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*Traités et accords internationaux
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Treaty Series

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VOLUME 1802

Recueil des Traités

*Traités et accords internationaux
enregistrés
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au Secrétariat de l'Organisation des Nations Unies*

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Volumes 1793 to 1818 contain the texts of the Agreement on the European Economic Area (with protocols, annexes, final act and protocol of correction of 15 July 1993), concluded at Porto on 2 May 1992 and the Protocol adjusting the above-mentioned Agreement (with annex and final act), concluded at Brussels on 17 March 1993, registered under No. I-31121. The 26 volumes reproduce the official texts as follows:

Volumes 1793 and 1794: Spanish
Volumes 1795 and 1796: Danish
Volumes 1797 and 1798: German
Volumes 1799 and 1800: Greek
Volumes 1801 and 1802: English
Volumes 1803 and 1804: French
Volumes 1805 and 1806: Icelandic
Volumes 1807 and 1808: Italian
Volumes 1809 and 1810: Dutch
Volumes 1811 and 1812: Norwegian
Volumes 1813 and 1814: Portuguese
Volumes 1815 and 1816: Finnish
Volumes 1817 and 1818: Swedish

Les volumes 1793 à 1818 renferment les textes de l'Accord sur l'espace économique européen (avec protocoles, annexes, acte final et procès-verbal de rectification du 15 juillet 1993), conclu à Porto le 2 mai 1992 et le Protocole portant adaptation de l'Accord susmentionné (avec annexe et acte final), conclu à Bruxelles le 17 mars 1993, enregistrés sous le numéro I-31121. Les 26 volumes reproduisent les textes officiels comme suit :

Volumes 1793 et 1794 : espagnol
Volumes 1795 et 1796 : danois
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NOTE BY THE SECRETARIAT

Under Article 102 of the Charter of the United Nations every treaty and every international agreement entered into by any Member of the United Nations after the coming into force of the Charter shall, as soon as possible, be registered with the Secretariat and published by it. Furthermore, no party to a treaty or international agreement subject to registration which has not been registered may invoke that treaty or agreement before any organ of the United Nations. The General Assembly, by resolution 97 (I), established regulations to give effect to Article 102 of the Charter (see text of the regulations, vol. 859, p. VIII).

The terms "treaty" and "international agreement" have not been defined either in the Charter or in the regulations, and the Secretariat follows the principle that it acts in accordance with the position of the Member State submitting an instrument for registration that so far as that party is concerned the instrument is a treaty or an international agreement within the meaning of Article 102. Registration of an instrument submitted by a Member State, therefore, does not imply a judgement by the Secretariat on the nature of the instrument, the status of a party or any similar question. It is the understanding of the Secretariat that its action does not confer on the instrument the status of a treaty or an international agreement if it does not already have that status and does not confer on a party a status which it would not otherwise have.

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Unless otherwise indicated, the translations of the original texts of treaties, etc., published in this *Series* have been made by the Secretariat of the United Nations.

NOTE DU SECRÉTARIAT

Aux termes de l'Article 102 de la Charte des Nations Unies, tout traité ou accord international conclu par un Membre des Nations Unies après l'entrée en vigueur de la Charte sera, le plus tôt possible, enregistré au Secrétariat et publié par lui. De plus, aucune partie à un traité ou accord international qui aurait dû être enregistré mais ne l'a pas été ne pourra invoquer ledit traité ou accord devant un organe des Nations Unies. Par sa résolution 97 (I), l'Assemblée générale a adopté un règlement destiné à mettre en application l'Article 102 de la Charte (voir texte du règlement, vol. 859, p. IX).

Le terme « traité » et l'expression « accord international » n'ont été définis ni dans la Charte ni dans le règlement, et le Secrétariat a pris comme principe de s'en tenir à la position adoptée à cet égard par l'Etat Membre qui a présenté l'instrument à l'enregistrement, à savoir que pour autant qu'il s'agit de cet Etat comme partie contractante l'instrument constitue un traité ou un accord international au sens de l'Article 102. Il s'ensuit que l'enregistrement d'un instrument présenté par un Etat Membre n'implique, de la part du Secrétariat, aucun jugement sur la nature de l'instrument, le statut d'une partie ou toute autre question similaire. Le Secrétariat considère donc que les actes qu'il pourrait être amené à accomplir ne confèrent pas à un instrument la qualité de « traité » ou d'« accord international » si cet instrument n'a pas déjà cette qualité, et qu'ils ne confèrent pas à une partie un statut que, par ailleurs, elle ne posséderait pas.

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Sauf indication contraire, les traductions des textes originaux des traités, etc., publiés dans ce *Recueil* ont été établies par le Secrétariat de l'Organisation des Nations Unies.

I

Treaties and international agreements

registered

on 1 August 1994

No. 31121 (continued)

Traités et accords internationaux

enregistrés

le 1^{er} août 1994

N° 31121 (suite)

No. 31121
(continued — suite)

MULTILATERAL

Agreement on the European Economic Area (with protocols, annexes, final act and protocol of correction of 15 July 1993). Concluded at Porto on 2 May 1992

Protocol adjusting the above-mentioned Agreement (with annex and final act). Concluded at Brussels on 17 March 1993

Authentic texts: Spanish, Danish, German, Greek, English, French, Icelandic, Italian, Dutch, Norwegian, Portuguese, Finnish and Swedish.

Registered by the Council of the European Union on 1 August 1994.

MULTILATÉRAL

Accord sur l'espace économique européen (avec protocoles, annexes, acte final et procès-verbal de rectification du 15 juillet 1993). Conclu à Porto le 2 mai 1992

Protocole portant adaptation de l'Accord susmentionné (avec annexe et acte final). Conclu à Bruxelles le 17 mars 1993

Textes authentiques : espagnol, danois, allemand, grec, anglais, français, islandais, italien, néerlandais, norvégien, portugais, finnois et suédois.

Enregistré par le Conseil de l'Union européenne le 1^{er} août 1994.

ANNEX II

TECHNICAL REGULATIONS, STANDARDS, TESTING AND CERTIFICATION

List provided for in Article 23

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

References to Articles 30 and 36 or 30 to 36 of the Treaty establishing the European Economic Community shall be replaced with references to Articles 11 and 13 or 11 to 13 and, where applicable, 18 of the Agreement.

I. MOTOR VEHICLES

The EFTA States may, until 1 January 1995, apply their national legislation, including the possibility of refusing the registration, sale, entry into service or use, on grounds relating to their emissions of gaseous pollutants for all engines, particulates of diesel engines and noise, of motor vehicles falling within the scope of the Directives in question which respect the requirements of Directives 70/157/EEC, 70/220/EEC, 72/306/EEC and 88/77/EEC, as last amended, and which are type-approved according to the requirements of Directive 70/156/EEC. From 1 January 1995, the EFTA States may continue to apply their national legislation, but they shall allow free circulation according to the "Community acquis". All proposals to amend, up-date, extend or otherwise develop the "Community acquis" in relation to the matters covered by these Directives shall be subject to the general decision-making provisions of this Agreement.

The EFTA States shall not be entitled to grant EEC type-approval for whole vehicles, or separate directives certificates for systems, components or separate technical units according to the Directives within the scope of the first paragraph, until 1 January 1995.

ACTS REFERRED TO

1. **370 L 0156:** Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (OJ No L 42, 23.2.1970, p. 1), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 115),
 - **378 L 0315:** Council Directive 78/315/EEC of 21 December 1977 (OJ No L 81, 28.3.1978, p. 1),
 - **378 L 0547:** Council Directive 78/547/EEC of 12 June 1978 (OJ No L 168, 26.6.1978, p. 39),
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 108),
 - **380 L 1267:** Council Directive 80/1267/EEC of 16 December 1980 (OJ No L 375, 31.12.1980, p. 34), as corrected by OJ No L 265, 19.9.1981, p. 28,
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 211),
 - **387 L 0358:** Council Directive 87/358/EEC of 25 June 1987 (OJ No L 192, 11.7.1987, p. 51),
 - **387 L 0403:** Council Directive 87/403/EEC of 25 June 1987 supplementing Annex 1 to Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (OJ No L 220, 8.8.1987, p. 44).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 2(a), the following indents shall be added:

- "Typengenehmigung" in Austrian law,
- "tyyppihyväsytä" / "tygodkännande" in Finnish law,
- "gerðarviðurkenning" in Icelandic law,
- "Typengenehmigung" in Liechtensteiner law,
- "typegodkjenning" in Norwegian law,
- "tygodkännande" in Swedish law,
- "Typengenehmigung" / "approbation du type" / "approvazione del tipo" in Swiss law".

2. **370 L 0157:** Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (OJ No L 42, 23.2.1970, p. 16), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 115),
 - **373 L 0350:** Commission Directive 73/350/EEC of 7 November 1973 (OJ No L 321, 22.11.1973, p. 33),
 - **377 L 0212:** Council Directive 77/212/EEC of 8 March 1977 (OJ No L 66, 12.3.1977, p. 33),
 - **381 L 0334:** Commission Directive 81/334/EEC of 13 April 1981 (OJ No L 131, 18.5.1981, p. 6),
 - **384 L 0372:** Commission Directive 84/372/EEC of 3 July 1984 (OJ No L 196, 26.7.1984, p. 47),
 - **384 L 0424:** Council Directive 84/424/EEC of 3 September 1984 (OJ No L 238, 6.9.1984, p. 31),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 211),
 - **389 L 0491:** Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15.8.1989, p. 43).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Annex II, the following shall be added to the footnote relating to point 3.1.3:
"A = Austria, CH = Switzerland, FL = Liechtenstein, IS = Iceland, N = Norway, S = Sweden, SF = Finland";
- (b) in Annex IV, the following shall be added to the footnote concerning the distinctive letter(s) of the country granting type-approval:
"A = Austria, CH = Switzerland, FL = Liechtenstein, IS = Iceland, N = Norway, S = Sweden, SF = Finland".

3. **370 L 0220:** Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles (OJ No L 76, 6.4.1970, p. 1), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 115),
 - **374 L 0290:** Council Directive 74/290/EEC of 28 May 1974 (OJ No L 159, 15.6.1974, p. 61),
 - **377 L 0102:** Commission Directive 77/102/EEC of 30 November 1976 (OJ No L 32, 3.2.1977, p. 32),
 - **378 L 0665:** Commission Directive 78/665/EEC of 14 July 1978 (OJ No L 223, 14.8.1978, p. 48),
 - **383 L 0351:** Council Directive 83/351/EEC of 16 June 1983 (OJ No L 197, 20.7.1983, p. 1),
 - **388 L 0076:** Council Directive 88/76/EEC of 3 December 1987 (OJ No L 36, 9.2.1988, p. 1),
 - **388 L 0436:** Council Directive 88/436/EEC of 16 June 1988 (OJ No L 214, 6.8.1988, p. 1), as corrected by OJ No L 303, 8.11.1988, p. 36,
 - **389 L 0458:** Council Directive 89/458/EEC of 18 July 1989 (OJ L 226, 3.8.1989, p. 1),
 - **389 L 0491:** Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15.8.1989, p. 43),
 - **391 L 0441:** Council Directive 91/441/EEC of 26 June 1991 (OJ No L 242, 30.8.1991, p. 1).
4. **370 L 0221:** Council Directive 70/221/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear protective devices for motor vehicles and their trailers (OJ No L 76, 6.4.1970, p. 23), as corrected by OJ No L 65, 15.3.1979, p. 42, as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 116),
 - **379 L 0490:** Commission Directive 79/490/EEC of 18 April 1979 (OJ No L 128, 26.5.1979, p. 22), as corrected by OJ No L 188, 26.7.1979, p. 54, as amended by Commission Directive 81/333/EEC of 13 April 1981,
 - **381 L 0333:** Commission Directive 81/333/EEC of 13 April 1981 (OJ No L 131, 18.5.1981, p. 4).

5. **370 L 0222:** Council Directive 70/222/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to the space for mounting and the fixing of rear registration plates on motor vehicles and their trailers (OJ No L 76, 6.4.1970, p. 25), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 116).
6. **370 L 0311:** Council Directive 70/311/EEC of 8 June 1970 on the approximation of the laws of the Member States relating to the steering equipment for motor vehicles and their trailers (OJ No L 133, 18.6.1970, p. 10), as corrected by OJ No L 196, 3.9.1970, p. 14, as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 116).
7. **370 L 0387:** Council Directive 70/387/EEC of 27 July 1970 on the approximation of the laws of the Member States relating to the doors of motor vehicles and their trailers (OJ No L 176, 10.8.1970, p. 5), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 116).
8. **370 L 0388:** Council Directive 70/388/EEC of 27 July 1970 on the approximation of the laws of the Member States relating to audible warning devices for motor vehicles (OJ No L 176, 10.8.1970, p. 227), as corrected by OJ No L 329, 25.11.1982, p. 31, as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 116),
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 108),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212),

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Annex I, the following shall be added to the text in brackets in point 1.4.1:

"12 for Austria, 17 for Finland, IS for Iceland, FL for Liechtenstein, 16 for Norway, 5 for Sweden and 14 for Switzerland".

9. **371 L 0127**: Council Directive 71/127/EEC of 1 March 1971 on the approximation of the laws of the Member States relating to the rear-view mirrors of motor-vehicles (OJ No L 68, 22.3.1971, p. 1), as amended by:
- **1 72 B**: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 116),
 - **379 L 0795**: Commission Directive 79/795/EEC of 20 July 1979 (OJ No L 239, 22.9.1979, p. 1),
 - **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **385 L 0205**: Commission Directive 85/205/EEC of 18 February 1985 (OJ No L 90, 29.3.1985, p. 1),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212),
 - **386 L 0562**: Commission Directive 86/562/EEC of 6 November 1986 (OJ No L 327, 22.11.1986, p. 49),
 - **388 L 0321**: Commission Directive 88/321/EEC of 16 May 1988 (OJ No L 147, 14.6.1988, p. 77).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Appendix 2 to Annex II, the following shall be added to the enumeration of distinguishing numbers in point 4.2:

"12 for Austria, 17 for Finland, IS for Iceland, FL for Liechtenstein, 16 for Norway, 5 for Sweden and 14 for Switzerland".

10. **371 L 0320**: Council Directive 71/320/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and their trailers (OJ No L 202, 6.9.1971, p. 37), as amended by:
- **1 72 B**: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 118),
 - **374 L 0132**: Commission Directive 74/132/EEC of 11 February 1974 (OJ No L 74, 19.3.1974, p. 7),
 - **375 L 0524**: Commission Directive 75/524/EEC of 25 July 1975 (OJ No L 236, 8.9.1975, p. 3), as corrected by OJ No L 247, 23.9.1975, p. 36,

- **379 L 0489**: Commission Directive 79/489/EEC of 18 April 1979 (OJ No L 128, 26.5.1979, p. 12), as corrected by OJ No L 188, 26.7.1979, p. 54,
 - **385 L 0647**: Commission Directive 85/647/EEC of 23 December 1985 (OJ No L 380, 31.12.1985, p. 1),
 - **388 L 0194**: Commission Directive 88/194/EEC of 24 March 1988 (OJ No L 92, 9.4.1988, p. 47).
11. **372 L 0245**: Council Directive 72/245/EEC of 20 June 1972 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to motor vehicles (OJ No L 152, 6.7.1972, p. 15), as amended by:
- **389 L 0491**: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15.8.1989, p. 43).
12. **372 L 0306**: Council Directive 72/306/EEC of 2 August 1972 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (OJ No L 190, 20.8.1972, p. 1), as corrected by OJ No L 215, 6.8.1974, p. 20, as amended by:
- **389 L 0491**: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15.8.1989, p. 43).
13. **374 L 0060**: Council Directive 74/60/EEC of 17 December 1973 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of controls, the roof or sliding roof, the backrest and rear part of the seats) (OJ No L 38, 11.2.1974, p. 2), as corrected by OJ No L 215, 6.8.1974, p. 20, and by OJ No L 53, 25.2.1977, p. 30, as amended by:
- **378 L 0632**: Commission Directive 78/632/EEC of 19 May 1978 (OJ No L 206, 29.7.1978, p. 26).
14. **374 L 0061**: Council Directive 74/61/EEC of 17 December 1973 on the approximation of the laws of the Member States relating to devices to prevent the unauthorized use of motor vehicles (OJ No L 38, 11.2.1974, p. 22), as corrected by OJ No L 215, 6.8.1974, p. 20.
15. **374 L 0297**: Council Directive 74/297/EEC of 4 June 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (the behaviour of the steering mechanism in the event of an impact) (OJ No L 165, 20.6.1974, p. 16).
16. **374 L 0408**: Council Directive 74/408/EEC of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seat and their anchorages) (OJ No L 221, 12.8.1974, p. 1), as amended by:
- **381 L 0577**: Council Directive 81/557/EEC of 20 July 1981 (OJ No L 209, 29.7.1981, p. 34).

17. **374 L 0483**: Council Directive 74/483/EEC of 17 September 1974 on the approximation of the laws of the Member States relating to the external projections of motor vehicles (OJ No L 266, 2.10.1974, p. 4), as amended by:

- **379 L 0488**: Commission Directive 79/488/EEC of 18 April 1979 (OJ No L 128, 26.5.1979, p. 1),
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Annex I, the following shall be added to the footnote relating to point 3.2.2.2:

"12 for Austria, 17 for Finland, IS for Iceland, FL for Liechtenstein, 16 for Norway, 5 for Sweden, 14 for Switzerland".

18. **375 L 0443**: Council Directive 75/443/EEC of 26 June 1975 on the approximation of the laws of the Member States relating to the reverse and speedometer equipment of motor vehicles (OJ No L 196, 26.7.1975, p. 1).

19. **376 L 0114**: Council Directive 76/114/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment (OJ No L 24, 30.1.1976, p. 1), as corrected by OJ No L 56, 4.3.1976, p. 38, and OJ No L 329, 25.11.1982, p. 31, as amended by:

- **378 L 0507**: Commission Directive 78/507/EEC of 19 May 1978 (OJ No L 155, 13.6.1978, p. 31),
- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In the Annex, the following shall be added to the text in brackets in point 2.1.2:

"12 for Austria, 17 for Finland, IS for Iceland, FL for Liechtenstein, 16 for Norway, 5 for Sweden and 14 for Switzerland".

20. **376 L 0115:** Council Directive 76/115/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts (OJ No L 24, 30.1.1976, p. 6), as amended by:
- **381 L 0575:** Council Directive 81/575/EEC of 20 July 1981 (OJ No L 209, 29.7.1981, p. 30),
 - **382 L 0318:** Commission Directive 82/318/EEC of 2 April 1982 (OJ No L 139, 19.5.1982, p. 9).
21. **376 L 0756:** Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers (OJ No L 262, 27.9.1976, p. 1), as amended by:
- **380 L 0233:** Commission Directive 80/233/EEC of 21 November 1979 (OJ No L 51, 25.2.1980, p. 8), as corrected by OJ No L 111, 30.4.1980, p. 22,
 - **382 L 0244:** Commission Directive 82/244/EEC of 17 March 1982 (OJ No L 109, 22.4.1982, p. 31),
 - **383 L 0276:** Council Directive 83/276/EEC of 26 May 1983 (OJ No L 151, 9.6.1983, p. 47),
 - **384 L 0008:** Commission Directive 84/8/EEC of 14 December 1983 (OJ No L 9, 12.1.1984, p. 24), as corrected by OJ No L 131, 17.5.1984, p. 50, and OJ No L 135, 22.5.1984, p. 27,
 - **389 L 0278:** Commission Directive 89/278/EEC of 28 March 1989 (OJ No L 109, 20.4.1989, p. 38), as corrected by OJ No L 114, 27.4.1989, p. 52.
22. **376 L 0757:** Council Directive 76/757/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to reflex reflectors for motor vehicles and their trailers (OJ No L 262, 27.9.1976, p. 32), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex III, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
1S for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

23. **376 L 0758**: Council Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end-outline marker lamps, front position (side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers (OJ No L 262, 27.9.1976, p. 54), as amended by:
- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213),
 - **389 L 0516**: Commission Directive 89/516/EEC of 1 August 1989 (OJ No L 265, 12.9.1989, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex III, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

24. **376 L 0759**: Council Directive 76/759/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers (OJ No L 262, 27.9.1976, p. 71), as amended by:
- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213),
 - **389 L 0277**: Commission Directive 89/277/EEC of 28 March 1989 (OJ No L 109, 20.4.1989, p. 25), as corrected by OJ No L 114, 27.4.1989, p. 52.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex III, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

25. **376 L 0760:** Council Directive 76/760/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the rear registration plate lamps for motor vehicles and their trailers (OJ No L 262, 27.9.1976, p. 85), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex I, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

26. **376 L 0761:** Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps (OJ No L 262, 27.9.1976, p. 96), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213),
 - **389 L 0517:** Commission Directive 89/517/EEC of 1 August 1989 (OJ No L 265, 12.9.1989, p. 15).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex VI, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

27. **376 L 0762**: Council Directive 76/762/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to front fog lamps for motor vehicles and filament lamps for such lamps (OJ No L 262, 27.9. 1976, p. 122), as amended by:

- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex II, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

28. **377 L 0389**: Council Directive 77/389/EEC of 17 May 1977 on the approximation of the laws of the Member States relating to motor-vehicle towing-devices (OJ No L 145, 13.6.1977, p. 41).

29. **377 L 0538**: Council Directive 77/538/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to rear fog lamps for motor vehicles and their trailers (OJ No L 220, 29.8.1977, p. 60), as corrected by OJ No L 284, 10.10.1978, p. 11, as amended by:

- **I 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213),
- **389 L 0518**: Commission Directive 89/518/EEC of 1 August 1989 (OJ No L 265, 12.9.1989, p. 24).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex II, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

30. **377 L 0539:** Council Directive 77/539/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to reversing lamps for motor vehicles and their trailers (OJ No L 220, 29.8.1977, p. 72), as corrected by OJ No L 284, 10.10.1978, p. 11, as amended by:

— **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),

— **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex II, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

31. **377 L 0540:** Council Directive 77/540/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to parking lamps for motor vehicles (OJ No L 220, 29.8.1977, p. 83), as corrected by OJ No L 284, 10.10.1978, p. 11, as amended by:

— **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),

— **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex IV, the following shall be added to point 4.2:

"12 for Austria
17 for Finland
1S for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

32. **377 L 0541**: Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (OJ No L 220, 29.8.1977, p. 95), as amended by:

- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
- **381 L 0576**: Council Directive 81/576/EEC of 20 July 1981 (OJ No L 209, 29.7.1981, p. 32),
- **382 L 0319**: Commission Directive 82/319/EEC of 2 April 1982 (OJ No L 139, 19.5.1982, p. 17),
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214),
- **390 L 0628**: Commission Directive 90/628/EEC of 30 October 1990 (OJ No L 341, 6.12.1990, p. 1).

The Contracting Parties may refuse, within the period expiring on 1 July 1997, the placing on the market of vehicles of category M1, M2 and M3 the safety belts or restraint systems of which do not satisfy the requirements of Directive 77/541/EEC as last amended by Directive 90/628/EEC, but shall not refuse the placing on the market of vehicles which do respect these requirements. The EFTA States shall only be entitled to grant EEC type-approval according to these Directives from the date on which they apply in full the Directives in question.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex III, the following shall be added to point 1.1.1.:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

33. **377 L 0649:** Council Directive 77/649/EEC of 27 September 1977 on the approximation of the laws of the Member States relating to the field of vision of motor vehicle drivers (OJ No L 267, 19.10.1977, p. 1), as corrected by OJ No L 150, 6.6.1978, p. 6, as amended by:
 - **381 L 0643:** Commission Directive 81/643/EEC of 29 July 1981 (OJ No L 231, 15.8.1981, p. 41),
 - **388 L 0366:** Commission Directive 88/366/EEC of 17 May 1988 (OJ No L 181, 12.7.1988, p. 40).
34. **378 L 0316:** Council Directive 78/316/EEC of 21 December 1977 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators)(OJ No L 81, 28.3.1978, p. 3).
35. **378 L 0317:** Council Directive 78/317/EEC of 21 December 1977 on the approximation of the laws of the Member States relating to the defrosting and demisting systems of glazed surfaces of motor vehicles (OJ No L 81, 28.3.1978, p. 27), as corrected by OJ No L 194, 19.7.1978, p. 29.
36. **378 L 0318:** Council Directive 78/318/EEC of 21 December 1977 on the approximation of the laws of the Member States relating to the wiper and washer systems of motor vehicles (OJ No L 81, 28.3.1978, p. 49), as corrected by OJ No L 194, 19.7.1978, p. 30.
37. **378 L 0548:** Council Directive 78/548/EEC of 12 June 1978 on the approximation of the laws of the Member States relating to heating systems for the passenger compartment of motor vehicles (OJ No L 168, 26.6.1978, p. 40).
38. **378 L 0549:** Council Directive 78/549/EEC of 12 June 1978 on the approximation of the laws of the Member States relating to the wheel guards of motor vehicles (OJ No L 168, 26.6.1978, p. 45).
39. **378 L 0932:** Council Directive 78/932/EEC of 16 October 1978 on the approximation of the laws of the Member States relating to head restraints of seats of motor vehicles (OJ No L 325, 20.11.1978, p. 1), as corrected by OJ No L 329, 25.11.1982, p. 31, as amended by:
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),

- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex VI, the following shall be added to point 1.1.1:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

40. **378 L 1015**: Council Directive 78/1015/EEC of 23 November 1978 on the approximation of the laws of the Member States on the permissible sound level and exhaust system of motorcycles (OJ No L 349, 13.12.1978, p. 21), as corrected by OJ No L 10, 16.1.1979, p. 15, as amended by:

- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214),
- **387 L 0056**: Council Directive 87/56/EEC of 18 December 1986 (OJ No L 24, 27.1.1987, p. 42),
- **389 L 0235**: Council Directive 89/235/EEC of 13 March 1989 (OJ No L 98, 11.4.1989, p. 1).

The EFTA States may, until 1 January 1995, apply their national legislation, including the possibility of refusing the registration, sale, entry into service or use, on grounds of their sound level and exhaust system, of motorcycles falling within the scope of the Directive in question which respect the requirements of Directive 78/1015/EEC, as last amended. From 1 January 1995, the EFTA States may continue to apply their national legislation, but they shall allow free circulation according to the "Community acquis". All proposals to amend, up-date, extend or otherwise develop the "Community acquis" in relation to the matters covered by the Directive shall be subject to the general decision-making provisions of this Agreement.

The EFTA States shall not be entitled to grant certificates according to the Directive until 1 January 1995.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) in Article 2, the following indents shall be added:

- "Typengenehmigung" in Austrian law,
- "tyyppihyväsytä" / "typpgodkännande" in Finnish law,
- "gerðarviðurkenning" in Icelandic law,
- "Typengenehmigung" in Liechtensteiner law,
- "typegodkjenning" in Norwegian law,
- "typpgodkännande" in Swedish law,
- "Typengenehmigung/"approbation du type"/"approvazione del tipo" in Swiss law.";

(b) in Annex II, the following shall be added to point 3.1.3:

- "12 for Austria
- 17 for Finland
- IS for Iceland
- FL for Liechtenstein
- 16 for Norway
- 5 for Sweden
- 14 for Switzerland".

41. 380 L 0780: Council Directive 80/780/EEC of 22 July 1980 on the approximation of the laws of the Member States relating to rear-view mirrors for two-wheeled motor vehicles with or without a side-car and to their fitting on such vehicles (OJ No L 229, 30.8.1980, p. 49), as amended by:

- 380 L 1272: Council Directive 80/1272/EEC of 22 December 1980(OJ No L 375, 31.12.1980, p. 73),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Article 8, the following indents shall be added:

- "Typengenehmigung" in Austrian law,
- "tyyppihyväsytä" / "typpgodkännande" in Finnish law,
- "gerðarviðurkenning" in Icelandic law,
- "Typengenehmigung" in Liechtensteiner law,
- "typegodkjenning" in Norwegian law,
- "typpgodkännande" in Swedish law,
- "Typengenehmigung/"approbation du type"/"approvazione del tipo" in Swiss law.".

42. **380 L 1268**: Council Directive 80/1268/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles (OJ No L 375, 31.12.1980, p. 36), as amended by:
- **389 L 0491**: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15.8.1989, p. 43).
43. **380 L 1269**: Council Directive 80/1269/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the engine power of motor vehicles (OJ No L 375, 31.12.1980, p. 46), as amended by:
- **388 L 0195**: Commission Directive 88/195/EEC of 24 March 1988 (OJ No L 92, 9.4.1988, p. 50), as corrected by OJ No L 105, 26.4.1988, p. 34,
 - **389 L 0491**: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15.8.1989, p. 43).
44. **388 L 0077**: Council Directive 88/77/EEC of 3 December 1987 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles (OJ No L 36, 9.2.1988, p. 33).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex I, the following shall be added to point 5.1.3:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

45. **389 L 0297**: Council Directive 89/297/EEC of 13 April 1989 on the approximation of the laws of the Member States relating to the lateral protection (side guards) of certain motor vehicles and their trailers (OJ No L 124, 5.5.1989, p. 1).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

46. **377 Y 0726(01)**: Council Resolution of 29 June 1977 on EEC whole vehicle type-approval for passenger cars (OJ No C 177, 26.7.1977, p. 1).
47. **C/281/88/p. 9**: Commission notice on procedures for the type-approval and registration of vehicles previously registered in another Member State (OJ No C 281, 4.11.1988, p. 9).

II. AGRICULTURAL AND FORESTRY TRACTORS

ACTS REFERRED TO

1. **374 L 0150**: Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors (OJ No L 84, 28.3.1974, p. 10), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **379 L 0694**: Council Directive 79/694/EEC of 24 July 1979 (OJ No L 205, 13.8.1979, p. 17),
 - **I 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),
 - **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212),
 - **388 L 0297**: Council Directive 88/297/EEC of 3 May 1988 (OJ No L 126, 20.5.1988, p. 52).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Article 2(a), the following indents shall be added:

- "Typengenehmigung" in Austrian law
- "tyyppihyväsytä" / "typgodkännande" in Finnish law
- "gerðarviðurkenning" in Icelandic law
- "Typengenehmigung" in Liechtensteiner law
- "typegodkjenning" in Norwegian law
- "typgodkännande" in Swedish law
- "Typengenehmigung" / "approbation du type" / "approvazione del tipo" in Swiss law."

2. **374 L 0151**: Council Directive 74/151/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors (OJ No L 84, 28.3.1974, p. 25), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45),
 - **388 L 0410**: Commission Directive 88/410/EEC of 21 June 1988 (OJ No L 200, 26.7.1988, p. 27).

3. **374 L 0152:** Council Directive 74/152/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the maximum design speed of and load platforms for wheeled agricultural or forestry tractors (OJ No L 84, 28.3.1974, p. 33), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **382 L 0890:** Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45),
 - **388 L 0412:** Commission Directive 88/412/EEC of 22 June 1988 (OJ No L 200, 26.7.1988, p. 31).
4. **374 L 0346:** Council Directive 74/346/EEC of 25 June 1974 on the approximation of the laws of the Member States relating to rear-view mirrors for wheeled agricultural or forestry tractors (OJ No L 191, 15.7.1974, p. 1), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **382 L 0890:** Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
5. **374 L 0347:** Council Directive 74/347/EEC of 25 June 1974 on the approximation of the laws of the Member States relating to the field of vision and windscreen wipers for wheeled agricultural or forestry tractors (OJ No L 191, 15.7.1974, p. 5), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **379 L 1073:** Commission Directive 79/1073/EEC of 22 November 1979 (OJ No L 331, 27.12.1979, p. 20),
 - **382 L 0890:** Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
6. **375 L 0321:** Council Directive 75/321/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to the steering equipment of wheeled agricultural or forestry tractors (OJ No L 147, 9.6.1975, p. 24), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **382 L 0890:** Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45),
 - **388 L 0411:** Commission Directive 88/411/EEC of 21 June 1988 (OJ No L 200, 26.7.1988, p. 30).
7. **375 L 0322:** Council Directive 75/322/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to wheeled agricultural or forestry tractors (OJ No L 147, 9.6.1975, p. 28), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **382 L 0890:** Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).

8. **376 L 0432**: Council Directive 76/432/EEC of 6 April 1976 on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors (OJ No L 122, 8.5.1976, p. 1), as corrected by OJ No L 226, 18.8.1976, p. 16, as amended by:
 - **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
9. **376 L 0763**: Council Directive 76/763/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to passenger seats for wheeled agricultural or forestry tractors (OJ No L 262, 27.9.1976, p. 135), as amended by:
 - **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
10. **377 L 0311**: Council Directive 77/311/EEC of 29 March 1977 on the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors (OJ No L 105, 28.4.1977, p. 1), as amended by:
 - **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
11. **377 L 0536**: Council Directive 77/536/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (OJ No L 220, 29.8.1977, p. 1), as amended by:
 - **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213),
 - **389 L 0680**: Council Directive 89/680/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 26).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex VI, the following shall be added:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

12. **377 L 0537**: Council Directive 77/537/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors (OJ No L 220, 29.8.1977, p. 38), as amended by:
- **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
13. **378 L 0764**: Council Directive 78/764/EEC of 25 July 1978 on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors (OJ No L 255, 18.9.1978, p. 1), as amended by:
- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45),
 - **383 L 0190**: Commission Directive 83/190/EEC of 28 March 1983 (OJ No L 109, 26.4.1983, p. 13),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214),
 - **388 L 0465**: Commission Directive 88/465/EEC of 30 June 1988 (OJ No L 228, 17.8.1988, p. 31).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex II, the following shall be added to point 3.5.2.1:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

14. **378 L 0933**: Council Directive 78/933/EEC of 17 October 1978 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors (OJ No L 325, 20.11.1978, p. 16), as amended by:
- **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).

15. **379 L 0532**: Council Directive 79/532/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors (OJ No L 145, 13.6.1979, p. 16), as amended by:
- **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
16. **379 L 0533**: Council Directive 79/533/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors (OJ No L 145, 13.6.1979, p. 20), as amended by:
- **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45).
17. **379 L 0622**: Council Directive 79/622/EEC of 25 June 1979 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (OJ No L 179, 17.7.1979, p. 1), as amended by:
- **382 L 0953**: Commission Directive 82/953/EEC of 15 December 1982 (OJ No L 386, 31.12.1982, p. 31),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214),
 - **388 L 0413**: Commission Directive 88/413/EEC of 22 June 1988 (OJ No L 200, 26.7.1988, p. 32).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex VI, the following shall be added:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

18. **380 L 0720**: Council Directive 80/720/EEC of 24 June 1980 on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors (OJ No L 194, 28.7.1980, p. 1), as amended by:
- **382 L 0890**: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45),
 - **388 L 0414**: Commission Directive 88/414/EEC of 22 June 1988 (OJ No L 200, 26.7.1988, p. 34).

19. **386 L 0297**: Council Directive 86/297/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to the power take-offs of wheeled agricultural and forestry tractors and their protection (OJ No L 186, 8.7.1986, p. 19).
20. **386 L 0298**: Council Directive 86/298/EEC of 26 May 1986 on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors (OJ No L 186, 8.7.1986, p. 26), as amended by:
- **389 L 0682**: Council Directive 89/682/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 29).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex VI, the following shall be added:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

21. **386 L 0415**: Council Directive 86/415/EEC of 24 July 1986 on the installation, location, operation and identification of the controls of wheeled agricultural or forestry tractors (OJ No L 240, 26.8.1986, p. 1).
22. **387 L 0402**: Council Directive 87/402/EEC of 25 June 1987 on roll-over protection structures mounted in front of the driver's seat on narrow-track wheeled agricultural and forestry tractors (OJ No L 220, 8.8.1987, p. 1), as amended by:
- **389 L 0681**: Council Directive 89/681/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 27).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex VII, the following shall be added:

"12 for Austria
17 for Finland
IS for Iceland
FL for Liechtenstein
16 for Norway
5 for Sweden
14 for Switzerland".

23. **389 L 0173:** Council Directive 89/173/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors (OJ No L 67, 10.3.1989, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Annex III A, the following shall be added to footnote 1 of point 5.4.1:

"12 for Austria, 17 for Finland, IS for Iceland, FL for Liechtenstein, 16 for Norway, 5 for Sweden, 14 for Switzerland".

- (b) in Annex V, the following shall be added to the text in brackets of point 2.1.3:

"12 for Austria, 17 for Finland, IS for Iceland, FL for Liechtenstein, 16 for Norway, 5 for Sweden, 14 for Switzerland".

III. LIFTING AND MECHANICAL HANDLING APPLIANCES

ACTS REFERRED TO

1. **373 L 0361:** Council Directive 73/361/EEC of 19 November 1973 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wire-ropes, chains and hooks (OJ No L 335, 5.12.1973, p. 51), as amended by:
- **376 L 0434:** Commission Directive 76/434/EEC of 13 April 1976 (OJ No L 122, 8.5.1976, p. 20).
2. **384 L 0528:** Council Directive 84/528/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for lifting and mechanical handling appliances (OJ No L 300, 19.11.1984, p. 72), as amended by:
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214),
 - **388 L 0665:** Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex I, the following shall be added to the text in brackets in point 3:

"A for Austria, CH for Switzerland, FL for Liechtenstein, IS for Iceland, N for Norway, S for Sweden, SF for Finland".

3. **384 L 0529:** Council Directive 84/529/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electrically operated lifts (OJ No L 300, 19.11.1984, p. 86), as amended by:
 - **386 L 0312:** Commission Directive 86/312/EEC of 18 June 1986 (OJ No L 196, 18.7.1986, p. 56),
 - **390 L 0486:** Council Directive 90/486/EEC of 17 September 1990 (OJ No L 270, 2.10.1990, p. 21).
4. **386 L 0663:** Council Directive 86/663/EEC of 22 December 1986 on the approximation of the laws of the Member States relating to self-propelled industrial trucks (OJ No L 384, 31.12.1986, p. 12), as amended by:
 - **389 L 0240:** Commission Directive 89/240/EEC of 16 December 1988 (OJ No L 100, 12.4.1989, p. 1).

IV. HOUSEHOLD APPLIANCES

ACTS REFERRED TO

1. **379 L 0530:** Council Directive 79/530/EEC of 14 May 1979 on the indication by labelling of the energy consumption of household appliances (OJ No L 145, 13.6.1979, p. 1).
2. **379 L 0531:** Council Directive 79/531/EEC of 14 May 1979 applying to electric ovens Directive 79/530/EEC on the indication by labelling of the energy consumption of household appliances (OJ No L 145, 13.6.1979, p. 7), as amended by:
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 227).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Annex I, the following shall be added to point 3.1.1:

"sähköuuni, in Finnish (FI)
rafmagnsbökunarofn, in Icelandic (IS)
elektrisk stekeovn, in Norwegian (N)
elektrisk ugn, in Swedish (S)";

- (b) in Annex I, the following shall be added to point 3.1.3:

"käyttötilavuus, in Finnish (FI)
nýtanlegt rými, in Icelandic (IS)
nyttevolum, in Norwegian (N)
nyttovolym, in Swedish (S)";

- (c) in Annex I, the following shall be added to point 3.1.5.1:

"esilämmityskulutus 200°C:een, in Finnish (FI)
 forhitunarnotkun í 200°C, in Icelandic (IS)
 energiforbruk ved oppvarming til 200°C, in Norwegian (N)
 Energiförbrukning vid uppvärmning till 200°C, in Swedish (S)
 vakiokulutus (yhden tunnin aikana 200°C:ssa), in Finnish (FI)
 jafnstöðunotkun (ein klukkustund við 200°C), in Icelandic (IS)
 energiforbruk for å opprettholde en bestemt temperatur (en time på 200°C), in Norwegian (N)
 Energiförbrukning för att upprätthålla en temperatur (på 200°C i en timme), in Swedish (S)
 KOKONAISKULUTUS, in Finnish (FI)
 ALLS, in Icelandic (IS)
 TOTALT, in Norwegian (N)
 TOTALT, in Swedish (S)";

- (d) in Annex I, the following shall be added to point 3.1.5.3:

"puhdistusvaiheen kulutus, in Finnish (FI)
 hreinsilotunotkun, in Icelandic (IS)
 energiforbruk for en rengjøringsperiode, in Norwegian (N)
 Energiförbrukning vid en rengöringsprocess, in Swedish (S)";

- (e) the following Annexes shall be added:

ANNEX II(h)
 (drawings with the adaptations in Finnish)

ANNEX II(i)
 (drawings with the adaptations in Icelandic)

ANNEX II(j)
 (drawings with the adaptations in Norwegian)

ANNEX II(k)
 (drawings with the adaptations in Swedish).

3. **386 L 0594:** Council Directive 86/594/EEC of 1 December 1986 on airborne noise emitted by household appliances (OJ No L 344, 6.12.1986, p. 24).

V. GAS APPLIANCES

ACTS REFERRED TO

1. **378 L 0170:** Council Directive 78/170/EEC of 13 February 1978 on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings (OJ No L 52, 23.2.1978, p. 32)⁽¹⁾.
2. **390 L 0396:** Council Directive 90/396/EEC of 29 June 1990 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels (OJ No L 196, 26.7.1990, p. 15).

VI. CONSTRUCTION PLANT AND EQUIPMENT

ACTS REFERRED TO

1. **379 L 0113:** Council Directive 79/113/EEC of 19 December 1978 on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment (OJ No L 33, 8.2.1979, p. 15), as amended by:
 - **381 L 1051:** Council Directive 81/1051/EEC of 7 December 1981 (OJ No L 376, 30.12.1981, p. 49),
 - **385 L 0405:** Commission Directive 85/405/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 9).
2. **384 L 0532:** Council Directive 84/532/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for construction plant and equipment (OJ No L 300, 19.11.1984, p. 111), as corrected by OJ No L 41, 12.2.1985, p. 15, as amended by:
 - **388 L 0665:** Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42).
3. **384 L 0533:** Council Directive 84/533/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of compressors (OJ No L 300, 19.11.1984, p. 123), as amended by:
 - **385 L 0406:** Commission Directive 85/406/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 11).

(1) Listed here for information purposes only; for application see Annex IV on Energy.

