), a declaration (hereinafter referred to as the ‘origin declaration’ or the ‘origin declaration EUR-MED’)

given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified. The texts of the origin declarations appear in Incorporated Annexes IV a and b.

2. Notwithstanding paragraph 1, originating products within the meaning of this Protocol shall, in the cases specified in Article 27, benefit from this Agreement without it being necessary to submit any of the proofs of origin referred to in paragraph 1 of this Article.

ARTICLE 17

Procedure for the issue of a movement certificate EUR.1 or EUR-MED

1. A movement certificate EUR.1 or EUR-MED shall be issued by the customs authorities of the exporting Party on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative.

2. For this purpose, the exporter or his authorised representative shall fill in both the movement certificate EUR.1 or EUR-MED and the application form, specimens of which appear in Incorporated Annexes III a and b. These forms shall be completed in one of the languages in which this Agreement is drawn up and in accordance with the provisions of the national law of the exporting country. If the completion of the forms is done in handwriting, they shall be completed in ink in printed characters. The description of the products shall be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line shall be drawn below the last line of the description, the empty space being crossed through.

3. The exporter applying for the issue of a movement certificate EUR.1 or EUR-MED shall be prepared to submit at any time, at the request of the customs authorities of the United Kingdom or Egypt where the movement certificate EUR.1 or EUR-MED is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.

4. Without prejudice to paragraph 5, a movement certificate EUR.1 shall be issued by the customs authorities of the United Kingdom or of Egypt in the following cases:

(a) if the products concerned can be considered as products originating in the United Kingdom or in Egypt, without application of cumulation with materials originating in Switzerland (including Liechtenstein), Turkey or one of the countries referred to in Articles 3(2) and 4(2) and fulfil the other requirements of this Protocol; or

(b) if the products concerned can be considered as products originating in one of the other countries referred to in Articles 3 and 4 with which cumulation is applicable, without application of cumulation with materials originating in one of the countries referred to in Articles 3 and 4, and fulfil the other requirements of this Protocol, provided a certificate EUR-MED or an origin declaration EUR-MED has been issued in the country of origin.

5. A movement certificate EUR-MED shall be issued by the customs authorities of the United Kingdom or of Egypt if the products concerned can be considered as products originating in the United Kingdom, in Egypt or in one of the other countries referred to in Articles 3 and 4 with which cumulation is applicable, fulfil the requirements of this Protocol and:

(a) cumulation was applied with materials originating in Switzerland (including Liechtenstein), Turkey or one of the countries referred to in Articles 3(2) and 4(2); or

(b) the products may be used as materials in the context of cumulation for the manufacture of products for export to one of the countries referred to in Articles 3 and 4; or

(c) the products may be re-exported from the country of destination to one of the countries referred to in Articles 3 and 4.

6. A movement certificate EUR-MED shall contain one of the following statements in English in box 7:

(a) if origin has been obtained by application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

'CUMULATION APPLIED WITH … *(name of the country/countries)*'

(b) if origin has been obtained without the application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

'NO CUMULATION APPLIED'

7. The customs authorities issuing movement certificates EUR.1 or EUR-MED shall take any steps necessary to verify the originating status of the products and the fulfilment of the other requirements of this Protocol. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate. They shall also ensure that the forms referred to in paragraph 2 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.

8. The date of issue of the movement certificate EUR.1 or EUR-MED shall be indicated in Box 11 of the certificate.

9. A movement certificate EUR.1 or EUR-MED shall be issued by the customs authorities and made available to the exporter as soon as actual exportation has been effected or ensured.

ARTICLE 18

Movement certificates EUR.1 or EUR-MED issued retrospectively

1. Notwithstanding Article 17(9), a movement certificate EUR.1 or EUR-MED may exceptionally be issued after exportation of the products to which it relates if:

(a) it was not issued at the time of exportation because of errors, involuntary omissions or special circumstances; or

(b) it is demonstrated to the satisfaction of the customs authorities that a movement certificate EUR.1 or EUR-MED was issued but was not accepted at importation for technical reasons.

2. Notwithstanding Article 17(9), a movement certificate EUR-MED may be issued after exportation of the products to which it relates and for which a movement certificate EUR.1 was issued at the time of exportation, provided that it is demonstrated to the satisfaction of the customs authorities that the conditions referred to in Article 17(5) are satisfied.

3. For the implementation of paragraphs 1 and 2, the exporter shall indicate in his application the place and date of exportation of the products to which the movement certificate EUR.1 or EUR-MED relates, and state the reasons for his request.

4. The customs authorities may issue a movement certificate EUR.1 or EUR-MED retrospectively only after verifying that the information supplied in the exporter's application complies with that in the corresponding file.

5. Movement certificates EUR.1 or EUR-MED issued retrospectively by application of paragraph 1 shall be endorsed with the following phrase in English:

'ISSUED RETROSPECTIVELY'

Movement certificates EUR-MED issued retrospectively by application of paragraph 2 shall be endorsed with the following phrase in English:

'ISSUED RETROSPECTIVELY (Original EUR.1 No … *[date and place of issue]*)'

6. The endorsement referred to in paragraph 5 shall be inserted in Box 7 of the movement certificate EUR.1 or EUR-MED.

ARTICLE 19

Issue of a duplicate movement certificate EUR.1 or EUR-MED

1. In the event of theft, loss or destruction of a movement certificate EUR.1 or EUR-MED, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.

2. The duplicate issued in this way shall be endorsed with the following word in English:

'DUPLICATE'

3. The endorsement referred to in paragraph 2 shall be inserted in Box 7 of the duplicate movement certificate EUR.1 or EUR-MED.

4. The duplicate, which shall bear the date of issue of the original movement certificate EUR.1 or EUR-MED, shall take effect as from that date.

ARTICLE 20

Issue of movement certificates EUR.1 or EUR-MED on the basis of a proof of origin issued or made out previously

When originating products are placed under the control of a customs office in the United Kingdom or Egypt, it shall be possible to replace the original proof of origin by one or more movement certificates EUR.1 or EUR-MED for the purpose of sending all or some of these products elsewhere within the United Kingdom or Egypt. The replacement movement certificate(s) EUR.1 or EUR-MED shall be issued by the customs office under whose control the products are placed.

ARTICLE 21

Accounting segregation

1. Where considerable cost or material difficulties arise in keeping separate stocks of originating and non-originating materials which are identical and interchangeable, the customs authorities may, at the written request of those concerned, authorise the so-called 'accounting segregation' method (hereinafter referred to as the 'method') to be used for managing such stocks.

2. The method shall ensure that, for a specific reference-period, the number of products obtained which could be considered as 'originating' is the same as that which would have been obtained had there been physical segregation of the stocks.

3. The customs authorities may make the grant of authorisation referred to in paragraph 1 subject to any conditions deemed appropriate.

4. The method shall be applied and the application thereof shall be recorded on the basis of the general accounting principles applicable in the country where the product was manufactured.

5. The beneficiary of the method may make out or apply for proofs of origin, as the case may be, for the quantity of products which may be considered as originating. At the request of the customs authorities, the beneficiary shall provide a statement of how the quantities have been managed.

6. The customs authorities shall monitor the use made of the authorisation and may withdraw it whenever the beneficiary makes improper use of the authorisation in any manner whatsoever or fails to fulfil any of the other conditions laid down in this Protocol.

ARTICLE 22

Conditions for making out an origin declaration or an origin declaration EUR-MED

1. An origin declaration or an origin declaration EUR-MED as referred to in Article 16(1)(c) may be made out:

(a) by an approved exporter within the meaning of Article 23; or

(b) by any exporter for any consignment consisting of one or more packages containing originating products the total value of which does not exceed EUR 6 000.

2. Without prejudice to paragraph 3, an origin declaration may be made out in the following cases:

(a) if the products concerned may be considered as products originating in the United Kingdom or in Egypt without application of cumulation with materials originating in Switzerland (including Liechtenstein), Turkey or one of the other countries referred to in Articles 3(2) and 4(2), and fulfil the other requirements of this Protocol; or

(b) if the products concerned may be considered as products originating in one of the other countries referred to in Articles 3 and 4 with which cumulation is applicable, without application of cumulation with materials originating in one of the countries referred to in Articles 3 and

4, and fulfil the other requirements of this Protocol, provided a certificate EUR-MED or an origin declaration EUR-MED has been issued in the country of origin.