4. **384 L 0534:** Council Directive 84/534/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes (OJ No L 300, 19.11.1984, p. 130), as corrected by OJ No L 41, 12.2.1985, p. 15, as amended by:
 - **387 L 0405:** Council Directive 87/405/EEC of 25 June 1987 (OJ No L 220, 8.8.1987, p. 60).
5. **384 L 0535:** Council Directive 84/535/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of welding generators (OJ No L 300, 19.11.1984, p. 142), as amended by:
 - **385 L 0407:** Commission Directive 85/407/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 16).
6. **384 L 0536:** Council Directive 84/536/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of power generators (OJ No L 300, 19.11.1984, p. 149), as corrected by OJ No L 41, 12.2.1985, p. 17, as amended by:
 - **385 L 0408:** Commission Directive 85/408/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 18).
7. **384 L 0537:** Council Directive 84/537/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of powered hand-held concrete-breakers and picks (OJ No L 300, 19.11.1984, p. 156), as corrected by OJ No L 41, 12.2.1985, p. 17, as amended by:
 - **385 L 0409:** Commission Directive 85/409/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 20).
8. **386 L 0295:** Council Directive 86/295/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to roll-over protective structures (ROPS) for certain construction plant (OJ No L 186, 8.7.1986, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex IV, the following shall be added to the text in brackets:

"A for Austria, CH for Switzerland, FL for Liechtenstein, IS for Iceland, N for Norway, S for Sweden, SF for Finland".

9. **386 L 0296:** Council Directive 86/296/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to falling-object protective structures (FOPS) for certain construction plant (OJ No L 186, 8.7.1986, p. 10).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Annex IV, the following shall be added to the text in brackets:

"A for Austria, CH for Switzerland, FL for Liechtenstein, IS for Iceland, N for Norway, S for Sweden, SF for Finland".

10. **386 L 0662**: Council Directive 86/662/EEC of 22 December 1986 on the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders (OJ No L 384, 31.12.1986, p. I), as amended by:
 - **389 L 0514**: Commission Directive 89/514/EEC of 2 August 1989 (OJ No L 253, 30.8.1989, p. 35).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

11. Commission Communication relating to harmonized noise measurement methods for construction plant. (Adopted 3 January 1981).
12. **386 X 0666**: Council Recommendation 86/666/EEC of 22 December 1986 on fire safety in existing hotels (OJ No L 384, 31.12.1986, p. 60).

VII. OTHER MACHINES

ACTS REFERRED TO

1. **384 L 0538**: Council Directive 84/538/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers (OJ No L 300, 19.11.1984, p. 171), as amended by:
 - **387 L 0252**: Commission Directive 87/252/EEC of 7 April 1987 (OJ No L 117, 5.5.1987, p. 22), as corrected by OJ No L 158, 18.6.1987, p. 31,
 - **388 L 0180**: Council Directive 88/180/EEC of March 1988 (OJ No L 81, 26.3.1988, p. 69),
 - **388 L 0181**: Council Directive 88/181/EEC of 22 March 1988 (OJ No L 81, 26.3.1988, p. 71).

VIII. PRESSURE VESSELS

ACTS REFERRED TO

1. **375 L 0324:** Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers (OJ No L 147, 9.6.1975, p. 40).
2. **376 L 0767:** Council Directive 76/767/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods of inspecting them (OJ No L 262, 27.9.1976, p. 153), as amended by:
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213),
 - **388 L 0665:** Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

the following shall be added to the text in brackets in the first indent of point 3.1 of Annex I and in the first indent of point 3.1.1.1.1 of Annex II:

"A for Austria, CH for Switzerland, FL for Liechtenstein, IS for Iceland, N for Norway, S for Sweden, SF for Finland".

3. **384 L 0525:** Council Directive 84/525/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders (OJ No L 300, 19.11.1984, p. 1).
4. **384 L 0526:** Council Directive 84/526/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders (OJ No L 300, 19.11.1984, p. 20).
5. **384 L 0527:** Council Directive 84/527/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders (OJ No L 300, 19.11.1984, p. 48).
6. **387 L 0404:** Council Directive 87/404/EEC of 25 June 1987 on the harmonization of the laws of the Member States relating to simple pressure vessels (OJ No L 220, 8.8.1987, p. 48), as amended by:
 - **390 L 0488:** Council Directive 90/488/EEC of 17 September 1990 (OJ No L 270, 2.10.1990, p. 25).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following act:

7. **389 X 0349:** Commission Recommendation 89/349/EEC of 13 April 1989 on the reduction of chlorofluorocarbons by the aerosol industry (OJ No L 144, 27.5.1989, p. 56).

IX. MEASURING INSTRUMENTS**ACTS REFERRED TO**

1. **371 L 0316:** Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control (OJ No L 202, 6.9.1971, p. 1), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 118),
 - **372 L 0427:** Council Directive 72/427/EEC of 19 December 1972 (OJ No L 291, 28.12.1972, p. 156),
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **383 L 0575:** Council Directive 83/575/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 43),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212),
 - **387 L 0354:** Council Directive 87/354/EEC of 25 June 1987 (OJ No L 192, 11.7.1987, p. 43),
 - **388 L 0665:** Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) to the first indent of point 3.1 of Annex I and to the first indent of point 3.1.1.1(a) of Annex II, the following shall be added to the text in brackets:

"A for Austria, CH for Switzerland, FL for Liechtenstein, IS for Iceland, N for Norway, S for Sweden, SF for Finland",
- (b) the drawings to which Annex II point 3.2.1 refers, shall be supplemented by the letters necessary for the signs A, CH, FL, IS, N, S, SF.

2. **371 L 0317:** Council Directive 71/317/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to 5 to 50 kilogramme medium accuracy rectangular bar weights and 1 gramme to 10 kilogramme medium accuracy cylindrical weights (OJ No L 202, 6.9.1971, p. 14).
3. **371 L 0318:** Council Directive 71/318/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to gas volume meters (OJ No L 202, 6.9.1971, p. 21), as amended by:
 - **374 L 0331:** Commission Directive 74/331/EEC of 12 June 1974 (OJ No L 189, 12.7.1974, p. 9),
 - **378 L 0365:** Commission Directive 78/365/EEC of 31 March 1978 (OJ No L 104, 18.4.1978, p. 26),
 - **382 L 0623:** Commission Directive 82/623/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 5).
4. **371 L 0319:** Council Directive 71/319/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to meters for liquids other than water (OJ No L 202, 6.9.1971, p. 32).
5. **371 L 0347:** Council Directive 71/347/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to the measuring of the standard mass per storage volume of grain (OJ No L 239, 25.10.1971, p. 1), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 119),
 - **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ NO L 302, 15.11.1985, p. 212).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

to article 1(a) the following is added between the brackets:

- "EY hehtolitrapiaino" (in Finnish)
- "EB hektólítrapyngd" (in Icelandic)
- "EF hektolitervekt" (in Norwegian)
- "EG hektolitervikt" (in Swedish).

6. **371 L 0348:** Council Directive 71/348/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to ancillary equipment for meters for liquids other than water (OJ No L 239, 25.10.1971, p. 9), as amended by:

- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 119),
- **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Chapter IV of the Annex the following shall be added at the end of section 4.8.1:

"10 Groschen"	(Austria)
"10 penniä/10 penni"	(Finland)
"10 aurar"	(Iceland)
" 1 Rappen"	(Liechtenstein)
"10 øre"	(Norway)
" 1 öre"	(Sweden)
" 1 Rappen/1 centime/1 centesimo"	(Switzerland).

7. **371 L 0349:** Council Directive 71/349/EEC of 12 October 1971 concerning the approximation of the laws of the Member States relating to the calibration of the tanks of vessels (OJ No L 239, 25.10.1971, p. 15).
8. **373 L 0360:** Council Directive 73/360/EEC of 19 November 1973 on the approximation of the laws of the Member States relating to non-automatic weighing machines (OJ No L 335, 5.12.1973, p. 1), as amended by:
- **376 L 0696:** Commission Directive 76/696/EEC of 27 July 1976 (OJ No L 236, 27.8.1976, p. 26),
 - **382 L 0622:** Commission Directive 82/622/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 2),
 - **390 L 0384:** Council Directive 90/384/EEC of 20 June 1990 on the harmonization of the laws of the Member States relating to non-automatic weighing instruments (OJ L No 189, 20.7.1990, p. 1), as corrected by OJ No L 258, 22.9.1990, p. 35.

9. **373 L 0362:** Council Directive 73/362/EEC of 19 November 1973 on the approximation of the laws of the Member States relating to material measures of length (OJ No L 335, 5.12.1973, p. 56), as amended by:
- **378 L 0629:** Council Directive 78/629/EEC of 19 June 1978 (OJ No L 206, 29.7.1978, p. 8),
 - **385 L 0146:** Commission Directive 85/146/EEC of 31 January 1985 (OJ No L 54, 23.2.1985, p. 29).
10. **374 L 0148:** Council Directive 74/148/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to weights of from 1 mg to 50 kg of above-medium accuracy (OJ No L 84, 28.3.1974, p. 3).
11. **375 L 0033:** Council Directive 75/33/EEC of 17 December 1974 on the approximation of the laws of the Member States relating to cold-water meters (OJ No L 14, 20.1.1975, p. 1).
12. **375 L 0106:** Council Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids (OJ No L 42, 15.2.1975, p. 1), as corrected by OJ No L 324, 16.12.1975, p. 31, as amended by:
- **378 L 0891:** Commission Directive 78/891/EEC of 28 September 1978 (OJ No L 311, 4.11.1978, p. 21),
 - **379 L 1005:** Council Directive 79/1005/EEC of 23 November 1979 (OJ No L 308, 4.12.1979, p. 25),
 - **385 L 0010:** Council Directive 85/10/EEC of 18 December 1984 (OJ No L 4, 5.1.1985, p. 20),
 - **388 L 0316:** Council Directive 88/316/EEC of 7 June 1988 (OJ No L 143, 10.6.1988, p. 26), as corrected by OJ No L 189, 20.7.1988, p. 28,
 - **389 L 0676:** Council Directive 89/676/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 18).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the products listed in Annex III(1)(a), when contained in returnable packages may, until 31 December 1996, be marketed in the following volumes:

in Switzerland and Liechtenstein: 0,7 litres,
in Sweden: 0,7 litres,
in Norway: 0,35 - 0,7 litres,
in Austria: 0,7 litres.

The products listed in Annex III(3)(a), when contained in returnable packages may, in Norway, until 31 December 1996, be marketed in the volumes 0,35 - 0,7 litres.

The products listed in Annex III(4), when contained in returnable packages may, in Sweden, until 31 December 1996, be marketed in the volumes 0,375 - 0,75 litres.

The products listed in Annex III(8)(a) and (b), when contained in returnable packages may, in Norway, until 31 December 1996, be marketed in the volumes 0,35 litres.

From 1 January 1993 the EFTA States shall ensure free circulation of products marketed according to the requirements of Directive 75/106/EEC, as last amended;

(b) in Annex III, the left column shall be replaced by the following:

Liquids	
1.	<p>(a) Wine of fresh grapes; fresh grape must with fermentation arrested by the addition of alcohol including wine made of unfermented grape juice blended with alcohol, except for wines included in Common Customs Tariff subheadings 2205 A and B/HS subheadings 2204 10, 2204 21 and 2204 29 and liqueur wines (CCT subheading ex 2205 C/HS heading ex 2204); grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol (CCT heading No 2204/HS subheading 2204 30)</p> <p>(b) "Yellow" wines entitled to use the following designations of origin: "Côtes du Jura", "Arbois", "L'Etoile" and "Château-Chalon"</p> <p>(c) Other non-sparkling fermented beverages, for example, cider, perry and mead (CCT subheading 2207 B II/HS subheading 2206 00)</p> <p>(d) Vermouths and other wines of fresh grapes flavoured with aromatic extracts (CCT heading No 2206/HS heading 2205); liqueur wines (CCT subheading ex 2205 C/HS heading ex 2204)</p>
2.	<p>(a) — Sparkling wines (CCT subheading 2205 A/HS subheading 2204 10)</p> <p style="padding-left: 2em;">— Wine other than that referred to in subheading 2204 10 in bottles with "mushroom" stoppers held in place by ties or fastenings, and wine otherwise put up with an excess pressure of not less than one bar but less than three bar, measured at a temperature of 20°C (CCT subheading 2205 B/HS subheadings ex 2204 21 and ex 2204 29)</p> <p>(b) Other fermented sparkling beverages, for example, cider, perry and mead (CCT subheading 2207 B I/HS heading 2206 00)</p>
3.	<p>(a) Beer made from malt (CCT heading No 2203/HS heading 2203 00), excluding acid beers</p> <p>(b) Acid beers, gueuze</p>
4.	Spirits (other than those of CCT heading No 2208/HS heading 2207); liqueurs and other spirituous beverages; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages (CCT heading No 2209/HS heading 2208)
5.	Vinegar and substitutes for vinegar (CCT heading No 2210/HS heading 2209 00)

-
6. Olive oils (CCT subheading 1507 A/HS subheadings 1509 10 and 1509 90, and HS heading 1510), other edible oils (CCT subheading 1507 D II/HS headings 1507 and 1508, and 1511 to 1517)
-
7. — Milk, fresh, not concentrated or sweetened (CCT heading ex 0401/HS heading 04.01), excluding yoghurt, kephir, curdled milk, whey and other fermented or acidified milk
- Milk-based beverages (CCT subheading 2202 B/HS subheadings ex 0403 10 and ex 0403 90)
-
8. (a) Waters, including spa waters and aerated waters (CCT heading No 2201/HS heading 2201)
- (b) Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages not containing milk or milkfats, (CCT subheading 2202 A/HS heading 2202) excluding fruit and vegetable juices falling within CCT heading No 2207/HS heading 2209 and concentrates
- (c) Beverages labelled as alcohol-free aperitifs
-
9. Fruit juices (including grape must) or vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit falling within CCT subheading 2007 B/HS heading 2009, fruit nectar (Council Directive 75/726/EEC of 17 November 1975 on the approximation of the laws of the Member States concerning fruit juices and certain similar products)⁽¹⁾.

(1) OJ No 311, 1.12.1975, p. 40

13. 375 L 0107: Council Directive 75/107/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to bottles used as measuring containers (OJ No L 42, 15.2.1975, p. 14).
14. 375 L 0410: Council Directive 75/410/EEC of 24 June 1975 on the approximation of the laws of the Member States relating to continuous totalizing weighing machines (OJ No L 183, 14.7.1975, p. 25).
15. 376 L 0211: Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain prepackaged products (OJ No L 46, 21.2.1976, p. 1), as amended by:
- 378 L 0891: Commission Directive 78/891/EEC of 28 September 1978 (OJ No L 311, 4.11.1978, p. 21).

16. **376 L 0764:** Council Directive 76/764/EEC of 27 July 1976 on the approximation of the laws of the Member States on clinical mercury-in-glass, maximum reading thermometers (OJ No L 262, 27.9.1976, p. 139), as amended by:
 - **383 L 0128:** Council Directive 83/128/EEC of 28 March 1983 (OJ No L 91, 9.4.1983, p. 29),
 - **384 L 0414:** Commission Directive 84/414/EEC of 18 July 1984 (OJ No L 228, 25.8.1984, p. 25).
17. **376 L 0765:** Council Directive 76/765/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers (OJ No L 262, 27.9.1976, p. 143), as corrected by OJ No L 60, 5.3.1977, p. 26, as amended by:
 - **382 L 0624:** Commission Directive 82/624/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 8).
18. **376 L 0766:** Council Directive 76/766/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables (OJ No L 262, 27.9.1976, p. 149).
19. **376 L 0891:** Council Directive 76/891/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to electrical energy meters (OJ No L 336, 4.12.1976, p. 30), as amended by:
 - **382 L 0621:** Commission Directive 82/621/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 1).
20. **377 L 0095:** Council Directive 77/95/EEC of 21 December 1976 on the approximation of the laws of the Member States relating to taximeters (OJ No L 26, 31.1.1977, p. 59).
21. **377 L 0313:** Council Directive 77/313/EEC of 5 April 1977 on the approximation of the laws of the Member States relating to measuring systems for liquids other than water (OJ L No 105, 28.4.1977, p. 18), as amended by:
 - **382 L 0625:** Commission Directive 82/625/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 10).
22. **378 L 1031:** Council Directive 78/1031/EEC of 5 December 1978 on the approximation of the laws of the Member States relating to automatic checkweighing and weight grading machines (OJ No L 364, 27.12.1978, p. 1).
23. **379 L 0830:** Council Directive 79/830/EEC of 11 September 1979 on the approximation of the laws of the Member States relating to hot-water meters (OJ No L 259, 15.10.1979, p. 1).

24. **380 L 0181:** Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC (OJ No L 39, 15.2.1980, p. 40), as corrected by OJ No L 296, 15.10.1981, p. 52, as amended by:
- **385 L 0001:** Council Directive 85/1/EEC of 18 December 1984 (OJ No L 2, 3.1.1985, p. 11),
 - **387 L 0355:** Council Directive 87/355/EEC of 25 June 1987 (OJ No L 192, 11.7.1987, p. 46),
 - **389 L 0617:** Council Directive 89/617/EEC of 27 November 1989 (OJ No L 357, 7.12.1989, p. 28).
25. **380 L 0232:** Council Directive 80/232/EEC of 15 January 1980 on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain prepackaged products (OJ No L 51, 25.2.1980, p. 1), as amended by:
- **386 L 0096:** Council Directive 86/96/EEC of 18 March 1986 (OJ No L 80, 25.3.1986, p. 55),
 - **387 L 0356:** Council Directive 87/356/EEC of 25 June 1987 (OJ No L 192, 11.7.1987, p. 48).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) in Annex I, points 1 to 1.6 shall be replaced by the following

***1. FOOD PRODUCTS SOLD BY WEIGHT (quantity in g)**

- 1.1 **Butter (CCT heading No 0403/HS heading 0405 00), margarine emulsified or not-animal and vegetable fats, low fat spreads**
125 - 250 - 500 - 1000 - 1 500 - 2 000 - 2 500 - 5 000
- 1.2 **Fresh cheeses except "petits suisses" and other cheeses put up in the same way (CCT subheading ex 0404 E I c/HS subheading 0406 10)**
62.5 - 125 - 250 - 500 - 1 000 - 2 000 - 5 000
- 1.3 **Table and cooking salt (CCT subheading 2501 A/HS heading 2501)**
125 - 250 - 500 - 750 - 1 000 - 1 500 - 5 000
- 1.4 **Impalpable sugars, red or brown sugars, eandy sugars**
125 - 250 - 500 - 750 - 1 000 - 1 500 - 2 000 - 2 500 - 3 000 - 4 000 - 5 000

- 1.5 **Cereal products (excluding foods for infants)**
- 1.5.1 *Cereal floms, groats, flakes and oatmeal and meal, oatflakes (excluding the products referred to in 1.5.4)*
125 - 250 - 500 - 1 000 - 1 500 - 2 000 - 2 500⁽¹⁾ - 5 000 - 10 000
- 1.5.2 *Pasta products (CCT heading No 1903/HS heading 1902)*
125 - 250 - 500 - 1 000 - 1 500 - 2 000 - 3 000 - 4 000 - 5 000 - 10 000
- 1.5.3 *Rice (CCT heading No 1006/HS heading 1006)*
125 - 250 - 500 - 1 000 - 2 000 - 2 500 - 5 000
- 1.5.4 *Prepared foods obtained similar the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products) (CCT heading No 1905/HS heading 1904)*
250 - 375 - 500 - 750 - 1 000 - 1 500 - 2 000
- 1.6 **Dried vegetables (CCT heading No 0705/HS headings 0712 - 0713)⁽²⁾, dried fruits (CCT heading Nos or subheadings ex 0801, 0803 B, 0804 B, 0812/HS headings ex 0803, ex 0804, ex 0805, ex 0806, ex 0813)**
125 - 250 - 500 - 1 000 - 1 500 - 2 000 - 5 000 - 7 500 - 10 000

(1) Not valid for oatmeal and oatflakes.

(2) Excluding potatoes and dehydrated vegetables.”;

(b) in Annex I, point 4 shall be replaced by the following:

“4. **READY-TO-USE PAINTS AND VARNISHES (with or without added solvents; CCT subheading 3209 A II/HS heading 3208, 3209, 3210 excluding dispersed pigments and solutions) (quantity in ml)**
25 - 50 - 125 - 250 - 375 - 500 - 750 - 1 000 - 2 000 - 2 500 - 4 000 - 5 000 - 10 000”;

(c) in Annex I, point 6 shall be replaced by the following:

“6. **CLEANING PRODUCTS (solids and powder in g, liquids and pastes in ml)**

Inter alia products for leather and footwear, wood and floor coverings, ovens and metals including for cars, windows and mirrors including for cars (CCT heading No 3405/HS heading 3405); stain removers, starches and dyes for household use (CCT subheadings 3812 A and 3209 C/HS subheadings 3809 10 and ex 3212 90), household insecticides (CCT heading No ex 3811/HS subheading 3808 10), descalers (CCT heading No ex 3402/HS headings ex 3401, ex 3402), household deodorizers (CCT subheading 3306 B/HS subheadings 3307 20, 3307 41 and 3307 49), non-pharmaceutical disinfectants

25 - 50 - 75 - 100 - 150 - 200 - 250 - 375 - 500 - 750 - 1 000 - 1 500 - 2 000 - 5 000 - 10 000”;

(d) in Annex I, point 7 shall be replaced by the following:

"7. COSMETICS: BEAUTY AND TOILET PREPARATIONS (CCT subheadings 3306 A and B/HS heading 3303, ex 3307) (solids and powders in g, liquids and pastes in ml)";

(e) in Annex I, points 8 to 8.4 shall be replaced by the following:

"8. WASHING PRODUCTS

8.1 Solid toilet and household soaps (g) (CCT heading No ex 3401/HS subheadings ex 3401 11 and ex 3401 19)

25 - 50 - 75 - 100 - 150 - 200 - 250 - 300 - 400 - 500 - 1 000

8.2 Soft soaps (g) (CCT heading No 3401/HS heading 3401 (20))

125 - 250 - 500 - 750 - 1 000 - 5 000 - 10 000

8.3 Soap in flakes, chips, etc. (g) (CCT heading No ex 3401/HS subheading ex 3401 20)

250 - 500 - 750 - 1 000 - 3 000 - 5 000 - 10 000

8.4 Liquid washing, cleaning and scouring products and auxiliary products (CCT heading No 3402/HS heading 3402) and hypochlorite preparations (excluding the products referred to in point 6) (quantity in ml)

125 - 250 - 500 - 750 - 1 000 - 1 250⁽¹⁾ - 1 500 - 2 000 - 3 000 - 4 000 - 5 000 - 6 000 - 7 000 - 10 000

(1) For hypochlorites only".

26. 386 L 0217: Council Directive 86/217/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to tyre pressure gauges for motor vehicles (OJ No L 152, 6.6.1986, p. 48).
27. 390 L 0384: Council Directive 90/384/EEC of 20 June 1990 on the harmonization of the laws of the Member States relating to non-automatic weighing instruments (OJ No L 189, 20.7.1990, p. 1), as corrected by OJ No L 258, 22.9.1990, p. 35.

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

28. 376 X 0223: Commission Recommendation 76/223/EEC of 5 February 1976 to the Member States concerning units of measurement referred to in patent conventions (OJ No L 43, 19.2.1976, p. 22).
29. C/64/73/p. 26: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 64, 6.8.1973, p. 26).

30. *C/29/74/p. 33*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 29, 18.3.1974, p. 33).
31. *C/108/74/p. 8*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 108, 18.9.1974, p. 8).
32. *C/50/75/p. 1*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 50, 3.3.1975, p. 1).
33. *C/66/76/p. 1*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 66, 22.3.1976, p. 1).
34. *C/247/76/p. 1*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 247, 20.10.1976, p. 1).
35. *C/298/76/p. 1*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 298, 17.12.1976, p. 1).
36. *C/9/77/p. 1*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 9, 13.1.1977, p. 1).
37. *C/53/77/p. 1*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 53, 3.3.1977, p. 1).
38. *C/176/77/p. 1*: Communication from the Commission in application of Council Directive No 71/316/EEC (OJ No C 176, 25.7.1977, p. 1).
39. *C/79/78/p. 1*: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 79, 3.4.1978, p. 1).
40. *C/221/78/p. 1*: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 221, 18.9.1978, p. 1).
41. *C/47/79/p. 1*: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 47, 21.2.1979, p. 1).
42. *C/194/79/p. 1*: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 194, 31.7.1979, p. 1).
43. *C/40/80/p. 1*: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 40, 18.2.1980, p. 1).
44. *C/349/80/p. 1*: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 349, 31.12.1980, p. 1).
45. *C/297/81/p. 1*: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 297, 16.11.1981, p. 1).

X. ELECTRICAL MATERIAL

ACTS REFERRED TO

1. **373 L 0023:** Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No L 77, 26.3.1973, p. 29).

Finland, Iceland and Sweden shall comply with the provisions of the Directive by 1 January 1994.
2. **376 L 0117:** Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No L 24, 30.1.1976, p. 45).
3. **379 L 0196:** Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (OJ No L 43, 20.2.1979, p. 20), as amended by:
 - **384 L 0047:** Commission Directive 84/47/EEC of 16 January 1984 (OJ No L 31, 2.2.1984, p. 19),
 - **388 L 0571:** Commission Directive 88/571/EEC of 10 November 1988 (OJ No L 311, 17.11.1988, p. 46),
 - **388 L 0665:** Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42),
 - **390 L 0487:** Council Directive 90/487/EEC of 17 September 1990 (OJ No L 270, 2.10.1990, p. 23).
4. **382 L 0130:** Council Directive 82/130/EEC of 15 February 1982 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp (OJ No L 59, 2.3.1982, p. 10), as amended by:
 - **388 L 0035:** Commission Directive 88/35/EEC of 2 December 1987 (OJ No L 20, 26.1.1988, p. 28),
 - **391 L 0269:** Commission Directive 91/269/EEC of 30 April 1991 (OJ No L 134, 29.5.1991, p. 51).
5. **384 L 0539:** Council Directive 84/539/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electro-medical equipment used in human or veterinary medicine (OJ No L 300, 19.11.1984, p. 179).
6. **389 L 0336:** Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (OJ No L 139, 23.5.1989, p. 19).

7. **390 L 0385:** Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices (OJ No L 189, 20.7.1990, p. 17).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

8. **C/184/79/p. 1:** Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 184, 23.7.1979, p. 1), as amended by:
 - **C/26/80/p. 2:** Amendment to the Communication of the Commission (OJ No C 26, 2.2.1980, p. 2).
9. **C/107/80/p. 2:** Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 107, 30.4.1980, p. 2).
10. **C/199/80/p. 2:** Third Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 199, 5.8.1980, p. 2).
11. **C/59/82/p. 2:** Commission Communication of 15 December 1981 concerning the operation of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits - the "low-voltage Directive" (OJ No C 59, 9.3.1982, p. 2).
12. **C/235/84/p. 2:** Fourth Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 235, 5.9.1984, p. 2).
13. **C/166/85/p. 7:** Fifth Commission Communication in the context of the implementation Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 166, 5.7.1985, p. 7).
14. **C/168/88/p. 5:** Commission Communication within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 168, 27.6.1988, p. 5), as corrected by OJ No C 238, 13.9.1988, p. 4.
15. **C/46/81/p. 3:** Communication of the Commission within the framework of Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No C 46, 5.3.1981, p. 3).

16. **C/149/81/p. 1:** Communication from the Commission in application of Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No C 149, 18.6.1981, p. 1).
17. **382 X 0490:** Commission Recommendation 82/490/EEC of 6 July 1982 relating to the certificates of conformity provided for in Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No L 218, 27.7.1982, p. 27).
18. **C/328/82/p. 2:** First Commission Communication pursuant to Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (OJ No C 328, 14.12.1982, p. 2) and Annex (OJ No C 328A, 14.12.1982, p. 1).
19. **C/356/83/p. 20:** Second Commission Communication pursuant to Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (OJ No C 356, 31.12.1983, p. 20) and Annex (OJ No C 356A, 31.12.1983, p. 1).
20. **C/194/86/p. 3:** Commission Communication within the framework of Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No C 194, 1.8.1986, p. 3).
21. **C/311/87/p. 3:** Commission Communication pursuant to Council Directive 82/130/EEC of 15 February 1982 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp (OJ No C311, 21.11.1987, p. 3).

XI. TEXTILES

ACTS REFERRED TO

1. **371 L 0307:** Council Directive 71/307/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to textile names (OJ No L 185, 16.8.1971, p. 16), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 118),
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - **383 L 0623:** Council Directive 83/623/EEC of 25 November 1983 (OJ No L 353, 15.12.1983, p. 8),

- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 219),
- 387 L 0140: Commission Directive 87/140/EEC of 6 February 1987 (OJ No L 56, 26.2.1987, p. 24).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

the following shall be added to Article 5.1:

- "— uusi villa
 - ný ull
 - ren ull
 - kamull".
2. 372 L 0276: Council Directive 72/276/EEC of 17 July 1972 on the approximation of the laws of the Member States relating to certain methods for the quantitative analysis of binary textile fibre mixtures (OJ No L 173, 31.7.1972, p. 1), as amended by:
 - 379 L 0076: Commission Directive 79/76/EEC of 21 December 1978 (OJ No L 17, 24.1.1979, p. 17),
 - 381 L 0075: Council Directive 81/75/EEC of 17 February 1981 (OJ No L 57, 4.3.1981, p. 23),
 - 387 L 0184: Commission Directive 87/184/EEC of 6 February 1987 (OJ No L 75, 17.3.1987, p. 21).
 3. 373 L 0044: Council Directive 73/44/EEC of 26 February 1973 on the approximation of the laws of the Member States relating to the quantitative analysis of ternary fibre mixtures (OJ No L 83, 30.3.1973, p. 1).
 4. 375 L 0036: Council Directive 75/36/EEC of 17 December 1974 supplementing Directive 71/307/EEC on the approximation of the laws of the Member States relating to textile names (OJ No L 14, 20.1.1975, p. 15).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

5. 387 X 0142: Commission Recommendation 87/142/EEC of 6 February 1987 on certain methods for the removal of non-fibrous matter prior to quantitative analysis of fibre mixtures (OJ No L 57, 27.2.1987, p. 52).
6. 387 X 0185: Commission Recommendation 87/185/EEC of 6 February 1987 on quantitative methods of analysis for the identification of acrylic and modacrylic fibres, chlorofibres and trivinyln fibres (OJ No L 75, 17.3.1987, p. 28).

XII. FOODSTUFFS

The EC Commission nominates from highly qualified scientific persons from EFTA States at least one person who will be present in the Scientific Committee for Food and who will be entitled to express his views therein. His position will be recorded separately.

The EC Commission shall, in due time, inform him of the date of the meeting of the Committee and transmit the relevant information.

ACTS REFERRED TO

1. **362 L 2645:** Council Directive of 23 October 1962 on the approximation of the rules of the Member States concerning the colouring matters authorised for use in foodstuffs intended for human consumption (OJ No L 115, 11.11.1962, p. 2645/62), as amended by:
 - **365 L 0469:** Council Directive 65/469/EEC of 25 October 1965 (OJ No 178, 26.10.1965, p. 2793/65),
 - **367 L 0653:** Council Directive 67/753/EEC of 24 October 1967 (OJ No 263, 30.10.1967, p. 4),
 - **368 L 0419:** Council Directive 68/419/EEC of 20 December 1968 (OJ No L 309, 24.12.1968, p. 24),
 - **370 L 0358:** Council Directive 70/358/EEC of 13 July 1970 (OJ No L 157, 18.7.1970, p. 36),
 - **I 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 120),
 - **376 L 0399:** Council Directive 76/399/EEC of 6 April 1976 (OJ No L 108, 26.4.1976, p. 19),
 - **378 L 0144:** Council Directive 78/144/EEC of 30 January 1978 (OJ No L 44, 15.2.1978, p. 20),
 - **I 79 H:** Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **381 L 0020:** Council Directive 81/20/EEC of 20 January 1981 (OJ No L 43, 14.2.1981, p. 11),
 - **385 L 0007:** Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - **I 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214).

2. **364 L 0054:** Council Directive 64/54/EEC of 5 November 1963 on the approximation of the laws of the Member States concerning the preservatives authorised for use in foodstuffs intended for human consumption (OJ No 12, 27.1.1964, p. 161/64), as amended by:
- **371 L 0160:** Council Directive 71/160/EEC of 30 March 1971 (OJ No L 87, 17.4.1971, p. 12),
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 121),
 - **372 L 0444:** Council Directive 72/444/EEC of 26 December 1972 (OJ No L 298, 31.12.1972, p. 48),
 - **374 L 0062:** Council Directive 74/62/EEC of 17 December 1973 (OJ No L 38, 11.2.1974, p. 29),
 - **374 L 0394:** Council Directive 74/394/EEC of 22 July 1974 (OJ No L 208, 30.7.1974, p. 25),
 - **376 L 0462:** Council Directive 76/462/EEC of 4 May 1976 (OJ No L 126, 14.5.1976, p. 31),
 - **1 79 H:** Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **381 L 0214:** Council Directive 81/214/EEC of 16 March 1981 (OJ No L 101, 11.4.1981, p. 10),
 - **383 L 0636:** Council Directive 83/636/EEC of 13 December 1983 (OJ No L 357, 21.12.1983, p. 40),
 - **384 L 0458:** Council Directive 84/458/EEC of 18 September 1984 (OJ No L 256, 26.9.1984, p. 19),
 - **385 L 0007:** Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 215),
 - **385 L 0585:** Council Directive 85/585/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p. 43).

3. **365 L 0066:** Council Directive 65/66/EEC of 26 January 1965 laying down specific criteria of purity for preservatives authorised for use in foodstuffs intended for human consumption (OJ No 22, 9.2.1965, p. 373/65), as amended by:
 - **367 L 0428:** Council Directive 67/428/EEC of 27 June 1967 (OJ No 148, 11.7.1967, p. 10),
 - **376 L 0463:** Council Directive 76/463/EEC of 4 May 1976 (OJ No L 126, 14.5.1976, p. 33),
 - **386 L 0604:** Council Directive 86/604/EEC of 8 December 1986 (OJ No L 352, 13.12.1986, p. 45).
4. **367 L 0427:** Council Directive 67/427/EEC of 27 June 1967 on the use of certain preservatives for the surface treatment of citrus fruit and on the control measures to be used for the qualitative and quantitative analysis of preservatives in and on citrus fruit (OJ No L 148, 11.7.1967, p. 1).
5. **370 L 0357:** Council Directive 70/357/EEC of 13 July 1970 on the approximation of the laws of the Member States concerning the antioxidants authorised for use in foodstuffs intended for human consumption (OJ No L 157, 18.7.1970, p. 31), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 121),
 - **378 L 0143:** Council Directive 78/143/EEC of 30 January 1978 (OJ No L 44, 15.2.1978, p. 18),
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **381 L 0962:** Council Directive 81/962/EEC of 24 November 1981 (OJ No L 354, 9.12.1981, p. 22),
 - **385 L 0007:** Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 215),
 - **387 L 0055:** Council Directive 87/55/EEC of 18 December 1986 (OJ No L 24, 27.1.1987, p. 41).

6. **373 L 0241:** Council Directive 73/241/EEC of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption (OJ No L 228, 16.8.1973, p. 23), as amended by:
- **374 L 0411:** Council Directive 74/411/EEC of 1 August 1974 (OJ No L 221, 12.8.1974, p. 17),
 - **374 L 0644:** Council Directive 74/644/EEC of 19 December 1974 (OJ No L 349, 28.12.1974, p. 63),
 - **375 L 0155:** Council Directive 75/155/EEC of 4 March 1975 (OJ No L 64, 11.3.1975, p. 21),
 - **376 L 0628:** Council Directive 76/628/EEC of 20 July 1976 (OJ No L 223, 16.8.1976, p. 1),
 - **378 L 0609:** Council Directive 78/609/EEC of 29 June 1978 (OJ No L 197, 22.7.1978, p. 10),
 - **378 L 0842:** Council Directive 78/842/EEC of 10 October 1978 (OJ No L 291, 17.10.1978, p. 15),
 - **1 79 H:** Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **380 L 0608:** Council Directive 80/608/EEC of 30 June 1980 (OJ No L 170, 3.7.1980, p. 33),
 - **385 L 0007:** Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216),
 - **389 L 0344:** Council Directive 89/344/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 19).
7. **373 L 0437:** Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugars intended for human consumption (OJ No L 356, 27.12.1973, p. 71), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216).

8. **374 L 0329:** Council Directive 74/329/EEC of 18 June 1974 on the approximation of the laws of the Member States relating to emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs (OJ No L 189, 12.7.1974, p. 1), as amended by:
- **378 L 0612:** Council Directive 78/612/EEC of 29 June 1978 (OJ No L 197, 22.7.1978, p. 22),
 - **1 79 H:** Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **380 L 0597:** Council Directive 80/597/EEC of 29 May 1980 (OJ No L 155, 23.6.1980, p. 23),
 - **385 L 0006:** Council Directive 85/6/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 21),
 - **385 L 0007:** Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216),
 - **386 L 0102:** Council Directive 86/102/EEC of 24 March 1986 (OJ No L 88, 3.4.1986, p. 40),
 - **389 L 0393:** Council Directive 89/393/EEC of 14 June 1989 (OJ No L 186, 30.6.1989, p. 13).
9. **374 L 0409:** Council Directive 74/409/EEC of 22 July 1974 on the harmonization of the laws of the Member States relating to honey (OJ No L 221, 12.8.1974, p. 10), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216).
10. **375 L 0726:** Council Directive 75/726/EEC of 17 November 1975 on the approximation of the laws of the Member States concerning fruit juice and certain similar products (OJ No L 311, 1.12.1975, p. 40), as amended by:
- **379 L 0168:** Council Directive 79/168/EEC of 5 February 1979 (OJ No L 37, 13.2.1979, p. 27),
 - **1 79 H:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),

- **381 L 0487**: Council Directive 81/487/EEC of 30 June 1981 (OJ No L 189, 11.7.1981, p. 43),
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, pp. 216 and 217),
- **389 L 0394**: Council Directive 89/394/EEC of 14 June 1989 (OJ No L 186, 30.6.1989, p. 14).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

the following shall be added to Article 3(2):

"(f) "Must" together with the name (in Swedish) of the fruit used, for fruit juices."

11. **376 L 0118**: Council Directive 76/118/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption (OJ No L 24, 30.1.1976, p. 49), as amended by:
- **378 L 0630**: Council Directive 78/630/EEC of 19 June 1978 (OJ No L 206, 29.7.1978, p. 12),
 - **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **383 L 0635**: Council Directive 83/635/EEC of 13 December 1983 (OJ No L 357, 21.12.1983, p. 37),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, pp. 216 and 217).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

the following shall replace Article 3(2)(c):

"(c) "flødepulver" in Denmark, "Rahmpulver" and "Sahnepulver" in Germany and Austria, "gräddpulver" in Sweden, "niðurseydd nýmjólk" in Iceland, "rasvainen maitojauhe/gräddpulver" in Finland and "fløtepulver" in Norway to denote the product defined in point 2(d) of the Annex."

12. **376 L 0621**: Council Directive 76/621/EEC of 20 July 1976 relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils or fats (OJ No L 202, 28.7.1976, p. 35), as amended by:
- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216).
13. **376 L 0895**: Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables (OJ No L 340, 9.12.1976, p. 26), as amended by:
- **380 L 0428**: Commission Directive 80/428/EEC of 28 March 1980 (OJ No L 102, 19.4.1980, p. 26),
 - **381 L 0036**: Council Directive 81/36/EEC of 9 February 1981 (OJ No L 46, 19.2.1981, p. 33),
 - **382 L 0528**: Council Directive 82/528/EEC of 19 July 1982 (OJ No L 234, 9.8.1982, p. 1),
 - **388 L 0298**: Council Directive 88/298/EEC of 16 May 1988 (OJ No L 126, 20.5.1988, p. 53),
 - **389 L 0186**: Council Directive 89/186/EEC of 6 March 1989 (OJ No L 66, 10.3.1989, p. 36).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

Annex I shall be replaced by the following:

"Annex I
List of products referred to in Article 1

HS heading or sub-heading No	CCT heading No	Description
0704	0701 B	Cabbages, cauliflowers and Brussels sprouts, fresh or chilled
0709 70	0701 C	Spinach, fresh or chilled
ex 0709 90, 0705	0701 D	Salad vegetables, including endive and chicory, fresh or chilled
ex 0709 90	0701 E	Chard (or white beet) and cardoons, fresh or chilled
0708	0701 F	Leguminous vegetables, shelled or unshelled, fresh or chilled
0706	0701 G	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled
0703 10, 0703 20	0701 H	Onions, shallots and garlic, fresh or chilled
0703 90	0701 J	Leeks and other alliceous plants, fresh or chilled
0709 20	0701 K	Asparagus, fresh or chilled
0709 10	0701 L	Artichokes, fresh or chilled
0702	0701 M	Tomatoes, fresh or chilled
ex 0709 90	0701 N	Olives, fresh or chilled
ex 0709 90	0701 O	Capers, fresh or chilled
0707	0701 P	Cucumbers and gherkins, fresh or chilled

0709 51, 0709 52	0701 Q	Mushrooms and truffles, fresh or chilled
ex 0709 90	0701 R	Fennel, fresh or chilled
ex 0709 60	0701 S	Sweet peppers, fresh or chilled
ex 0709	0701 T	Other, fresh or chilled
ex 0710	ex 0702	Vegetables, uncooked, frozen
ex 0801, ex 0803, ex 0804	ex 0801	Dates, bananas, coconuts, Brazil nuts, cashew nuts ⁽¹⁾ , avocados, mangoes, guavas and mangosteens, fresh, shelled or peeled
ex 0805	ex 0802	Citrus fruit, fresh ⁽¹⁾
ex 0804	ex 0803	Figs, fresh ⁽¹⁾
ex 0806	ex 0804	Grapes, fresh ⁽¹⁾
ex 0802	ex 0805	Nuts, other than those falling within heading No 08.01, fresh ⁽¹⁾ , shelled or peeled
0808	0806	Apples, pears and quinces, fresh ⁽¹⁾
0809	0807	Stone fruit, fresh ⁽¹⁾
ex 0810, 0807 20	0808	Berries, fresh ⁽¹⁾
ex 0810, 0807 10	0809	Other fruit, fresh ⁽¹⁾
ex 0811	ex 0810	Fruit, uncooked, preserved by freezing, not containing added sugar ⁽¹⁾

(1) Chilled fruit is treated in the same way as fresh fruit

14. **377 L 0436**: Council Directive 77/436/EEC of 27 June 1977 on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts (OJ No L 172, 12.7.1977, p. 20), as amended by:
- **1 79 H**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217),
 - **385 L 0007**: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - **385 L 0573**: Council Directive 85/573/EEC of 19 December 1985 (OJ No L 372, 31.12.1985, p. 22).
15. **378 L 0142**: Council Directive 78/142/EEC of 30 January 1978 on the approximation of the laws of the Member States relating to materials and articles which contain vinyl chloride monomer and are intended to come into contact with foodstuffs (OJ No L 44, 15.2.1978, p. 15), as corrected by OJ No L 163, 20.6.1978, p. 24.
16. **378 L 0663**: Council Directive 78/663/EEC of 25 July 1978 laying down specific criteria of purity for emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs (OJ No L 223, 14.8.1978, p. 7), as corrected by OJ No L 296, 21.10.1978, p. 50, and OJ No L 91, 10.4.1979, p. 7, as amended by:
- **382 L 0504**: Council Directive 82/504/EEC of 12 July 1982 (OJ No L 230, 5.8.1982, p. 35),
 - **390 L 0612**: Commission Directive 90/612/EEC of 26 October 1990 (OJ No L 326, 24.11.1990, p. 58).
17. **378 L 0664**: Council Directive 78/664/EEC of 25 July 1978 laying down specific criteria of purity for antioxidants which may be used in foodstuffs intended for human consumption (OJ No L 223, 14.8.1978, p. 30), as amended by:
- **382 L 0712**: Council Directive 82/712/EEC of 18 October 1982 (OJ No L 297, 23.10.1982, p. 31).
18. **379 L 0112**: Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs (OJ No L 33, 8.2.1979, p. 1), as amended by:
- **1 79 H**: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),

- **1 85 I**: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 218),
- **385 L 0007**: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
- **386 L 0197**: Council Directive 86/197/EEC of 26 May 1986 (OJ No L 144, 29.5.1986, p. 38),
- **389 L 0395**: Council Directive 89/395/EEC of 14 June 1989 (OJ No L 186, 30.6.1989, p. 17),
- **391 L 0072**: Commission Directive 91/72/EEC of 16 January 1991 (OJ No L 42, 15.2.1991, p. 27).