3. An origin declaration EUR-MED may be made out if the products concerned can be considered as products originating in the United Kingdom, in Egypt or in one of the other countries referred to in Articles 3 and 4 with which cumulation is applicable, and fulfil the requirements of this Protocol, in the following cases:

(a) cumulation was applied with materials originating in Switzerland (including Liechtenstein), Turkey or one of the other countries referred to in Articles 3(2) and 4(2); or
(b) the products may be used as materials in the context of cumulation for the manufacture of products for export to one of the other countries referred to in Articles 3 and 4; or
(c) the products may be re-exported from the country of destination to one of the other countries referred to in Articles 3 and 4.

4. An origin declaration EUR-MED shall contain one of the following statements in English:

(a) if origin has been obtained by application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

'CUMULATION APPLIED WITH … *(name of the country/countries)'*

(b) if origin has been obtained without the application of cumulation with materials originating in one or more of the countries referred to in Articles 3 and 4:

'NO CUMULATION APPLIED'

5. The exporter making out an origin declaration or an origin declaration EUR-MED shall be prepared to submit at any time, at the request of the customs authorities of the exporting Party, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.

6. An origin declaration or an origin declaration EUR-MED shall be made out by the exporter by typing, stamping or printing on the invoice, the delivery note or another commercial document, the declaration, the texts of which appear in Incorporated Annexes IV a and b, using one of the linguistic versions set out in those Annexes and in accordance with the provisions of the national law of the exporting country. If the declaration is handwritten, it shall be written in ink in printed characters.

7. Origin declarations and origin declarations EUR-MED shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 23 shall not be required to sign such declarations provided that he gives the customs authorities of the exporting Party a written undertaking that he accepts full responsibility for any origin declaration which identifies him as if it had been signed in manuscript by him.

8. An origin declaration or an origin declaration EUR-MED may be made out by the exporter when the products to which it relates are exported, or after exportation on condition that it is presented in the importing country at the latest two years after the importation of the products to which it relates.

ARTICLE 23

Approved exporter

1. The customs authorities of the exporting Party may authorise any exporter (hereinafter referred to as 'approved exporter'), who makes frequent shipments of products in accordance to the provisions of this Agreement to make out origin declarations or origin declarations EUR-MED irrespective of the value of the products concerned. An exporter seeking such authorisation shall offer to the satisfaction of the customs authorities all guarantees necessary to verify the originating status of the products as well as the fulfilment of the other requirements of this Protocol.

2. The customs authorities may grant the status of approved exporter subject to any conditions which they consider appropriate.

3. The customs authorities shall grant to the approved exporter a customs authorisation number which shall appear on the origin declaration or on the origin declaration EUR-MED.

4. The customs authorities shall monitor the use of the authorisation by the approved exporter.

5. The customs authorities may withdraw the authorisation at any time. They shall do so where the approved exporter no longer offers the guarantees referred to in paragraph 1, no longer fulfils the conditions referred to in paragraph 2 or otherwise makes an incorrect use of the authorisation.

ARTICLE 24

Validity of proof of origin

1. A proof of origin shall be valid for four months from the date of issue in the exporting Party, and shall be submitted within that period to the customs authorities of the importing Party.

2. Proofs of origin which are submitted to the customs authorities of the importing Party after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing Party may accept the proofs of origin where the products have been submitted before the said final date.

ARTICLE 25

Submission of proof of origin

Proofs of origin shall be submitted to the customs authorities of the importing Party in accordance with the procedures applicable in that country. The said authorities may require a translation of a proof of origin and 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 this Agreement.

ARTICLE 26

Importation by instalments

Where, at the request of the importer and subject to the conditions laid down by the customs authorities of the importing Party, dismantled or non-assembled products within the meaning of General Rule 2(a) of the Harmonised System falling within Sections XVI and XVII or headings 7308 and 9406 of the Harmonised System are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities upon importation of the first instalment.

ARTICLE 27

Exemptions from proof of origin

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a proof of origin, provided that such products

are not imported by way of trade and have been declared as meeting the requirements of this Protocol and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, that declaration may be made on the customs declaration CN22 / CN23 or on a sheet of paper annexed to that document.

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.

3. Furthermore, the total value of these products shall not exceed EUR 500 in the case of small packages or EUR 1 200 in the case of products forming part of travellers' personal luggage.

ARTICLE 28

Supporting documents

The documents referred to in Articles 17(3) and 22(5) used for the purpose of proving that products covered by a movement certificate EUR.1 or EUR-MED, or an origin declaration or origin declaration EUR-MED may be considered as products originating in the United Kingdom, in Egypt or in one of the other countries referred to in Articles 3 and 4 and fulfil the other requirements of this Protocol may consist, *inter alia*, of the following:

(a) direct evidence of the processes carried out by the exporter or supplier to obtain the goods concerned, contained for example in his accounts or internal bookkeeping;

(b) documents proving the originating status of materials used, issued or made out in the United Kingdom or in Egypt, where these documents are used in accordance with national law;

(c) documents proving the working or processing of materials in the United Kingdom or in Egypt, issued or made out in the United Kingdom or in Egypt, where these documents are used in accordance with national law;

(d) movement certificates EUR.1 or EUR-MED or origin declarations or origin declarations EUR-MED proving the originating status of materials used, issued or made out in the United Kingdom or Egypt in accordance with this Protocol, or in one of the other countries referred to in Articles 3 and 4, in accordance with rules of origin which are identical to the rules in this Protocol;

(e) appropriate evidence concerning working or processing undergone outside the United Kingdom, Egypt or the other countries referred to in

Articles 3 and 4 by application of Article 12, proving that the requirements of that Article have been satisfied.

ARTICLE 29

Preservation of proof of origin and supporting documents

1. The exporter applying for the issue of a movement certificate EUR.1 or EUR-MED shall keep for at least three years the documents referred to in Article 17(3).

2. The exporter making out an origin declaration or origin declaration EUR-MED shall keep for at least three years a copy of this origin declaration as well as the documents referred to in Article 22(5).

3. The customs authorities of the exporting Party issuing a movement certificate EUR.1 or EUR-MED shall keep for at least three years the application form referred to in Article 17(2).

4. The customs authorities of the importing Party shall keep for at least three years the movement certificates EUR.1 and EUR-MED and the origin declarations and origin declarations EUR-MED submitted to them.

ARTICLE 30

Discrepancies and formal errors

1. The discovery of slight discrepancies between the statements made in the proof of origin 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 proof of origin null and void if it is duly established that this document does correspond to the products submitted.

2. Obvious formal errors, such as typing errors, on a proof of origin shall not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.

ARTICLE 31

Amounts expressed in euro

1. For the application of the provisions of Article 22(1)(b) and Article 27(3) in cases where products are invoiced in a currency other than euro, amounts in the national currencies of the countries referred to in Articles 3 and 4 equivalent to the amounts expressed in euro shall be fixed annually by each of the countries concerned.

2. A consignment shall benefit from the provisions of Article 22(1)(b) or Article 27(3) by reference to the currency in which the invoice is drawn up, according to the amount fixed by the Party concerned.

3. The amounts to be used in any given national currency shall be the equivalent in that currency of the amounts expressed in euro as at the first working day of October and shall apply from 1 January the following year. The Parties shall notify each other of the relevant amounts.

4. A Party may round up or down the amount resulting from the conversion into its national currency of an amount expressed in euro. The rounded-off amount may not differ from the amount resulting from the conversion by more than 5%. A country may retain unchanged its national currency equivalent of an amount expressed in euro if, at the time of the annual adjustment provided for in paragraph 3, the conversion of that amount, prior to any rounding-off, results in an increase of less than 15% in the national currency equivalent. The national currency equivalent may be retained unchanged if the conversion were to result in a decrease in that equivalent value.

5. The amounts expressed in euro shall be reviewed by the Association Council at the request of any of the Parties. When carrying out this review, the Association Council shall consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in euro.

TITLE VI

ARRANGEMENTS FOR ADMINISTRATIVE COOPERATION

ARTICLE 32

Mutual assistance

1. The customs authorities of the United Kingdom and Egypt shall provide each other with specimen impressions of stamps used in their customs offices for the issue of movement certificates EUR.1 and EUR-MED and with the addresses of the customs authorities responsible for verifying those certificates, origin declarations and origin declarations EUR-MED.