Foodstuffs labelled before the entry into force of this Agreement and in accordance with the relevant national legislation of the EFTA States in force at that time, may be placed on their own markets until 1 January 1995.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the following shall be added to Article 5.3:
 - in Finnish "säteilytetty, käsitelty ionisoivalla säteilyllä",
 - in Icelandic "geislað, meðhöndlað með jónandi geislun",
 - in Norwegian "bestrålt, behandlet med ioniserende stråling",
 - in Swedish "bestrålad, behandlad med joniserande strålning.";
 - (b) in Article 9(6), the corresponding heading in the Harmonized System to CN codes 2206 00 91, 2206 00 93 and 2206 00 99, is 22.06;
 - (c) the following shall be added to articles 9a.2:
 - in Finnish "viimeinen käyttökäyttö",
 - in Icelandic "síðasti neysludagur",
 - in Norwegian "holdbar til",
 - in Swedish "sista förbrukningsdagen.";
 - (d) in Article 10a, the corresponding heading in the Harmonized System to tariff headings Nos 2204 and 2205, is 2204.
19. **379 L 0693**: Council Directive 79/693/EEC of 24 July 1979 on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut purée (OJ No L 205, 13.8.1979, p. 5), as amended by:
- **380 L 1276**: Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31.12.1980, p. 77),

- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217),
 - **388 L 0593**: Council Directive 88/593/EEC of 18 November 1988 (OJ No L 318, 25.11.1988, p. 44).
20. **379 L 0700**: Commission Directive 79/700/EEC of 24 July 1979 establishing Community methods of sampling for the official control of pesticide residues in and on fruit and vegetables (OJ No L 207, 15.8.1979, p. 26).
21. **379 L 0796**: First Commission Directive 79/796/EEC of 26 July 1979 laying down Community methods of analysis for testing certain sugars intended for human consumption (OJ No L 239, 22.9.1979, p. 24).
22. **379 L 1066**: First Commission Directive 79/1066/EEC of 13 November 1979 laying down Community methods of analysis for testing coffee extracts and chicory extracts (OJ No L 327, 24.12.1979, p. 17).
23. **379 L 1067**: First Commission Directive 79/1067/EEC of 13 November 1979 laying down Community methods of analysis for testing certain partly or wholly dehydrated preserved milk for human consumption (OJ No L 327, 24.12.1979, p. 29).
24. **380 L 0590**: Commission Directive 80/590/EEC of 9 June 1980 determining the symbol that may accompany materials and articles intended to come into contact with foodstuffs (OJ No L 151, 19.6.1980, p. 21), as amended by:
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the following shall be added to the title of the Annex:

"LIITE" (Finnish)
"VIDAUKI" (Icelandic)
"VEDLEGG" (Norwegian)
"BILAGA" (Swedish);

- (b) the following shall be added to the text in the Annex:

"tunnus" (Finnish)
"merki" (Icelandic)
"symbol" (Norwegian)
"symbol" (Swedish).

25. **380 L 0766**: Commission Directive 80/766/EEC of 8 July 1980 laying down the Community method of analysis for the official control of the vinyl chloride monomer level in materials and articles which are intended to come into contact with foodstuffs (OJ No L 213, 16.8.1980, p. 42).

26. **380 L 0777**: Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters (OJ No L 229, 30.8.1980, p. 1), as amended by:
- **380 L 1276**: Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31.12.1980, p. 77),
 - **385 L 0007**: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217).
27. **380 L 0891**: Commission Directive 80/891/EEC of 25 July 1980 relating to the Community method of analysis for determining the erucic acid content in oils and fats intended to be used as such for human consumption and foodstuffs containing added oils or fats (OJ No L 254, 27.9.1980, p. 35).
28. **381 L 0432**: Commission Directive 81/432/EEC of 29 April 1981 laying down Community methods of analysis for the official control of vinyl chloride released by materials and articles into foodstuffs (OJ No L 167, 24.6.1981, p. 6).
29. **381 L 0712**: First Commission Directive 81/712/EEC of 28 July 1981 laying down Community methods of analysis for verifying that certain additives used in foodstuffs satisfy criteria of purity (OJ No L 257, 10.9.1981, p. 1).
30. **382 L 0711**: Council Directive 82/711/EEC of 18 October 1982 laying down the basic rules necessary for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs (OJ No L 297, 23.10.1982, p. 26).
31. **383 L 0229**: Council Directive 83/229/EEC of 25 April 1983 on the approximation of the laws of the Member States relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs (OJ No L 123, 11.5.1983, p. 31), as amended by:
- **386 L 0388**: Commission Directive 86/388/EEC of 23 July 1986 (OJ No L 228, 14.8.1986, p. 32).
32. **383 L 0417**: Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption (OJ No L 237, 26.8.1983, p. 25), as amended by:
- **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217).

33. **383 L 0463**: Commission Directive 83/463/EEC of 22 July 1983 introducing temporary measures for the designation of certain ingredients in the labelling of foodstuffs for sale to the ultimate consumer (OJ No L 255, 15.9.1983, p. 1).
34. **384 L 0500**: Council Directive 84/500/EEC of 15 October 1984 on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs (OJ No L 277, 20.10.1984, p. 12).

Norway and Sweden shall comply with the provisions of the Directive by 1 January 1995.

35. **385 L 0503**: First Commission Directive 85/503/EEC of 25 October 1985 on methods of analysis for edible caseins and caseinates (OJ No L 308, 20.11.1985, p. 12).
36. **385 L 0572**: Council Directive 85/572/EEC of 19 December 1985 laying down the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs (OJ No L 372, 31.12.1985, p. 14).
37. **385 L 0591**: Council Directive 85/591/EEC of 20 December 1985 concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption (OJ No L 372, 31.12.1985, p. 50).
38. **386 L 0362**: Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals (OJ No L 221, 7.8.1986, p. 37), as amended by:
- **388 L 0298**: Council Directive 88/298/EEC of 16 May 1988 (OJ No L 126, 20.5.1988, p. 53).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Annex I shall be replaced by the following:

"Annex I

HS heading No	CCT heading No	Description
ex 1001	ex 1001	Wheat
1002	1002	Rye
1003	1003	Barley
1004	1004	Oats
ex 1005	ex 1005	Maize
ex 1006	ex 1006	Paddy rice
ex 1007	ex 1007	Buckwheat, millet, grain, sorghum, tricale and other cereals"

39. **386 L 0363:** Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin (OJ No L 221, 7.8.1986, p. 43).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Annex I shall be replaced by the following:

"Annex I

HS heading or subheading No	CCT heading No	Description
0201, 0202, 0203, 0204, 0205, 0206	ex 0201	Meat and edible offals horses, asses, mules and hinnies, bovine animals, swine, sheep and goats, fresh, chilled or frozen
ex 0207	0202	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen
0207 31, ex 0207 39, 0207 50 ex 0210 90	0203	Poultry liver, fresh, chilled, frozen, salted or in brine
0208 10, ex 0208 90	ex 0204	Other meat and edible meat offals, fresh, chilled or frozen, of domestic pigeons, domestic rabbits and game
0209	ex 0205	Pig fat and poultry fat, fresh, chilled, frozen, salted, in brine, dried or smoked
0210	0206	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked
ex 0401, ex 0403, ex 0404	0401	Milk and cream, fresh, not concentrated or sweetened
ex 0401, 0402, ex 0403, ex 0404	0402	Milk and cream, preserved, concentrated or sweetened

0405	0403	Butter
0406	0404	Cheese and curd
ex 0407, ex 0408	ex 0405	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not except eggs for hatching as well as eggs and egg yolks intended for purposes other than nutrition
1601, ex 1902 20	1601	Sausages and the like, of meat, meat offals or animal blood
ex 0210 90, 1602, ex 1902 20	1602	Other prepared or preserved meat or meat offal"

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40. 386 L 0424: First Commission Directive 86/424/EEC of 15 July 1986 laying down methods of sampling for chemical analysis of edible caseins and caseinates (OJ No L 243, 28.8.1986, p. 29).
41. 387 L 0250: Commission Directive 87/250/EEC of 15 April 1987 on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer (OJ No L 113, 30.4.1987, p. 57).
42. 387 L 0524: First Commission Directive 87/524/EEC of 6 October 1987 laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products (OJ No L 306, 28.10.1987, p. 24).
43. 388 L 0344: Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (OJ No L 157, 24.6.1988, p. 28).
44. 388 L 0388: Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production (OJ No L 184, 15.7.1988, p. 61), as corrected by OJ No L 345, 14.12.1988, p. 29, as amended by:
- 391 L 0071: Commission Directive 91/71/EEC of 16 January 1991 (OJ No L 42, 15.2.1991, p. 25).
45. 388 D 0389: Council Decision 88/389/EEC of 22 June 1988 on the establishment, by the Commission, of an inventory of the source materials and substances used in the preparation of flavourings (OJ No L 184, 15.7.1988, p. 67).
46. 389 L 0107: Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorized for use in foodstuffs intended for human consumption (OJ No L 40, 11.2.1989, p. 27).

47. **389 L 0108:** Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption (OJ No L 40, 11.2.1989, p. 34).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

the following shall be added to Article 8(1)(a):

- in Finnish "pakastettu"
- in Icelandic "hraðfryst"
- in Norwegian "dypfryst"
- in Swedish "djupfryst".

48. **389 L 0109:** Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs (OJ No L 40, 11.2.1989, p. 38), as corrected by OJ No L 347, 28.11.1989, p. 37.
49. **389 L 0396:** Council Directive 89/396/EEC of 14 June 1989 on indications or marks identifying the lot to which a foodstuff belongs (OJ No L 186, 30.6.1989, p. 21), as amended by:
- **391 L 0238:** Council Directive 91/238/EEC of 22 April 1991 (OJ No L 107, 27.4.1991, p. 50).
50. **389 L 0397:** Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs (OJ No L 186, 30.6.1989, p. 23).
51. **389 L 0398:** Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses (OJ No L 186, 30.6.1989, p. 27).
52. **390 L 0128:** Commission Directive 90/128/EEC of 23 February 1990 relating to plastic materials and articles intended to come into contact with foodstuffs (OJ No L 75, 21.3.1990, p. 19).
53. **390 L 0496:** Council Directive 90/496/EEC of 24 September 1990 on nutrition labelling for foodstuffs (OJ No L 276, 6.10.1990, p. 40).
54. **390 L 0642:** Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables (OJ No L 350, 14.12.1990, p. 71).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

55. **378 X 0358:** Commission Recommendation 78/358/EEC of 29 March 1978 to the Member States on the use of saccharin as a food ingredient and for sale as such in tablet form to the final consumer (OJ No L 103, 15.4.1978, p. 32).

56. **380 X 1089**: Commission Recommendation 80/1089/EEC of 11 November 1980 concerning tests related to the safety evaluation of food additives (OJ No L 320, 27.11.1980, p. 36).
57. **C/271/89/p. 3**: Commission interpretative communication concerning the free circulation of foodstuffs within the Community COM (89) 256 (OJ No C 271, 24.10.1989, p. 3).

XIII. MEDICINAL PRODUCTS

The EFTA Surveillance Authority may designate, according to its working procedures, two observers entitled to participate in the tasks of the Committee which are described in Article 2, first indent of the Council Decision 75/320/EEC of 20 May 1975 setting up a pharmaceutical committee.

Notwithstanding Article 101 of the Agreement, the EC Commission shall invite experts from the EFTA States according to Article 99 of the Agreement, to participate in the tasks which are described in Article 2, second indent of the Council Decision 75/320/EEC.

The EC Commission shall, in due time, inform the EFTA Surveillance Authority about the date of the meeting of the Committee and transmit the relevant documentation.

ACTS REFERRED TO

1. **365 L 0065**: Council Directive 65/65/EEC of the 26 January 1965 on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products (OJ No 22, 9.2.1965, p. 369/65), as amended by:
 - **375 L 0319**: Second Council Directive 75/319/EEC of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products (OJ No L 147, 9.6.1975, p. 13),
 - **383 L 0570**: Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 1),
 - **387 L 0021**: Council Directive 87/21/EEC of 22 December 1986 (OJ No L 15, 17.1.1987, p. 36),
 - **389 L 0341**: Council Directive 89/341/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 11), as corrected by OJ No L 176, 23.6.1989, p. 55.
2. **375 L 0318**: Council Directive 75/318/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of medicinal products (OJ No L 147, 9.6.1975, p. 1), as amended by:
 - **383 L 0570**: Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 1),

- **387 L 0019**: Council Directive 87/19/EEC of 22 December 1986 (OJ No L 15, 17.1.1987, p. 31),
 - **389 L 0341**: Council Directive 89/341/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 11), as corrected by OJ No L 176, 23.6.1989, p. 55.
3. **375 L 0319**: Second Council Directive 75/319/EEC of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products (OJ No L 147, 9.6.1975, p. 13), as amended by:
- **378 L 0420**: Council Directive 78/420/EEC of 2 May 1978 (OJ No L 123, 11.5.1978, p. 26),
 - **383 L 0570**: Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 1),
 - **389 L 0341**: Council Directive 89/341/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 11), as corrected by OJ No L 176, 23.6.1989, p. 55.
4. **378 L 0025**: Council Directive 78/25/EEC of 12 December 1977 on the approximation of the laws of the Member States relating to the colouring matters which may be added to medicinal products (OJ No L 11, 14.1.1978, p. 18), as amended by:
- **172 B**: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972),
 - **381 L 0464**: Council Directive 81/464/EEC of 24 June 1981 (OJ No L 183, 4.7.1981, p. 33),
 - **1 85 I** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985).
5. **381 L 0851**: Council Directive 81/851/EEC of 28 September 1981 on the approximation of the laws of the Member States relating to veterinary medicinal products (OJ No L 317, 6.11.1981, p. 1), as amended by:
- **390 L 0676**: Council Directive 90/676/EEC of 13 December 1990 (OJ No L 373, 31.12.1990, p. 15).
6. **381 L 0852**: Council Directive 81/852/EEC of 28 September 1981 on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products (OJ No L 317, 6.11.1981, p. 16), as amended by:
- **387 L 0020**: Council Directive 87/20/EEC of 22 December 1986 (OJ No L 15, 17.1.1987, p. 34).
7. **386 L 0609**: Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes (OJ No L 358, 18.12.1986, p. 1).

8. **387 L 0022:** Council Directive 87/22/EEC of 22 December 1986 on the approximation of national measures relating to the placing on the market of high-technology medicinal products, particularly those derived from biotechnology (OJ No L 15, 17.1.1987, p. 38).
9. **389 L 0105:** Council Directive 89/105/EEC of 21 December 1988 relating to the transparency of measures regulating the pricing of medicinal products for human use and their inclusion in the scope of national health insurance systems (OJ No L 40, 11.2.1989, p. 8).
10. **389 L 0342:** Council Directive 89/342/EEC of 3 May 1989 extending the scope of Directives 65/65/EEC and 75/319/EEC and laying down additional provisions for immunological medicinal products consisting of vaccines, toxins or serums and allergens (OJ No L 142, 25.5.1989, p. 12).
11. **389 L 0343:** Council Directive 89/343/EEC of 3 May 1989 extending the scope of Directives 65/65/EEC and 75/319/EEC and laying down additional provisions for radiopharmaceuticals (OJ No L 142, 25.5.1989, p. 16).
12. **389 L 0381:** Council Directive 89/381/EEC of 14 June 1989 extending the scope of Directives 65/65/EEC and 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products and laying down special provisions for medicinal products derived from human blood or human plasma (OJ No L 181, 28.6.1989, p. 44).
13. **390 L 0677:** Council Directive 90/677/EEC of 13 December 1990 extending the scope of Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products and laying down additional provisions for immunological veterinary medicinal products (OJ No L 373, 31.12.1990, p. 26).
14. **390 R 2377:** Council Regulation No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ No L 224, 18.8.1990, p. 1).
15. **391 L 0356:** Commission Directive 91/356/EEC of 13 June 1991 laying down the principles and guidelines of good manufacturing practice for medicinal products for human use (OJ No L 193, 17.7.1991, p. 30).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

16. **C/310/86/p. 7:** Commission Communication on the compatibility with Article 30 of the Treaty of Measures taken by Member States relating to price controls and reimbursement of medicinal products (OJ No C 310, 4.12.1986, p. 7).
17. **C/115/82/p. 5:** Commission Communication on parallel imports of proprietary medicinal products for which marketing authorisation have already been granted (OJ No C 115, 6.5.1982, p. 5).

XIV. FERTILIZERS

ACTS REFERRED TO

1. **376 L 0116:** Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers (OJ No L 24, 30.1.1976, p. 21), as amended by:
 - **388 L 0183:** Council Directive 88/183/EEC of 22 March 1988 (OJ No L 83, 29.3.1988, p. 33),
 - **389 L 0284:** Council Directive 89/284/EEC of 13 April 1989 supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilizers (OJ No L 111, 22.4.1989, p. 34),
 - **389 L 0530:** Council Directive 89/530/EEC of 18 September 1989 supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilizers (OJ No L 281, 30.9.1989, p. 116).

The EFTA States will be free to limit access to their market according to the requirements of their legislation existing at the date of entry into force of this Agreement concerning cadmium in fertilizers. The Contracting Parties shall jointly review the situation in 1995.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Annex I, chapter A II, the following shall be added to no. 1, column 6, third paragraph, to the text in brackets:

"Austria, Finland, Iceland, Liechtenstein, Norway, Sweden, Switzerland";
- (b) in Annex I, chapter B 1, 2 and 4, the following shall be added to column 9, point 3, to the text in brackets after (6b):

"Austria, Finland, Iceland, Liechtenstein, Norway, Sweden, Switzerland".

2. **377 L 0535:** Commission Directive 77/535/EEC of 22 June 1977 on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilizers (OJ No L 213, 22.8.1977, p. 1), as amended by:
 - **379 L 0138:** Commission Directive 79/138/EEC of 14 December 1978 (OJ No L 39, 14.2.1979, p. 3), as corrected by OJ No L 1, 3.1.1980, p. 11,
 - **387 L 0566:** Commission Directive 87/566/EEC of 24 November 1987 (OJ No L 342, 4.12.1987, p. 32),
 - **389 L 0519:** Commission Directive 89/519/EEC of 1 August 1989 supplementing and amending Directive 77/535/EEC (OJ No L 265, 12.9.1989, p. 30).

3. **380 L 0876**: Council Directive 80/876/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to straight ammonium nitrate fertilizers of high nitrogen content (OJ No L 250, 23.9.1980, p. 7).
4. **387 L 0094**: Commission Directive 87/94/EEC of 8 December 1986 on the approximation of the laws of the Member States relating to procedures for the control of characteristics of, limits for and resistance to detonation of straight ammonium nitrate fertilizers of high nitrogen content (OJ No L 38, 7.2.1987, p. 1), as corrected by OJ No L 63, 9.3.1988, p. 16, as amended by:
 - **388 L 0126**: Commission Directive 88/126/EEC of 22 December 1987 (OJ No L 63, 9.3.1988, p. 12).
5. **389 L 0284**: Council Directive 89/284/EEC of 13 April 1989 supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilizers (OJ No L 111, 22.4.1989, p. 34).
6. **389 L 0519**: Commission Directive 89/519/EEC of 1 August 1989 supplementing and amending Directive 77/535/EEC on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilizers (OJ No L 265, 12.9.1989, p. 30).
7. **389 L 0530**: Council Directive 89/530/EEC of 18 September 1989 supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilizers (OJ No L 281, 30.9.1989, p. 116).

XV. DANGEROUS SUBSTANCES

ACTS REFERRED TO

1. **367 L 0548**: Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ No 196, 16.8.1967, p. 1), as amended and supplemented by:
 - **379 L 0831**: Council Directive 79/831/EEC of 18 September 1979 (OJ No L 259, 15.10.1979, p. 10),
 - **1 79 H**: Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),
 - **384 L 0449**: Commission Directive 84/449/EEC of 25 April 1984 (OJ No L 251, 19.9.1984, p. 1),
 - **388 L 0302**: Commission Directive 88/302/EEC of 18 November 1987 (OJ No L 133, 30.5.1988, p. 1) as corrected by OJ No L 136, 2.6.1988, p. 20,
 - **390 D 0420**: Commission Decision 90/420/EEC of 25 July 1990 on the classification and labelling of Di(2-ethylhexyl)phthalate in accordance with Article 23 of Council Directive 67/548/EEC (OJ No L 222, 17.8.1990, p. 49),

- **391 L 0325**: Commission Directive 91/325/EEC of 1 March 1991 (OJ No L 180, 8.7.91, p. 1),
- **391 L 0326**: Commission Directive 91/326/EEC of 5 March 1991 (OJ No L 180, 8.7.91, p. 79).

The Contracting Parties agree on the objective that the provisions of the Community acts on dangerous substances and preparations should apply by 1 January 1995. Finland shall comply with the provisions of the acts as from the entry into force of the 7th amendment to Council Directive 67/548/EEC. Pursuant to cooperation to be initiated from the signature of this Agreement in order to solve remaining problems, a review of the situation will take place during 1994, including matters not covered by Community legislation. If an EFTA State concludes that it will need any derogation from the Community acts relating to classification and labelling, the latter shall not apply to it unless the EEA Joint Committee agrees on another solution.

As regards the exchange of information, the following shall apply:

- (i) The EFTA States that comply with the *acquis* on dangerous substances and preparations shall give equivalent guarantees to those existing within the Community that:
 - where the information is treated as confidential on the grounds of industrial and commercial secrecy within the Community, according to the provisions of the Directive, only those EFTA States which have taken over the relevant *acquis* shall participate in the exchange of information,
 - confidential information will be afforded the same degree of protection in the EFTA States as that which obtains within the Community;
 - (ii) All EFTA States will participate in the exchange of information concerning all other aspects as provided for in the Directive.
2. **373 L 0404**: Council Directive 73/404/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to detergents (OJ No L 347, 17.12.1973, p. 51), as amended by:
- **382 L 0242**: Council Directive 82/242/EEC of 31 March 1982 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of non-ionic surfactants and amending Directive 73/404/EEC (OJ No L 109, 22.4.1982, p. 1),
 - **386 L 0094**: Council Directive 86/94/EEC of 10 March 1986 (OJ No L 80, 25.3.1986, p. 51).
3. **373 L 0405**: Council Directive 73/405/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of anionic surfactants (OJ No L 347, 17.12.1973, p. 53), as amended by:
- **382 L 0243**: Council Directive 82/243/EEC of 31 March 1982 (OJ No L 109, 22.4.1982, p. 18).

4. **376 L 0769:** Council Directive 76/769/EEC of 27 July 1976 on the approximation of laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ No L 262, 27.9.1976, p. 201), as amended by:
- **379 L 0663:** Council Directive 79/663/EEC of 24 July 1979 supplementing the Annex to Council Directive 76/769/EEC (OJ No L 197, 3.8.1979, p. 37),
 - **382 L 0806:** Council Directive 82/806/EEC of 22 November 1982 (OJ No L 339, 1.12.1982, p. 55),
 - **382 L 0828:** Council Directive 82/828/EEC of 3 December 1982 (OJ No L 350, 10.12.1982, p. 34),
 - **383 L 0264:** Council Directive 83/264/EEC of 16 May 1983 (OJ No L 147, 6.6.1983, p. 9),
 - **383 L 0478:** Council Directive 83/478/EEC of 19 September 1983 (OJ No L 263, 24.9.1983, p. 33),
 - **385 L 0467:** Council Directive 85/467/EEC of 1 October 1985 (OJ No L 269, 11.10.1985, p. 56),
 - **385 L 0610:** Council Directive 85/610/EEC of 20 December 1985 (OJ No L 375, 31.12.1985, p. 1),
 - **389 L 0677:** Council Directive 89/677/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 19),
 - **389 L 0678:** Council Directive 89/678/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 24),
 - **391 L 0173:** Council Directive 91/173/EEC of 21 March 1991 (OJ No L 85, 5.4.1991, p. 34),
 - **391 L 0338:** Council Directive 91/338/EEC of 18 June 1991 (OJ No L 186, 12.7.1991, p. 59),
 - **391 L 0339:** Council Directive 91/339/EEC of 18 June 1991 (OJ No L 186, 12.7.91, p. 64).

The EFTA States will be free to limit access to their markets according to the requirements of their legislation existing at the date of entry into force of this Agreement, concerning:

- chlorinated organic solvents,
- asbestos fibres,
- mercury compounds,
- arsenic compounds,
- organostannic compounds,
- pentachlorophenol,
- cadmium,
- batteries.

The Contracting Parties shall jointly review the situation in 1995.

5. **378 L 0631**: Council Directive 78/631/EEC of 26 June 1978 on the approximation of the laws of the Member States relating to the classification, packaging and labelling of dangerous preparations (pesticides) (OJ No L 206, 29.7.1978, p. 13), as amended by:
 - **381 L 0187**: Council Directive 81/187/EEC of 26 March 1981 (OJ No L 88, 2.4.1981, p. 29),
 - **384 L 0291**: Commission Directive 84/291/EEC of 18 April 1984 (OJ No L 144, 30.5.1984, p. 1).

The EFTA States will be free to limit access to their markets according to the requirements of their legislation existing at the date of entry into force of this Agreement. New EC rules will be dealt with according to the procedures laid down in Articles 97 to 104 of the Agreement.

6. **379 L 0117**: Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances (OJ No L 33, 8.2.1979, p. 36), as amended by:
 - **383 L 0131**: Commission Directive 83/131/EEC of 14 March 1983 (OJ No L 91, 9.4.1983, p. 35),
 - **385 L 0298**: Commission Directive 85/298/EEC of 22 May 1985 (OJ No L 154, 13.6.1985, p. 48),
 - **386 L 0214**: Council Directive 86/214/EEC of 26 May 1986 (OJ No L 152, 6.6.1986, p. 45),
 - **386 L 0355**: Council Directive 86/355/EEC of 21 July 1986 (OJ No L 212, 2.8.1986, p. 33),
 - **387 L 0181**: Council Directive 87/181/EEC of 9 March 1987 (OJ No L 71, 14.3.1987, p. 33),
 - **387 L 0477**: Commission Directive 87/477/EEC of 9 September 1987 (OJ No L 273, 26.9.1987, p. 40),
 - **389 L 0365**: Council Directive 89/365/EEC of 30 May 1989 (OJ No L 159, 10.6.1989, p. 58),
 - **390 L 0533**: Council Directive 90/533/EEC of 15 October 1990 (OJ No L 296, 27.10.1990, p. 63),
 - **391 L 0188**: Commission Directive 91/188/EEC of 19 March 1991 (OJ No L 92, 13.4.1991, p. 42).

The EFTA States will be free to limit access to their markets according to the requirements of their legislation existing at the date of entry into force of this Agreement. New EC rules will be dealt with according to the procedures laid down in Articles 97 to 104 of the Agreement.

7. **382 L 0242:** Council Directive 82/242/EEC of 31 March 1982 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of non-ionic surfactants and amending Directive 73/404/EEC (OJ No L 109, 22.4.1982, p. 1).
8. **387 L 0018:** Council Directive 87/18/EEC of 18 December 1986 on the harmonization of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their application for tests on chemical substances (OJ No L 15, 17.1.1987, p. 29).
9. **388 L 0320:** Council Directive 88/320/EEC of 9 June 1988 on the inspection and verification of Good Laboratory Practice (GLP) (OJ No L 145, 11.6.1988, p. 35), as amended by:
 - **390 L 0018:** Commission Directive 90/18/EEC of 18 December 1989 (OJ No L 11, 13.1.1990, p. 37).
10. **388 L 0379:** Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (OJ No L 187, 16.7.1988, p. 14), as amended by:
 - **389 L 0178:** Commission Directive 89/178/EEC of 22 February 1989 (OJ No L 64, 8.3.1989, p. 18),
 - **390 L 0035:** Commission Directive 90/35/EEC of 19 December 1989 (OJ No L 19, 24.1.1990, p. 14),
 - **390 L 0492:** Commission Directive 90/492/EEC of 5 September 1990 (OJ No L 275, 5.10.1990, p. 35) as corrected by OJ No L 321, 21.11.1990, p. 19,
 - **391 L 0155:** Commission Directive 91/155/EEC of 5 March 1991 (OJ No L 76, 22.3.1991, p. 35).

The Contracting Parties agree on the objective that the provisions of the Community acts on dangerous substances and preparations should apply by 1 January 1995. Finland shall comply with the provisions of the acts as from the entry into force of the 7th amendment to Council Directive 67/548/EEC. Pursuant to cooperation to be initiated from the signature of this Agreement in order to solve remaining problems, a review of the situation will take place during 1994, including matters not covered by Community legislation. If an EFTA State concludes that it will need any derogation from the Community acts relating to classification and labelling, the latter shall not apply to it unless the EEA Joint Committee agrees on another solution.

As regards the exchange of information, the following shall apply:

- (i) The EFTA States that comply with the *acquis* on dangerous substances and preparations shall give equivalent guarantees to those existing within the Community that:
 - where the information is treated as confidential on the grounds of industrial and commercial secrecy within the Community, according to the provisions of the Directive, only those EFTA States which have taken over the relevant *acquis* shall participate in the exchange of information,

- confidential information will be afforded the same degree of protection in the EFTA States as that which obtains within the Community;
 - (ii) all EFTA States will participate in the exchange of information concerning all other aspects as provided for in the Directive.
11. **391 0157:** Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances (OJ No L 78, 26.3.1991, p. 38).
- The EFTA States will be free to limit access to their markets according to the requirements of their legislations existing at the time of entry into force of this Agreement concerning batteries. The Contracting Parties shall jointly review the situation in 1995.
12. **391 R 0594:** Council Regulation (EEC) No 594/91 of 4 March 1991 on substances that deplete the ozone layer (OJ No L 67, 14.3.1991, p. 1).
- The EFTA States may apply their national legislation, existing at the date of entry into force of this Agreement. The Contracting Parties shall organize practical ways of cooperation. They shall jointly review the situation in 1995.

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

13. **389 X 0542:** Commission Recommendation 89/542/EEC of 13 September 1989 for the labelling of detergents and cleaning products (OJ No L 291, 10.10.1989, p. 55).
14. **C/79/82/p. 3:** Communication concerning Commission Decision 81/437/EEC of 11 May 1981 laying down the criteria in accordance with which information relating to the inventory of chemical substances is supplied by the Member States to the Commission (OJ No C 79, 31.3.1982, p. 3).
15. **C/146/90/p. 4:** Publication of the EINECS inventory (OJ No C 146, 15.6.1990, p. 4).

XVI. COSMETICS

ACTS REFERRED TO

1. **376 L 0768:** Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products (OJ No L 262, 27.9.1976, p. 169), as amended by:
- **379 L 0661:** Council Directive 79/661/EEC of 24 July 1979 (OJ No L 192, 31.7.1979, p. 35),
 - **1 79 H:** Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 108),

- 382 L 0147: Commission Directive 82/147/EEC of 11 February 1982 (OJ No L 63, 6.3.1982, p. 26),
- 382 L 0368: Council Directive 82/368/EEC of 17 May 1982 (OJ No L 167, 15.6.1982, p. 1),
- 383 L 0191: Second Commission Directive 83/191/EEC of 30 March 1983 (OJ No L 109, 26.4.1983, p. 25),
- 383 L 0341: Third Commission Directive 83/341/EEC of 29 June 1983 (OJ No L 188, 13.7.1983, p. 15),
- 383 L 0496: Fourth Commission Directive 83/496/EEC of 22 September 1983 (OJ No L 275, 8.10.1983, p. 20),
- 383 L 0574: Council Directive 83/574/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 38),
- 384 L 0415: Fifth Commission Directive 84/415/EEC of 18 July 1984 (OJ No L 228, 25.8.1984, p. 31), as corrected by OJ No L 255, 25.9.1984, p. 28,
- 385 L 0391: Sixth Commission Directive 85/391/EEC of 16 July 1985 (OJ No L 224, 22.8.1985, p. 40),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 218),
- 386 L 0179: Seventh Commission Directive 86/179/EEC of 28 February 1986 (OJ No L 138, 24.5.1986, p. 40),
- 386 L 0199: Eighth Commission Directive 86/199/EEC of 26 March 1986 (OJ No L 149, 3.6.1986, p. 38),
- 387 L 0137: Ninth Commission Directive 87/137/EEC of 2 February 1987 (OJ No L 56, 26.2.1987, p. 20),
- 388 L 0233: Tenth Commission Directive 88/233/EEC of 2 March 1988 (OJ No L 105, 26.4.1988, p. 11),
- 388 L 0667: Council Directive 88/667/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 46),
- 389 L 0174: Eleventh Commission Directive 89/174/EEC of 21 February 1989 (OJ No L 64, 8.3.1989, p. 10), as corrected by OJ No L 199, 13.7.1989, p. 23,
- 389 L 0679: Council Directive 89/679/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 25),
- 390 L 0121: Twelfth Commission Directive 90/121/EEC of 20 February 1990 (OJ No L 71, 17.3.1990, p. 40),

- **391 L 0184**: Thirteenth Commission Directive 91/184/EEC of 12 March 1991 (OJ No L 91, 12.4.1991, p. 59).
- 2. **380 L 1335**: First Commission Directive 80/1335/EEC of 22 December 1980 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 383, 31.12.1980, p. 27), as amended by:
 - **387 L 0143**: Commission Directive 87/143/EEC of 10 February 1987 (OJ No L 57, 27.2.1987, p. 56).
- 3. **382 L 0434**: Second Commission Directive 82/434/EEC of 14 May 1982 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 185, 30.6.1982, p. 1), as amended by:
 - **390 L 0207**: Commission Directive 90/207/EEC of 4 April 1990 (OJ No L 108, 28.4.1990, p. 92).
- 4. **383 L 0514**: Third Commission Directive 83/514/EEC of 27 September 1983 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 291, 24.10.1983, p. 9).
- 5. **385 L 0490**: Fourth Commission Directive 85/490/EEC of 11 October on the approximation of laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 295, 7.11.1985, p. 30).

XVII. ENVIRONMENT PROTECTION

ACTS REFERRED TO

1. **375 L 0716**: Council Directive 75/716/EEC of 24 November 1975 on the approximation of the laws of the Member States relating to the sulphur content of certain liquid fuels (OJ No L 307, 27.11.1975, p. 22), as amended by:
 - **387 L 0219**: Council Directive 87/219/EEC of 30 March 1987 (OJ No L 91, 3.4.1987, p. 19).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Article 1(1)(a), the corresponding heading in the Harmonized System to subheading 2710 C I of the Common Customs Tariff, is ex 2710.

2. **380 L 0051**: Council Directive 80/51/EEC of 20 December 1979 on the limitation of noise emissions from subsonic aircrafts (OJ No L 18, 24.1.1980, p. 26), as amended by:
 - **383 L 0206**: Council Directive 83/206/EEC of 21 April 1983 (OJ No L 117, 4.5.1983, p. 15).

3. **385 L 0210**: Council Directive 85/210/EEC of 20 March 1985 on the approximation of the laws of the Member States concerning the lead content of petrol (OJ No L 96, 3.4.1985, p. 25), as amended by:
 - **385 L 0581**: Council Directive 85/581/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p. 37),
 - **387 L 0416**: Council Directive 87/416/EEC of 21 July 1987 (OJ No L 225, 13.8.1987, p. 33).
4. **385 L 0339**: Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption (OJ No L 176, 6.7.1985, p. 18).
5. **389 L 0629**: Council Directive 89/629/EEC of 4 December 1989 on the limitation of noise emissions from subsonic jet aeroplanes (OJ No L 363, 13.12.1989, p. 27).

XVIII. INFORMATION TECHNOLOGY, TELECOMMUNICATION AND DATA PROCESSING

ACTS REFERRED TO

1. **386 L 0529**: Council Directive 86/529/EEC of 3 November 1986 on the adoption of common technical specifications of the MAC/packet family of standards for direct satellite television broadcasting (OJ No L 311, 6.11.1986, p. 28).
2. **387 D 0095**: Council Decision 87/95/EEC of 22 December 1986 on standardization in the field of information technology and telecommunications (OJ No L 36, 7.2.1987, p. 31).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

"European standard", referred to in Article 1(7) of the Decision, shall mean a standard approved by ETSI, CEN/Cenelec, CEPT and other bodies on which the Contracting Parties may agree. "European prestandard", referred to in Article 1(8) of the Decision, shall mean a standard adopted by the same bodies.

3. **389 D 0337**: Council Decision 89/337/EEC of 27 April 1989 on high-definition television (OJ No L 142, 25.5.1989, p. 1).
4. **391 L 0263**: Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity (OJ No L 128, 23.5.1991, p. 1).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

5. **384 X 0549**: Council Recommendation 84/549/EEC of 12 November 1984 concerning the implementation of harmonization in the field of telecommunications (OJ No L 298, 16.11.1984, p. 49).

6. **389 Y 0511(01)**: Council Resolution 89/C 117/01 of 27 April 1989 on standardization in the field of information technology and telecommunications (OJ No C 117, 11.5.1989, p. 1).

XIX. GENERAL PROVISIONS IN THE FIELD OF TECHNICAL BARRIERS TO TRADE

ACTS REFERRED TO

1. **383 L 0189**: Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provisions of information in the field of technical standards and regulations (OJ No L 109, 26.4.1983, p. 8), as amended by:

- **1 85 I**: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214),
- **388 L 0182**: Council Directive 88/182/EEC of 22 March 1988 (OJ No L 81, 26.3.1988, p. 75).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) Article 1(7) is replaced by the following:

"7. "product", any industrially manufactured product and any agricultural product, including fish products";

- (b) The following shall be added to the end of the first subparagraph of Article 8(1):

"A full text of the draft technical regulation notified shall be made available in the original language as well as in a full translation into one of the official languages of the European Community.";

- (c) The following shall be added to the second subparagraph of Article 8(1):

"The Community, on the one side, and the EFTA Surveillance Authority or the EFTA States through the EFTA Surveillance Authority, on the other side, may ask for further information on a draft technical regulation notified.";

- (d) The following shall be added to Article 8(2):

"The comments of the EFTA States shall be forwarded by the EFTA Surveillance Authority to the EC Commission in the form of a single coordinated communication and the comments of the Community shall be forwarded by the Commission to the EFTA Surveillance Authority. The Contracting Parties shall, when a six-month standstill is invoked according to the rules of their respective internal systems, inform each other thereof in a similar manner.";

- (e) The first subparagraph of Article 8(4) shall be replaced by the following:

"The information supplied under this Article shall be considered as confidential upon request.";

(f) Article 9 shall be replaced by the following:

"The competent authorities of the EC Member States and the EFTA States shall postpone the adoption of draft technical regulations notified for three months from the date of receipt of the text of the draft regulation

- by the EC Commission in case of drafts notified by Member States of the Community,
- by the EFTA Surveillance Authority for drafts notified by the EFTA States.

However, this standstill period of three months shall not apply in those cases where, for urgent reasons relating to the protection of public health or safety, the protection of health and life of animal or plants, the competent authorities are obliged to prepare technical regulations in a very short space of time in order to enact and introduce them immediately without any consultations being possible. The reasons which warrant the urgency of the measures taken shall be given. The justification for urgent measures shall be detailed and clearly explained with particular emphasis on the unpredictability and the seriousness of the danger confronting the concerned authorities as well as the absolute necessity for immediate action to remedy it.";

(g) The following shall be added to list I of the Annex:

"ON (Austria)
Österreichisches Normungsinstitut
Heinestrasse 38
A - 1020 Wien

ÖVE (Austria)
Österreichischer Verband für Elektrotechnik
Eschenbachgasse 9
A - 1010 Wien

SFS (Finland)
Suomen Standardisoimisliitto SFS r.y.
PL 205
SF - 00121 Helsinki

SESKO (Finland)
Suomen Sähköteknillinen Standardisoimisyhdistys Sesko r.y.
Särkiniementie 3
SF - 00210 Helsinki

STRI (Iceland)
Staðlaráð Íslands
Keldnaholti
IS - 112 Reykjavík

SNV (Liechtenstein)
Schweizerische Normen-Vereinigung
Kirchenweg 4
Postfach
CH - 8032 Zürich

NSF (Norway)
Norges Standardiseringsforbund
Pb 7020 Homansbyen
N - 0306 Oslo 3

NEK (Norway)
Norsk Elektroteknisk Komite
Pb 280 Skøyen
N - 0212 Oslo 2

SIS (Sweden)
Standardiseringskommissionen i Sverige
Box 3295
S - 103 66 Stockholm

SEK (Sweden)
Svenska Elektriska Kommissionen
Box 1284
S - 164 28 Kista

SNV (Switzerland)
Schweizerische Normen-Vereinigung
Kirchenweg 4
Postfach
CH - 8032 Zürich

SEK (Switzerland)
Schweizerisches Elektrotechnisches Komitee
Postfach
CH - 8034 Zürich";

(h) for the application of the Directive, the following communications by electronic means are considered necessary:

- (1) notification slips. They may be communicated before or together with the transmission of the full text;
- (2) acknowledgement of receipt of draft text, containing inter alia, the relevant expiry date of the standstill determined according to the rules of each system;
- (3) messages requesting supplementary information;
- (4) answers to request for supplementary information;
- (5) comments;
- (6) requests for ad hoc meetings;
- (7) answers to requests for ad hoc meetings;
- (8) requests for final texts;
- (9) information that a six-month standstill has been called;

the following communications may, for the time being, be transmitted by normal mail:

- (10) the full text of the draft notified;
- (11) Basic legal texts or regulatory provisions;
- (12) The final text;

- (i) Administrative arrangements concerning the communications shall be jointly agreed by the Contracting Parties.
2. **389 D 0045**: Council Decision 89/45/EEC of 21 December 1988 on a Community system for the rapid exchange of information on dangers arising from the use of consumer products (OJ No L 17, 21.1.1989, p. 51), as amended by:
 - **390 D 0352**: Council Decision 90/352/EEC of 29 June 1990 (OJ No L 173, 6.7.1990, p. 49)

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptation:

the entity designated by the EFTA States shall immediately communicate to the EC Commission the information it sends to the EFTA States or their competent authorities. The EC Commission shall immediately communicate to the entity designated by the EFTA States the information it sends to the EC Member States or their competent authorities.

3. **390 D 0683**: Council Decision 90/683/EEC of 13 December 1990 concerning the modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization directives (OJ No L 380, 21.12.1990, p. 13).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

4. **C/136/85/p. 2**: Conclusions on standardization, approved by the Council on 16 July 1984 (OJ No C 136, 4.6.1985, p. 2).
5. **385 Y 0604(01)**: Council Resolution 85/C 136/01 of 7 May 1985 on a new approach to technical harmonization and standards (OJ No C 136, 4.6.1985, p. 1).
6. **386 Y 1001(01)**: Commission communication concerning the non-respect of certain provisions of Council Directive 83/189/EEC of 28 March laying down a procedure for the provision of information in the field of technical standards and regulations (OJ No C 245, 1.10.1986, p. 4).
7. **C/67/89/p. 3**: Commission Communication concerning the publication in the Official Journal of the European Communities of the titles of draft technical regulations notified by the Member States pursuant to Council Directive 83/189/EEC, as amended by Council Directive 88/182/EEC (OJ No C 67, 17.3.1989, p. 3).
8. **390 Y 0116(01)**: Council Resolution of 21 December 1989 on a global approach to conformity assessment (OJ No C 10, 16.1.90, p. 1).
9. **590 DC 0456**: Commission Green Paper on the development of European Standardization: action for faster technological integration in Europe (OJ No C 20, 28.1.1991, p. 1).

XX. FREE MOVEMENT OF GOODS - GENERAL

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

1. **380 Y 1003(01)**: Communication from the Commission concerning the consequences of the judgment given by the Court of Justice of the European Communities on 20 February 1979 in Case 120/78 ("Cassis de Dijon") (OJ No C 256, 3.10.80, p. 2).
2. **585 PC 0310**: Commission Communication on the completion of the Internal Market COM (85) 310 Final ("White Paper").

XXI. CONSTRUCTION PRODUCTS

ACTS REFERRED TO

1. **389 L 0106**: Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (OJ No L 40, 11.2.1989, p. 12).

As regards the participation of the EFTA States in the work of the European Organization of Technical Approval mentioned in Annex II to the Directive, Article 100 of the Agreement shall apply.

XXII. PERSONAL PROTECTIVE EQUIPMENT

ACTS REFERRED TO

1. **389 L 0686**: Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (OJ No L 399, 30.12.1989, p. 18).

XXIII. TOYS

ACTS REFERRED TO

1. **388 L 0378**: Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys (OJ No L 187, 16.7.1988, p. 1).

Norway shall comply with the provisions of the Directive by 1 January 1995.

Provisions concerning classification and labelling as well as restrictions on the marketing and use of dangerous substances and preparations in this Agreement shall apply also to provisions in Annex II, part II, point 3 of the Directive.

XXIV. MACHINERY

ACTS REFERRED TO

1. **389 L 0392:** Council Directive 89/392/EEC of 14 June 1989 on the approximation of the laws of the Member States relating to machinery (OJ No L 183, 29.6.1989, p. 9), as corrected by OJ L 296, 14.10.1989, p. 40, as amended by:

— **391 L 0368:** Council Directive 91/368/EEC of 20 June 1991 (OJ No L 198, 22.7.1991, p. 16).

Sweden shall comply with the provisions of the Directive by 1 January 1994.

XXV. TOBACCO

ACTS REFERRED TO

1. **389 L 0622:** Council Directive 89/622/EEC of 13 November 1989 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products (OJ No L 359, 8.12.1989, p. 1).
2. **390 L 0239:** Council Directive 90/239/EEC of 17 May 1990 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the maximum tar yield of cigarettes (OJ No L 137, 30.5.1990, p. 36).

XXVI. ENERGY

ACTS REFERRED TO

1. **385 L 0536:** Council Directive 85/536/EEC of 5 December 1985 on crude-oil savings through the use of substitute fuel components in petrol (OJ No L 334, 12.12.1985, p. 20)⁽¹⁾.

(1) Listed here for information purposes only; for application see Annex IV on Energy.

XXVII. SPIRIT DRINKS

Contracting Parties shall authorise imports and marketing of spirit drinks which are in conformity with the Community legislation as listed in this Chapter. For all other purposes, EFTA States may continue to apply their national legislation.

ACTS REFERRED TO:

1. **389 R 1576:** Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks (OJ No L 160, 12.6.1989, p. 1), as corrected by OJ No L 223, 2.8.1989, p. 27.

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the provisions of this Regulation shall not prejudice the right of the EFTA States to prohibit on a non-discriminatory basis the placing on their national market of spirit drinks for direct human consumption which exceed alcoholic strength of 60%;
- (b) in Article 1(2), the corresponding headings in the Harmonized system to CN codes 2203 00, 2204, 2205, 2206 and 2207 are 2203, 2204, 2205, 2206 00 and 2207;
- (c) as regards the definition of fruit spirit drinks in Article 1(4)(1): for Austria, alcohol of agricultural origin may be added at any phase of the manufacturing process, provided that the minimum proportion of 33% of the alcohol contained in the final product is derived from the name-giving fruit;
- (d) as regards Article 1(4)(q): Finland, Iceland, Norway and Sweden may prohibit the marketing of vodka produced from raw materials other than cereals or potatoes;
- (e) in application of Article 6(1) the following terms may complete the sales description:
 - the words "Suomalainen punssi/Finsk Punsch/Finnish punch" and "Svensk Punsch/Swedish punch" can be used for a spirit drink from sugar cane distillate as raw material. It may be mixed with alcohol of agricultural origin, and sweetening. It may be flavoured with wine or juice or natural aroma from citrus- or other fruits or berries;
 - the word "Spritlögg" can be used for a spirit drink produced by flavouring ethyl alcohol of agricultural origin with natural extracts of cloves, or any other plant which contains the same principal aromatic constituent, using one of the following processes:
 - maceration and/or distillation,
 - redistillation of the alcohol in the presence of the buds or other parts of the plants specified above,
 - addition of natural distilled extracts of clove plants,
 - a combination of these three methods.

Other natural plant extracts or aromatic seed may also be used, but the cloves taste must remain predominant;

- the word "Jägertee" can be used for a liquor normally diluted before consumption in hot water or tea, originating in Austria. This liquor is prepared on the basis of ethyl alcohol of agricultural origin, essence of certain spirit drinks or tea to which several natural aromatizing substances have been added. The alcohol strength is at least 22.5% vol. The sugar content is at least 100 g per litre expressed as invert sugar.

This liquor may also be designated as "Jagertee" or "Jagatee";

- (f) In Article 3(2) "Regulation" shall read "EEA Agreement";
- (g) Articles 7(6), 7(7), 10(2), 11 and 12 shall not apply;
- (h) Annex II shall be completed as follows:

- | | | |
|----|-------------------|---|
| 5. | <i>Brandy</i> | "Wachauer Weinbrand
Weinbrand Dürnstein" |
| 6. | Grape marc spirit | "Balzner Marc
Baselbieter Marc
Benderer Marc
Eschner Marc
Grappa del Ticino/Grappa Ticinese
Grappa della Val Calanca
Grappa della Val Bregaglia
Grappa della Val Mesolcina
Grappa della Valle di Poschiavo
Marc d'Auvernier
Marc de Dôle du Valais
Schaaner Marc
Triesner Marc
Vaduzer Marc" |
| 7. | Fruit spirit | "Aargauer Bure Kirsch
Abricotine du Valais/Walliser Aprikosenwasser
Baselbieterkirsch
Baselbieter Zwetschgenwasser
Bernbieter Birnenbrand
Bernbieter Kirsch
Bernbieter Mirabellen
Bernbieter Zwetschgenwasser
Bérudges de Cornaux
Emmentaler Kirsch
Freiämter Theilersbirnenbranntwein
Freiämter Zwetschgenwasser
Fricktaler Kirsch
Kirsch de la Béroche
Luzerner Birnenträsch" |

- Luzerner Kirsch
Luzerner Theilersbirnenbranntwein
Luzerner Zwetschgenwasser
Mirabelle du Valais
Rigi Kirsch
Seeländer Pflümlwasser
Urschwyzerkirsch
Wachauer Marillenbrand
William du Valais/Walliser Williams
Zuger Kirsch"
9. Gentian spirit "Gentiane du Jura"
11. Juniper Flavoured spirit drinks "Genièvre du Jura"
12. Caraway flavoured spirit drinks "Íslenskt Brennivín/Icelandic Aquavit
Norsk Aquavit/Norsk Akvavit/Norwegian Aquavit
Svensk Aquavit/Svensk Akvavit/Swedish Aquavit"
14. Liqueur "Bernbieter Griottes Liqueur
Bernbieter Kirschen Liqueur
Genépi du Valais
Grossglockner Alpenbitter
Mariazeller Magenlikör
Mariazeller Jagasaftl
Puchheimer Bitter
Puchheimer Schlossgeist
Steinfelder Magenbitter
Wachauer Marillenlikör"
15. Spirit drinks "Bernbieter Cherry Brandy Liqueur
Bernbieter Kräuterbitter
Eau-de-vie d'herbes du Jura
Gothard Kräuterbranntwein
Luzerner Chrüter (Kräuterbranntwein)
Suomalainen punssi/Finsk Punsch/Finnish punch
Svensk Punsch/Swedish punch
Vieille lie du Mandement
Walliser Chrüter (Kräuterbranntwein)

The geographical indications mentioned under point 15 concern products which are not defined in the Regulation. Therefore they must be completed with the sales description "spirit drink".

The EFTA States producing these spirit drinks shall inform the other Contracting Parties of the national definitions of these products."

16. *Vodka* "Íslenskt Vodka/Icelandic Vodka
Norsk Vodka/Norwegian Vodka
Suomalainen Vodka/Finsk Vodka/Vodka of Finland
Svensk Vodka/Swedish Vodka".
2. **390 R 1014**: Commission Regulation (EEC) No 1014/90 of 24 April 1990 laying down detailed implementing rules on the definition, description and presentation of spirit drinks (OJ No L 105, 25.4.1990, p. 9), as amended by:
- **391 R 1180**: Commission Regulation (EEC) No 1180/91 of 6 May 1991 (OJ No L 115, 8.5.1991, p. 5),
 - **391 R 1781**: Commission Regulation (EEC) No 1781/91 of 19 June 1991 (OJ No L 160, 25.6.1991, p. 6).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

For the application of Articles 2 and 6 Finland, Iceland, Norway and Sweden may apply a maximum methyl alcohol content of 1200 g per hectolitre of alcohol at 100% volume.

3. **391 R 1601**: Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ No L 149, 14.6.1991, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) Article 2(2) shall be completed as follows:

"(d) *Starkvinsglögg*:

aromatized wine which has been prepared from wine as referred to in paragraph 1(a), the characteristic taste of which is obtained by the use of cloves which must always be used together with other spices; this drink may be sweetened according to Article 3(a).";

- (b) in the heading and text of Article 2(3)(f), "or vINGlÖgg" shall be inserted after "Glühwein";

- (c) Articles 8(7), 8(8), 9(2), 10 and 11 shall not apply.

ANNEX III

PRODUCT LIABILITY

List provided for in Article 23 (c)

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACT REFERRED TO

385 L 0374: Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products (OJ No L 210, 7.8.1985, p. 29).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) as regards the liability of the importer as foreseen in Article 3(2), the following shall apply:
- (i) without prejudice to the liability of the producer any person who imports into the EEA a product for sale, hire, leasing or any form of distribution in the course of his business shall be responsible as a producer;
 - (ii) the same applies as concerns imports from an EFTA State into the Community or from the Community into an EFTA State or from an EFTA State into another EFTA State.

From the date of entry into force for any EC Member State or EFTA State of the Lugano Convention on jurisdiction and the enforcement of judgments in civil and commercial matters of 16 September 1988, the first sentence of this subparagraph shall no longer apply between those States which have ratified the Convention to the extent a national judgement in favour of the injured person is, by the fact of those ratifications, enforceable against the producer or the importer within the meaning of subparagraph (i);

- (iii) Switzerland and Liechtenstein may waive importer's liability between themselves;

(b) as regards Article 14 the following shall apply:

the Directive shall not apply to injury or damage arising from nuclear accidents and covered by an international convention ratified by EFTA States and EC Member States.

For Switzerland and Liechtenstein in addition the Directive shall not apply if their national law provides equivalent protection to that afforded by international conventions within the meaning mentioned above.

ANNEX IV**ENERGY**

List provided for in Article 24

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

1. **372 R 1056**: Council Regulation (EEC) No 1056/72 of 18 May 1972 on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors (OJ No L 120, 25.5.1972, p. 7), as amended by:
 - **376 R 1215**: Council Regulation (EEC) No 1215/76 of 4 May 1976 amending Council Regulation (EEC) No 72/1056 (OJ No L 140, 28.5.1976, p. 1).
2. **375 L 0405**: Council Directive 75/405/EEC of 14 April 1975 concerning the restriction of the use of petroleum products in power stations (OJ No L 178, 9.7.1975, p. 26).
3. **376 L 0491**: Council Directive 76/491/EEC of 4 May 1976 regarding a Community procedure for information and consultation on the prices of crude oil and petroleum products in the Community (OJ No L 140, 28.5.1976, p. 4).
4. **378 L 0170**: Council Directive 78/170/EEC of 13 February 1978 on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings (OJ No L 052, 23.2.1978, p. 32), as amended by:
 - **382 L 0885**: Council Directive 82/885/EEC of 10 December 1982 (OJ No L 378, 31.12.1982, p. 19).

5. **379 R 1893**: Council Regulation (EEC) 79/1893 of 28 August 1979 introducing registration for crude oil and/or petroleum product imports in the Community (OJ No L 220, 30.8.1979, p. 1), as amended by:
 - **388 R 4152**: Council Regulation (EEC) No 88/4152 of 21 December 1988 (OJ No L 367, 31.12.1988, p. 7).
6. **385 L 0536**: Council Directive 85/536/EEC of 5 December 1985 on crude-oil savings through the use of substitute fuel components in petrol (OJ No L 334, 12.12.1985, p. 20), as amended by:
 - **387 L 0441**: Commission Directive 87/441/EEC of 29 July 1987 on crude-oil savings through the use of substitute fuel components in petrol (OJ No L 238, 21.8.1987, p. 40).
7. **390 L 0377**: Council Directive 90/377/EEC of 29 June 1990 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users (OJ No L 185, 17.7.1990, p. 16)⁽¹⁾.
8. **390 L 0547**: Council Directive 90/547/EEC of 29 October 1990 on the transit of electricity through transmission grids (OJ No L 313, 13.11.1990, p. 30).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 3(4):
 - (i) each of the entities concerned may request that, with regard to intra-Community trade, the conditions of transit be subject to conciliation by a body set up and chaired by the Commission and on which the entities responsible for transmission grids in the Community are represented;
 - (ii) each of the entities concerned may request that, with regard to intra-EFTA trade, the conditions of transit be subject to conciliation by a body set up and chaired by the EFTA Surveillance Authority and on which the entities responsible for transmission grids in the EFTA countries are represented;
 - (iii) each of the entities concerned may request that, with regard to trade between the Community and an EFTA State, the conditions of transit be subject to a conciliation procedure to be decided by the EEA Joint Committee;
- (b) Appendix 1 contains the list of entities and grids relevant for the application of this Directive in respect of EFTA States.

(1) Listed here for information purposes only: for application see Annex XXI on statistics.

9. **391 L 0296:** Council Directive 91/296/EEC of 31 May 1991 on the transit of natural gas through grids (OJ No L 147, 12.6.1991, p. 37).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

(a) in Article 3(4):

- (i) each of the entities concerned may request that, with regard to intra-Community trade, the conditions of transit be subject to conciliation by a body set up and chaired by the Commission and on which the entities responsible for transmission grids in the Community are represented;
 - (ii) each of the entities concerned may request that, with regard to intra-EFTA trade, the conditions of transit be subject to conciliation by a body set up and chaired by the EFTA Surveillance Authority and on which the entities responsible for transmission grids in the EFTA countries are represented;
 - (iii) each of the entities concerned may request that, with regard to trade between the Community and an EFTA State, the conditions of transit be subject to a conciliation procedure to be decided by the EEA Joint Committee;
- (b) Appendix 2 contains the list of entities and grids relevant for the application of this Directive in respect of EFTA States.

APPENDIX I

List of entities and grids covered by Council Directive 90/547/EEC of 29 October 1990 on the transit of electricity through transmission grids.

<u>EFTA State</u>	<u>Entity</u>	<u>Grid</u>
Austria	Österreichische Elektrizitätswirtschaft AG	High voltage transmission grid
Finland	Imatran Voima Oy	High voltage transmission grid
	Teollisuuden Voimansiirto Oy	High voltage transmission grid
Iceland	Landsvirkjun	High voltage transmission grid
Liechtenstein	Liechtensteinische Kraftwerke	Interconnection grid
Norway	Statnett SF	High voltage transmission grid
Sweden	Statens Vattenfallsverk	High voltage transmission grid
Switzerland	Aare-Tessin Aktiengesellschaft für Elektrizität Bernische Kraftwerke AG L'Energie Ouest-Suisse SA Elektrizitätsgesellschaft Laufenburg Nordostschweizerische Kraftwerke AG	Interconnection grids

APPENDIX 2

List of entities and high pressure gas transmission grids covered by Council Directive 91/296/EEC of 31 May 1990 on the transit of natural gas through grids.

<u>EFTA State</u>	<u>Entity</u>	<u>Grid</u>
Austria	ÖMV Aktiengesellschaft	High pressure gas grid
Finland	Neste Oy	High pressure gas grid
Liechtenstein	Liechtensteinische Gasversorgung	High pressure gas grid
Sweden	Swedegas AB Sydgas AB	High pressure gas grid High pressure gas grid
Switzerland	Swissgas AG Transitgas AG	Transit grid Transit grid

ANNEX V

FREE MOVEMENT OF WORKERS

List provided for in Article 28

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

For the purposes of this Annex and notwithstanding the provisions of Protocol 1, the term "Member State(s)" contained in the acts referred to shall be understood to include, in addition to its meaning in the relevant EC acts, Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland.

ACTS REFERRED TO

1. **364 L 0221:** Council Directive 64/221/EEC of 25 February 1964 on the co-ordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health (OJ No 56, 4.4.1964, p.850/64).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Article 4(3) shall not apply.

2. **368 R 1612:** Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community (OJ No L 257, 19.10.1968, p.2), as amended by:
 - **376 R 0312:** Council Regulation (EEC) No 312/76 of 9 February 1976 (OJ No L 39, 14.2.1976, p.2).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 15(2), the phrase "within eighteen months following the entry into force of this Regulation" shall not apply;
 - (b) Article 40 shall not apply;
 - (c) Article 41 shall not apply;
 - (d) Article 42(1) shall not apply;
 - (e) In Article 42(2), the reference to Article 51 of the EEC Treaty shall be replaced by reference to Article 29 of this Agreement;
 - (f) Article 48 shall not apply.
3. **368 L 0360:** Council Directive 68/360/EEC of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families (OJ No L 257, 19.10.1968, p.13).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 4(2), the words "Residence Permit for a national of a Member State of the EEC" shall be replaced by "Residence Permit";
- (b) in Article 4(3), the words "Residence Permit for a national of a Member State of the EEC" shall be replaced by "Residence Permit";
- (c) Article 11 shall not apply;
- (d) Article 13 shall not apply;
- (e) in the Annex:
 - (i) the first paragraph of the statement shall be replaced by the following:

"This permit is issued pursuant to Regulation (EEC) No 1612/68 of 15 October 1968 and to the measures taken in implementation of Directive 68/360/EEC as integrated into the EEA Agreement.";
 - (ii) the footnote shall be replaced by the following:

"Austrian, Belgian, British, Danish, German, Greek, Icelandic, Irish, Finnish, French, Italian, Liechtenstein, Luxembourg, Netherlands, Norwegian, Portuguese, Spanish, Swedish, Swiss, according to the country issuing the permit."

4. **370 R 1251:** Commission Regulation (EEC) No 1251/70 of 29 June 1970 on the right of workers to remain in the territory of a Member State after having been employed in that State (OJ No L 142, 30.6.1970, p.24).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

Article 9 shall not apply.

5. **372 L 0194:** Council Directive 72/194/EEC of 18 May 1972 extending to workers exercising the right to remain in the territory of a Member State after having been employed in that State the scope of Directive 64/221/EEC (OJ No L 121, 26.5.1972, p.32).
6. **377 L 0486:** Council Directive 77/486/EEC of 25 July 1977 on the education of the children of migrant workers (OJ No L 199, 6.8.1977, p.32).

ANNEX VI

SOCIAL SECURITY

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles;
- the addressees of the Community acts;
- references to territories or languages of the EC;
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

- I. For the purposes of this Annex and notwithstanding the provisions of Protocol 1, the term "Member State(s)" contained in the acts referred to shall be understood to include, in addition to its meaning in the relevant EC acts, Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland.
- II. In applying the provisions of the acts referred to in this Annex for the purposes of the present Agreement, the rights and duties conferred upon the Administrative Commission on Social Security for Migrant Workers attached to the EC Commission and the rights and duties conferred upon the Audit Board attached to the said Administrative Commission shall be assumed, according to the provisions of Part VII of the Agreement, by the EEA Joint Committee.

ACTS REFERRED TO

1. Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community,

as updated by:

- **383 R 2001:** Council Regulation (EEC) No 2001/83 of 2 June 1983 (OJ No L 230, 22.8.1983, p.6)

and subsequently amended by:

- **385 R 1660:** Council Regulation (EEC) No 1660/85 of 13 June 1985 (OJ No L 160, 20.6.1985, p.1)
- **385 R 1661:** Council Regulation (EEC) No 1661/85 of 13 June 1985 (OJ No L 160, 20.6.1985, p.7)
- **1 85 I:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.170)
- **386 R 3811:** Council Regulation (EEC) No 3811/86 of 11 December 1986 (OJ No L 355, 16.12.1986, p.5)
- **389 R 1305:** Council Regulation (EEC) No 1305/89 of 11 May 1989 (OJ No L 131, 13.5.1989, p.1)
- **389 R 2332:** Council Regulation (EEC) No 2332/89 of 18 July 1989 (OJ No L 224, 2.8.1989, p.1)
- **389 R 3427:** Council Regulation (EEC) No 3427/89 of 30 October 1989 (OJ No L 331, 16.11.1989, p.1)
- **391 R 2195:** Council Regulation (EEC) No 2195/91 of 25 June 1991 (OJ No L 206, 29.7.1991, p.2)

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The third subparagraph of Article 1(j) shall not apply;
- (b) Article 10(1), subparagraph 1, of the Regulation shall not apply to the Swiss federal law on supplementary benefits to the old age, survivors' and invalidity insurance until 1 January 1996;
- (c) In Article 88, the words "Article 106 of the Treaty" shall be replaced by the words "Article 41 of the EEA Agreement";
- (d) Article 94(9) shall not apply;

- (e) Article 96 shall not apply;
- (f) Article 100 shall not apply;
- (g) The following shall be added to Annex I(I):

***M. AUSTRIA**

Does not apply.

N. FINLAND

Any person who is an employed or self-employed person within the meaning of the legislation on the Employment Pensions Scheme shall be considered respectively as employed or self-employed within the meaning of Article 1(a)(ii) of the Regulation.

O. ICELAND

Any person who is an employed or self-employed person within the meaning of the provisions relating to the occupational injuries insurance in the Social Security Act shall be considered respectively as employed or self-employed within the meaning of Article 1(a)(ii) of the Regulation.

P. LIECHTENSTEIN

Does not apply.

Q. NORWAY

Any person who is an employed or self-employed person within the meaning of the National Insurance Act shall be considered respectively as employed or self-employed within the meaning of Article 1(a)(ii) of the Regulation.

R. SWEDEN

Any person who is an employed or self-employed person within the meaning of the legislation on work injury insurance shall be considered respectively as employed or self-employed within the meaning of Article 1(a)(ii) of the Regulation.

S. SWITZERLAND

Does not apply";

(h) The following shall be added to Annex I(II):

***M. AUSTRIA**

Does not apply.

N. FINLAND

For the purpose of determining entitlement to benefits in kind pursuant to the provisions of Chapter 1 of Title III of the Regulation, "member of the family" means a spouse or a child as defined by the Sickness Insurance Act.

O. ICELAND

For the purpose of determining entitlement to benefits in kind pursuant to the provisions of Chapter 1 of Title III of the Regulation, "member of the family" means a spouse or a child under the age of 25.

P. LIECHTENSTEIN

For the purpose of determining entitlement to benefits in kind pursuant to the provisions of Chapter 1 of Title III of the Regulation, "member of the family" means a spouse or a dependent child under the age of 25.

Q. NORWAY

For the purpose of determining entitlement to benefits in kind pursuant to the provisions of Chapter 1 of Title III of the Regulation, "member of the family" means a spouse or a child under the age of 25.

R. SWEDEN

For the purpose of determining entitlement to benefits in kind pursuant to the provisions of Chapter 1 of Title III of the Regulation "member of the family" means a spouse or a child under the age of 18.

S. SWITZERLAND

"Member of the family" means member of the family as defined in the legislation of the competent State. However, for the purpose of determining entitlement to benefits in kind pursuant to Articles 22(1)(a) and 31 of the Regulation, "member of the family" means a spouse or a dependent child under the age of 25";

(i) The following shall be added to Annex II(I):

*M. AUSTRIA

Does not apply.

N. FINLAND

Does not apply.

O. ICELAND

Does not apply.

P. LIECHTENSTEIN

Does not apply.

Q. NORWAY

Does not apply.

R. SWEDEN

Does not apply.

S. SWITZERLAND

Does not apply."

(j) The following shall be added to Annex II(II):

*M. AUSTRIA

The general part of the childbirth allowance.

N. FINLAND

The maternity package or the maternity lump-sum grant pursuant to the Maternity Grant Act.

O. ICELAND

None.

P. LIECHTENSTEIN

None.

Q. NORWAY

Lump-sum grants payable on childbirth pursuant to the National Insurance Act.

R. SWEDEN

None.

S. SWITZERLAND

Childbirth allowances pursuant to the relevant cantonal legislations on family benefits (Fribourg, Genève, Jura, Luzern, Neuchâtel, Schaffhausen, Schwyz, Solothurn, Uri, Valais, Vaud).";

(k) The following shall be added to Annex III(A):

***67. AUSTRIA - BELGIUM**

- (a) Article 4 of the Convention on social security of 4 April 1977 as regards persons residing in a third State.
- (b) Point III of the Final Protocol to the said Convention as regards persons residing in a third State.

68. AUSTRIA - DENMARK

- (a) Article 4 of the Convention on social security of 16 June 1987 as regards persons residing in a third State.
- (b) Point III of the Final Protocol to the said Convention as regards persons residing in a third State.

69. AUSTRIA - GERMANY

- (a) Article 41 of the Convention on social security of 22 December 1966 as amended by the Complementary Conventions No 1 of 10 April 1969, No 2 of 29 March 1974 and No 3 of 29 August 1980.
- (b) Paragraphs 3(c), 3(d), 17, 20(a) and 21 of the Final Protocol to the said Convention.
- (c) Article 3 of the said Convention as regards persons residing in a third State.
- (d) Paragraph 3(g) of the Final Protocol to the said Convention as regards persons residing in a third State.

- (e) Article 4(1) of the Convention as regards the German legislation, under which accidents (and occupational diseases) occurring outside the territory of the Federal Republic of Germany, and periods completed outside that territory, do not give rise to payment of benefits, or only give rise to payment of benefits under certain conditions, when those entitled to them reside outside the territory of the Federal Republic of Germany, in cases in which:
 - (i) the benefit at the date of entry into force of the Agreement is already granted or could be granted,
 - (ii) the person concerned has taken up ordinary residence in Austria before the entry into force of the Agreement and the granting of pensions from pension and accident insurance started within one year of the entry into force of the Agreement.
- (f) Paragraph 19(b) of the Final Protocol to the said Convention. In applying Number 3(c) of this provision the amount taken into account by the competent institution shall not exceed the amount, which is due in respect of the corresponding periods to be remunerated by this institution.
- (g) Article 2 of the Complementary Convention No 1 of 10 April 1969 to the said Convention.
- (h) Articles 1(5) and 8 of the Convention on unemployment insurance of 19 July 1978.
- (i) Paragraph 10 of the Final Protocol to the said Convention.

70. AUSTRIA - SPAIN

- (a) Article 4 of the Convention on social security of 6 November 1981 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

71. AUSTRIA - FRANCE

None.

72. AUSTRIA - GREECE

- (a) Article 4 of the Convention on social security of 14 December 1979 as amended by the Complementary Convention of 21 May 1986 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

73. AUSTRIA - IRELAND

Article 4 of the Convention on social security of 30 September 1988 as regards persons residing in a third State.

74. AUSTRIA - ITALY

- (a) Articles 5(3) and 9(2) of the Convention on social security of 21 January 1981.
- (b) Article 4 of the said Convention as regards persons residing in a third State.
- (c) Paragraph 2 of the Final Protocol to the said Convention as regards persons residing in a third State.

75. AUSTRIA - LUXEMBOURG

- (a) Article 5(2) of the Convention on social security of 21 December 1971 as amended by the Complementary Conventions No 1 of 16 May 1973 and No 2 of 9 October 1978.
- (b) Article 3(2) of the said Convention as regards persons residing in a third State.
- (c) Point III of the Final Protocol to the said Convention as regards persons residing in a third State.

76. AUSTRIA - NETHERLANDS

- (a) Article 3 of the Convention on social security of 7 March 1974 as amended by the Complementary Convention of 5 November 1980 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

77. AUSTRIA - PORTUGAL

None.

78. AUSTRIA - UNITED KINGDOM

- (a) Article 3 of the Convention on social security of 22 July 1980 as amended by the Complementary Convention of 9 December 1985 as regards persons residing in a third State.
- (b) Protocol concerning benefits in kind to the said Convention with the exception of Article 2(3) as regards persons who cannot claim treatment under Chapter 1 of Title III of the Regulation.

79. AUSTRIA - FINLAND

- (a) Article 4 of the Convention on social security of 11 December 1985 as regards to persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

80. AUSTRIA - ICELAND

No convention.

81. AUSTRIA - LIECHTENSTEIN

Article 4 of the Convention on social security of 26 September 1968 as amended by the Complementary Conventions No 1 of 16 May 1977 and No 2 of 22 October 1987 as regards the payment of cash benefits to persons residing in a third State.

82. AUSTRIA - NORWAY

- (a) Article 5(2) of the Convention on social security of 27 August 1985.
- (b) Article 4 of the said Convention as regards persons residing in a third State.
- (c) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

83. AUSTRIA - SWEDEN

- (a) Articles 4 and 24(1) of the Convention on social security of 11 November 1975 as amended by the Complementary Convention of 21 October 1982 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

84. AUSTRIA - SWITZERLAND

Article 4 of the Convention on social security of 15 November 1967 as amended by the Complementary Conventions No 1 of 17 May 1973, No 2 of 30 November 1977 and No 3 of 14 December 1987 as regards the payment of cash benefits to persons residing in a third State.

85. FINLAND - BELGIUM

No convention.

86. FINLAND - DENMARK

Article 14(4) of the Nordic Convention on social security of 5 March 1981.

87. FINLAND - GERMANY

(a) Article 4 of the Convention on social security of 23 April 1979.

(b) Point 9(a) of the Final Protocol to the said Convention.

88. FINLAND - SPAIN

Article 5(2) of the Convention on social security of 19 December 1985.

89. FINLAND - FRANCE

No convention.

90. FINLAND - GREECE

Articles 5(2) and 21 of the Convention on social security of 11 March 1988.

91. FINLAND - IRELAND

No convention.

92. FINLAND - ITALY

No convention.

93. FINLAND - LUXEMBOURG

Articles 5(2) of the Convention on social security of 15 September 1988.

94. FINLAND - NETHERLANDS

No convention.

95. FINLAND - PORTUGAL

No convention.

96. FINLAND - UNITED KINGDOM

None.

97. FINLAND - ICELAND

Article 14(4) of the Nordic Convention on social security of 5 March 1981.

98. FINLAND - LIECHTENSTEIN

No convention.

99. FINLAND - NORWAY

Article 14(4) of the Nordic Convention on social security of 5 March 1981.

100. FINLAND - SWEDEN

Article 14(4) of the Nordic Convention on social security of 5 March 1981.

101. FINLAND - SWITZERLAND

Article 5(2) of the Convention on social security of 28 June 1985.

102. ICELAND - BELGIUM

No convention.

103. ICELAND - DENMARK

Article 14(4) of the Nordic Convention on social security of 5 March 1981.

104. ICELAND - GERMANY

No convention.

105. ICELAND - SPAIN

No convention.

106. ICELAND - FRANCE

No convention.

107. ICELAND - GREECE

No convention.

108. ICELAND - IRELAND

No convention.

109. ICELAND - ITALY

No convention.

110. ICELAND - LUXEMBOURG

No convention.

111. ICELAND - NETHERLANDS

No convention.

112. ICELAND - PORTUGAL

No convention.

113. ICELAND - UNITED KINGDOM

None.

114. ICELAND - LIECHTENSTEIN

No convention.

115. ICELAND - NORWAY

Article 14(4) of the Nordic Convention on social security of 5 March 1981.

116. ICELAND - SWEDEN

Article 14(4) of the Nordic Convention on social security of 5 March 1981.

117. ICELAND - SWITZERLAND

No convention.

118. LIECHTENSTEIN - BELGIUM

No convention.

119. LIECHTENSTEIN - DENMARK

No convention.

120. LIECHTENSTEIN - GERMANY

Article 4(2) of the Convention on social security of 7 April 1977 as amended by the Complementary Convention No 1 of 11 August 1989 as regards the payment of cash benefits to persons residing in a third State.

121. LIECHTENSTEIN - SPAIN

No convention

122. LIECHTENSTEIN - FRANCE

No convention.

123. LIECHTENSTEIN - GREECE

No convention.

124. LIECHTENSTEIN - IRELAND

No convention.

125. LIECHTENSTEIN - ITALY

Article 5 second sentence of the Convention on social security of 11 November 1976 as regards the payment of cash benefits to persons residing in a third State.

126. LIECHTENSTEIN - LUXEMBOURG

No convention.

127. LIECHTENSTEIN - NETHERLANDS

No convention.

128. LIECHTENSTEIN - PORTUGAL

No convention.

129. LIECHTENSTEIN - UNITED KINGDOM

No convention.

130. LIECHTENSTEIN - NORWAY

No convention.

131. LIECHTENSTEIN - SWEDEN

No convention.

132. LIECHTENSTEIN - SWITZERLAND

Article 4 of the Convention on social security of 8 March 1989 as regards the payment of cash benefits to persons residing in a third State.

133. NORWAY - BELGIUM

No convention.

134. NORWAY - DENMARK

Article 14(4) of the Nordic Convention on Social Security of 5 March 1981.

135. NORWAY - GERMANY

No convention.

136. NORWAY - SPAIN

No convention.

137. NORWAY - FRANCE

None.

138. NORWAY - GREECE

Article 16(5) of the Convention on social security of 12 June 1980.

139. NORWAY - IRELAND

No convention.

140. NORWAY - ITALY

None.

141. NORWAY - LUXEMBOURG

No convention.

142. NORWAY - NETHERLANDS

Article 5(2) of the Convention on social security of 13 April 1989.

143. NORWAY - PORTUGAL

Articles 6 of the Convention on social security of 5 June 1980.

144. NORWAY - UNITED KINGDOM

None.

145. NORWAY - SWEDEN

Article 14(4) of the Nordic Convention on Social Security of 5 March 1981.

146. NORWAY - SWITZERLAND

Article 6(2) of the Convention on social security of 21 February 1979.

147. SWEDEN - BELGIUM

No convention.

148. SWEDEN - DENMARK

Article 14(4) of the Nordic Convention on Social Security of 5 March 1981.

149. SWEDEN - GERMANY

(a) Article 4(2) of the Convention on social security of 27 February 1976.

(b) Point 8(a) of the Final Protocol to the said Convention.

150. SWEDEN - SPAIN

Articles 5(2) and 16 of the Convention on social security of 29 June 1987.

151. SWEDEN - FRANCE

None.

152. SWEDEN - GREECE

Article 5(2) and 23 of the Convention on social security of 5 May 1978 as amended by the Complementary Convention of 14 September 1984.

153. SWEDEN - IRELAND

No convention.

154. SWEDEN - ITALY

Article 20 of the Convention on social security of 25 September 1979.

155. SWEDEN - LUXEMBOURG

(a) Articles 4 and 29(1) of the Convention on social security of 21 February 1985 as regards persons residing in a third State.

(b) Article 30 of the said Convention.

156. SWEDEN - NETHERLANDS

Articles 4 and 24(3) of the Convention on social security of 2 July 1976 as regards persons residing in a third State.

157. SWEDEN - PORTUGAL

Article 6 of the Convention on social security of 25 October 1978.

158. SWEDEN - UNITED KINGDOM

Article 4(3) of the Convention on social security of 29 June 1987.

159. SWEDEN - SWITZERLAND

Article 5(2) of the Convention on social security of 20 October 1978.

160. SWITZERLAND - BELGIUM

(a) Article 3(1) of the Convention on social security of 24 September 1975 as regards the payment of cash benefits to persons residing in a third State.

(b) Point 4 of the Final Protocol to the said Convention as regards the payment of cash benefits to persons residing in a third State.

161. SWITZERLAND - DENMARK

None.

162. SWITZERLAND - GERMANY

Article 4(2) of the Convention on social security of 25 February 1964 as amended by the Complementary Conventions No 1 of 9 September 1975 and No 2 of 2 March 1989 as regards the payment of cash benefits to persons residing in a third State.

163. SWITZERLAND - SPAIN

Article 2 of the Convention on social security of 13 October 1969 as amended by the Complementary Convention of 11 June 1982 as regards the payment of cash benefits to persons residing in a third State.

164. SWITZERLAND - FRANCE

None.

165. SWITZERLAND - GREECE

Article 4 of the Convention on social security of 1 June 1973 as regards the payment of cash benefits to persons residing in a third State.

166. SWITZERLAND - IRELAND

No convention.

167. SWITZERLAND - ITALY

(a) Article 3, second sentence, of the Convention on social security of 14 December 1962 as amended by the Complementary Convention of 18 December 1963, the Complementary Agreement No 1 of 4 July 1969, the Additional Protocol of 25 February 1974 and the Complementary Agreement No 2 of 2 April 1980 as regards the payment of cash benefits to persons residing in a third State.

(b) Article 9(1) of the said Convention.

168. SWITZERLAND - LUXEMBOURG

Article 4(2) of the Convention on social security of 3 June 1967 as amended by the Complementary Convention of 26 March 1976.

169. SWITZERLAND - NETHERLANDS

Article 4, second sentence, of the Convention on social security of 27 May 1970.

170. SWITZERLAND - PORTUGAL

Article 3, second sentence, of the Convention on social security of 11 September 1975 as regards the payment of cash benefits to persons residing in a third State.

171. SWITZERLAND - UNITED KINGDOM

Article 3(1) and (2) of the Convention on social security of 21 February 1968 as regards the payment of cash benefits to persons residing in a third State.”;

(l) The following shall be added to Annex III (B):

***67. AUSTRIA - BELGIUM**

- (a) Article 4 of the Convention on social security of 4 April 1977 as regards persons residing in a third State.
- (b) Point III of the Final Protocol to the said Convention as regards persons residing in a third State.

68. AUSTRIA - DENMARK

- (a) Article 4 of the Convention on social security of 16 June 1987 as regards persons residing in a third State.
- (b) Point 1 of the Final Protocol to the said Convention as regards persons residing in a third State.

69. AUSTRIA - GERMANY

- (a) Article 41 of the Convention on social security of 22 December 1966 as amended by the Complementary Conventions No 1 of 10 April 1969, No 2 of 29 March 1974 and No 3 of 29 August 1980.
- (b) Paragraph 20(a) of the Final Protocol to the said Convention.
- (c) Article 3 of the said Convention as regards persons residing in a third State.
- (d) Paragraph 3(g) of the Final Protocol to the said Convention.
- (e) Article 4(1) of the Convention as regards the German legislation, under which accidents (and occupational diseases) occurring outside the territory of the Federal Republic of Germany, and periods completed outside that territory, do not give rise to payment of benefits, or only give rise to payment of benefits under certain conditions, when those entitled to them reside outside the territory of the Federal Republic of Germany, in cases in which:
 - (i) the benefit at the date of entry into force of the Agreement is already granted or could be granted;
 - (ii) the person concerned has taken up ordinary residence in Austria before the entry into force of the Agreement and the granting of pensions from pension and accident insurance started within one year of the entry into force of the Agreement.
- (f) Paragraph 19(b) of the Final Protocol to the said Convention. In applying Number 3 (c) of this provision the amount taken into account by the competent institution shall not exceed the amount, which is due in respect of the corresponding periods to be remunerated by this institution.