2. In order to ensure the proper application of this Protocol, the United Kingdom and Egypt shall assist each other, through the competent customs administrations, in checking the authenticity of the movement certificates EUR.1 and EUR-MED, the origin declarations and the origin declarations EUR-MED, and the correctness of the information given in these documents.

ARTICLE 33

Verification of proofs of origin

1. Subsequent verifications of proofs of origin shall be carried out at random or whenever the customs authorities of the importing Party have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Protocol.

2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the importing Party shall return the movement certificate EUR.1 or EUR-MED and the invoice, if it has been submitted, the origin declaration or the origin declaration EUR-MED, or a copy of these documents, to the customs authorities of the exporting Party giving, where appropriate, the reasons for the request for verification. Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.

3. The verification shall be carried out by the customs authorities of the exporting Party. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.

4. If the customs authorities of the importing Party decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.

5. The customs authorities requesting the verification shall be informed of the results of this verification as soon as possible. These results shall indicate clearly whether the documents are authentic and whether the products concerned may be considered as products originating in the United Kingdom, in Egypt or in one of the other countries referred to in Articles 3 and 4 and fulfil the other requirements of this Protocol.

6. 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 customs authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.

ARTICLE 34

Dispute settlement

Where disputes arise in relation to the verification procedures of Article 33 which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out this verification, they shall be submitted to the Association Council.

In all cases, the settlement of disputes between the importer and the customs authorities of the importing Party shall take place under the legislation of that Party.

ARTICLE 35

Penalties

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

ARTICLE 36

Free zones

1. The United Kingdom and Egypt shall take all necessary steps to ensure that products traded under cover of a proof of origin which in the course of transport use a free zone situated in their territory, are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.

2. By way of derogation from paragraph 1, when products originating in the United Kingdom or in Egypt are imported into a free zone under cover of a proof of origin and undergo treatment or processing, the authorities concerned shall issue a new movement certificate EUR.1 or EUR-MED at the exporter's request, if the treatment or processing undergone complies with this Protocol.

ARTICLE 37

Derogations

Trade in the framework of the Free Trade Agreement among the Mediterranean Arab countries (Agadir Agreement):

Products obtained in the countries members to the Free Trade Agreement among the Mediterranean Arab countries (Agadir Agreement) from materials from chapters 1

to 24 of the Harmonised System are excluded from diagonal cumulation with the other countries referred to in Articles 3 and 4, when trade for these materials is not liberalised in the framework of the free trade agreements concluded between the United Kingdom and the country of origin of the materials used for the manufacturing of this product.

TITLE VII

CEUTA AND MELILLA

ARTICLE 38

Application of the Protocol

The term 'European Union' used in this Protocol does not cover Ceuta and Melilla. Products originating in Ceuta and Melilla are not considered to be products originating in the European Union for the purposes of this Protocol.

TITLE VIII

FINAL PROVISIONS

ARTICLE 39

Transitional Provision for Goods in Transit or Storage

The provisions of this Agreement may be applied to goods which comply with the provisions of this Protocol and which, on the date of entry into force of this Agreement, are either in transit or are in the United Kingdom or in Egypt in temporary storage in customs warehouses or in free zones, subject to the submission to the customs authorities of the importing country, within 12 months of the said date, of a movement certificate EUR.1 or EUR-MED issued retrospectively by the customs authorities of the exporting country together with the documents showing that the goods have been transported directly in accordance with the provisions of Article 13.

ARTICLE 40

Annexes

1. Annexes I to IV b to Appendix I to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin are incorporated into and made part of this Protocol as Incorporated Annexes I to IV b to this Protocol and shall apply, *mutatis mutandis*, subject to the following modifications:

(a) In Annex I:

(i) all references to “Article 5 of this Appendix” shall be understood as references to “Article 6 of this Protocol”; and

(ii) in paragraph 3.1 of Note 3, “a Contracting Party” shall be replaced by “any of the other countries referred to in Articles 3 and 4 of this Protocol with which cumulation is applicable”.

(b) In each of Annexes III a and III b, references to “the Contracting Parties” shall be understood as references to “the Parties”.