70. AUSTRIA - SPAIN

- (a) Article 4 of the Convention on social security of 6 November 1981 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

71. AUSTRIA - FRANCE

None.

72. AUSTRIA - GREECE

- (a) Article 4 of the Convention on social security of 14 December 1979 as amended by the Complementary Convention of 21 May 1986 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

73. AUSTRIA - IRELAND

Article 4 of the Convention on social security of 30 September 1988 as regards persons residing in a third State.

74. AUSTRIA - ITALY

- (a) Articles 5(3) and 9(2) of the Convention on social security of 21 January 1981.
- (b) Article 4 of the said Convention as regards persons residing in a third State.
- (c) Paragraph 2 of the Final Protocol to the said Convention as regards persons residing in a third State.

75. AUSTRIA - LUXEMBOURG

- (a) Article 5(2) of the Convention on social security of 21 December 1971 as amended by the Complementary Conventions No 1 of 16 May 1973 and No 2 of 9 October 1978.
- (b) Article 3(2) of the said Convention as regards persons residing in a third State.
- (c) Point III of the Final Protocol to the said Convention as regards persons residing in a third State.

76. AUSTRIA - NETHERLANDS

- (a) Article 3 of the Convention on social security of 7 March 1974 as amended by the Complementary Convention of 5 November 1980 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

77. AUSTRIA - PORTUGAL

None.

78. AUSTRIA - UNITED KINGDOM

- (a) Article 3 of the Convention on social security of 22 July 1980 as amended by the Complementary Convention of 9 December 1985 as regards persons residing in a third State.
- (b) Protocol concerning benefits in kind to the said Convention with the exception of Article 2(3) as regards persons who cannot claim treatment under Chapter 1 of Title III of the Regulation.

79. AUSTRIA - FINLAND

- (a) Article 4 of the Convention on social security of 11 December 1985 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

80. AUSTRIA - ICELAND

No convention.

81. AUSTRIA - LIECHTENSTEIN

Article 4 of the Convention on social security of 26 September 1968 as amended by the Complementary Conventions No 1 of 16 May 1977 and No 2 of 22 October 1987 as regards the payment of cash benefits to persons residing in a third State.

82. AUSTRIA - NORWAY

- (a) Articles 5 (2) of the Convention on social security of 27 August 1985.
- (b) Article 4 of the said Convention as regards persons residing in a third State.
- (c) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

83. AUSTRIA - SWEDEN

- (a) Articles 4 and 24(1) of the Convention on social security of 11 November 1975 as amended by the Complementary Convention of 21 October 1982 as regards persons residing in a third State.
- (b) Point II of the Final Protocol to the said Convention as regards persons residing in a third State.

84. AUSTRIA - SWITZERLAND

Article 4 of the Convention on social security of 15 November 1967 as amended by the Complementary Conventions No 1 of 17 May 1973, No 2 of 30 November 1977 and No 3 of 14 December 1987 as regards the payment of cash benefits to persons residing in a third State.

85. FINLAND - BELGIUM

No convention.

86. FINLAND - DENMARK

None.

87. FINLAND - GERMANY

Article 4 of the Convention on social security of 23 April 1979.

88. FINLAND - SPAIN

Article 5(2) of the Convention on social security of 19 December 1985.

89. FINLAND - FRANCE

No convention.

90. FINLAND - GREECE

Article 5(2) of the Convention on social security of 11 March 1988.

91. FINLAND - IRELAND

No convention.

92. FINLAND - ITALY

No convention.

93. FINLAND - LUXEMBOURG

Articles 5(2) of the Convention on social security of 15 September 1988.

94. FINLAND - NETHERLANDS

No convention.

95. FINLAND - PORTUGAL

No convention.

96. FINLAND - UNITED KINGDOM

None.

97. FINLAND - ICELAND

None.

98. FINLAND - LIECHTENSTEIN

No convention.

99. FINLAND - NORWAY

None.

100. FINLAND - SWEDEN

None.

101. FINLAND - SWITZERLAND

Article 5(2) of the Convention on social security of 28 June 1985.

102. ICELAND - BELGIUM

No convention.

103. ICELAND - DENMARK

None.

104. ICELAND - GERMANY

No convention.

105. ICELAND - SPAIN

No convention.

106. ICELAND - FRANCE

No convention.

107. ICELAND - GREECE

No convention.

108. ICELAND - IRELAND

No convention.

109. ICELAND - ITALY

No convention.

110. ICELAND - LUXEMBOURG

No convention.

111. ICELAND - NETHERLANDS

No convention.

112. ICELAND - PORTUGAL

No convention.

113. ICELAND - UNITED KINGDOM

None.

114. ICELAND - LIECHTENSTEIN

No convention.

115. ICELAND - NORWAY

None.

116. ICELAND - SWEDEN

None.

117. ICELAND - SWITZERLAND

No convention.

118. LIECHTENSTEIN - BELGIUM

No convention.

119. LIECHTENSTEIN - DENMARK

No convention.

120. LIECHTENSTEIN - GERMANY

Article 4(2) of the Convention on social security of 7 April 1977 as amended by the Complementary Convention No 1 of 11 August 1989 as regards the payment of cash benefits to persons residing in a third State.

121. LIECHTENSTEIN - SPAIN

No convention.

122. LIECHTENSTEIN - FRANCE

No convention.

123. LIECHTENSTEIN - GREECE

No convention.

124. LIECHTENSTEIN - IRELAND

No convention.

125. LIECHTENSTEIN - ITALY

Article 5, second sentence, of the Convention on social security of 11 November 1976 as regards the payment of cash benefits to persons residing in a third State.

126. LIECHTENSTEIN - LUXEMBOURG

No convention.

127. LIECHTENSTEIN - NETHERLANDS

No convention.

128. LIECHTENSTEIN - PORTUGAL

No convention.

129. LIECHTENSTEIN - UNITED KINGDOM

No convention.

130. LIECHTENSTEIN - NORWAY

No convention.

131. LIECHTENSTEIN - SWEDEN

No convention.

132. LIECHTENSTEIN - SWITZERLAND

Article 4 of the Convention on social security of 8 March 1989 as regards the payment of cash benefits to persons residing in a third State.

133. NORWAY - BELGIUM

No convention.

134. NORWAY - DENMARK

None.

135. NORWAY - GERMANY

No convention.

136. NORWAY - SPAIN

No convention.

137. NORWAY - FRANCE

None.

138. NORWAY - GREECE

None.

139. NORWAY - IRELAND

No convention.

140. NORWAY - ITALY

None.

141. NORWAY - LUXEMBOURG

No convention.

142. NORWAY - NETHERLANDS

Article 5(2) of the Convention on social security of 13 April 1989.

143. NORWAY - PORTUGAL

None.

144. NORWAY - UNITED KINGDOM

None.

145. NORWAY - SWEDEN

None.

146. NORWAY - SWITZERLAND

Article 6 (2) of the Convention on social security of 21 February 1979.

147. SWEDEN - BELGIUM

No convention.

148. SWEDEN - DENMARK

None.

149. SWEDEN - GERMANY

Article 4(2) of the Convention on social security of 27 February 1976.

150. SWEDEN - SPAIN

Articles 5(2) and 16 of the Convention on social security of 29 June 1987.

151. SWEDEN - FRANCE

None.

152. SWEDEN - GREECE

Article 5(2) of the Convention on social security of 5 May 1978 as amended by the Complementary Convention of 14 September 1984.

153. SWEDEN - IRELAND

No convention.

154. SWEDEN - ITALY

Article 20 of the Convention on social security of 25 September 1979.

155. SWEDEN - LUXEMBOURG

Articles 4 and 29(1) of the Convention on social security of 21 February 1985 as regards persons residing in a third State.

156. SWEDEN - NETHERLANDS

Articles 4 and 24(3) of the Convention on social security of 2 July 1976 as regards persons residing in a third State.

157. SWEDEN - PORTUGAL

Article 6 of the Convention on social security of 25 October 1978.

158. SWEDEN - UNITED KINGDOM

Article 4(3) of the Convention on social security of 29 June 1987.

159. SWEDEN - SWITZERLAND

Article 5(2) of the Convention on social security of 20 October 1978.

160. SWITZERLAND - BELGIUM

- (a) Article 3(1) of the Convention on social security of 24 September 1975 as regards the payment of cash benefits to persons residing in a third State.
- (b) Point 4 of the Final Protocol to the said Convention as regards the payment of cash benefits to persons residing in a third State.

161. SWITZERLAND - DENMARK

None.

162. SWITZERLAND - GERMANY

Article 4(2) of the Convention on social security of 25 February 1964 as amended by the Complementary Conventions No 1 of 9 September 1975 and No 2 of 2 March 1989 as regards the payment of cash benefits to persons residing in a third State.

163. SWITZERLAND - SPAIN

Article 2 of the Convention on social security of 13 October 1969 as amended by the Complementary Convention of 11 June 1982 as regards the payment of cash benefits to persons residing in a third State.

164. SWITZERLAND - FRANCE

None.

165. SWITZERLAND - GREECE

Article 4 of the Convention on social security of 1 June 1973 as regards the payment of cash benefits to persons residing in a third State.

166. SWITZERLAND - IRELAND

No convention.

167. SWITZERLAND - ITALY

- (a) Article 3, second sentence, of the Convention on social security of 14 December 1962 as amended by the Complementary Convention of 18 December 1963, the Complementary Agreement No 1 of 4 July 1969, the Additional Protocol of 25 February 1974 and the Complementary Agreement No 2 of 2 April 1980 as regards the payment of cash benefits to persons residing in a third State.
- (b) Article 9(1) of the said Convention.

168. SWITZERLAND - LUXEMBOURG

Article 4(2) of the Convention on social security of 3 June 1967 as amended by the Complementary Convention of 26 March 1976.

169. SWITZERLAND - NETHERLANDS

Article 4, second sentence, of the Convention on social security of 27 May 1970.

170. SWITZERLAND - PORTUGAL

Article 3, second sentence, of the Convention on social security of 11 September 1975 as regards the payment of cash benefits to persons residing in a third State.

171. SWITZERLAND - UNITED KINGDOM

Article 3(1) and (2) of the Convention on social security of 21 February 1968 as regards the payment of cash benefits to persons residing in a third State."

(m) The following shall be added to Annex IV:

"M. AUSTRIA

None.

N. FINLAND

None.

O. ICELAND

None.

P. LIECHTENSTEIN

None.

Q. NORWAY

None.

R. SWEDEN

None.

S. SWITZERLAND

None.";

(n) The following shall be added to Annex VI:

***M. AUSTRIA**

1. For the purpose of applying Chapter 1 of Title III of the Regulation, a person receiving a civil servant's pension shall be considered to be a pensioner.
2. For the purpose of applying Article 46(2) of the Regulation, increments for contributions for supplementary insurance and the miner's supplementary benefit under Austrian legislation shall be disregarded. In these cases the amount calculated according to Article 46(2) of the Regulation shall be increased by increments for contributions for supplementary insurance and the miner's supplementary benefit.
3. For the purpose of applying Article 46(2) of the Regulation, in applying Austrian legislation the day relevant for a pension (Stichtag) shall be considered as the date when the risk materializes.
4. The application of the provisions of the Regulation shall not have the effect of reducing any entitlement to benefits by virtue of Austrian legislation with regard to persons who have suffered in their social security situation for political or religious reasons or for reasons of their descent.

N. FINLAND

1. In order to determine whether the period between the occurrence of the pension contingency and the pensionable age (future period) should be taken into account when calculating the amount of the Finnish employment pension, the periods of insurance or residence under the legislation of another State to which this Regulation applies shall be taken into consideration for the condition relating to residence in Finland.
2. Where employment or self-employment in Finland has terminated and the contingency occurs during employment or self-employment in another State to which this Regulation applies and where the pension according to the Finnish employment pension legislation no longer includes the period between the contingency and the pensionable age (future period), periods of insurance under the legislation of another State to which this Regulation applies shall be taken into consideration for the requirement of the future period as if they were periods of insurance in Finland.
3. When, under the legislation of Finland, an increment is payable by an institution in Finland because of a delay in processing a claim for a benefit, a claim submitted to an institution of another State to which this Regulation applies shall, for the purpose of applying the provisions of the Finnish legislation relating to such increment, be considered to have been presented on the date when that claim, along with all necessary enclosures, reaches the competent institution in Finland.

O. ICELAND

Where employment or self-employment in Iceland has terminated and the contingency occurs during employment or self-employment in another State to which this Regulation applies and where the disability pension of both the social security and the supplementary pension schemes (pension funds) in Iceland no longer includes the period between the contingency and the pensionable age (future periods), periods of insurance under the legislation of another State to which this Regulation applies shall be taken into consideration for the requirement of the future periods as if they were periods of insurance in Iceland.

P. LIECHTENSTEIN

Any employed or self-employed person who is no longer subject to the Liechtenstein legislation on invalidity insurance shall, for the purpose of Chapter 3 of Title III of the Regulation, be considered as insured under this insurance for the granting of an ordinary invalidity pension if:

- (a) either for the date on which the insurance risk materializes according to the provisions of the Liechtenstein legislation on invalidity insurance:
 - (i) he benefits from rehabilitation measures provided under the invalidity insurance of Liechtenstein; or
 - (ii) he is insured under the legislation on old age, survivors' or invalidity insurance of another State to which this Regulation applies; or
 - (iii) he can establish a claim to pensions under the invalidity or old age insurance of another State to which this Regulation applies or if he receives such a pension; or
 - (iv) he is incapable for work under the legislation of another State to which this Regulation applies and can establish a claim to benefits from the sickness or accident insurance of that State or if he receives such a benefit; or
 - (v) he can establish a claim, due to unemployment, to cash benefits from the unemployment insurance of another State to which this Regulation applies or if he receives such a benefit;
- (b) or if he worked in Liechtenstein as a frontier worker and, within the three years immediately before the risk materializes according to the Liechtenstein legislation, he paid contributions under this legislation for at least twelve months; or
- (c) if he has to give up his employment or self-employment in Liechtenstein following an accident or illness, for as long as he stays in Liechtenstein; he shall be required to contribute on the same basis as a person without a gainful activity.

Q. NORWAY

1. The transitional provisions of the Norwegian legislation entailing a reduction of the insurance period which is required for a full supplementary pension for persons born before 1937 shall be applicable to persons covered by the Regulation provided that they have been residents of Norway, or engaged in gainful occupation as employed or self-employed in Norway, for such a number of years as is required after their sixteenth birthday and before 1 January 1967. This requirement shall be one year for each year the person's year of birth falls before 1937.
2. A person insured under the National Insurance Act who provides care to insured care-needing old, disabled or sick persons shall, according to prescribed conditions, be credited pension points for such periods. Likewise, a person who takes care of small children shall be credited pension points when staying in another State to which this Regulation applies than Norway provided that the person concerned is on parental leave under Norwegian labour law.

R. SWEDEN

1. When applying Article 18(1) for the purpose of establishing a person's entitlement to a parental benefits periods of insurance completed under the legislation of another State to which this Regulation applies than Sweden shall be considered to be based on the same average earnings as the Swedish periods of insurance to which they are aggregated.
2. The provisions of the Regulation on the aggregation of insurance or residence periods shall not apply to the transitional rules of the Swedish legislation on the right to a more favourable calculation of basic pensions for persons residing in Sweden for a specified period preceding the date of the claim.
3. For the purpose of establishing the entitlement to an invalidity or survivor's pension partly based on future assumed insurance periods a person shall be considered to meet the insurance and income requirements of the Swedish legislation when covered as an employed or self-employed person by an insurance or residence scheme of another State to which this Regulation applies.
4. Years of care of small children shall, according to prescribed conditions of the Swedish legislation, be considered as insurance periods for supplementary pension purposes even when the child and the person concerned are residing in another State to which this Regulation applies, provided that the person taking care of the child is on parental leave under the provisions of the Law on Right to Leave for Child Rearing.

S. SWITZERLAND

1. Where according to the provisions of the Regulation a person is entitled to apply for membership with a Swiss recognized sickness fund, the members of his family residing in the territory of another State to which this Regulation applies are also entitled to apply for membership with the same sickness fund.
2. For the purposes of Article 9(2) and Article 18(1) of the Regulation, insurance periods completed under the legislation of another State to which this Regulation applies shall be taken into account as if the person concerned was a "Züger - passant - passante" (passer) according to the Swiss legislation. The insurance or entitlement as a member of the family is assimilated to a personal insurance.
3. Any employed or self-employed person who is no longer subject to the Swiss legislation on invalidity insurance shall, for the purposes of Chapter 3 of Title III of the Regulation, be considered as insured under this insurance for the granting of an ordinary invalidity pension if:
 - (a) either for the date on which the insurance risk materializes according to the provisions of the Swiss legislation on invalidity insurance:
 - (i) he benefits from rehabilitation measures provided under the Swiss invalidity insurance; or
 - (ii) he is insured under the legislation on old age, survivors' or invalidity insurance of another State to which this Regulation applies; or
 - (iii) he can establish a claim to pensions under the invalidity or old age insurance of another State to which this Regulation applies or if he receives such a pension; or
 - (iv) he is incapable for work under the legislation of another State to which this Regulation applies and can establish a claim to benefits from the sickness or accident insurance of that State or if he receives such a benefit; or
 - (v) he can establish a claim, due to unemployment, to cash benefits from the unemployment insurance of another State to which this Regulation applies or if he receives such a benefit;
 - (b) or if he worked in Switzerland as a frontier worker and, within the three years immediately before the risk materializes according to the Swiss legislation, he paid contributions under this legislation for at least twelve months;

- (c) or if he has to give up his employment or self-employment in Switzerland following an accident or illness, for as long as he stays in Switzerland; he shall be required to contribute on the same basis as a person without a gainful activity."
- (o) The following shall be added to Annex VII:
- "10. Where a person is self-employed in Austria and gainfully employed in any other State to which this Regulation applies.
11. Where a person resident in Finland is self-employed in Finland and gainfully employed in any other State to which this Regulation applies.
12. Where a person resident in Iceland is self-employed in Iceland and gainfully employed in any other State to which this Regulation applies.
13. Where a person is self-employed in Liechtenstein and gainfully employed in any other State to which this Regulation applies.
14. Where a person resident in Norway is self-employed in Norway and gainfully employed in any other State to which this Regulation applies.
15. Where a person resident in Sweden is self-employed in Sweden and gainfully employed in any other State to which this Regulation applies.
16. Where a person is self-employed in Switzerland and gainfully employed in any other State to which this Regulation applies."
2. Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation No 1408/71/EEC on the application of social security schemes to employed persons, to self-employed persons and to their families moving within the Community,
- as updated by:
- 383 R 2001: Council Regulation (EEC) No 2001/83 of 2 June 1983 (OJ No L 230, 22.8.1983, p.6),
- and subsequently amended by:
- 385 R 1660: Council Regulation (EEC) No 1660/85 of 13 June 1985 (OJ No L 160, 20.6.1985, p.1),
- 385 R 1661: Council Regulation (EEC) No 1661/85 of 13 June 1985 (OJ No L 160, 20.6.1985, p.7),

- **1 85 I:** Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 188),
- **386 R 513:** Commission Regulation (EEC) No 513/86 of 26 February 1986 (OJ No L 51, 28.2.1986, p. 44)
- **386 R 3811:** Council Regulation (EEC) No 3811/86 of 11 December 1986 (OJ No L 355, 16.12.1986, p. 5),
- **389 R 1305:** Council Regulation (EEC) No 1305/89 of 11 May 1989 (OJ No L 131, 13.5.1989, p. 1),
- **389 R 2332:** Council Regulation (EEC) No 2332/89 of 18 July 1989 (OJ No L 224, 2.8.1989, p. 1),
- **389 R 3427:** Council Regulation (EEC) No 3427/89 of 30 October 1989 (OJ No L 331, 16.11.1989, p. 1),
- **391 R 2195:** Council Regulation (EEC) No 2195/91 of 25 June 1991 (OJ No L 206, 29.7.1991, p.2).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The following shall be added to Annex 1:

"M. AUSTRIA

1. Bundesminister für Arbeit und Soziales (Federal Minister for Labour and Social Affairs), Wien
2. Bundesminister für Umwelt, Jugend und Familie (Federal Minister for the Environment, Youth and the Family), Wien

N. FINLAND

Sosiaali- ja terveystieteiden ministeriö - Social- och hälsovårdsministeriet (Ministry of Social Affairs and Health), Helsinki

O. ICELAND

1. Heilbrigðis- og tryggingamálaráðherra (Minister of Health and Social Security), Reykjavík
2. Félagsmálaráðherra (Minister of Social Affairs), Reykjavík
3. Fjármálaráðherra (Minister of Finance), Reykjavík

P. LIECHTENSTEIN

Die Regierung des Fürstentums Liechtenstein (the Government of the Principality of Liechtenstein), Vaduz

Q. NORWAY

1. Sosialdepartementet (the Ministry of Health and Social Affairs), Oslo
2. Arbeids - og administrasjonsdepartementet (the Ministry of Labour and Government Administration), Oslo
3. Barne - og familiedepartementet (the Ministry of Children and Family Affairs), Oslo

R. SWEDEN

Regeringen (Socialdepartementet) (the Government (the Ministry of Health and Social Affairs)), Stockholm

S. SWITZERLAND

1. Bundesamt für Sozialversicherung, Bern - Office fédéral des assurances sociales, Berne - Ufficio federale delle assicurazioni sociali, Berna (Federal Social Insurance Office, Berne)
2. Bundesamt für Industrie, Gewerbe und Arbeit, Bern - Office fédéral de l'industrie, des arts et métiers et du travail, Berne - Ufficio federale dell'industria, delle arti e mestieri e del lavoro, Berna - (Federal Office for Industry and Labour, Berne)";

(b) The following shall be added to Annex 2:

"M. AUSTRIA

The competence of the Austrian institutions shall be governed by the provisions of Austrian legislation, unless otherwise specified hereinafter:

1. Sickness insurance:
 - (a) Where the person concerned is resident in the territory of another State to which this Regulation applies and a Gebietskrankenkasse (Regional Fund for Sickness Insurance) is competent for an insurance and under Austrian legislation the local competence cannot be decided the local competence shall be determined as follows:
 - Gebietskrankenkasse (Regional Fund for Sickness Insurance) competent for the last employment in Austria, or
 - Gebietskrankenkasse (Regional Fund for Sickness Insurance) competent for the last residence in Austria, or

— if there has never been an employment for which a Gebietskrankenkasse (Regional Fund for Sickness Insurance) was competent or there has never been a residence in Austria, the Wiener Gebietskrankenkasse (Regional Fund for Sickness Insurance of Vienna), Wien

- (b) For the purpose of applying Sections 4 and 5 of Chapter 1 of Part III of the Regulation in connection with Article 95 of the implementing Regulation in relation to the refund of the expenses for benefits to persons entitled to a pension under the ASVG (General Social Insurance Law):

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien, it being understood that the refund of the expenses shall be made from contributions for sickness insurance of the pensioners received by the said Main Association.

2. Pension insurance

In determining the institution responsible for paying a benefit only insurance periods under the Austrian legislation shall be taken into consideration.

3. Unemployment insurance

- (a) For the announcement of being unemployed:

Arbeitsamt (Employment Office) competent for the place of residence or place of stay of the person concerned

- (b) For the issue of the Forms Nos. E 301, E 302 and E 303:

Arbeitsamt (Employment Office) competent for the place of employment of the person concerned.

4. Family benefits

- (a) Family benefits with the exception of Karenzurlaubsgeld (special maternity allowance):

Finanzamt (Finance Office).

- (b) Karenzurlaubsgeld (special maternity allowance):

Arbeitsamt (Employment Office) competent for the place of residence or place of stay of the person concerned.

N. FINLAND

I. Sickness and maternity

(a) Cash benefits:

- Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices, or
- Sickness funds.

(b) Benefits in kind:

(i) Refunds under sickness insurance:

- Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices, or
- sickness funds

(ii) Public health and hospital services:

the local units which provide services under the scheme

2. Old-age, invalidity, death (pensions)

(a) National pensions:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution).

(b) Employment pensions:

the employment pension institution which grants and pays the pensions.

3. Accidents at work, occupational diseases:

Tapaturmavakuutuslaitosten Liitto - Olyckfallsförsäkringsanstalternas Förbund (Federation of Accident Insurance Institutions) in case of medical treatment and in other cases the institution which grants and pays the benefits

4. Death grants:

- Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), or
- the institution which grants and pays the benefits in case of accident insurance

5. Unemployment:
 - (a) Basic scheme:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution)
with its local offices
 - (b) Supplementary scheme:

the competent unemployment fund
6. Family benefits
 - (a) Child allowance:

the local social office of the municipality where the beneficiary resides
 - (b) Child care allowance:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution)
with its local offices

O. ICELAND

1. For all contingencies except unemployment benefits and family benefits:

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavík
2. For unemployment benefits:

Tryggingastofnun ríkisins, Atvinnuleysisstryggingasjóður (the State Social Security Institute, Unemployment Insurance Fund), Reykjavík
3. For family benefits
 - (a) Family benefits with the exception of children's and supplementary children's benefits:

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavík
 - (b) Children's and supplementary children's benefits:

Ríkisskattstjóri (the Director of Internal Revenue), Reykjavík

P. LIECHTENSTEIN

1. Sickness and maternity:
 - the Recognized Sickness Insurance Fund with which the person concerned is insured; or
 - the Amt für Volkswirtschaft (Office of National Economy)
2. Invalidity:
 - (a) Invalidity insurance:

Liechtensteinische Invalidenversicherung (Invalidity Insurance of Liechtenstein)
 - (b) Occupational scheme:

the pension fund to which the last employer is affiliated
3. Old-age and death (pensions)
 - (a) Old age and survivors insurance:

Liechtensteinische Alters- und Hinterlassenenversicherung (Old Age and Survivors' Insurance of Liechtenstein)
 - (b) Occupational scheme:

the pension fund to which the last employer is affiliated
4. Accidents at work and occupational diseases:
 - the accident insurance fund with which the person concerned is insured; or
 - the Amt für Volkswirtschaft (Office of National Economy)
5. Unemployment:

Amt für Volkswirtschaft (Office of National Economy)
6. Family benefits:

Liechtensteinische Familienausgleichskasse (Families' Compensation Fund of Liechtenstein)

Q. NORWAY**1. Unemployment benefits:**

Arbeidsdirektoratet, Oslo, fylkesarbeidskontorene og de lokale arbeidskontor på bostedet eller oppholdsstedet (the Directorate of Labour, Oslo, the regional labour offices and the local labour offices at the place of residence or at the place of stay)

2. All other benefits under the Norwegian National Insurance Act:

Rikstrygdeverket, Oslo, fylkestyrgdekontorene og de lokale trygdekontor på bostedet eller oppholdsstedet (the National Insurance Administration, Oslo, the regional insurance offices and the local insurance offices at the place of residence or at the place of stay)

3. Family allowances:

Rikstrygdeverket, Oslo, og de lokale trygdekontor på bostedet eller oppholdsstedet (the National Insurance Administration, Oslo, and the local insurance offices at the place of residence or at the place of stay)

4. Pension insurance scheme for seafarers:

Pensjonstrygden for sjømenn (the Pension Insurance for Seafarers), Oslo

R. SWEDEN**1. For all contingencies except unemployment benefits:****(a) As a general rule:**

the social insurance office with which the person concerned is insured

(b) For mariners not resident in Sweden:

Göteborgs allmänna försäkringskassa, Sjöfartskontoret (the Social Insurance Office of Göteborg, Mariners section)

(c) For the purpose of applying Articles 35 to 59 of the implementing Regulation for persons not resident in Sweden:

Stockholms läns allmänna försäkringskassa, utlandsavdelningen (the Social Insurance Office of Stockholm, Foreign Division)

(d) For the purpose of applying Articles 60 to 77 of the implementing Regulation for persons, with the exception of mariners not resident in Sweden:

- the social insurance office of the place where the accident at work or the occupational disease occurred or appeared, or
- Stockholms läns allmänna försäkringskassa (the Social Insurance Office of Stockholm, Foreign Division)

2. For unemployment benefits:

Arbetsmarknadsstyrelsen (National Labour Market Board)

S. SWITZERLAND

1. Sickness and maternity:

Anerkannte Krankenkasse - Caisse-maladie reconnue - Cassa malati riconosciuta - (Recognized Sickness Fund), with which the person concerned is insured

2. Invalidity

(a) Invalidity insurance:

(i) Persons residing in Switzerland:

Invalidenversicherungskommission - Commission de l'assurance invalidité - Commissione dell'assicurazione invalidità - (Invalidity-Insurance-Commission) of the canton of residence

(ii) Persons residing outside Switzerland:

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund), Geneva

(b) Occupational scheme:

the pension fund to which the last employer is affiliated

3. Old-age and death:
 - (a) Old age and survivors insurance:
 - (i) Persons residing in Switzerland:

Ausgleichskasse - Caisse de compensation - Cassa di compensazione - (Compensation Fund), to which contributions were last paid
 - (ii) Persons residing outside Switzerland:

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund, Geneva)
 - (b) Occupational scheme:

the pension fund to which the last employer is affiliated
4. Accidents at work and occupational diseases
 - (a) Employed persons:

the accidents insurer with which the employer is insured
 - (b) Self-employed persons:

the accidents insurer with which the person is voluntarily insured
5. Unemployment:
 - (a) In case of whole unemployment:

the unemployment insurance fund chosen by the employed person
 - (b) In case of partial unemployment:

the unemployment insurance fund chosen by the employer

6. Family benefits

(a) Federal scheme:

(i) Employed persons:

Kantonale Ausgleichskasse - Caisse cantonale de compensation - Cassa cantonale di compensazione (Cantonal Compensation Fund), to which the employer is affiliated

(ii) Self-employed persons:

Kantonale Ausgleichskasse - Caisse cantonale de compensation - Cassa cantonale di compensazione (Cantonal Compensation Fund) of the canton of residence

(b) Cantonal schemes:

(i) Employed persons:

Familienausgleichskasse - Caisse de compensation familiale - Cassa di compensazione familiare - (Family Compensation Fund), to which the employer is affiliated, or the employer

(ii) Self-employed persons:

Kantonale Ausgleichskasse - Caisse cantonale de compensation - Cassa cantonale di compensazione (Cantonal Compensation Fund), to which the person is affiliated";

(c) The following is added at the end of Annex 3:

"M. AUSTRIA

1. Sickness insurance

- (a) In all cases, except for the application of Articles 27 and 29 of the Regulation and of Articles 30 and 31 of the implementing Regulation in relation to the institution of the place of residence of a pensioner mentioned in Article 27 of the Regulation:

Gebietskrankenkasse (Regional Fund for Sickness Insurance) competent for the place of residence or place of stay of the person concerned

- (b) For the application of Articles 27 and 29 of the Regulation and of Articles 30 and 31 of the implementing Regulation in relation to the institution of the place of residence of a pensioner mentioned in Article 27 of the Regulation:

the competent institution

2. Pension insurance

- (a) If the person concerned has been subject to the Austrian legislation with the exception of the application of Article 53 of the implementing Regulation:

the competent institution

- (b) In all other cases with the exception of the application of Article 53 of the implementing Regulation:

Pensionsversicherungsanstalt der Angestellten (Pension Insurance Institution for Employees), Wien

- (c) For the purpose of applying Article 53 of the implementing Regulation:

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien

3. Accident insurance

- (a) Benefits in kind:

— Gebietskrankenkasse (Regional Fund for Sickness Insurance) competent for the place of residence or place of stay of the person concerned

— or Allgemeine Unfallversicherungsanstalt (General Accident Insurance Institution), Wien may grant the benefits

- (b) Benefits in cash:

- (i) In all cases with the exception of the application of Article 53 in connection with Article 77 of the implementing Regulation:

Allgemeine Unfallversicherungsanstalt (General Accident Insurance Institution), Wien

- (ii) For the purpose of applying Article 53 in connection with Article 77 of the implementing Regulation:

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien

4. Unemployment insurance:

Arbeitsamt (Employment Office) competent for the place of residence or place of stay of the person concerned

5. Family benefits

- (a) Family benefits with the exception of Karenzurlaubsgeld (special maternity allowance):

Finanzamt (Finance Office) competent for the place of residence or place of stay of the beneficiary

- (b) Karenzurlaubsgeld (special maternity allowance):

Arbeitsamt (Employment Office) competent for the place of residence or place of stay of the person concerned

N. FINLAND

1. Sickness and maternity

- (a) Cash benefits:

- Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices, or
- sickness funds.

- (b) Benefits in kind:

- (i) refunds under sickness insurance:

- Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices, or
- sickness funds

- (ii) Public health and hospital services:

the local units which provide services under the scheme

2. Old-age, invalidity, death (pensions)

National pensions:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices

3. Death grants

General death grant:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices

4. Unemployment

Basic scheme:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices

5. Family benefits

(a) Child allowance:

the local social office of the municipality where the beneficiary resides

(b) Child care allowance:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution) with its local offices

O. ICELAND

1. Sickness, maternity, invalidity, old-age, death, accidents at work and occupational diseases:

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavík

2. Unemployment:

Tryggingastofnun ríkisins, Atvinnuleysistryggingasjóður (the State Social Security Institute, Unemployment Insurance Fund), Reykjavík

3. Family benefits

(a) Family benefits with the exception of children's and supplementary children's benefits:

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavík

(b) Children's and supplementary children's benefits:

Ríkisskattstjóri (the Director of Internal Revenue), Reykjavík

P. LIECHTENSTEIN

1. Sickness, maternity, accidents at work and occupational diseases, unemployment:

Amt für Volkswirtschaft (Office of National Economy)

2. Old age and death

- (a) Old age and survivors insurance:

Liechtensteinische Alters- und Hinterlassenenversicherung (Old-Age and Survivors' Insurance of Liechtenstein)

- (b) Occupational scheme:

Amt für Volkswirtschaft (Office of National Economy)

3. Invalidity

- (a) Invalidity insurance:

Liechtensteinische Invalidenversicherung (Invalidity Insurance of Liechtenstein)

- (b) Occupational scheme:

Amt für Volkswirtschaft (Office of National Economy)

4. Family benefits:

Liechtensteinische Familienausgleichskasse (Families' Compensation Fund of Liechtenstein)

Q. NORWAY

De lokale arbeidskontor og trygdekontor på bostedet eller oppholdsstedet (the local labour and insurance offices of the place of residence or the place of stay)

R. SWEDEN

1. For all contingencies except unemployment benefits:

the social insurance office of the place of residence or place of stay

2. For unemployment benefits:

the employment office of the place of the residence or place of stay

S. SWITZERLAND

1. Invalidity

Invalidity insurance:

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund, Geneva)

2. Old age and death

Old age and survivors insurance:

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund, Geneva)

3. Accidents at work and occupational diseases:

Schweizerische Unfallversicherungsanstalt, Luzern - Caisse nationale suisse d'assurance en cas d'accidents, Lucerne - Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna - (Swiss National Accidents Insurance Fund, Lucerne).

4. Unemployment

(a) In case of whole unemployment:

the unemployment insurance fund chosen by the employed person

(b) In case of partial unemployment:

the unemployment insurance fund chosen by the employer."

(d) The following shall be added to Annex 4:

"M. AUSTRIA

1. Sickness, accident and pension insurance:

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Insurance Institutions), Wien

2. Unemployment insurance

(a) Dealing with Liechtenstein and Switzerland:

Landesarbeitsamt Vorarlberg (Provincial Employment Office Vorarlberg), Bregenz

(b) Dealing with Germany:

Landesarbeitsamt Salzburg (Provincial Employment Office Salzburg),
Salzburg

(c) In all other cases:

Landesarbeitsamt Wien (Provincial Employment Office Vienna), Wien

3. Family benefits

(a) Family benefits with the exception of Karenzurlaubsgeld (special maternity allowance):

Bundesministerium für Umwelt, Jugend und Familie (Federal Ministry
for the Environment, Youth and the Family), Wien

(b) Karenzurlaubsgeld (special maternity allowance):

Landesarbeitsamt Wien (Provincial Employment Office Vienna), Wien.

N. FINLAND

1. Sickness and maternity insurance, national pensions:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution),
Helsinki

2. Employment pensions:

Eläketurvakeskus - Pensionsskyddscentralen (Central Pension Security
Institute), Helsinki

3. Accidents at work, occupational diseases:

Tapaturmavakuutuslaitosten Liitto - Olyckfallsförsäkringsanstalternas Förbund
(Federation of Accident Insurance Institutions), Helsinki

4. Other cases:

Sosiaali- ja terveystieteiden ministeriö - Social- och hälsovårdsministeriet (Ministry of
Social Affairs and Health), Helsinki

O. ICELAND

1. **Sickness, maternity, invalidity, old-age, death, accidents at work and occupational diseases:**

Tryggingastofnun rfkisins (the State Social Security Institute), Reykjavík

2. **Unemployment:**

Tryggingastofnun rfkisins, Atvinnuleysistryggingasjóður (the State Social Security Institute, Unemployment Insurance Fund), Reykjavík

3. **Family benefits**

- (a) **Family benefits with the exception of children's and supplementary children's benefits:**

Tryggingastofnun rfkisins (the State Social Security Institute), Reykjavík

- (b) **Children's and supplementary children's benefits:**

Rfkisskattstjóri (the Director of Internal Revenue), Reykjavík.

P. LIECHTENSTEIN

1. **Sickness, maternity, accidents at work and occupational diseases, unemployment:**

Amt für Volkswirtschaft (Office of National Economy)

2. **Old age and death**

- (a) **Old age and survivors insurance:**

Liechtensteinische Alters- und Hinterlassenenversicherung (Old Age and Survivors Insurance of Liechtenstein)

- (b) **Occupational scheme:**

Amt für Volkswirtschaft (Office of National Economy)

3. **Invalidity**

- (a) **Invalidity insurance:**

Liechtensteinische Invalidenversicherung (Invalidity Insurance of Liechtenstein)

- (b) **Occupational scheme:**

Amt für Volkswirtschaft (Office of National Economy)

4. Family benefits:

Liechtensteinische Familienausgleichskasse (Families' Compensation Fund of Liechtenstein)

Q. NORWAY

1. Unemployment benefits:

Arbeidsdirektoratet (the Directorate of Labour), Oslo

2. In all other cases:

Rikstrygdeverket (the National Insurance Administration), Oslo

R. SWEDEN

1. For all contingencies except unemployment benefits:

Riksförsäkringsverket (National Social Insurance Board)

2. For unemployment benefits:

Arbetsmarknadsstyrelsen (National Labour Market Board)

S. SWITZERLAND

1. Sickness and maternity:

Bundesamt für Sozialversicherung, Bern - Office fédéral des assurances sociales, Berne - Ufficio federale degli assicurazioni sociali, Berna - (Federal Social Insurance Office, Berne)

2. Invalidity:

Invalidity insurance:

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund, Geneva)

3. Old age and death

Old age and survivors insurance:

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund, Geneva)

4. Accidents at work and occupational diseases:

Schweizerische Unfallversicherungsanstalt, Luzern - Caisse nationale suisse d'assurance en cas d'accidents, Lucerne - Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna - (Swiss National Accidents Insurance Fund, Lucerne)

5. Unemployment:

Bundesamt für Industrie, Gewerbe und Arbeit, Bern - Office fédéral de l'industrie, des arts et métiers et du travail, Berne - Ufficio federale dell'industria, delle arti e mestieri e del lavoro, Berna - (Federal Office for Industry and Labour, Berne)

6. Family benefits:

Bundesamt für Sozialversicherung, Bern - Office fédéral des assurances sociales, Berne - Ufficio federale degli assicurazioni sociali, Berna - (Federal Social Insurance Office, Berne)";

(e) The following shall be added to Annex 6:

"M. AUSTRIA

Direct payment.

N. FINLAND

Direct payment.

O. ICELAND

Direct payment.

P. LIECHTENSTEIN

Direct payment.

Q. NORWAY

Direct payment.

R. SWEDEN

Direct payment.

S. SWITZERLAND

Direct payment.";

(f) The following shall be added to Annex 7:

M. AUSTRIA:

Österreichische Nationalbank (National Bank of Austria), Wien

N. FINLAND:

Postipankki Oy, Helsinki - Postbanken Ab, Helsingfors (Postal Bank Ltd., Helsinki)

O. ICELAND:

Seðlabanki Íslands (the Central Bank of Iceland), Reykjavík

P. LIECHTENSTEIN:

Liechtensteinische Landesbank (National Bank of Liechtenstein), Vaduz.

Q. NORWAY:

Sparebanken Nor (the Union Bank of Norway), Oslo

R. SWEDEN:

None

S. SWITZERLAND:

Schweizerische Nationalbank, Zürich - Banque nationale suisse, Zurich - Banca nazionale svizzera, Zurigo - (Swiss National Bank, Zurich)";

(g) The following shall be added to Annex 9:

M. AUSTRIA

The following institutions shall be taken into consideration when calculating the average annual cost of benefits in kind:

(a) Gebietskrankenkassen (Regional Funds for Sickness Insurance) and

(b) Betriebskrankenkassen (Sickness Funds of Undertakings)

N. FINLAND

The average annual cost of benefits in kind shall be calculated by taking into account the schemes of public health and hospital services and the refunds under the Sickness Insurance.

O. ICELAND

The average annual cost of benefits in kind shall be calculated by taking into account the benefits provided under social-security schemes in Iceland.

P. LIECHTENSTEIN

The average annual cost of benefits in kind shall be calculated by taking into account the benefits granted by the recognized sickness funds in accordance with the provisions of the national legislation on sickness insurance.

Q. NORWAY

The average annual cost of benefits in kind shall be calculated by taking into consideration the benefits provided under chapter 2 of the National Insurance Act (Act 17 June 1966), under the Act 19 November 1982 on Municipal Health Care, under the Act 19 June 1969 on Hospitals and the Act 28 April 1961 on Mental Health Care.

R. SWEDEN

The annual average cost of benefits in kind is calculated by taking into consideration the benefits provided under National Social Insurance Scheme.

S. SWITZERLAND

The average annual cost of benefits in kind shall be calculated by taking into account the benefits granted by the recognized sickness funds in accordance with the provisions of the federal legislation on sickness insurance.”;

(h) The following shall be added to Annex 10:

“M. AUSTRIA

1. For the purpose of applying Article 6(1) of the implementing Regulation in relation to selfinsurance under paragraph 16 of the ASVG (General Social Insurance Law) for persons residing outside the territory of Austria:

Wiener Gebietskrankenkasse (Regional Fund for Sickness Insurance of Vienna), Wien

2. For the purpose of applying Articles 14(1)(b) and 17 of the Regulation:

Bundesminister für Arbeit und Soziales (Federal Minister for Labour and Social Affairs), Wien, in agreement with the Bundesminister für Umwelt, Jugend und Familie (Federal Minister for the Environment, Youth and the Family), Wien

3. For the purpose of applying Articles 11, 11a, 12a, 13 and 14 of the implementing Regulation:
 - (a) When the person concerned is subject to Austrian legislation and covered by sickness insurance:

The competent sickness insurance institution
 - (b) When the person concerned is subject to Austrian legislation and not covered by sickness insurance:

The competent accident insurance institution
 - (c) In all other cases:

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien
4. For the purpose of applying Articles 38(1) and 70(1) of the implementing Regulation:

Gebietskrankenkasse (Regional Fund for Sickness Insurance) competent for the place of residence of the members of the family
5. For the purpose of applying Articles 80 (2), 81 and 82 (2) of the implementing Regulation:

Arbeitsamt (Employment Office) competent for the last place of residence or stay of the employed person or for the last place of employment
6. For the purpose of applying Articles 85 (2) and 86 (2) of the implementing Regulation in relation to the Karenzurlaubsgeld (Special Maternity Allowance):

Arbeitsamt (Employment Office) competent for the last place of residence or stay of the employed person or for the last place of employment
7. For the purpose of applying:
 - (a) Article 102 (2) of the implementing Regulation in relation to Articles 36 and 63 of the Regulation:

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien
 - (b) Article 102 (2) of the implementing Regulation in relation to Article 70 of the Regulation:

Landesarbeitsamt Wien (Provincial Employment Office Vienna), Wien

8. For the purpose of applying Article 110 of the implementing Regulation:
 - The competent institution, or
 - if there is no Austrian competent institution, the institution of the place of residence
9. For the purpose of applying Article 113(2) of the implementing Regulation:

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien, it being understood that the refund of the expenses for benefits in kind shall be made from contributions for sickness insurance of the pensioners received by the said Main Association

N. FINLAND

1. For the purpose of applying Articles 11(1), 11a(1), 12a, 13 and 14 of the implementing Regulation:

Eläketurvakeskus - Pensionskyddscentralen (Central Pension Security Institute), Helsinki
2. For the purpose of applying:
 - (a) Article 36(1) and 36(3) and 90(1) of the implementing Regulation:
 - Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), Helsinki with its local offices; and
 - Työeläkelaitokset (Employment pension institutions) and Eläketurvakeskus - Pensionskyddscentralen (Central Pension Security Institute)
 - (b) Article 36(1), second sentence, 36(2) and 90(2) of the implementing Regulation:
 - Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), Helsinki
 - Eläketurvakeskus - Pensionskyddscentralen (Central Pension Security Institute), Helsinki as the institution of the place of residence

3. For the purpose of applying Article 37b and 38(1) 70(1), 82(2), 86(2) of the implementing Regulation:
 - Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), Helsinki with its local offices
4. For the purpose of applying Articles 41 to 59 of the implementing Regulation:
 - (a) National pensions:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), Helsinki
 - (b) Employment pensions:

Eläketurvakeskus - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki
5. For the purpose of applying Articles 60 to 67, 71 and 75 of the implementing Regulation:

Tapaturmavakuutuslaitosten liitto - Olyckfallsförsäkringsanstalternas Förbund (Federation of Accident Insurance Institutions), Helsinki as the institution of the place of residence
6. For the purpose of applying Articles 68 and 69 of the implementing Regulation:

The Institution responsible for accident insurance for the case concerned
7. For the purpose of Applying Articles 76 and 78 of the implementing Regulation:

Tapaturmavakuutuslaitosten liitto - Olyckfallsförsäkringsanstalternas Förbund (Federation of Accident Insurance Institutions), Helsinki, in case of accident insurance
8. For the purpose of Applying Articles 80, 81 and 85(2) of the implementing Regulation:

Eläketurvakeskus - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki.
9. For the purpose of applying Articles 96, and 113 of the Implementing Regulation:

Tapaturmavakuutuslaitosten liitto - Olyckfallsförsäkringsanstalternas Förbund (Federation of Accident Insurance Institutions), Helsinki in case of accident insurance

10. For the purpose of applying Article 110 of the Implementing Regulation:

(a) Sickness and maternity insurance, National pensions:

Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), Helsinki

(b) Employment pensions:

Eläketurvakeskus - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki

(c) Accidents at work, occupational diseases:

Tapaturmavakuutuslaitosten Liitto - Olyckfallsförsäkringsanstaltarnas Förbund (Federation of Accident Insurance Institutions), Helsinki

(d) Other cases:

Sosiaali- ja terveystieteiden ministeriö - Social- och hälsovårdsministeriet (Ministry of Social Affairs and Health), Helsinki

O. ICELAND

For all contingencies except Article 17 of the Regulation and Article 102(2) of the implementing Regulation:

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavík

P. LIECHTENSTEIN

1. For the purpose of applying Article 11(1) of the implementing Regulation:

(a) In relation to Article 14 (1) and Article 14b(1) of the Regulation:

Liechtensteinische Alters-, Hinterlassenen- und Invalidenversicherung (Old Age, Survivors and Invalidity Insurance of Liechtenstein)

(b) In relation to Article 17 of the Regulation:

Amt für Volkswirtschaft (Office of National Economy)

2. For the purpose of applying Article 11a (1) of the implementing Regulation:
 - (a) In relation to Article 14a(1) and Article 14b(2) of the Regulation:

Liechtensteinische Alters-, Hinterlassenen- und Invalidenversicherung
(Old Age, Survivors and Invalidity Insurance of Liechtenstein)
 - (b) In relation to Article 17 of the Regulation:

Amt für Volkswirtschaft (Office of National Economy)
3. For the purpose of applying Article 13(2) and (3) and Article 14(1) and (2) of the implementing Regulation:

Amt für Volkswirtschaft und Liechtensteinische Alters-, Hinterlassenen- und Invalidenversicherung (Office of National Economy and Old Age, Survivors and Invalidity Insurance of Liechtenstein)
4. For the purpose of applying Articles 38 (1), 70 (1), 82 (2) and 86 (2):

Gemeindeverwaltung (Communal Administration) of the place of residence
5. For the purpose of applying Article 80 (2) and Article 81:

Amt für Volkswirtschaft (Office of National Economy)
6. For the purpose of applying Article 102 (2) of the implementing Regulation in relation to Articles 36, 63 and 70:

Amt für Volkswirtschaft (Office of National Economy)
7. For the purpose of applying Article 113 (2) of the implementing Regulation:

Amt für Volkswirtschaft (Office of National Economy)

Q. NORWAY

1. For the purpose of applying Articles 14(1)(a) and (b) of the Regulation, Article 11(1)(a) and (2) of the implementing Regulation when the work is carried out outside Norway, and Article 14a(1)(b):

Folketrygdkontoret for utenlandssaker (the National Insurance Office for Social Insurance Abroad), Oslo
2. For the purpose of applying Article 14a(1)(a) if the work is carried out in Norway:

The local insurance office in the municipality where the person concerned is resident

3. For the purpose of applying Article 14(1)(a) of the Regulation, if the person concerned is posted in Norway:

The local insurance office in the municipality where the employer's representative is registered in Norway, and if the employer has no representative in Norway, the local insurance office in the municipality where the work is carried out
4. For the purpose of applying Article 14(2) and Article 14(3):

The local insurance office in the municipality in which the person concerned is resident
5. For the purpose of applying Article 14a(2):

The local insurance office in the municipality where the work is carried out
6. For the purpose of applying Article 14b(1) and (2):

Folketrygdkontoret for utenlandssaker (the National Insurance Office for Social Insurance Abroad), Oslo
7. For the purpose of applying Chapters 1, 2, 3, 4, 5 and 8 of Part III of the Regulation and the provisions linked to these provisions in the implementing Regulation:

Rikstrygdeverket (the National Insurance Administration), Oslo and its designated bodies (the regional bodies and the local insurance offices)
8. For the purpose of applying Chapter 6 of Part III of the Regulation and the provisions linked to these provisions in the implementing Regulation:

Arbeidsdirektoratet (the Directorate of Labour), Oslo and its designated bodies
9. For the pension insurance scheme for seafarers:
 - (a) The local insurance office at the place of residence when the person concerned is resident in Norway
 - (b) Folketrygdkontoret for utenlandssaker (the National Insurance Office for Social Insurance Abroad), Oslo in relation to paying benefits under the Scheme to persons resident abroad
10. For family allowances:

Rikstrygdeverket (the National Insurance Administration), Oslo and its designated bodies (the local insurance offices)

R. SWEDEN

1. For the purpose of applying Articles 14(1), 14a(1), 14b(1) and (2) of the Regulation and Articles 11(1)(a) and 11a(1) of the implementing Regulation:

The social insurance office with which the person concerned is insured

2. For the purpose of applying Articles 14(1)(b) and 14a(1)(b) in cases when a person is posted to Sweden:

The social insurance office at the place where the work is performed

3. For the purpose of applying Articles 14b(1) and (2) in cases when a person is posted to Sweden for a longer period than 12 months:

Göteborgs allmänna försäkringskassa, Sjöfartskontoret (Social Insurance Office of Gothenburg, Mariners' section)

4. For the purpose of applying Articles 14(2) and (3), 14a(2) and (3) of the Regulation:

The social insurance office of the place of residence

5. For the purpose of applying Articles 14a(4) of the Regulation and Articles 11(1)(b), 11a(1)(b) and 12a(5),(6) and (7)(a) of the implementing Regulation:

The social insurance office at the place where the work is performed

6. For the purpose of applying Article 17 of the Regulation:

- (a) The social insurance office at the place where the work is or will be performed, and
- (b) Riksförsäkringsverket (National Social Insurance Board) concerning categories of employed or self-employed persons

7. For the purpose of applying Article 102 (2):

- (a) Riksförsäkringsverket (National Social Insurance Board).
- (b) Arbetsmarknadsstyrelsen (National Labour Market Board), for unemployment benefits

S. SWITZERLAND

1. For the purpose of applying Article 11 (1) of the implementing Regulation

(a) In relation to Article 14(1) and Article 14b(1) of the Regulation:

The competent Ausgleichskasse der Alters-, Hinterlassenen- und Invalidenversicherung - Caisse de compensation de l'assurance vieillesse, survivants et invalidité - Cassa di compensazione dell'assicurazione vecchiaia, superstiti e invalidità - (Old-Age, Survivors and Invalidity Insurance Compensation Fund) and the competent accident insurer

(b) In relation to Article 17 of the Regulation:

Bundesamt für Sozialversicherung, Bern - Office fédéral des assurances sociales, Berne - Ufficio federale degli assicurazioni sociali, Berna - (Federal Social Insurance Office, Berne)

2. For the purpose of Article 11a(1) of the implementing Regulation

(a) In relation to Article 14a(1) and Article 14b(2) of the Regulation:

The competent Ausgleichskasse der Alters-, Hinterlassenen- und Invalidenversicherung - Caisse de compensation de l'assurance vieillesse, survivants et invalidité - Cassa di compensazione dell'assicurazione vecchiaia, superstiti e invalidità - (Old-Age, Survivors and Invalidity Insurance Compensation Fund).

(b) In relation to Article 17 of the Regulation:

Bundesamt für Sozialversicherung, Bern - Office fédéral des assurances sociales, Berne - Ufficio federale degli assicurazioni sociali, Berna - (Federal Social Insurance Office, Berne)

3. For the purpose of Article 12a of the implementing Regulation:

(a) Persons residing in Switzerland:

Kantonale Ausgleichskasse - Caisse cantonale de compensation - Cassa cantonale di compensazione (Cantonal Compensation Fund) of the canton of residence.

(b) Persons residing outside Switzerland:

Kantonale Ausgleichskasse - Caisse cantonale de compensation - Cassa cantonale di compensazione (Cantonal Compensation Fund) competent for the place of business employer

4. For the purpose of Article 13(2) and (3) and Article 14(1) and (2) of the implementing Regulation:

Eidgenössische Ausgleichskasse, Bern - Caisse fédérale de compensation, Berne - Cassa federale di compensazione, Berna (Federal Compensation Fund, Berne) and

Schweizerische Unfallversicherungsanstalt, Kreisagentur Bern, Bern - Caisse nationale suisse d'assurance en cas d'accidents, agence d'arrondissement de Berne, Berne - Istituto nazionale svizzero di assicurazione contro gli infortuni, agenzia circondariale di Berna, Berna - (Swiss National Accident Insurance Fund, district agency of Berne, Berne)

5. For the purpose of Article 38(1), Article 70(1), Article 82(2) and Article 86(2) of the implementing Regulation:

Gemeindeverwaltung - Administration communale - Amministrazione comunale - (Communal administration) of the place of residence

6. For the purpose of Article 80(2) and 81 of the implementing Regulation:

Bundesamt für Industrie, Gewerbe und Arbeit, Bern - Office fédéral de l'industrie, des arts et métiers et du travail, Berne - Ufficio federale dell'industria, delle arti e mestieri e del lavoro, Berna - (Federal Office for Industry and Labour, Berne)

7. For the purpose of applying Article 102(2) of the implementing Regulation

- (a) In relation to Article 63 of the Regulation:

Schweizerische Unfallversicherungsanstalt, Luzern - Caisse nationale suisse d'assurance en cas d'accidents, Lucerne - Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna - (Swiss National Accidents Insurance Fund, Lucerne)

- (b) In relation to Article 70 of the Regulation:

Bundesamt für Industrie, Gewerbe und Arbeit, Bern - Office fédéral de l'industrie, des arts et métiers et du travail, Berne - Ufficio federale dell'industria, delle arti e mestieri e del lavoro, Berna - (Federal Office for Industry and Labour, Berne)

8. For the purpose of Article 113(2) of the implementing Regulation:

In relation to Article 62 (1) of the implementing Regulation:

Schweizerische Unfallversicherungsanstalt, Luzern - Caisse nationale suisse d'assurance en cas d'accidents, Lucerne - Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna - (Swiss National Accidents Insurance Fund, Lucerne)*;

(k) The following shall be added to Annex 11:

*M. AUSTRIA

None.

N. FINLAND

None.

O. ICELAND

None.

P. LIECHTENSTEIN

None.

Q. NORWAY

None.

R. SWEDEN

None.

S. SWITZERLAND

None."

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE DUE ACCOUNT

3. 373 Y 0919(02): Decision No 74 of 22 February 1973 concerning the provision of medical care in cases of temporary stay under Article 22(1)(a)(i) of Council Regulation (EEC) No 1408/71 and Article 21 of Council Regulation (EEC) No 574/72 (OJ No C 75, 19.9.1973, p.4).
4. 373 Y 0919(03): Decision No 75 of 22 February 1973 concerning the investigation of applications for review made under Article 94(5) of Council Regulation (EEC) No 1408/71 by invalidity pensioners (OJ No C 75, 19.9.1973, p.5).
5. 373 Y 0919(06): Decision No 78 of 22 February 1973 concerning the interpretation of Article 7(1)(a) of Council Regulation (EEC) No 574/72 relating to the procedure for implementing the provisions on reduction and suspension (OJ No C 75, 19.9.1973, p.8).
6. 373 Y 0919(07): Decision No 79 of 22 February 1973 concerning the interpretation of Article 48(2) of Council Regulation (EEC) No 1408/71 relating to the aggregation of insurance periods treated as such with regard to insurance for invalidity, old age and death (OJ No C 75, 19.9.1973, p. 9).

7. **373 Y 0919(09):** Decision No 81 of 22 February 1973 concerning aggregation of insurance periods completed in a specific employment pursuant to Article 45(2) of Council Regulation (EEC) No 1408/71 (OJ No C 75, 19.9.1973, p.11)
8. **373 Y 0919(11):** Decision No 83 of 22 February 1973 concerning the interpretation of Article 68(2) of Council Regulation (EEC) No 1408/71 and of Article 82 of Council Regulation (EEC) No 574/72 relating to increases in unemployment benefit for dependant members of the family (OJ No C 75, 19.9.1973, p.14)
9. **373 Y 0919(13):** Decision No 85 of 22 February 1973 concerning the interpretation of Article 57(1) of Council Regulation (EEC) No 1408/71 and of Article 67(3) of Council Regulation (EEC) No 574/72 to the determination of the applicable legislation and the institution competent for the granting of benefits in respect of occupational diseases (OJ No C 75, 19.9.1973, p.17)
10. **373 Y 1113(02):** Decision No 86 of 24 September 1973 concerning the methods of operation and the composition of the Audit Board of the Administrative Commission of the European Communities on social security for migrant workers (OJ No C 96, 13.11.1973, p.2) as amended by:
 - **376 Y 0813(02):** Decision No 106 of 8 July 1976 (OJ No C 190, 13.8.1976, p.2)
11. **374 Y 0720(06):** Decision No 89 of 20 March 1973 concerning the interpretation of Article 16(1) and (2) of Council Regulation (EEC) No 1408/71 relating to persons employed by diplomatic missions and consular posts (OJ No C 86, 20.7.1974, p.7)
12. **374 Y 0720(07):** Decision No 91 of 12 July 1973 concerning the interpretation of Article 46(3) of Council Regulation (EEC) No 1408/71 relating to the award of benefits due under paragraph 1 of the said Article (OJ No C 86, 20.7.1974, p.8)
13. **374 Y 0823(04):** Decision No 95 of 24 January 1974 concerning the interpretation of Article 46(2) of Council Regulation (EEC) No 1408/71 on the calculation of pro rata pensions (OJ No C 99, 23.8.1974, p.5)
14. **374 Y 1017(03):** Decision No 96 of 15 March 1974 concerning the revision of rights to benefit pursuant to Article 49(2) of Council Regulation (EEC) No 1408/71 (OJ No C 126, 17.10.1974, p.23)
15. **375 Y 0705(02):** Decision No 99 of 13 March 1975 concerning the interpretation of Article 107(1) of Council Regulation (EEC) No 574/72 with regard to the obligation to recalculate current benefits (OJ No C 150, 5.7.1975, p.2)
16. **375 Y 0705(03):** Decision No 100 of 23 January 1975 concerning the refund of cash benefits provided by the institution of the place of stay or of residence on behalf of the competent institution and the details of refunding these benefits (OJ No C 150, 5.7.1975, p.3)
17. **376 Y 0526(03):** Decision No 105 of 19 December 1975 on the implementation of Article 50 of Council Regulation (EEC) No 1408/71 (OJ No C 117, 26.5.1976, p.3)

18. **378 Y 0530(02):** Decision No 109 of 18 November 1977 amending Decision No 92 of 22 November 1973, concerning the concept of sickness and maternity insurance benefits in kind referred to in Articles 19(1) and (2), 22, 25(1), (3) and (4), 26, 28(1) and 28a, 29 and 31 of Council Regulation (EEC) No 1408/71 and the determination of the amounts to be refunded under Articles 93, 94 and 95 of Council Regulation (EEC) No 574/72, as well as the advances to be paid in pursuance of Article 102(4) of the same Regulation (OJ No C 125, 30.5.1978, p.2)
19. **383 Y 0115:** Decision No 115 of 15 December 1982 concerning the granting of prostheses, major appliances and other substantial benefits in kind provided for in Article 24(2) of Council Regulation (EEC) No 1408/71 (OJ No C 193, 20.7.1983, p.7)
20. **383 Y 0117:** Decision No 117 of 7 July 1982 concerning the conditions for implementing Article 50(1)(a) of Council Regulation (EEC) No 574/72 (OJ No C 238, 7.9.1983, p.3)

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to Article 2(2):

Austria

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien.

Finland

Eläketurvakeskus - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki.

Iceland

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavík.

Liechtenstein

Liechtensteinische Alters-, Hinterlassenen- und Invalidenversicherung (Old Age, Survivors' and Invalidity Insurance of Liechtenstein), Vaduz.

Norway

Rikstrygdeverket (National Insurance Administration), Oslo.

Sweden

Riksförsäkringsverket (National Social Insurance Board), Stockholm.

Switzerland

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund, Geneva)."

21. **383 Y 1112(02):** Decision No 118 of 20 April 1983 concerning the conditions for implementing Article 50(1)(b) of Council Regulation (EEC) No 574/72 (OJ No C 306, 12.11.1983, p.2)

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to Article 2(4):

"Austria

Hauptverband der österreichischen Sozialversicherungsträger (Main Association of Austrian Social Insurance Institutions), Wien.

Finland

Eläketurvakeskus - Pensionskyddscentralen (Central Pension Security Institute), Helsinki.

Iceland

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavík.

Liechtenstein

Liechtensteinische Alters-, Hinterlassenen- und Invalidenversicherung (Old Age, Survivors' and Invalidity Insurance of Liechtenstein), Vaduz.

Norway

Rikstrygdeverket (National Insurance Administration), Oslo.

Sweden

Riksförsäkringsverket (National Social Insurance Board), Stockholm.

Switzerland

Schweizerische Ausgleichskasse, Genf - Caisse suisse de compensation, Genève - Cassa svizzera di compensazione, Ginevra - (Swiss Compensation Fund, Geneva)."

22. **383 Y 1102(03):** Decision No 119 of 24 February 1983 concerning the interpretation of Article 76 and Article 79(3) of Council Regulation (EEC) No 1408/71 and of Article 10(1) of Council Regulation (EEC) No 574/72 relating to the overlapping of family benefits and allowances (OJ No C 295, 2.11.1983, p.3)
23. **383 Y 0121:** Decision No 121 of 21 April 1983 concerning the interpretation of Article 17(7) of Council Regulation (EEC) No 574/72 relating to the granting of prosthesis, major appliances and other substantial benefits in kind (OJ No C 193, 20.7.1983, p.10)
24. **384 Y 0802(32):** Decision No 123 of 24 February 1984 concerning the interpretation of Article 22(1)(a) of Council Regulation (EEC) No 1408/71 with regard to persons undergoing renal dialysis treatment (OJ No C 203, 2.8.1984, p.13)
25. **386 Y 0125:** Decision No 125 of 17 October 1985 concerning the use of the certificate concerning the applicable legislation (Form E 101) where the period of posting does not exceed three months (OJ No C 141, 7.6.1986, p.3)

26. **386 Y 0126:** Decision No 126 of 17 October 1985 concerning the application of Articles 14(1)(a), 14a(1)(a), 14b(1) and (2) of Council Regulation (EEC) No 1408/71 (OJ No C 141, 7.6.1986, p.3)
27. **386 Y 0128:** Decision No 128 of 17 October 1985 concerning the application of Articles 14(1)(a) and 14b(1) of Council Regulation (EEC) No 1408/71 on the legislation applicable to posted workers (OJ No C 141, 7.6.1986, p.6)
28. **386 Y 0129:** Decision No 129 of 17 October 1985 concerning the application of Articles 77, 78, 79(3) of Council Regulation (EEC) No 1408/71 and of Article 10(1)(b)(ii) of Council Regulation (EEC) No 574/72 (OJ No C 141, 7.6.1986, p.7)
29. **386 Y 0130:** Decision No 130 of 17 October 1985 concerning the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 001; E 101-127; E 201-215; E 301-303; E 401-411) (86/303/EEC) (OJ No L 192, 15.7.1986, p.1), as amended by:
 - **391 X 0140:** Decision No 144 of 9 April 1990 (E 401 - E 410F) (OJ No L 71, 18.3.1991, p.1)
30. **386 Y 0131:** Decision No 131 of 3 December 1985 concerning the scope of Article 71(1)(b)(ii) of Council Regulation (EEC) No 1408/71 relating to the right to unemployment benefits of workers, other than frontier workers, who, during their last employment, were residing in the territory of a Member States other than the competent State (OJ No C 141, 7.6.1986, p.10)
31. **C/271/87/p.3:** Decision No 132 of 23 April 1987 concerning the interpretation of Article 40(3)(a)(ii) of Council Regulation (EEC) No 1408/71 (OJ No C 271, 9.10.1987, p.3)
32. **C/284/87/p.3:** Decision No 133 of 2 July 1987 concerning the application of Articles 17(7) and 60(6) of Council Regulation (EEC) No 574/72 (OJ No C 284, 22.10.1987, p.3 and OJ No C 64, 9.3.1988, p.13)
33. **C/64/88/p.4:** Decision No 134 of 1 July 1987 concerning the interpretation of Article 45(2) of Council Regulation (EEC) No 1408/71 relating to aggregation of insurance periods completed in an occupation subject to a special scheme in one or more Member States (OJ No C 64, 9.3.1988, p.4)
34. **C/281/88/p.7:** Decision No 135 of 1 July 1987 concerning the granting of benefits in kind provided for in Article 17(7) and Article 60(6) of Council Regulation (EEC) No 574/72 and the concepts of urgency within the meaning of Article 20 of Council Regulation (EEC) No 1408/71 and of extreme urgency within the meaning of Articles 17(7) and 60(6) of Council Regulation (EEC) No 574/72 (OJ No C 281, 9.3.1988, p.7)

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to Article 2(2):

- "(m) AS 7 000 for the institution of the place of residence in Austria;
- (n) FIM 3 000 for the institution of the place of residence in Finland;
- (o) IKR 35 000 for the institution of the place of residence in Iceland;
- (p) SFR 800 for the institution of the place of residence in Liechtenstein;
- (q) NOK 3 600 for the institution of the place of residence in Norway;
- (r) SEK 3 600 for the institution of the place of residence in Sweden;
- (s) SFR 800 for the institution of the place of residence in Switzerland."

35. C/64/88/p.7: Decision No 136 of 1 July 1987 concerning the interpretation of Article 45(1) to (3) of Council Regulation (EEC) No 1408/71 with regard to the taking into account of insurance periods completed under the legislations of other Member States for the acquisition, retention or recovery of the right to benefits (OJ No C 64, 9.3.1988, p.7)

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to the Annex:

- "M. AUSTRIA
None.
- N. FINLAND
None.
- O. ICELAND
None.
- P. LIECHTENSTEIN
None.
- Q. NORWAY
None.
- R. SWEDEN
None.
- S. SWITZERLAND
None."

36. **C/140/89/p.3:** Decision No 137 of 15 December 1988 concerning the application of Article 15(3) of Council Regulation (EEC) No 574/72 (OJ No C 140, 6.6.1989, p.3)
37. **C/287/89/p.3:** Decision No 138 of 17 February 1989 concerning the interpretation of Article 22 (1)(c)(i) of Council Regulation (EEC) No 1408/71 in the case of organ transplants or other forms of surgery requiring tests on biological samples while the person concerned is not present in the Member State where the tests are carried out (OJ No C 287, 15.11.1989, p.3)
38. **C/94/90/p.3:** Decision No 139 of 30 June 1989 concerning the date to be taken into consideration for determining the rates of conversion referred to in Article 107 of Council Regulation (EEC) No 574/72 to be applied when calculating certain benefits and contributions (OJ No C 94, 12.4.1990, p.3)
39. **C/94/90/p.4:** Decision No 140 of 17 October 1989 concerning the rate of conversion to be applied by the institution of a wholly unemployed frontier worker's place of residence to the last wage or salary he received in the competent State (OJ No C 94, 12.4.1990, p.4)
40. **C/94/90/p.5:** Decision No 141 of 17 October 1989 amending Decision No 127 of 17 October 1985 concerning the compilation of the lists provided for in Articles 94(4) and 95(4) of Regulation (EEC) No 574/72/EEC (OJ No C 94, 12.4.1990, p.5)
41. **C/80/90/p.7:** Decision No 142 of 13 February 1990 concerning the application of Articles 73, 74 and 75 of Council Regulation (EEC) No 1408/71 (OJ No C 80, 30.3.1990, p.7)

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) Point 1 shall not apply.
 - (b) Point 3 shall not apply.
42. **391 D 0425:** Decision No 147 of 11 October 1990 concerning the application of Article 76 of Council Regulation (EEC) No 1408/71 (OJ No L 235, 23.8.1991, p.21)

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

43. Recommendation No 14 of 23 January 1975 concerning the issue of Form E 111 to workers posted abroad (adopted by the Administrative Commission during its 139th session on 23 January 1975)
44. Recommendation No 15 of 19 December 1980 on the determination of the language of issue of the forms required for the purposes of Regulations No 1408/71/EEC and No 574/72/EEC (adopted by the Administrative Commission during its 176th session on 19 December 1980)

45. **385 Y 0016:** Recommendation No 16 of 12 December 1984 concerning the conclusion of agreements pursuant to Article 17 of Regulation (EEC) No 1408/71/EEC (OJ No C 273, 24.10.1985, p.3)
46. **385 Y 0017:** Recommendation No 17 of 12 December 1984 concerning the statistical data to be supplied each year for the drawing up of the reports of the Administrative Commission (OJ No C 273, 24.10.1985, p.3)
47. **386 Y 0028:** Recommendation No 18 of 28 February 1986 relating to the legislation applicable to unemployed persons engaged in part-time work in a Member State other than the State of residence (OJ No C 284, 11.11.1986, p.4)
48. **380 Y 0609(03):** Updating of the Declarations of the Member States provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ No C 139, 9.6.1980, p.1)
49. **381 Y 0613(01):** Declarations by Greece provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ No C 143, 13.6.1981, p.1)
50. **383 Y 1224(01):** Amendments to the Declaration of the Federal Republic of Germany provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ No C 351, 24.12.1983, p.1)
51. **C/338/86/p.1:** Updating of the Declarations of the Member States provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ No C 338, 31.12.1986, p.1)
52. **C/107/87/p.1:** Declarations of the Member States provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed and self employed persons and their families moving within the Community (OJ No C 107, 22.4.1987, p.1)
53. **C/323/80/p.1:** Notification to the Council by the Governments of the Federal Republic of Germany and of the Grand Duchy of Luxembourg of the conclusion of a convention between these two Governments on various social security questions, pursuant to Articles 8(2) and 96 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ No C 323, 11.12.1980, p.1)
54. **L/90/87/p.39:** Declaration made by the French Republic pursuant to Article 1(j) of Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, self-employed persons and members of their families moving within the Community (OJ No L 90, 2.4.1987, p.39)

MODALITIES FOR THE PARTICIPATION OF EFTA STATES IN THE ADMINISTRATIVE COMMISSION ON SOCIAL SECURITY FOR MIGRANT WORKERS AND IN THE AUDIT BOARD ATTACHED TO THIS COMMISSION IN ACCORDANCE WITH ARTICLE 101(1) OF THE AGREEMENT

Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland may each send a representative, present in an advisory capacity (observer), to the meetings of the Administrative Commission on Social Security for Migrant Workers attached to the Commission of the European Communities and to the meetings of the Audit Board attached to the said Administrative Commission.

ANNEX VII

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

List provided for in Article 30

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

For the purposes of this Annex and notwithstanding the provisions of Protocol 1, the term "Member State(s)" contained in the acts referred to shall be understood to include, in addition to its meaning in the relevant EC acts, Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland.

ACTS REFERRED TO

A. *GENERAL SYSTEM*

1. **389 L 0048:** Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (OJ No L 19, 24.1.1989, p.16).

Switzerland, by derogation from the provisions from Directive 89/48/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1995 instead of 1 January 1993.

B. LEGAL PROFESSIONS

2. **377 L 0249:** Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services (OJ No L 78, 26.3.1977, p.17), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p.91),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.160).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Article 1(2):

<i>in Austria:</i>	"Rechtsanwalt",
<i>in Finland:</i>	"Asianajaja/Advokat",
<i>in Iceland:</i>	"Lögmaður",
<i>in Liechtenstein:</i>	"Rechtsanwalt",
<i>in Norway:</i>	"Advokat",
<i>in Sweden:</i>	"Advokat",
<i>in Switzerland:</i>	"Avocat/Avvocato/Advokat/Rechtsanwalt/Anwalt/ Fürsprecher/Fürsprech".

C. MEDICAL AND PARA-MEDICAL ACTIVITIES

3. **381 L 1057:** Council Directive 81/1057/EEC of 14 December 1981 supplementing Directives 75/362/EEC, 77/452/EEC, 78/686/EEC and 78/1026/EEC concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of doctors, nurses responsible for general care, dental practitioners and veterinary surgeons respectively, with regard to acquired rights (OJ No L 385, 31.12.1981, p.25).

Doctors

4. **375 L 0362:** Council Directive 75/362/EEC of 16 June 1975 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ No L 167, 30.6.1975, p.1), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p.90),
 - **382 L 0076:** Council Directive 82/76/EEC of 26 January 1982 (OJ No L 43, 15.2.1982, p.21),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.158),
 - **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19),
 - **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p.73).

Switzerland, by derogation from the provisions of Directive 75/362/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The following shall be added to Article 3:

"(m) *in Austria:*

"Doktor der gesamten Heilkunde" (diploma of doctor of medicine) awarded by a university faculty of medicine and "Bescheinigung über die Absolvierung der Tätigkeit als Arzt im Praktikum" (certificate of practical training) issued by the competent authorities;

(n) *in Finland:*

"todistus lääketieteen lisensiaatin tutkinnosta/ bevis om medicine licentiat examen" (certificate of the degree of licentiate in medicine) awarded by a university faculty of medicine and a certificate of practical training issued by the competent public health authorities;

(o) *in Iceland:*

"próf í læknisfræði frá læknadeild Háskóla Íslands" (diploma from the medical faculty of the University of Iceland) and a certificate of practical training in a hospital of at least 12 months issued by the chief medical doctor;

(p) *in Liechtenstein:*

the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Article, accompanied by a certificate on the completed practical training issued by the competent authorities;

(q) *in Norway:*

"bevis for bestått medisinsk embetseksamen" (diploma of the degree cand. med.) awarded by a university faculty of medicine and a certificate of practical training issued by the competent public health authorities;

(r) *in Sweden:*

"läkarexamen" (university medical degree) awarded by a university faculty of medicine and a certificate of practical training issued by the National Board of Health and Welfare;

(s) *in Switzerland:*

"Eidgenössisch diplomierter Arzt/titulaire du diplôme fédéral de médecin/titolare di diploma federale di medico" (diploma of doctor of medicine) awarded by the Federal Department of Home Affairs.";

(b) The following shall be added to Article 5(2):

in Austria:

"Facharzt Diplom" (diploma of medical specialist) issued by the competent authorities;

in Finland:

"todistus erikoislääkärin oikeudesta/bevis om specialisträttigheten" (certificate of specialist in medicine) issued by the competent authorities;

in Iceland:

"sérfræðileyfi" (certificate of specialist in medicine) issued by the Ministry of Health;

in Liechtenstein:

the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present article, accompanied by a certificate on the completed practical training issued by the competent authorities;

in Norway:

"bevis for tillatelse til å benytte spesialisttittelen" (certificate of the right to use the title of specialist) issued by the competent authorities;

in Sweden:

"bevis om specialistkompetens som läkare utfärdat av socialstyrelsen" (certificate of the right to use the title of specialist) issued by the National Board of Health and Welfare;

in Switzerland:

"Spezialarzt/spécialiste/specialista" (certificate of medical specialist) issued by the competent authorities.";

(c) The following entries shall be added to the indents in Article 5(3) indicated hereafter:

— *anaesthetics:*

"Austria:	Anästhesiologie,
Finland:	anestesiologia/anestesiologi,
Iceland:	svæfingalækningar,
Liechtenstein:	Anästhesiologie,
Norway:	anestesiologi,
Sweden:	anestesiologi,
Switzerland:	Anästhesiologie/anesthésiologie/anestesiologia";

— *general surgery:*

"Austria:	Chirurgie,
Finland:	kirurgia/kirurgi,
Iceland:	almennar skurðlækningar,
Liechtenstein:	Chirurgie,
Norway:	generell kirurgi,
Sweden:	allmän kirurgi,
Switzerland:	Chirurgie/chirurgie/chirurgia";

— *neurological surgery:*

- "Austria: Neurochirurgie,
Finland: neurokirurgia/neurokirurgi,
Iceland: taugaskurðlækningar,
Liechtenstein: Neurochirurgie,
Norway: nevrokirurgi,
Sweden: neurokirurgi,
Switzerland: Neurochirurgie/neurochirurgie/neurochirurgia";

— *obstetrics and gynaecology:*

- "Austria: Frauenheilkunde und Geburtshilfe,
Finland: naistentaudit ja synnytykset/kvinnosjukdomar och förlossningar
Iceland: kvenlækningar,
Liechtenstein: Gynäkologie und Geburtshilfe,
Norway: fødselshjelp og kvinnesykdommer,
Sweden: kvinnosjukdomar och förlossningar (gynekologi och obstetrik),
Switzerland: Gynäkologie und Geburtshilfe/gynécologie et obstétrique/ginecologia e ostetricia";

— *general (internal) medicine:*

- "Austria: Innere Medizin,
Finland: sisätaudit/inremedicin,
Iceland: lyflækningar,
Liechtenstein: Innere Medizin,
Norway: indremedisin,
Sweden: allmän internmedicin,
Switzerland: Innere Medizin/médecine interne/
medicina interna";

— *ophthalmology:*

- "Austria: Augenheilkunde,
Finland: silmätaudit/ögonsjukdomar,
Iceland: augnlækningar,
Liechtenstein: Augenheilkunde,
Norway: øyesykdommer,
Sweden: ögonsjukdomar (oftalmologi),
Switzerland: Ophthalmologie/ophtalmologie/oftalmologia";

- *oto-rhino-laryngologie* :

"Autriche :	Hals-, Nasen- und Ohrenkrankheiten,
Finlande :	korva-, nenä- ja kurkkutaudit / öron-, näs- och strupsjukdomar,
Islande :	háls-, nef- og eyrnalækningar,
Liechtenstein :	Hals-, Nasen- und Ohrenkrankheiten,
Norvège :	øre-nese-halssykdommer,
Suède :	öron-, näs- och halssjukdomar (oto-rhino-laryngologi),
Suisse :	Oto-Rhino-Laryngologie / oto-rhino-laryngologie / otorinolaringoiatria" ;

- *pédiatrie* :

"Autriche :	Kinderheilkunde,
Finlande :	lastentaudit / barnsjukdomar,
Islande :	barnalækningar,
Liechtenstein :	Kinderheilkunde,
Norvège :	barnesykdommer,
Suède :	barnaålderns invärtes sjukdomar (pediatrik),
Suisse :	Pädiatrie / pédiatrie / pediatria" ;

- *médecine des voies respiratoires* :

"Autriche :	Lungenkrankheiten,
Finlande :	keuhkosairaudet / lungsjukdomar,
Islande :	lungnalækningar,
Liechtenstein :	Lungenkrankheiten,
Norvège :	lungesykdommer,
Suède :	lungsjukdomar (pneumologi),
Suisse :	Lungenkrankheiten / maladies des poumons / maladie pulmonari" ;

- *urologie* :

"Autriche :	Urologie,
Finlande :	urologia / urologi,
Islande :	þvagfæraskurðlækningar,
Liechtenstein :	Urologie,
Norvège :	urologi,
Suède :	urologisk kirurgi,
Suisse :	Urologie / urologie / urologia" ;

- *orthopédie* :

"Autriche :	Orthopädie und orthopädische Chirurgie,
Finlande :	ortopedia ja traumatologia / ortopedi och traumatologi,
Islande :	bæklunarskurðlækningar,
Liechtenstein :	Orthopädische Chirurgie,
Norvège :	ortopedisk kirurgi,
Suède :	ortopedisk kirurgi,
Suisse :	Orthopädische Chirurgie / chirurgie orthopédique / chirurgia ortopedica" ;

— *pathological anatomy:*

- *Austria: Pathologie,
- Finland: patologia/patologi,
- Iceland: líffærameinafræði,
- Liechtenstein: Pathologie,
- Norway: patologi,
- Sweden: klinisk patologi,
- Switzerland: Pathologie/pathologie/patologia";

— *neurology:*

- *Austria: Neurologie,
- Finland: neurologia/neurologi,
- Iceland: taugalækningar,
- Liechtenstein: Neurologie,
- Norway: nevrologi,
- Sweden: nervsjukdomar (neurologi),
- Switzerland: Neurologie/neurologie/neurologia";

— *psychiatry:*

- *Austria: Psychiatrie,
- Finland: psykiatria/psykiatri,
- Iceland: geðlækningar,
- Liechtenstein: Psychiatrie und Psychotherapie,
- Norway: psykiatri,
- Sweden: allmän psykiatri,
- Switzerland: Psychiatrie und Psychotherapie/psychiatrie et psychothérapie/psichiatria e psicoterapia";

(d) The following entries shall be added to the indents in Article 7(2) indicated hereafter:

— *clinical biology:*

- *Austria: Medizinische Biologie";

— *biological haematology:*

- *Finland: hematologiset laboratoriotutkimukset/hematologiska laboratorieundersökningar";

— *microbiology - bacteriology:*

- *Austria: Hygiene und Mikrobiologie,
- Finland: kliininen mikrobiologia/klinisk mikrobiologi,
- Iceland: sýklafræði,
- Norway: medisinsk mikrobiologi,
- Sweden: klinisk bakteriologi";

- *biological chemistry:*
- "Austria: Medizinisch-chemische Labordiagnostik,
Finland: klininen kemia/klinisk kemi,
Norway: klinisk kjemi,
Sweden: klinisk kemi";
- *immunology:*
- "Austria: Immunologie,
Finland: immunologia/immunologi,
Iceland: ónæmisfræði,
Norway: immunologi og transfusjonsmedisin,
Sweden: klinisk immunologi";
- *plastic surgery:*
- "Austria: Plastische Chirurgie,
Finland: plastiikkirurgia/plastikkirurgi,
Iceland: lýtalækningar,
Norway: plastikkirurgi,
Sweden: plastikkirurgi,
Switzerland: Plastische und Wiederherstellungschirurgie/chirurgie
plastique et reconstructive/chirurgia plastica e
ricostruttiva";
- *thoracic surgery:*
- "Finland: thorax- ja verisuonikirurgia/thorax- och kärlkirurgi,
Iceland: brjóstholsskurðlækningar,
Norway: thoraxkirurgi,
Sweden: thoraxkirurgi";
- *paediatric surgery:*
- "Finland: lastenkirurgia/barnkirurgi,
Iceland: barnaskurðlækningar,
Norway: barnekirurgi,
Sweden: barnkirurgi,
Switzerland: Kinderchirurgie/chirurgie infantile/chirurgia infantile";
- *vascular surgery:*
- "Iceland: æðaskurðlækningar,
Norway: karkirurgi";
- *cardiology:*
- "Finland: kardiologia/kardiologi,
Iceland: hjartalækningar,
Norway: hjertesykdommer,
Sweden: hjärtsjukdomar";

— *gastro-enterology:*

"Finland: gastroenterologia/gastroenterologi,
Iceland: meltingarlækningar,
Norway: fordøyelsesykdommer,
Sweden: matsmältningsorganens medicinska sjukdomar (medicinsk gastro-enterologi)";

— *rheumatology:*

"Finland: reumatologia/reumatologi,
Iceland: gigtlækningar,
Liechtenstein: Rheumatologie,
Norway: revmatologi,
Sweden: reumatiska sjukdomar";

— *general haematology:*

"Finland: klininen hematologia/klinisk hematologi,
Iceland: blóðmeinafræði,
Norway: blodsykdommer,
Sweden: hematologi";

— *endocrinology:*

"Finland: endokrinologia/endokrinologi,
Iceland: efnaskipta- og innkirtlalækningar,
Norway: endokrinologi,
Sweden: endokrina sjukdomar";

— *physiotherapy:*

"Austria: Physikalische Medizin,
Finland: fysiatria/fysiatri,
Iceland: orku- og endurhæfingarlækningar,
Liechtenstein: Physikalische Medizin und Rehabilitation,
Norway: fysikalsk medisin og rehabilitering,
Sweden: medicinsk rehabilitering,
Switzerland: Physikalische Medizin und Rehabilitation/médecine physique et réhabilitation/medicina fisica e riabilitazione";

— *dermato-venereology:*

"Austria: Haut— und Geschlechtskrankheiten,
Finland: iho- ja sukupuolitaudit/hud- och könssjukdomar,
Iceland: húð- og kynsjúkdómalækningar,
Liechtenstein: Dermatologie und Venereologie,
Norway: hud- og veneriske sykdommer,
Sweden: hudsjukdomar och veneriska sjukdomar (dermatologi och venerologi),
Switzerland: Dermatologie und Venereologie/dermatologie et vénéréologie/ dermatologia e venereologia";

- *radiology:*
- "Austria: Radiologie,
Iceland: geislalækningar,
Norway: radiologi";
- *diagnostic radiology:*
- "Austria: Radiologie-Diagnostik,
Finland: radiologia/radiologi,
Liechtenstein: Medizinische Radiologie,
Sweden: röntgendiagnostik,
Switzerland: Medizinische Radiologie - Radiodiagnostik/radiologie
médicale - radio-diagnostic/radiologia medica -
radiodiagnostica";
- *radiotherapy:*
- "Austria: Radiologie-Strahlentherapie,
Finland: syöpätaudit ja sädehoito/cancersjukdomar och radioterapi,
Norway: onkologi,
Sweden: tumörsjukdomar (allmän onkologi),
Switzerland: Medizinische Radiologie - Radio-Onkologie/radiologie,
médicale - radio-oncologie/radiologia medica -
radio-oncologia";
- *tropical medicine:*
- "Switzerland: Tropenkrankheiten/maladies tropicales/malattie tropicali";
- *child psychiatry:*
- "Finland: lasten psykiatria/barnpsykiatri,
Iceland: barnageðlækningar,
Liechtenstein: Kinder- und Jugendpsychiatrie und -psychotherapie,
Norway: barne- og ungdomspsykiatri,
Sweden: barn- och ungdomspsykiatri,
Switzerland: Kinder- und Jugendpsychiatrie und -psychotherapie/
psychiatrie et psychothérapie d'enfants et d'adolescents/
psichiatria e psicoterapia infantile e dell'adolescenza";
- *geriatrics:*
- "Finland: geriatria/geriatri,
Iceland: öldrunarlækningar,
Liechtenstein: Geriatrie,
Norway: geriatri,
Sweden: långvårdsmedicin";

— *renal diseases:*

"Finland: nefrologia/nefrologi,
Iceland: nýmalækningar,
Norway: nyresykdommer,
Sweden: medicinska njursjukdomar (nefrologi)";

— *communicable diseases:*

"Finland: infektiosairaudet/infektionssjukdomar,
Iceland: smitsjúkdómar,
Norway: infeksjonssykdommer,
Sweden: infektionssjukdomar";

— *community medicine:*

"Austria: Sozialmedizin,
Finland: terveydenhuolto/hälsövård,
Iceland: félagslækningar,
Liechtenstein: Prävention und Gesundheitswesen,
Norway: samfunnsmedisin,
Switzerland: Prävention und Gesundheitswesen/prévention et santé publique/prevenzione e sanità pubblica";

— *pharmacology:*

"Finland: kliininen farmakologia/klinisk farmakologi,
Iceland: lyfjafræði,
Norway: klinisk farmakologi,
Sweden: klinisk farmakologi";

— *occupational medicine:*

"Austria: Arbeitsmedizin,
Finland: työterveyshuolto/företagshälsövård,
Iceland: atvinnulækningar,
Norway: yrkesmedisin,
Sweden: yrkesmedicin";

— *allergology:*

"Finland: allergologia/allergologi,
Iceland: ofnæmislækningar,
Sweden: intermedicinsk allergologi";

— *gastro enterological surgery:*

"Finland: gastroenterologia/ gastroenterologi,
Norway: gastroenterologisk kirurgi";

— *nuclear medicine:*

"Austria: Nuklearmedizin,
Finland: isotooppitutkimukset/ isotopundersökningar,
Switzerland: Medizinische Radiologie - Nuklearmedizin/radiologie
médicale - médecine nucléaire/radiologia medica -
medicina nucleare".