(c) In each of Annexes IV a and IV b:

(i) only the English and Arabic versions of the origin declaration shall be incorporated into this Protocol; and

(ii) the second sentence of footnote 2 shall not be incorporated.

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

ARTICLE 41

Amendments to the Protocol

The Association Council may decide to amend the provisions of this Protocol.

ANNEX A

JOINT DECLARATION
CONCERNING THE PRINCIPALITY OF ANDORRA

1. Products originating in the Principality of Andorra meeting the conditions of Articles 3(7)(b)(ii) and 4(5)(b)(ii) of this Protocol, and falling within Chapters 25 to 97 of the Harmonised System, shall be accepted by the Parties as originating in the European Union within the meaning of this Agreement.
2. This Protocol shall apply *mutatis mutandis* for the purpose of defining the originating status of the abovementioned products.

ANNEX B

JOINT DECLARATION
CONCERNING THE REPUBLIC OF SAN MARINO

1. Products originating in the Republic of San Marino, meeting the conditions of Articles 3(7)(b)(ii) and 4(5)(b)(ii) of this Protocol, shall be accepted by the Parties as originating in the European Union within the meaning of this Agreement.
2. This Protocol shall apply *mutatis mutandis* for the purpose of defining the originating status of the abovementioned products.

ANNEX C

LIST REFERRED TO IN ARTICLES 3(2) AND 4(2)

1. The People's Democratic Republic of Algeria
2. The State of Israel
3. The Hashemite Kingdom of Jordan
4. The Republic of Lebanon
5. The Kingdom of Morocco
6. The Palestine Liberation Organization for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip
7. The Syrian Arab Republic
8. The Republic of Tunisia
9. The Republic of Albania
10. Bosnia and Herzegovina
11. The Republic of North Macedonia
12. Montenegro
13. The Republic of Serbia
14. The Republic of Kosovo
15. The Kingdom of Denmark in respect of the Faroe Islands
16. The Republic of Moldova
17. Georgia
18. Ukraine

JOINT DECLARATION
CONCERNING A FUTURE APPROACH TO RULES OF ORIGIN

In relation to Protocol 4 (Concerning the definition of the concept of 'originating products' and methods of administrative cooperation) to the Agreement establishing an Association between the United Kingdom of Great Britain and Northern Ireland ("the United Kingdom") and the Arab Republic of Egypt ("Egypt") ("the Agreement"), the United Kingdom and Egypt have adopted the following declaration:

1. In advance of the conclusion of trade negotiations between the European Union and the United Kingdom, the United Kingdom and Egypt recognise that a trilateral approach to rules of origin, involving the European Union, is the preferred outcome in trading arrangements between the United Kingdom and Egypt and the European Union. This approach would replicate coverage of existing trade flows, and allow for continued recognition of originating content from either of the United Kingdom or Egypt and from the European Union in exports to each other, as per the intention of the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part. In this regard, the Governments of the United Kingdom and Egypt understand that any bilateral arrangement between the United Kingdom and Egypt represents a first step towards seeking this outcome.

2. In the event that the United Kingdom and the European Union reach agreement on rules of origin appropriate for a trilateral approach, the United Kingdom and Egypt approve taking the necessary steps, as a matter of urgency, to update Protocol 4 of the Agreement to reflect a trilateral approach to rules of origin, involving the European Union. The necessary steps will be taken in accordance with the procedures of the Association Council contained in Protocol 4. Should the agreement between the United Kingdom and European Union not include rules of origin suitable for a trilateral approach at entry into force, both Parties consider that a trilateral approach will continue to be the overall ambition.

3. This Joint Declaration will come into effect on the entry into force of the Agreement and will continue in operation until terminated in writing by either the United Kingdom or Egypt. Termination will take effect immediately upon the date of such notification.

The foregoing record represents the understandings reached between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Arab Republic of Egypt upon the matters referred to therein.

Signed in duplicate at Cairo this fifth day of December 2020 in the English and Arabic languages, all texts having equal validity.

For the Government of the United Kingdom of Great Britain and Northern Ireland:	**For the Government of the Arab Republic of Egypt:**
SIR GEOFFREY ADAMS	**BADR ABDELATTY**

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