— *dental, oral and maxillo-facial surgery (basic medical and dental training):*

"Finland: leukakirurgia/käkkirurgi,
Liechtenstein: Kieferchirurgie,
Norway: kjevekirurgi og munnhulesykdommer,
Switzerland: Kieferchirurgie/chirurgie maxillo-faciale/chirurgia
mascello-faciale";

5. **375 L 0363:** Council Directive 75/363/EEC of 16 June 1975 concerning the co-ordination of provisions laid down by law, regulation or administrative action in respect of activities of doctors (OJ No L 167, 30.6.1975, p.14), as amended by:

— **382 L 0076:** Council Directive 82/76/EEC of 26 January 1982 (OJ No L 43, 15.2.1982, p.21),

— **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19).

Switzerland, by derogation from the provisions of Directive 75/363/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

6. **386 L 0457:** Council Directive 86/457/EEC of 15 September 1986 on specific training in general medical practice (OJ No L 267, 19.9.1986, p.26).

Norway, by derogation from the provisions of Article 1 of Directive 86/457/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1995 instead of 1 January 1993.

Switzerland, by derogation from the provisions of Directive 86/457/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993 and 1 January 1999 instead of 1 January 1995 respectively.

7. **C/268/90/p.2:** List 90/C 268/02 of designations of diplomas, certificates or other evidence of formal qualifications as general medical practitioner published in accordance with Article 12 (2) of Council Directive 86/457/EEC (OJ No C 268, 14.10.1990, p.2).

Nurses

8. **377 L 0452:** Council Directive 77/452/EEC of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of this right of establishment and freedom to provide services (OJ No L 176, 15.7.1977, p.1), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p.91),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.160),
 - **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19),
 - **389 L 0595:** Council Directive 89/595/EEC of 10 October 1989 (OJ No L 341, 23.11.1989, p.30),
 - **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p.73).

Switzerland, by derogation from the provisions of 77/452/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The following shall be added to Article 1(2):

"in Austria:

"Diplomierte Krankenschwester/Diplomierter Krankenpfleger";

in Finland:

"sairaanhoitaja/sjukskötare - terveydenhoitaja/hälsovårdare";

in Iceland:

"hjúkrunarfræðingur";

in Liechtenstein:

"Krankenschwester - Krankenpfleger";

in Norway:

"offentlig godkjent sykepleier";

in Sweden:

"sjuksköterska";

in Switzerland:

"Krankenschwester", "Krankenpfleger"/infirmière, infirmier/"infermiera",
"infermiere";

(b) The following shall be added to Article 3:

"(m) *in Austria:*

"Diplom in der allgemeinen Krankenpflege" (diploma of general nursing)
issued by nursing schools recognised by the government;

(n) *in Finland:*

diploma of "sairaanhoitaja/sjukskötare" or "terveydenhoitaja/hälsövärdare"
awarded by a nursing school;

(o) *in Iceland:*

"próf í hjúkrunarfræðum frá Háskóla Íslands" (diploma from the nursing
department in the medical faculty of the University of Iceland);

(p) *in Liechtenstein:*

the diplomas, certificates and other titles awarded in another State to which
this Directive applies and listed in the present Article;

(q) *in Norway:*

"bevis for bestått sykepleiereksamen" (diploma of general nursing) awarded
by a college of nursing;

(r) *in Sweden:*

diploma of "sjuksköterska" (university certificate of general nursing)
awarded by a College of Nursing;

(s) *in Switzerland:*

"diplomierter Krankenschwester für allgemeine Krankenpflege - diplomierter
Krankenpfleger für allgemeine Krankenpflege/infirmière diplômée en soins
généraux - infirmier diplômé en soins généraux/infermiera diplomata in
cure generali - infermiere diplomato in cure generali" (diploma of general
nursing) awarded by the competent authority."

9. **377 L 0453:** Council Directive 77/453/EEC of 27 June 1977 concerning the co-ordination of provisions laid down by law, regulation or administrative action in respect of the activities of nurses responsible for general care (OJ No L 176, 15.7.1977, p.8), as amended by:
- **389 L 0595:** Council Directive 89/595/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.30).

Switzerland, by derogation from the provisions of Directive 77/453/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

Practitioners of Dentistry

10. **378 L 0686:** Council Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ No L 233, 24.8.1978, p.1), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p.91),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.160),
 - **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19),
 - **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p.73).

Switzerland, by derogation from the provisions of Directive 78/686/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The following shall be added to Article 1:

"in Austria:

the title which will be notified by Austria to the Contracting Parties within six years from the entry into force of this Agreement,

in Finland:

hammaslääkäri/tandläkare,

in Iceland:

tannlæknir,

in Liechtenstein:
Zahnarzt,

in Norway:
tannlege,

in Sweden:
tandläkare,

in Switzerland:
Zahnarzt/médecin-dentiste/medico-dentista.”;

(b) The following shall be added to Article 3:

“(m) *in Austria:*

the diploma which will be notified by Austria to the Contracting Parties within six years from the entry in to force of this Agreement;

(n) *in Finland:*

”todistus hammaslääketieteen lisensiaatin tutkinnosta/bevis om odontologi licentiat examen” (certificate of the degree of licentiate in dentistry) awarded by a university faculty of medicine and a certificate of practical training issued by the National Board of Health and Welfare;

(o) *in Iceland:*

”próf frá tannlæknadeild Háskóla Íslands” (diploma from the dental faculty of the University of Iceland);

(p) *in Liechtenstein:*

the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present article, accompanied by a certificate on the completed practical training issued by the competent authorities;

(q) *in Norway:*

”bevis for bestått odontologisk embetseksamen” (diploma of the degree cand. odont.) awarded by a university faculty of dentistry;

(r) *in Sweden:*

”tandläkarexamen” (university dental degree) awarded by schools of dentistry and a certificate of practical training issued by the National Board of Health and Welfare;

(s) *in Switzerland:*

"eidgenössisch diplomierter Zahnarzt/titulaire du diplôme fédéral de médecin-dentiste/titolare di diploma federale di medico-dentista" (diploma of doctor of dentistry) issued by the Federal Department of Home Affairs.";

(c) The following entries shall be added to the indents in Article 5 indicated hereinafter:

1. Orthodontics:

— *in Finland:*

"todistus erikoishammaslääkärin oikeudesta oikomishoidon alalla/bevis om specialist-tandläkarrättigheten inom området tandreglering" (certificate of orthodontist) issued by the competent authorities,

— *in Norway:*

"bevis for gjennomgått spesialistutdanning ikjeveortopedi" (certificate of specialist studies in orthodontics) awarded by a university faculty of dentistry,

— *in Sweden:*

"bevis om specialistkompetens i tandreglering" (certificate awarding the right to use the title of dental practitioner specializing in orthodontics) issued by the National Board of Health and Welfare,

— *in Switzerland:*

"Dr.med.dent., Kieferorthopäde/diplôme, dr.méd.dent., orthodontiste/diploma, dott.med.dent., ortodontista" (certificate of specialist studies in orthodontics) issued by the competent authority recognized for this purpose";

2. Oral surgery:

— *in Finland:*

"todistus erikoishammaslääkärin oikeudesta suukirurgian (hammas- ja suukirurgian) alalla/bevis om specialist-tandläkarrättigheten inom området oralkirurgi (tand- och munkirurgi)" (certificate of oral and dental surgery) issued by the competent authorities,

— *in Norway:*

"bevis for gjennomgått spesialistutdanning i oralkirurgi" (certificate of specialist studies in oral surgery) awarded by a university faculty of dentistry,

— *in Sweden:*

"bevis om specialistkompetens i tandsystemets kirurgiska sjukdomar" (certificate awarding the right to use the title of dental practitioner specializing in oral surgery) issued by the National Board of Health and Welfare.";

(d) The following shall be inserted:

"Article 19 b

From the date on which Austria takes the measures necessary to comply with this Directive, the States to which this Directive applies shall recognize, for the purposes of carrying out the activities referred to in Article 1 of this Directive, as adapted for EEA purposes, the diplomas, certificates and other evidence of formal qualifications in medicine awarded in Austria to persons who had begun their university training before the entry into force of the EEA Agreement, accompanied by a certificate issued by the competent Austrian authorities, certifying that these persons have effectively, lawfully and principally been engaged in Austria in the activities specified in Article 5 of Directive 78/687/EEC for at least three consecutive years during the five years prior to the issue of the certificate and that these persons are authorized to carry out the said activities under the same conditions as holders of the diploma, certificate or other evidence of formal qualifications referred to in Article 3(m).

The requirement of three years' experience referred to in the first subparagraph shall be waived in the case of persons who have successfully completed at least three years of study which are certified by the competent authorities as being equivalent to the training referred to in Article 1 of Directive 78/687/EEC."

11. 378 L 0687: Council Directive 78/687/EEC of 25 July 1978 concerning the co-ordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners (OJ No L 233, 24.8.1978, p.10).

Switzerland, by derogation from the provisions of Directive 78/687/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 6, the phrase "persons covered by Article 19 of Directive 78/686/EEC" shall read "persons covered by Article 19, 19a and 19b of Directive 78/686/EEC".

In addition, as concerns Directives 78/686/EEC and 78/687/EEC (i.e. points 10 and 11 above), the following shall apply:

Until such time as the training of dental practitioners in Austria under the conditions laid down pursuant to Directive 78/687/EEC is completed and until 31 December 1998 at the latest, freedom of establishment and freedom to provide services shall be deferred for qualified dental practitioners from the other States to which this Directive applies in Austria and for qualified Austrian doctors practising dentistry in the other States to which this Directive applies.

During the temporary derogation provided for above, general or special facilities concerning the right of establishment and freedom to provide services which would exist pursuant to Austrian provisions or conventions governing relations between the Republic of Austria and any other State to which this Directive applies will be maintained and applied on a non-discriminatory basis with regard to all other States to which this Directive applies.

Veterinary Medicine

12. **378 L 1026:** Council Directive 78/1026/EEC of 18 December 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ No L 362, 23.12.1978, p.1), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p.92),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.160),
 - **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19),
 - **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p.73).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Article 3:

"(m) *in Austria:*

"Diplom-Tierarzt" (diploma in veterinary medicine) awarded by the Vienna University of Veterinary Medicine;

(n) *in Finland:*

"eläinlääketieteen lisensiaatti/veterinär-medicine licentiat" (licentiate in veterinary medicine) awarded by the College of Veterinary Medicine;

(o) *in Iceland:*

the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Article, accompanied by a certificate on the completed practical training issued by the competent authorities;

(p) *in Liechtenstein:*

the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Article, accompanied by a certificate on the completed practical training issued by the competent authorities;

(q) *in Norway:*

eksamensbevis utstedt av Norges veterinærhøgskole for bestått veterinærmedisinsk embetseksamen (diploma of degree cand.med.vet.) awarded by the Norwegian College of Veterinary Medicine;

(r) *in Sweden:*

"veterinärexamen" (Master of Science of Veterinary Medicine) awarded by the Swedish University of Agricultural Sciences;

(s) *in Switzerland:*

"eidgenössisch diplomierter Tierarzt/titulaire du diplôme fédéral de vétérinaire/titolare di diploma federale di veterinario" (diploma in veterinary medicine) issued by the Federal Department of Home Affairs."

13. **378 L 1027:** Council Directive 78/1027/EEC of 18 December 1978 concerning the co-ordination of provisions laid down by law, regulation or administrative action in respect of the activities of veterinary surgeons (OJ No L 362, 23.12.1978, p.7), as amended by:
- **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19).

Midwives

14. **380 L 0154:** Council Directive 80/154/EEC of 21 January 1980 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery and including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ No L 33, 11.2.1980, p.1), as amended by:
- **380 L 1273:** Council Directive 80/1273/EEC of 22 December 1980 (OJ No L 375, 31.12.1980, p.74),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.161),
 - **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19),
 - **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p.73).

Switzerland, by derogation from the provisions of Directive 80/154/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) The following shall be added to Article 1:

in Austria:
"Hebamme",

in Finland:
"kätilö/barnmorska",

in Iceland:
"ljósmóðir",

in Liechtenstein:
"Hebamme",

in Norway:
"jordmor",

in Sweden:
"barnmorska",

in Switzerland:
"Hebamme/sage-femme/levatrice".;

(b) The following shall be added to Article 3:

"(m) *in Austria:*

"Hebammen-Diplom" awarded by a school of midwifery;

(n) *in Finland:*

"kätilö/barnmorska" or "erikoissairaanhoidaja, naistentaudit ja äitiyshuolto/specialsjukskötare, kvinnosjukdomar och mödravård" (diploma of midwifery) awarded by a school of nursing;

(o) *in Iceland:*

"próf frá Ljósmæðraskóla Íslands" (diploma from the Midwifery School in Iceland);

(p) *in Liechtenstein:*

the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Article;

(q) *in Norway:*

"bevis for bestått jordmoreksamen" (diploma of midwifery) awarded by a college of midwifery and a certificate of practical training issued by competent public health authorities;

(r) *in Sweden:*

diploma of "barnmorska" (Bachelor of Science in Nursing/Midwifery) awarded by a College of Nursing;

(s) *in Switzerland:*

"diplomierter Hebamme/sage-femme diplômée/levatrice diplomata" (diploma of midwifery) awarded by the competent authority."

15. **380 L 0155:** Council Directive 80/155/EEC of 21 January 1980 concerning the co-ordination of provisions laid down by law, regulation or administrative action relating to the taking up and pursuit of the activities of midwives (OJ No L 33, 11.2.1980, p.8), as amended by:

— **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ No L 341, 23.11.1989, p.19).

Switzerland, by derogation from the provisions of Directive 80/155/EEC, as adapted in this Agreement, shall comply with the obligations stated therein at the latest by 1 January 1997 instead of 1 January 1993.

Pharmacy

16. **385 L 0432:** Council Directive 85/432/EEC of 16 September 1985 concerning the co-ordination of provisions laid down by law, regulation or administrative action in respect of certain activities in the field of pharmacy (OJ No L 253, 24.9.1985, p.34).

17. **385 L 0433:** Council Directive 85/433/EEC of 16 September 1985 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relating to certain activities in the field of pharmacy (OJ No L 253, 24.9.1985, p.37), as amended by:

— **385 L 0584:** Council Directive 85/584/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p.42),

— **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p.73).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The following shall be added at the end of Article 4:

"(m) *in Austria:*

Staatliches Apothekerdiplom (State diploma of pharmacists) awarded by the competent authorities;

(n) *in Finland:*

rodistus proviisorin tutkinnosta/bevis om provisorexamen (Master of Science in Pharmacy) awarded by a university;

(o) *in Iceland:*

próf frá Háskóla Íslands í lyfjafræði (diploma in pharmacy from the University of Iceland);

(p) *in Liechtenstein:*

the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present article, accompanied by a certificate on the completed practical training issued by the competent authorities;

(q) *in Norway:*

bevis for bestått cand.pharm. eksamen (diploma of the degree cand. pharm.) awarded by a university faculty;

(r) *in Sweden:*

apotekarexamen (Master of Science in Pharmacy) awarded by the University of Uppsala;

(s) *in Switzerland:*

eidgenössisch diplomierter Apotheker/titulaire du diplôme fédéral de pharmacien/titolare di diploma federale di farmacista (diploma in pharmacy) issued by the Federal Department of Home Affairs."

D. ARCHITECTURE

18. **385 L 0384:** Council Directive 85/384/EEC of 10 June 1985 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ No L 223, 21.8.1985, p.15), as amended by:

— **385 L 0614:** Council Directive 85/614/EEC of 20 December 1985 (OJ No L 376, 31.12.1985, p.1),

- 386 L 0017: Council Directive 86/17/EEC of 27 January 1986 (OJ No L 27, 1.2.1986, p.71),
- 390 L 0658: Council Directive 90/658/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p.73).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) The following shall be added to Article 11:

"(l) *in Austria:*

- the diplomas awarded by Universities of Technology on architecture ("Architektur"), building-engineering ("Bauingenieurwesen") or building ("Hochbau", "Wirtschafts-ingenieurwesen-Bauwesen", "Kulturtechnik und Wasserwirtschaft"),
- the diplomas awarded by the Academy of Fine Arts in Vienna on architecture ("Meisterschule für Architektur"),
- the diplomas awarded by the Universital College of Applied Arts in Vienna on architecture ("Meisterklasse für Architektur"),
- the diplomas awarded by the Universital College of Industrial Design in Linz on architecture ("Meisterklasse für Architektur"),
- the diplomas of Certified Engineers (Ing.) awarded by Higher Technical Colleges or Technical Colleges for Building, plus the licence of "Baumeister" attesting a minimum of six years of professional experience in Austria, sanctioned by an examination
- the certificates of qualification for Civil Engineers or Engineering Consultants in the field of construction ("Hochbau", "Bauwesen", "Wirtschaftsingenieurwesen-Bauwesen", "Kulturtechnik und Wasserwirtschaft") according to the Civil Technician Act (Ziviltechnikergesetz, Federal Gazette No 146/1957);

(m) *in Finland:*

- the diplomas awarded by the architecture departments of Universities of Technology and the University of Oulu (arkkitehti - arkitekt),
- the diplomas awarded by the Institutes of Technology (rakennusarkkitehti);

(n) *in Iceland:*

- the diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Article, accompanied by a certificate on the completed practical training issued by the competent authorities;

(o) *in Liechtenstein:*

- the diplomas of the Higher Technical College (Höhere Technische Lehranstalt: Architekt HTL);

(p) *in Norway:*

- the diplomas (sivilarkitekt) awarded by the Norwegian Institute of Technology at the University of Trondheim, the Oslo College of Architecture and the Bergen College of Architecture,
- the certificates of membership of the "Norske Arkitekters Landsforbund" (NAL) if the persons concerned have received their training in a State to which this Directive applies;

(q) *in Sweden:*

- the diplomas awarded by the School of Architecture at the Royal Institute of Technology, the Chalmers Institute of Technology and the Institute of Technology at Lund University (arkitekt, Master of Architecture),
- the certificates of membership of the "Svenska Arkitekters Riksförbund" (SAR) if the persons concerned have received their training in a State to which this Directive applies;

(r) *in Switzerland:*

- the diplomas awarded by the Federal Institutes of Technology (Eidgenössische Technische Hochschulen, Ecoles Polytechniques Fédérales, Politecnici Federali: dipl.Arch.ETH, arch.dipl.EPF, arch.dipl.PF),
- the diplomas awarded by the School of Architecture of the University of Geneva (Ecole d'architecture de l'Université de Genève: architecte diplômé EAUG),
- the diplomas of the Higher Technical Colleges (Höhere Technische Lehranstalten, Ecoles Techniques Supérieures, Scuole Tecniche Superiori: Architekt HTL, architecte ETS, architetto STS), plus a certificate attesting a four-year period of professional experience in Switzerland.
- the certificates of the "Stiftung der Schweizerischen Register der Ingenieure, der Architekten und der Techniker/Fondation des Registres suisses des ingénieurs, des architectes et des techniciens/Fondazione dei Registri svizzeri degli ingegneri, degli architetti e dei tecnici" (REG) "Architekt REG A", "architecte REG A", "architetto REG A",
- the certificates of the "Stiftung der Schweizerischen Register der Ingenieure, der Architekten und der Techniker/Fondation des Registres suisses des ingénieurs, des architectes et des techniciens/Fondazione dei Registri svizzeri degli ingegneri, degli architetti e dei tecnici" (REG) "Architekt REG B", "architecte REG B", "architetto REG B", plus a certificate attesting a four-year period of professional experience in Switzerland";

(b) The provisions of Article 15 shall not apply.

19. **C/205/89/p.5:** Diplomas, certificates and other evidence of formal qualification in architecture which are the object of mutual recognition by the Member States 89/C205/06 (updating of Communication 88/C 270/03 of 19 October 1988) (OJ No C 205, 10.8.1989, p.5).

E. COMMERCE AND INTERMEDIARIES

Wholesale Trade

20. **364 L 0222:** Council Directive 64/222/EEC of 25 February 1964 laying down detailed provisions concerning transitional measures in respect of activities in the wholesale trade and activities of intermediaries in commerce, industry and small craft industries (OJ No 56, 4.4.1964, p.857/64).
21. **364 L 0223:** Council Directive 64/223/EEC of 25 February 1964 concerning the obtainment of freedom of establishment and freedom to provide services in respect of activities in wholesale trade (OJ No 56, 4.4.1964, p.863/64), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.84).

Intermediaries in Commerce, Industry and Small Craft Industries

22. **364 L 0224:** Council Directive 64/224/EEC of 25 February 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of intermediaries in commerce, industry and small craft industries (OJ No 56, 4.4.1964, p.869/64), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.85),
 - **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p.89),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.155).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Article 3:

	Self-employed	Paid employees
<i>*In Austria:</i>	Handelsagent	Handlungs-reisender

<i>In Finland:</i>	Kauppa-agentti/ Handelsagent Kauppaedustaja/ Handelsrepresentant	Myyntimies/Försäljare
<i>In Iceland:</i>	smásali heildsali umboðssali farandsali	sölumaður
<i>In Liechtenstein:</i>	Handelsvertreter	Handels-reisender
<i>In Norway:</i>	Handelsagent Komisjonær Grossist	Handelsagent Selger Representant
<i>In Sweden:</i>	Handelsagent Mäklare Kommissionär	Handelsresande
<i>In Switzerland:</i>	Agent/agent/agente	Handels-reisender/représentant de commerce/rappresentante

Self-employed Persons in Retail Trade

23. **368 L 0363:** Council Directive 68/363/EEC of 15 October 1968 concerning the attainment of freedom of establishment and the freedom to provide services in respect of activities of self-employed persons in retail trade (ISIC ex Group 612) (OJ No L 260, 22.10.1968, p.496), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.86).
24. **368 L 0364:** Council Directive 68/364/EEC of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in retail trade (ISIC ex Group 612) (OJ No L 260, 22.10.1968, p.6).

Self-employed Persons in the Wholesale Coal Trade and Activities of Intermediaries in the Coal Trade

25. **370 L 0522:** Council Directive 70/522/EEC of 30 November 1970 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the wholesale coal trade and activities of intermediaries in the coal trade (ISIC ex Group 6112) (OJ No L 267, 10.12.1970, p.14), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.86).

26. **370 L 0523:** Council Directive 70/523/EEC of 30 November 1970 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the wholesale coal trade and in respect of activities of intermediaries in the coal trade (ISIC ex Group 6112) (OJ No L 267, 10.12.1970, p.18).

Trade in and Distribution of Toxic Products

27. **374 L 0556:** Council Directive 74/556/EEC of 4 June 1974 laying down detailed provisions concerning transitional measures relating to activities, trade in and distribution of toxic products and activities entailing the professional use of such products including activities of intermediaries (OJ No L 307, 18.12.1974, p.1).
28. **374 L 0557:** Council Directive 74/557/EEC of 4 June 1974 on the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons and of intermediaries engaging in the trade and distribution of toxic products (OJ No L 307, 18.11.1974, p.5).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to the Annex:

— *in Austria:*

Toxic substances and preparations which are classified as "strongly toxic" or "toxic" according to the Law on Chemical Substances (Chemikaliengesetz), Federal Gazette 326/1987, and the respective regulations (§ 224 Gewerbeordnung).

— *in Finland:*

1. Chemicals covered by the Chemicals Act of 1989 and regulations;
2. Biological pesticides covered by the Pesticides Act of 1969 and regulations.

— *in Liechtenstein:*

1. Benzol and tetrachlorocarbon (Regulation No 23 of 1 June 1964);
2. All toxic substances and products according to Art. 2 of the Toxicity Law (SR 814.80), especially those that are registered in the list of toxic substances or products 1, 2, 3 according to Art. 3 of the Regulation relating to Toxic Substances (SR 814.801) (applicable according to Customs Treaty, Public Notice No 47 of 28 August 1979).

— *in Norway:*

1. Pesticides covered by the Act on Pesticides of 5 April 1963 and regulations;
2. Chemicals covered by the Regulation of 1 June 1990 on marking and trading of chemicals which may be of danger for the health of man, with the corresponding Regulation on the List of Chemicals.

— *in Sweden:*

1. Extremely dangerous and very dangerous chemical products referred to in the Regulation on Chemical Products (1985:835);
2. Certain drug precursors referred to in the Instructions on Permits to Produce, Trade and Distribute Venomous and Very Hazardous Chemical Products (KIFS 1986:5, KIFS 1990:9);
3. Pesticides, class 1, referred to in Regulation 1985:836;
4. Waste which is hazardous to the environment referred to in Regulation 1985:841;
5. PCB and chemical products containing PCB referred to in Regulation 1985:837;
6. Substances listed under group B in the Public Notice on Instructions Concerning Sanitary Limit Values (AFS 1990:13);
7. Asbestos and materials containing asbestos referred to in Public Notice AFS 1986:2.

— *in Switzerland:*

All toxic substances and products according to Article 2 of the Toxicity Law (SR 814.80), especially those that are registered in the list of toxic substances or products 1, 2, 3 according to Article 3 of the Regulation relating to Toxic Substances (SR 814.801)."

Itinerant Activities

29. **375 L 0369:** Council Directive 75/369/EEC of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of itinerant activities and in particular, transitional measures in respect of those activities (OJ No L 167, 30.6.1975, p.29).

Self-employed Commercial Agents

30. **386 L 0653:** Council Directive 86/653/EEC of 18 December 1986 on the co-ordination of the laws of the Member States relating to self-employed commercial agents (OJ No L 382, 31.12.86, p.17).

F. INDUSTRY AND CRAFTS

Manufacturing and Processing Industries

31. **364 L 0427:** Council Directive 64/427/EEC of 7 July 1964 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23-40 (Industry and small craft industries) (OJ No 117, 23.7.1964, p.1863/64), as amended by:

- **369 L 0077:** Council Directive 69/77/EEC of 4 March 1969 (OJ No L 59, 10.3.1969, p.8).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The provisions of Article 5(3) shall not apply.

32. **364 L 0429:** Council Directive 64/429/EEC of 7 July 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23-40 (Industry and small craft industries) (OJ No 117, 23.7.1964, p.1880/64), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.83).

Mining and Quarrying

33. **364 L 0428:** Council Directive 64/428/EEC of 7 July 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in mining and quarrying (ISIC Major Groups 11-19) (OJ No 117, 23.7.1964, p.1871/64), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.81).

Provision of Electricity, Gas, Water and Sanitary Services

34. **366 L 0162:** Council Directive 66/162/EEC of 28 February 1966 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons engaging in the provision of electricity, gas, water and sanitary services (ISIC Division 5) (OJ No 42, 8.3.1966, p.584/66), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.82).

Food Manufacturing and Beverage Industries

35. **368 L 0365:** Council Directive 68/365/EEC of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the food manufacturing and beverage industries (ISIC Major Groups 20 and 21) (OJ No L 260, 22.10.1968, p.9), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.85).

36. **368 L 0366:** Council Directive 68/366/EEC of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the food manufacturing and beverage industries (ISIC Major Groups 20 and 21) (OJ No L 260, 22.10.1968, p. 12).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The provisions of Article 6(3) shall not apply.

Exploration (Prospecting and Drilling) for Petroleum and Natural Gas

37. **369 L 0082:** Council Directive 69/82/EEC of 13 March 1969 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons engaging in exploration (prospecting and drilling) for petroleum and natural gas (ISIC ex Major Group 13) (OJ No L 68, 19.3.1969, p. 4), as amended by:

— **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 82).

G. SERVICES INCIDENTAL TO TRANSPORT

38. **382 L 0470:** Council Directive 82/470/EEC of 29 June 1982 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in certain services incidental to transport and travel agencies (ISIC Group 718) and in storage and warehousing (ISIC Group 720) (OJ No L 213, 21.7.1982, p. 1), as amended by:

— **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 156).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following is added at the end of Article 3:

"Austria:

- A. Spediteur
Transportagent
- B. Reisebüro
- C. Lagerhalter
Tierpfleger
- D. Kraftfahrzeugprüfer
Kraftfahrzeugsachverständiger
Wäger

Finland:

- A. Huolitsija/Speditör
Laivanselvittäjä/Skeppsmäklare
- B. Matkanjärjestäjä/Researrangör
Matkanvälittäjä/Reseagent
- C. —
- D. Autonselvittäjä/Bilmäklare

Iceland:

- A. Skipamiðlari
- B. Ferðaskrifstofa
- C. Flutningamiðstöð
- D. Bifreiðaskoðun

Liechtenstein:

- A. Spediteur, Warentransportvermittler
- B. Reisebürounternehmer
- C. Lagerhalter
- D. Fahrzeugsachverständiger, Wäger

Norway:

- A. Speditør
Skipsmegler
- B. Reisebyrå
- C. Oppbevaring
- D. Bilinspektør

Sweden:

- A. Speditör
Skeppsmäklare
- B. Resebyrå
- C. Magasinering
Lagring
Förvaring
- D. Bilinspektör
Bilprovare
Bilbesiktningsman

Switzerland:

- A. Spediteur,
Expéditeur
Spedizioniere
Zolldeklarant
Déclarant de douane
Ddichiarante di dogana
- B. Reisebürounternehmer
Agent de voyage
Agente di viaggio
- C. Lagerhalter
Entrepositaire
Agente di deposito
- D. Automobilexpert
Expert en automobiles
Perito in automobili
Eichmeister
Vérificateur des poids et mesures
Verificatore dei pesi e delle misure"

H. FILM INDUSTRY

- 39. **363 L 0607:** Council Directive 63/607/EEC of 15 October 1963 implementing in respect of the film industry the provisions of the General Programme for the abolition of restrictions on freedom to provide services (OJ No 159, 2.11.1963, p.2661/63).
- 40. **365 L 0264:** Second Council Directive 65/264/EEC of 13 May 1965 implementing in respect of the film industry the provisions of the General Programmes for the abolition of restrictions on freedom of establishment and freedom to provide services (OJ No 85, 19.5.1965, p.1437/65), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.14).
- 41. **368 L 0369:** Council Directive 68/369/EEC of 15 October 1968 concerning the attainment of freedom of establishment in respect of activities of self-employed persons in film distribution (OJ No L 260, 22.10.1968, p.22), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.88).

42. **370 L 0451:** Council Directive 70/451/EEC of 29 September 1970 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in film production (OJ No L 218, 3.10.1970, p.37), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.88).

I. OTHER SECTORS

Business Services in the Real Estate and Other Sectors

43. **367 L 0043:** Council Directive 67/43/EEC of 12 January 1967 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons concerned with:
1. Matters of "real estate" (excluding 6401)(ISIC Group ex 640)
 2. The provision of certain "business services not elsewhere classified" (ISIC Group 839) (OJ No 10, 19.1.1967, p.140/67), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.86),
 - **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p.89),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.156).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following is added at the end of Article 2(3):

"in Austria:

- Immobilienmakler,
- Immobilienverwaltung,
- Bauträger (Bauorganisator, Baubetreuer).

in Finland:

- kiinteistönvälittäjä,
fastighetsförmedlare,
fastighetsmäklare.

in Iceland:

- Fasteigna- og skipasala,
- Leigumiðlarar.

in Liechtenstein:

- Immobilien- und Finanzmakler,
- Immobilienschätzer, Immobiliensachverständiger,
- Immobilienhändler,
- Baubetreuer,
- Immobilien-, Haus- und Vermögensverwalter.

in Norway:

- Eiendomsmeglere, adokater,
- Entreprenører, utbyggere av fast eiendom,
- Eiendomsforvalter,
- Eiendomsforvaltere,
- Utleiekontorer.

in Sweden:

- Fastighetsmäklare,
- (Fastighets-)Värderingsman,
- Fastighetsförvaltare,
- Byggnadsentreprenörer.

in Switzerland:

- Liegenschaftenmakler,
courtier en immeubles,
agente immobiliare.
- Hausverwalter,
gestionnaire en immeubles,
amministratore di stabili.
- Immobilien-Treuhänder,
régisseur et courtier en immeubles,
fiduciario immobiliare."

Personal Service Sector

44. **368 L 0367:** Council Directive 68/367/EEC of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the personal service sector (ISIC ex Major Group 85):
1. Restaurants, cafes, taverns, and other drinking and eating places (ISIC Group 852),
 2. Hotels, rooming houses, camps and other lodging places (ISIC Group 853) (OJ No L 260, 22.10.1968, p.16), as amended by:

- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.86).
- 45. **368 L 0368:** Council Directive 68/368/EEC of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the personal services sector (ISIC ex Major Group 85):
 1. Restaurants, cafes, taverns and other drinking and eating places (ISIC Group 852)
 2. Hotels, rooming houses, camps and other lodging places (ISIC Group 853) (OJ No L 260, 22.10.1968, p.19).

Various Activities

- 46. **375 L 0368:** Council Directive 75/368/EEC of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of various activities (ex ISIC Division 01 to 85) and, in particular, transitional measures in respect of those activities (OJ No L 167, 30.6.1975, p.22).

Hairdressing

- 47. **382 L 0489:** Council Directive 82/489/EEC of 19 July 1982 laying down measures to facilitate the effective exercise of the right of establishment and freedom to provide services in hairdressing (OJ No L 218, 27.7.1982, p.24).

J. AGRICULTURE

- 48. **363 L 0261:** Council Directive 63/261/EEC of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment in agriculture in the territory of a Member State in respect of nationals of other countries of the Community who have been employed as paid agricultural workers in that Member State for a continuous period of two years (OJ No 62, 20.4.1963, p.1323/63), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.14).
- 49. **363 L 0262:** Council Directive 63/262/EEC of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment on agricultural holdings abandoned or left uncultivated for more than two years (OJ No 62, 20.4.1963, p. 1326/63), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.14).

50. **365 L 0001:** Council Directive 65/1/EEC of 14 December 1964 laying down detailed provisions for the attainment of freedom to provide services in agriculture and horticulture (OJ No 1/65, 8.1.1965, p.1/65), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.79).
51. **367 L 0530:** Council Directive 67/530/EEC of 25 July 1967 concerning the freedom of nationals of a Member State established as farmers in another Member State to transfer from one holding to another (OJ No 190, 10.8.1967, p.1), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.79).
52. **367 L 0531:** Council Directive 67/531/EEC of 25 July 1967 concerning the application of the laws of Member States relating to agricultural leases to farmers who are nationals of other Member States (OJ No 190, 10.8.1967, p.3), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.80).
53. **367 L 0532:** Council Directive 67/532/EEC of 25 July 1967 concerning freedom of access to co-operatives for farmers who are nationals of one Member State and established in another Member State (OJ No 190, 10.8.1967, p.5), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.80).
54. **367 L 0654:** Council Directive 67/654/EEC of 24 October 1967 laying down detailed provisions for the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in forestry and logging (OJ No 263, 30.10.1967, p.6), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.80).
55. **368 L 0192:** Council Directive 68/192/EEC of 5 April 1968 concerning freedom of access to the various forms of credit for farmers who are nationals of one Member State and established in another Member State (OJ No L 93, 17.4.1968, p.13), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.80).
56. **368 L 0415:** Council Directive 68/415/EEC of 20 December 1968 concerning freedom of access to the various forms of aid for farmers who are nationals of one Member State and established in another Member State (OJ No L 308, 23.12.1968, p.17).

57. **371 L 0018:** Council Directive 71/18/EEC of 16 December 1970 laying down detailed provisions for the attainment of freedom of establishment in respect of self-employed persons providing agricultural and horticultural services (OJ No L 8, 11.1.1971, p.24), as amended by:
- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p.80).

K. OTHER

58. **385 D 0368:** Council Decision 85/368/EEC of 16 July 1985 on the comparability of vocational training qualifications between the Member States of the European Community (OJ No L 199, 31.7.1985, p.56).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

In general

59. **C/81/74/p.1:** Communication from the Commission concerning the proofs, declarations and certificates relating to good repute, absence of previous bankruptcy, nature and duration of activity in country of provenance provided for in Council Directives adopted before 1 June 1973 in the field of freedom of establishment and freedom to provide services (OJ No C 81, 13.7.1974, p.1).
60. **374 Y 0820(01):** Council Resolution of 6 June 1974 on the recognition of diplomas, certificates and other evidence of formal qualifications (OJ No C 98, 20.8.1974, p.1).

General system

61. **389 L 0048:** Statement by the Council and the Commission made at the adoption of Directive 89/48/EEC on a general system for the recognition of higher education diplomas awarded on completion of professional education and training of at least three years' duration (OJ No L 19, 24.1.1989, p.23).

Doctors

62. **375 X 0366:** Council Recommendation 75/366/EEC of 16 June 1975 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in medicine conferred in a third country (OJ No L 167, 30.6.1975, p.20).
63. **375 X 0367:** Council Recommendation 75/367/EEC of 16 June 1975 on the clinical training of doctors (OJ No L 167, 30.6.1975, p.21).

64. **375 Y 0701(01):** Council Statements made on adopting the texts concerning freedom of establishment and freedom to provide services for doctors within the Community (OJ No C 146, 1.7.75, p.1).
65. **386 X 0458:** Council Recommendation 86/458/EEC of 15 September 1986 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in medicine by a third State (OJ No L 267, 19.9.1986, p.30).
66. **389 X 0601:** Commission Recommendation 89/601/EEC of 8 November 1989 concerning the training of health personnel in the matter of cancer (OJ No L 346, 27.11.1989, p.1).

Dental practitioners

67. **378 Y 0824(01):** Council Statement on the Directive concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental surgeons (OJ No C 202, 24.8.1978, p.1).

Veterinary medicine

68. **378 X 1029:** Council Recommendation 78/1029/EEC of 18 December 1978 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in veterinary medicine conferred in a third country (OJ No L 362, 23.12.1978, p.12) .
69. **378 Y 1223(01):** Council Statements on the Directive concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ No 308, 23.12.1978, p.1).

Pharmacy

70. **385 X 0435:** Council Recommendation 85/435/EEC of 16 September 1985 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in pharmacy in a third State (OJ No L 253, 24.9.1985, p.45).

Architecture

71. **385 X 0386:** Council Recommendation 85/386/EEC of 10 June 1985 concerning holders of a diploma in architecture awarded in a third country (OJ No L 223, 21.8.1985, p.28).

Wholesale trade

72. **365 X 0077:** Recommandation de la Commission 65/77/CEE aux Etats Membres relative aux attestations concernant l'exercice de la profession dans le pays de provenance, prévues à l'article 4, paragraphe 2 de la Directive 64/222/CEE (OJ No 24, 11.2.1965, p.413/65).

Industry and crafts

73. **365 X 0076:** Recommandation de la Commission 65/76/CEE aux Etats Membres relative aux attestations concernant l'exercice de la profession dans le pays de provenance, prévues à l'article 4, paragraphe 2 de la Directive 64/427/CEE du Conseil (OJ No 24, 11.2.1965, p.410/65).
74. **369 X 0174:** Recommandation de la Commission 69/174/CEE aux Etats Membres relative aux attestations concernant l'exercice de la profession dans le pays de provenance, prévues à l'article 5, paragraphe 2 de la Directive 68/366/CEE du Conseil (OJ No L 146, 18.6.1969, p.4).

ANNEX VIII

RIGHT OF ESTABLISHMENT

List provided for in Article 31

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

For the purposes of this Annex and notwithstanding the provisions of Protocol 1, the term "Member State(s)" contained in the acts referred to shall be understood to include, in addition to its meaning in the relevant EC acts, Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland.

ACTS REFERRED TO

1. **361 X 1201 P 0032/62:** General Programme for the abolition of restrictions on freedom to provide services (French version: OJ No 2, 15.1.1962, p. 32).
English version: English Special Edition (2nd Series) IX, p. 3).

The provisions of the General Programme shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Title III, first paragraph, first indent, the reference to Article 55 of the EEC Treaty shall be replaced by reference to Article 32 of this Agreement;
- (b) in Title III, first paragraph, second indent, the reference to Article 56 of the EEC Treaty shall be replaced by reference to Article 33 of this Agreement;
- (c) in Title III, first paragraph, third indent, the reference to Article 61 of the EEC Treaty shall be replaced by reference to Article 38 of this Agreement;
- (d) in Title VI, first paragraph, the reference to Article 57(3) of the EEC Treaty shall be replaced by reference to Article 30 of this Agreement.

2. **361 X 1202 P 0036/62:** General Programme for the abolition of restrictions on freedom of establishment (French version: OJ No 2, 15.1.1962, p. 36; English version: English Special Edition (2nd Series) IX, p. 7).

The provisions of the General Programme shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in the first paragraph of Title I, the first phrase until "attained independence after the entry into force of the Treaty" shall not apply;
 - (b) the following paragraph shall be added to Title I:
"The references to overseas countries and territories shall be read in the light of the provisions of Article 126 of the EEA Agreement.";
 - (c) in Title V, first paragraph, the reference to Article 57(3) of the EEC Treaty shall be replaced by reference to Article 30 of the EEA Agreement;
 - (d) in Title VII, the reference to Articles 92 *et seq.* of the EEC Treaty shall be replaced by reference to Articles 61 *et seq.* of the EEA Agreement.
3. **373 L 0148:** Council Directive 73/148/EEC of 21 May 1973 on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services (OJ No L 172, 28.6.1973, p. 14).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in the second subparagraph of Article 4(1), the words "Residence Permit for a National of a Member State of the European Communities" shall be replaced by the words "Residence Permit";
 - (b) Article 10 shall not apply.
4. **375 L 0034:** Council Directive 75/34/EEC of 17 December 1974 concerning the right of nationals of a Member State to remain in the territory of another Member State after having pursued therein an activity in a self-employed capacity (OJ No L 14, 20.1.1975, p. 10).
5. **375 L 0035:** Council Directive 75/35/EEC of 17 December 1974 extending the scope of Directive 64/221/EEC to include nationals of a Member State who exercise the right to remain in the territory of another Member State after having pursued therein an activity in a self-employed capacity (OJ No L 14, 20.1.1975, p. 14).
6. **390 L 0364:** Council Directive 90/364/EEC of 28 June 1990 on the right of residence (OJ No L 180, 13.7.1990, p. 26).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

in the first subparagraph of Article 2(1), the words "Residence Permit for a national of a Member State of the EEC" shall be replaced by the words "Residence Permit".

7. **390 L 0365:** Council Directive 90/365/EEC of 28 June 1990 on the right of residence for employees and self-employed persons who have ceased their occupational activity (OJ No L 180, 13.7.1990, p. 28).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

in the first subparagraph of Article 2(1), the words "Residence Permit for a national of a Member State of the EEC" shall be replaced by the words "Residence Permit".

8. **390 L 0366:** Council Directive 90/366/EEC of 28 June 1990 on the right of residence for students (OJ No L 180, 13.7.1990, p. 30).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

in the second subparagraph of Article 2(1), the words "Residence Permit for a national of a Member State of the EEC" shall be replaced by the words "Residence Permit".

9. Notwithstanding Articles 31 to 35 of the Agreement and the provisions of this Annex, Iceland may continue to apply restrictions existing on the date of signature of the Agreement on establishment of non-nationals and nationals who do not have legal domicile in Iceland in the sectors of fisheries and fish processing.
10. Notwithstanding Articles 31 to 35 of the Agreement and the provisions of this Annex, Norway may continue to apply restrictions existing on the date of signature of the Agreement on establishment of non-nationals in fishing operations or companies owning or operating fishing vessels.

ANNEX IX

FINANCIAL SERVICES

List provided for in Article 36(2)

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

Regarding exchange of information between the competent authorities of EC Member States envisaged in the acts included in this Annex, paragraph 7 of Protocol I shall apply for the purposes of this Agreement.

ACTS REFERRED TO

I. INSURANCE

(i) Non-life insurance

1. **364 L 0225:** Council Directive 64/225/EEC of 25 February 1964 on the abolition of restrictions on freedom of establishment and freedom to provide services in respect of reinsurance and retrocession (OJ No 56, 4.4.1964, p. 878/64).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Article 3 shall not apply.

2. **373 L 0239:** First Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance (OJ No L 228, 16.8.1973, p. 3), as amended by:
 - **376 L 0580:** Council Directive 76/580/EEC of 29 June 1976 (OJ No L 189, 13.7.1976, p. 13),

- **384 L 0641:** Council Directive 84/641/EEC of 10 December 1984 amending, particularly as regards tourist assistance, the first Directive (73/239/EEC) on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct insurance other than life assurance (OJ No L 339, 27.12.1984, p. 21),
- **387 L 0343:** Council Directive 87/343/EEC of 22 June 1987 amending, as regards credit assurance and suretyship assurance, the first Directive (73/239/EEC) (OJ No L 185, 4.7.1987, p. 72),
- **387 L 0344:** Council Directive 87/344/EEC of 22 June 1987 on the coordination of laws, regulations and administrative provisions relating to legal expenses insurance (OJ No L 185, 4.7.1987, p. 77),
- **388 L 0357:** Second Council Directive 88/357/EEC of 22 June 1988 on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 73/239/EEC (OJ No L 172, 4.7.1988, p. 1),
- **390 L 0618:** Council Directive 90/618/EEC of 8 November 1990 amending, particularly as regards motor vehicle liability insurance, Directive 73/239/EEC and Directive 88/357/EEC which concern the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance (OJ No L 330, 29.11.1990, p. 44).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) The following shall be added to Article 4:

"(f) in Iceland

- Húsatryggingar Reykjavíkurborgar;
- Viðlagatrygging Íslands.

(g) in Switzerland

- Aargau: Aargauisches Versicherungsamt, Aarau;
- Appenzell Ausser-Rhoden: Brand- und Elementarschadenversicherung Appenzell AR, Herisau;
- Basel-Land: Basellandschaftliche Gebäudeversicherung, Liestal;
- Basel-Stadt: Gebäudeversicherung des Kantons Basel-Stadt, Basel;
- Bern/Berne: Gebäudeversicherung des Kantons Bern, Bern /Assurance immobilière du canton de Berne, Berne;
- Fribourg/Freiburg: Etablissement cantonal d'assurance des bâtiments du canton de Fribourg, Fribourg/Kantonale Gebäudeversicherungsanstalt Freiburg, Freiburg;
- Glarus: Kantonale Sachversicherung Glarus, Glarus;
- Graubünden/Grigioni/Grischun: Gebäudeversicherungsanstalt des Kantons Graubünden, Chur/Istituto d'assicurazione fabbricati del cantone dei Grigioni, Coira/ Institut dil cantun Grischun per assicuranzas da baghetgs, Cuera;

- Jura: Assurance immobilière de la République et canton du Jura, Saignelégier;
- Luzern: Gebäudeversicherung des Kantons Luzern, Luzern;
- Neuchâtel: Etablissement cantonal d'assurance immobilière contre l'incendie, Neuchâtel;
- Nidwalden: Nidwaldner Sachversicherung, Stans;
- Schaffhausen: Gebäudeversicherung des Kantons Schaffhausen, Schaffhausen;
- Solothurn: Solothurnische Gebäudeversicherung, Solothurn;
- St. Gallen: Gebäudeversicherungsanstalt des Kantons St. Gallen, St. Gallen;
- Thurgau: Gebäudeversicherung des Kantons Thurgau, Frauenfeld;
- Vaud: Etablissement d'assurance contre l'incendie et les éléments naturels du canton de Vaud, Lausanne;
- Zug: Gebäudeversicherung des Kantons Zug, Zug;
- Zürich: Gebäudeversicherung des Kantons Zürich, Zürich.";

(b) the following shall be added to Article 8:

- "— in the case of Austria:
Aktiengesellschaft, Versicherungsverein auf Gegenseitigkeit.
- in the case of Finland:
Keskinäinen Vakuutusyhtiö/Ömsesidigt Försäkringsbolag,
Vakuutusosakeyhtiö/Försäkringsaktiebolag,
Vakuutusyhdistys/Försäkringsförening.
- in the case of Iceland:
Hlutafélag, Gagnkvæmt félag.
- in the case of Liechtenstein:
Aktiengesellschaft, Genossenschaft.
- in the case of Norway:
Aksjeselskaper, Gjensidige selskaper.
- in the case of Sweden:
Försäkringsaktiebolag, Ömsesidiga försäkringsbolag,
Understödsföreningar.
- in the case of Switzerland:
Aktiengesellschaft, Société anonyme, Società anonima , Genossenschaft, Société
coopérative, Società cooperativa.";

(c) Article 29 shall not apply;

the following provision shall be applicable:

each Contracting Party may, by means of agreements concluded with one or more third countries, agree to the application of provisions different from those provided for in Articles 23 to 28 of the Directive on the condition that its insured persons are given adequate and equivalent protection. The Contracting Parties shall inform and consult each other prior to concluding such agreements. The Contracting Parties shall not apply to branches of insurance undertakings having their head office outside the territory of the Contracting Parties provisions which result in more favourable treatment than that accorded to branches of insurance undertakings having their head office within the territory of the Contracting Parties;

- (d) Articles 30, 31, 32 and 34 shall not apply;

the following provision shall be applicable:

the non-life insurance undertakings to be identified separately by Finland, Iceland and Norway shall be exempt from Articles 16 and 17. The competent supervisory authority shall require such undertakings to meet the requirements of these Articles by 1 January 1995. Prior to that date the EEA Joint Committee shall examine the financial situation of the undertakings still not meeting the requirements and make appropriate recommendations. As long as an insurance undertaking fails to meet the requirements of Articles 16 and 17 it shall not establish a branch or provide services in the territory of another Contracting Party. Undertakings desiring to extend their operations within the meaning of Article 8(2) or Article 10 may not do so unless they comply immediately with the rules of the Directive;

- (e) as regards relations with third-country insurance undertakings described in Article 29b (see Article 4 of Council Directive 90/618/EEC) the following shall apply:

1. With a view to achieving a maximum degree of convergence in the application of a third-country regime for insurance undertakings, the Contracting Parties shall exchange information as described in Articles 29b(1) and 29b(5) and consultations shall be held regarding matters referred to in Articles 29b(2), 29b(3) and 29b(4), within the framework of the EEA Joint Committee and according to specific procedures to be agreed by the Contracting Parties.
2. Authorizations granted by the competent authorities of a Contracting Party to insurance undertakings being direct or indirect subsidiaries of parent undertakings governed by the laws of a third country shall have validity in accordance with the provisions of the Directive throughout the territory of all Contracting Parties. However,
 - (a) when a third country imposes quantitative restrictions on the establishment of insurance undertakings of an EFTA State or imposes restrictions on such insurance undertakings that it does not impose on Community insurance undertakings, authorizations granted by competent authorities within the Community to insurance undertakings being direct or indirect subsidiaries of parent undertakings governed by the laws of that third country shall have validity only in the Community, except where an EFTA State decides otherwise for its own jurisdiction;
 - (b) where the Community has decided that decisions regarding authorizations of insurance undertakings being direct or indirect subsidiaries of parent undertakings governed by the laws of a third country shall be limited or suspended, any authorization granted by a competent authority of an EFTA State to such insurance undertakings shall have validity only in its jurisdiction, except where another Contracting Party decides otherwise for its own jurisdiction;
 - (c) the limitations or suspensions referred to in sub-paragraphs (a) and (b) may not apply to insurance undertakings or their subsidiaries already authorized in the territory of a Contracting Party.

3. Whenever the Community negotiates with a third country on the basis of Articles 29b(3) and 29b(4) in order to obtain national treatment and effective market access for its insurance undertakings, it shall endeavour to obtain equal treatment for the insurance undertakings of the EFTA States.

3. **373 L 0240:** Council Directive 73/240/EEC of 24 July 1973 abolishing restrictions on freedom of establishment in business of direct insurance other than life assurance (OJ No L 228, 16.8.1973, p. 20).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Articles 1, 2 and 5 shall not apply.

4. **378 L 0473:** Council Directive 78/473/EEC of 30 May 1978 on the coordination of laws, regulations and administrative provisions relating to Community co-insurance (OJ No L 151, 7.6.1978, p. 25).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Article 9 shall not apply.

5. **384 L 0641:** Council Directive 84/641/EEC of 10 December 1984 amending, particularly as regards tourist assistance, the First Directive (73/239/EEC) on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance (OJ No L 339, 27.12.1984, p. 21).

6. **387 L 0344:** Council Directive 87/344/EEC of 22 June 1987 on the coordination of laws, regulations and administrative provisions relating to legal expenses insurance (OJ No L 185, 4.7.1987, p. 77).

7. **388 L 0357:** Second Council Directive 88/357/EEC of 22 June 1988 on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 73/239/EEC (OJ No L 172, 4.7.1988, p. 1), as amended by:

- **390 L 0618:** Council Directive 90/618/EEC of 8 November 1990 amending, particularly as regards motor vehicle liability insurance, Directive 73/239/EEC and Directive 88/357/EEC which concern the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance (OJ No L 330, 29.11.1990, p. 44).

(ii) **Motor insurance**

8. **372 L 0166:** Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability (OJ No L 103, 2.5.1972, p. 1), as amended by:
- **372 L 0430:** Council Directive 72/430/EEC of 19 December 1972 (OJ No L 291, 28.12.1972, p. 162),
 - **384 L 0005:** Second Council Directive 84/5/EEC of 30 December 1983 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ No L 8, 11.1.1984, p. 17),
 - **390 L 0232:** Third Council Directive 90/232/EEC of 14 May 1990 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ No L 129, 19.5.1990, p. 33),
 - **391 D 0323:** Commission Decision of 30 May 1991 relating to the application of Council Directive 72/166/EEC (OJ No L 177 5.7.1991, p. 25).
9. **384 L 0005:** Second Council Directive 84/5/EEC of 30 December 1983 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ No L 8, 11.1.1984, p. 17), as amended by:
- **390 L 0232:** Third Council Directive 90/232/EEC of 14 May 1990 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ No L 129, 19.5.1990, p. 33).
10. **390 L 0232:** Third Council Directive 90/232/EEC of 14 May 1990 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (OJ No L 129, 19.5.1990, p. 33).

(iii) **Life assurance**

11. **379 L 0267:** First Council Directive 79/267/EEC of 5 March 1979 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct life assurance (OJ No L 63, 13.3.1979, p. 1), as amended by:
- **390 L 0619:** Council Directive 90/619/EEC of 8 November 1990 on the coordination of laws, regulations and administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 79/267/EEC (OJ No L 330, 29.11.1990, p. 50).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

(a) the following shall be added to Article 4:

"This Directive shall not concern the pension activities of pension insurance undertakings prescribed in the Employees' Pensions Act (TEL) and other related Finnish legislation. However, the Finnish authorities shall allow in a non-discriminatory manner all nationals and companies of Contracting Parties to perform according to Finnish legislation the activities specified in Article 1 related to this exemption whether by means of:

- ownership or participation in an existing insurance company or group;
- creation or participation of new insurance companies or groups, including pension insurance companies.";

(b) the following shall be added to Article 8(1)(a):

— in the case of Austria:
Aktiengesellschaft, Versicherungsverein auf Gegenseitigkeit.

— in the case of Finland:
Keskinäinen Vakuutusyhtiö / Ömsesidigt Försäkringsbolag,
Vakuutusosakeyhtiö / Försäkringsaktiebolag,
Vakuutusyhdistys / Försäkringsförening.

— in the case of Iceland:
Hlutafélag, Gagnkvæmt félag.

— in the case of Liechtenstein:
Aktiengesellschaft, Genossenschaft, Stiftung.

— in the case of Norway:
Aksjeselskaper, Gjensidige selskaper.

— in the case of Sweden:
Försäkringsaktiebolag, Ömsesidiga försäkringsbolag,
Understödsföreningar.

— in the case of Switzerland:
Aktiengesellschaft/ Société anonyme/ Società anonima,
Genossenschaft/ Société coopérative/ Società cooperativa,
Stiftung/ Fondation/ Fondazione.";

- (c) Articles 13(5), 33, 34, 35 and 36 shall not apply; the following provision shall be applicable:

the life assurance undertakings to be identified separately by Iceland shall be exempt from Articles 18, 19 and 20. The competent supervisory authority shall require such undertakings to meet the requirements of these Articles by 1 January 1995. Prior to that date the EEA Joint Committee shall examine the financial situation of the undertakings still not meeting the requirements and make appropriate recommendations. As long as an insurance undertaking fails to meet the requirements of Articles 18, 19 and 20 it shall not establish a branch or provide services in the territory of another Contracting Party.

Undertakings desiring to extend their operations within the meaning of Article 8(2) or Article 10 may not do so unless they comply immediately with the rules of the Directive.

- (d) Article 32 shall not apply;

the following provision shall be applicable:

each Contracting Party may, by means of agreements concluded with one or more third countries, agree to the application of provisions different from those provided for in Articles 27 to 31 of the Directive on the condition that its insured persons are given adequate and equivalent protection. The Contracting Parties shall inform and consult each other prior to concluding such agreements.

The Contracting Parties shall not apply to branches of insurance undertakings having their head office outside the territory of the Contracting Parties provisions which result in more favourable treatment than that accorded to branches of insurance undertakings having their head office within the territory of the Contracting Parties;

- (e) as regards relations with third-country insurance undertakings described in Article 32b (see Article 9 of Council Directive 90/619/EEC) the following shall apply:

1. With a view to achieving a maximum degree of convergence in the application of a third-country regime for insurance undertakings, the Contracting Parties shall exchange information as described in Articles 32b(1) and 32b(5) and consultations shall be held regarding matters referred to in Articles 32b(2), 32b(3) and 32b(4), within the framework of the EEA Joint Committee and according to specific procedures to be agreed by the Contracting Parties.

2. Authorizations granted by the competent authorities of a Contracting Party to insurance undertakings being direct or indirect subsidiaries of parent undertakings governed by the laws of a third country shall have validity in accordance with the provisions of the Directive throughout the territory of all Contracting Parties. However,

- (a) when a third country imposes quantitative restrictions on the establishment of insurance undertakings of an EFTA State, or imposes restrictions on such insurance undertakings that it does not impose on Community insurance undertakings, authorizations granted by competent authorities within the Community to insurance undertakings being direct or indirect subsidiaries of parent undertakings governed by the laws of that third country shall have

validity only in the Community, except where an EFTA State decides otherwise for its own jurisdiction;

(b) where the Community has decided that decisions regarding authorizations of insurance undertakings being direct or indirect subsidiaries of parent undertakings governed by the laws of a third country, shall be limited or suspended, any authorization granted by a competent authority of an EFTA State to such insurance undertakings shall have validity only in its jurisdiction, except where another Contracting Party decides otherwise for its own jurisdiction.

(c) the limitations or suspensions referred to in subparagraphs (a) and (b) may not apply to insurance undertakings or their subsidiaries already authorized in the territory of a Contracting Party.

3. Whenever the Community negotiates with a third country on the basis of 32b(3) and 32b(4), in order to obtain national treatment and effective market access for its insurance undertakings, it shall endeavour to obtain equal treatment for the insurance undertakings of the EFTA States;

(f) in Article 13(3), the words "at the time of notification of this Directive" shall be replaced by "at the time of signature of the EEA Agreement".

12. 390 L 0619: Council Directive 90/619/EEC of 8 November 1990 on the coordination of laws, regulations and administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 79/267/EEC (OJ No L 330, 29.11.1990, p. 50).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Article 9: see adaptation (e) to Council Directive 79/267/EEC.

(iv) Other issues

13. 377 L 0092: Council Directive 77/92/EEC of 13 December 1976 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of the activities of insurance agents and brokers (ex. ISIC group 630) and, in particular, transitional measures in respect of those activities (OJ No L 26, 31.1.1977, p. 14).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) the following shall be added to Article 2(2)(a):

"in Austria:

- Versicherungsmakler
- Rückversicherungsmakler

in Finland:

- Vakuutusenvälittäjä/Försäkringsmäklare

in Iceland:
— Vátryggingamiðlari

in Liechtenstein:
— Versicherungsmakler

in Norway:
— Forsikringsmegler

in Sweden:
— Försäkringsmäklare

in Switzerland:
— Versicherungsmakler
— Courtier en assurances
— Mediatore d'assicurazione
— Broker";

(b) the following shall be added to Article 2(2)(b):

"in Austria:
— Versicherungsvertreter

in Finland:
— Vakuutusasiamies/Försäkringsombud

in Iceland:
— Vátryggingaumboðsmaður

in Liechtenstein:
— Versicherungs-Generalagent
— Versicherungsagent
— Versicherungsinspektor

in Norway:
— Assurandør
— Agent

in Sweden:
— Försäkringsombud

in Switzerland:
— Versicherungs-Generalagent
— Agent général d'assurance
— Agente generale d'assicurazione
— Versicherungsagent
— Agent d'assurance
— Agente d'assicurazione
— Versicherungsinspektor
— Inspecteur d'assurance
— Ispettore d'assicurazione";

(c) the following shall be added to Article 2(2)(c):

"in Iceland:
— Vátryggingasöllumaður

in Norway:
— Underagent".

II. BANKS AND OTHER CREDIT INSTITUTIONS

(i) **Coordination of legislation on establishment and freedom to provide services**

14. **373 L 0183:** Council Directive 73/183/EEC of 28 June 1973 on the abolition of restrictions on freedom of establishment and freedom to provide services in respect of self-employed activities of banks and other financial institutions. (OJ No L 194, 16.7.1973, p. 1) as amended by OJ No L 320, 21.11.1973, p. 26 and OJ No L 17, 22.1.1974, p. 22).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) Articles 1, 2, 3 and 6 of the Directive shall not apply;
- (b) in Articles 5(1) and 5(3) of the Directive, the words "in Article 2" shall be replaced by "in Annex II, except category 4".

15. **377 L 0780:** First Council Directive 77/780/EEC of 12 December 1977 on the coordination of the laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of credit institutions (OJ No L 322, 17.12.1977, p. 30), as amended by:

- **386 L 0524:** Council Directive 86/524/EEC of 27 October 1986 amending Directive 77/780/EEC in respect of the list of permanent exclusions of certain credit institutions (OJ No L 309, 4.11.1986, p. 15),
- **389 L 0646:** Second Council Directive 89/646/EEC of 15 December 1989 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of credit institutions and amending Directive 77/780/EEC (OJ No L 386, 30.12.1989, p. 1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) Articles 2(5) and 2(6), 3(3)(b) to (d), 9(2), 9(3) and 10 of the Directive shall not apply;
- (b) the following shall be added to Article 2(2):
 - in Austria, enterprises recognized as building associations for the public benefit;
 - in Iceland "Byggingarsjodir rikisins";
 - in Liechtenstein, the "Liechtensteinische Landesbank";
 - in Sweden, the "Svenska skeppshypotekskassan".;
- (c) Iceland shall implement the provisions of the Directive by 1 January 1995.

16. 389 L 0646: The Second Council Directive 89/646/EEC of 15 December 1989 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of credit institutions and amending Directive 77/780/EEC (OJ No L 386, 30.12.1989, p. 1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) as regards relations with third-country credit institutions described in Articles 8 and 9 of the Directive, the following shall apply:
1. With a view to achieving a maximum degree of convergence in the application of a third-country regime for credit institutions, the Contracting Parties shall exchange information as described in Articles 9(1) and 9(5) and consultations shall be held regarding matters referred to in Articles 9(2), 9(3) and 9(4), within the framework of the EEA Joint Committee and according to specific procedures to be agreed by the Contracting Parties.
 2. Authorizations granted by the competent authorities of a Contracting Party to credit institutions being direct or indirect subsidiaries of parent undertakings governed by the laws of a third country, shall have validity in accordance with the provisions of this Directive throughout the territory of all Contracting Parties. However,
 - (a) when a third country imposes quantitative restrictions on the establishment of credit institutions of an EFTA State, or imposes restrictions on such credit institutions that it does not impose on Community credit institutions, authorizations granted by competent authorities within the Community to credit institutions being direct or indirect subsidiaries of parent undertakings governed by the laws of that third country shall have validity only in the Community, except where an EFTA State decides otherwise for its own jurisdiction;
 - (b) where the Community has decided that decisions regarding authorizations of credit institutions being direct or indirect subsidiaries of parent undertakings governed by the laws of a third country shall be limited or suspended, authorizations granted by a competent authority of an EFTA State to such credit institutions shall have validity only in its jurisdiction, except where another Contracting Party decides otherwise for its own jurisdiction;
 - (c) the limitations or suspensions referred to in subparagraphs (a) and (b) may not apply to credit institutions or their subsidiaries already authorized in the territory of a Contracting Party.
 3. Whenever the Community negotiates with a third country on the basis of Articles 9(3) and 9(4), in order to obtain national treatment and effective market access for its credit institutions, it shall endeavour to obtain equal treatment for the credit institutions of the EFTA States;

- (b) in Article 10(2), the words "when the Directive is implemented" shall be replaced by "when the EEA Agreement enters into force", and the words "the date of the notification of this Directive" shall be replaced by "the date of signature of the EEA Agreement";
- (c) Iceland shall implement the provisions of the Directive by 1 January 1995. During the transition period it shall recognize, in accordance with the provisions of the Directive, authorizations granted to credit institutions by the competent authorities of the other Contracting Parties. Authorizations granted to credit institutions by the competent Icelandic authorities shall not have EEA-wide validity before the full application of the Directive.

(ii) Prudential requirements and regulations

- 17. **389 L 0299:** Council Directive 89/299/EEC of 17 April 1989 on the own funds of credit institutions (OJ No L 124, 5.5.1989, p. 16).
- 18. **389 L 0647:** Council Directive 89/647/EEC of 18 December 1989 on a solvency ratio for credit institutions (OJ No L 386, 30.12.1989, p. 14).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) loans fully and completely secured by shares in Finnish residential housing companies, operating in accordance with the Finnish Housing Company Act of 1991 or subsequent equivalent legislation, shall be given the same weighting as the one applied to mortgages on residential property in accordance with the rules set out in Article 6(1)(c)(1) of the Directive;
 - (b) Article 11(4) shall also apply to Austria and Iceland;
 - (c) Austria and Finland shall before 1 January 1993 establish a system for identification of those credit institutions that are unable to meet the requirement of Article 10(1) of the Directive. For each of those credit institutions, the competent authority shall take the appropriate measures to ensure that the 8% solvency ratio is met as quickly as possible and no later than 1 January 1995. Until the credit institutions in question reach the 8% solvency ratio, the competent authorities in Austria and Finland will, in relation to Article 19(3) of Council Directive 89/646/EEC, regard the financial situation of such credit institutions as inadequate.
- 19. **391 L 0031:** Commission Directive 91/31/EEC of 19 December 1990 adapting the technical definition of "multilateral development banks" in Council Directive 89/647/EEC of 18 December 1989 on a solvency ratio for credit institutions (OJ No L 17, 23.1.1991, p. 20).

(iii) Supervision and accounts

- 20. **383 L 0350:** Council Directive 83/350/EEC of 13 June 1983 on the supervision of credit institutions on a consolidated basis (OJ No L 193, 18.7.1983, p. 18).

21. **386 L 0635:** Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ No L 372, 31.12.1986, p. 1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Austria, Norway and Sweden shall implement the provisions of the Directive by 1 January 1995, and Liechtenstein and Switzerland by 1 January 1996. During the transition periods, there shall be mutual recognition of the annual accounts published by the credit institutions of the Contracting Parties relative to branches.

22. **389 L 0117:** Council Directive 89/117/EEC of 13 February 1989 on the obligations of branches established in a Member State of credit institutions and financial institutions having their head offices outside that Member State regarding the publication of annual accounting documents (OJ No L 44, 16.2.1989, p. 40).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Article 3 shall not apply.

23. **391 L 0308:** Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering. (OJ No L 166, 28.6.1991, p. 77).

Modalities for association of EFTA States in accordance with Article 101 of the Agreement:

an expert from each EFTA State may participate in the tasks of the Contact Committee on money laundering which are described in Article 13(1)(a) and 13(1)(b). With regard to the involvement of experts from the EFTA States in the tasks described in Article 13(1)(c) and 13(1)(d), the relevant provisions of the Agreement shall apply.

The EC Commission shall, in due time, inform the participants about the date of the meeting of the Committee and transmit the relevant documentation.

III. STOCK EXCHANGE AND SECURITIES

(i) Stock exchange listing and transactions

24. **379 L 0279:** Council Directive 79/279/EEC of 5 March 1979 coordinating the conditions for admission of security to official stock exchange listing (OJ No L 66, 16.3.1979, p. 21), as amended by:

— **388 L 0627:** Council Directive 88/627/EEC of 12 December 1988 on the information to be published when a major holding in a listed company is acquired or disposed of (OJ No L 348, 17.12.1988, p. 62).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland and Switzerland shall implement the provisions of the Directive by 1 January 1995. During the transition period, these countries shall provide for exchange of information with the competent authorities of the other Contracting Parties relative to the issues regulated by the Directive.

25. **380 L 0390:** Council Directive 80/390/EEC of 17 March 1980 coordinating the requirements for the drawing up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock exchange listing (OJ No L 100, 17.4.1980, p. 1), as amended by:

— **387 L 0345:** Council Directive 87/345/EEC of 22 June 1987, (OJ No L 185, 4.7.1987, p. 81),

— **390 L 0211:** Council Directive 90/211/EEC of 23 April 1990 amending Directive 80/390/EEC in respect of mutual recognition of public-offer prospectuses as stock exchange listing particulars (OJ No L 112, 3.5.1990, p. 24).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) Article 25a of the Directive, introduced by Directive 87/345/EEC, shall not apply;
- (b) Iceland and Switzerland shall implement the provisions of the Directive by 1 January 1995. During the transition period, these countries shall provide for exchange of information with the competent authorities of the other Contracting Parties relative to the issues regulated by the Directive.

26. **382 L 0121:** Council Directive 82/121/EEC of 15 February 1982 on information to be published on a regular basis by companies the shares of which have been admitted to official stock exchange listing (OJ No L 48, 20.2.1982, p. 26).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland and Switzerland shall implement the provisions of the Directive by 1 January 1995. During the transition period, these countries shall provide for exchange of information with the competent authorities of the other Contracting Parties relative to the issues regulated by the Directive.

27. **388 L 0627:** Council Directive 88/627/EEC of 12 December 1988 on the information to be published when a major holding in a listed company is acquired or disposed of (OJ No L 348, 17.12.1988, p. 62).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland, Switzerland and Liechtenstein shall implement the provisions of the Directive by 1 January 1995. During the transition period, these countries shall provide for exchange of

information with the competent authorities of the other Contracting Parties relative to the issues regulated by the Directive.

28. **389 L 0298:** Council Directive 89/298/EEC of 17 April 1989 coordinating the requirements for the drawing-up, scrutiny and distribution of the prospectus to be published when transferable securities are offered to the public (OJ No L 124, 5.5.1989, p. 8).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) the provisions of Article 24 of the Directive shall not apply;
- (b) Iceland, Switzerland and Liechtenstein shall implement the provisions of the Directive by 1 January 1995. During the transition period, these countries shall provide for exchange of information with the competent authorities of the other Contracting Parties relative to the issues regulated by the Directive.

29. **389 L 0592:** Council Directive 89/592/EEC of 13 November 1989 coordinating regulations on insider dealing (OJ No L 334, 18.11.1989, p. 30).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) Austria, Iceland, Switzerland and Liechtenstein shall implement the provisions of the Directive by 1 January 1995. During the transition period, these countries shall provide for exchange of information with the competent authorities of the other Contracting Parties relative to the issues regulated by the Directive;
- (b) Article 11 shall not apply.

(ii) **Undertakings for Collective Investment in Transferable Securities (UCITS)**

30. **385 L 0611:** Council Directive 85/611/EEC of 20 December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ No L 375, 31.12.1985, p. 3), as amended by:

- **388 L 0220:** Council Directive 88/220/EEC of 22 March 1988 amending, as far as concerns the investment policy of certain UCITS, Directive 85/611/EEC (OJ No L 100, 19.4.1988, p. 31).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

in Article 57(2), the words "on the date of implementation of the Directive" shall be replaced by "on the date of entry into force of the EEA Agreement".

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the contents of the following acts:

31. **374 X 0165:** Commission Recommendation 74/165/EEC of 6 February 1974 to the Member States concerning the application of the Council Directive of 24 April 1972. (OJ No L 87, 30.3.1974, p. 12).
32. **381 X 0076:** Commission Recommendation 81/76/EEC of 8 January 1981 on the accelerated settlement of claims under insurance against civil liability in respect of the use of motor vehicles (OJ No L 57, 4.3.1981, p. 27).
33. **385 X 0612:** Council Recommendation 85/612/EEC of 20 December 1985 concerning the second subparagraph of Article 25(1) of Council Directive 85/611/EEC (OJ No L 375, 31.12.1985, p. 19).
34. **387 X 0062:** Commission Recommendation 87/62/EEC of 22 December 1986 on monitoring and controlling large exposures of credit institutions (OJ No L 33, 4.2.1987, p.10).
35. **387 X 0063:** Commission Recommendation 87/63/EEC of 22 December 1986 concerning the introduction of deposit-guarantee schemes in the Community (OJ No L 33, 4.2.1987, p. 16).
36. **390 X 0109:** Commission Recommendation 90/109/EEC of 14 February 1990 on the transparency of banking conditions relating to cross-border financial transactions in the EEC (OJ No L 67, 15.3.1990, p. 39).

ANNEX X

AUDIOVISUAL SERVICES

List provided for in Article 36(2)

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles;
- the addressees of the Community acts;
- references to territories or languages of the EC;
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

1. **389 L 0552:** Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities. (OJ No L 298, 17.10.1989, p. 23).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) With regard to EFTA States, the works referred to in Article 6(1)(c) of the Directive are also works made, as described in Article 6(3), by and with producers established in European third countries with which the EFTA State concerned has agreements to this effect.

If a Contracting Party intends to conclude an agreement as mentioned in Article 6(3), it shall inform the EEA Joint Committee thereof. Consultations concerning the contents of such agreements may take place at the request of any Contracting Party.

- (b) The following shall be added to Article 15 of the Directive:

"The EFTA States shall be free to compel cable companies operating on their territories to scramble or otherwise obscure spot advertisements for alcoholic beverages. This exception shall not have the effect of restricting the retransmission of parts of television programs other than advertising spots for alcoholic beverages. The Contracting Parties will jointly review this exception in 1995."

ANNEX XI

TELECOMMUNICATION SERVICES

List provided for in Article 36(2)

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

1. **387 L 0372:** Council Directive 87/372/EEC of 25 June 1987 on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the European Community (OJ No L 196, 17.7.1987 p. 85).
2. **390 L 0387:** Council Directive 90/387/EEC of 28 June 1990 on the establishment of the internal market for telecommunications services through the implementation of open network provision (OJ No L 192, 24.7.1990, p. 1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 5(3) "Articles 85 and 86 of the Treaty" shall read "Articles 53 and 54 of this Agreement";
 - (b) Iceland shall implement the provisions of this Directive at the latest on 1 January 1995.
3. **390 L 0388:** Commission Directive 90/388/EEC of 28 June 1990 on competition in the markets for telecommunications services (OJ No L 192, 24.7.1990, p. 10).
 4. **390 L 0544:** Council Directive 90/544/EEC of 9 October 1990 on the frequency bands designated for the coordinated introduction of pan-European land-based public radio paging in the Community (OJ No L 310, 9.11.1990, p. 28).
 5. **391 L 0287:** Council Directive 91/C 287/EEC of 3 June 1991 on the frequency band to be designated for the coordinated introduction of digital European cordless telecommunications (DECT) into the Community (OJ No L 144, 8.6.1991, p. 45).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the contents of the following Acts:

6. **388 Y 1004(01):** Council Resolution 88/C 257/01 of 30 June 1988 on the development of the common market for telecommunications services and equipment up to 1992 (OJ No C 257, 4.10.1988, p. 1).
7. **389 Y 0511(01):** Council Resolution 89/C 117/01 of 27 April 1989 on standardization in the field of information technology and telecommunications (OJ No C 117, 11.5.1989, p. 1).
8. **389 Y 0801:** Council Resolution 89/C 196/04 of 18 July 1989 on the strengthening of the coordination for the introduction of the Integrated Services Digital Network (ISDN) in the European Community up to 1992 (OJ No C 196, 1.8.1989, p. 4).
9. **390 Y 0707(02):** Council Resolution 90/C 166/02 of 28 June 1990 on the strengthening of the Europe-wide cooperation on radio frequencies in particular with regard to services with a pan-European dimension (OJ No C 166, 7.7.1990, p. 4).
10. **390 Y 3112(01):** Council Resolution 90/C 329/25 of 14 December 1990 on the final stage of the coordinated introduction of pan-European land-based public digital mobile cellular communications in the Community (GSM) (OJ No C 329, 31.12.1990, p. 25).
11. **384 X 0549:** Council Recommendation 84/549/EEC of 12 November 1984 concerning the implementation of harmonization in the field of telecommunications (OJ No L 298, 16.11.1984, p. 49).
12. **384 X 0550:** Council Recommendation 84/550/EEC of 12 November 1984 concerning the first phase of opening up access to public telecommunications contract (OJ No L 298, 16.11.1984, p. 51).
13. **386 X 0659:** Council Recommendation 86/659/EEC of 22 December 1986 on the coordinated introduction of the Integrated Services Digital Network (ISDN) in the European Community (OJ No L 382, 31.12.1986, p. 36).
14. **387 X 0371:** Council Recommendation 87/371/EEC of 25 June 1987 on the coordinated introduction of public pan-European cellular digital and land-based mobile communications in the Community (OJ No L 196, 17.7.1987, p. 81).
15. **390 X 0543:** Council Recommendation 90/543/EEC on the coordinated introduction of pan-European land-based public radio paging in the Community (OJ No L 310, 9.11.1990, p. 23).
16. **391 X 0288:** Council Recommendation 91/C 288/EEC on the coordinated introduction of digital European cordless telecommunications (DECT) into the Community (OJ No L 144, 8.6.1991, p. 47).

ANNEX XII

FREE MOVEMENT OF CAPITAL

List provided for in Article 40

INTRODUCTION

When the act referred to in this Annex contains notions or refers to procedures which are specific to the Community legal order, such as

- preambles;
- the addressees of the Community acts;
- references to territories or languages of the EC;
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACT REFERRED TO

1. **388 L 0361:** Council Directive 88/361/EEC of 24 June 1988 for the implementation of Article 67 of the Treaty (OJ L 178 , 08.07.1988, p.5).

The provisions of the Directive shall for the purposes of the present Agreement, be read with the following adaptations :

- (a) the EFTA States shall notify the EEA Joint Committee of the measures referred to in Article 2 of the Directive. The Community shall notify the EEA Joint Committee of the measures taken by its Member States. Exchanges of information regarding such measures shall take place within the EEA Joint Committee;
- (b) for the application of measures as referred to in Article 3 of the Directive, the EFTA States shall follow the procedure as set out in Protocol 18. For cooperation between the Contracting Parties the joint procedures as set out in Article 45 of the Agreement shall apply;
- (c) any decisions the Community may take in accordance with Article 6(2) of the Directive, shall not be subject to the procedures of Chapter 2, Part VII of the Agreement. The Community shall inform the other Contracting Parties of such decisions. The restrictions for which an extension of the transition periods is granted may be upheld within the framework of this Agreement on the same terms as in the Community;
- (d) the EFTA States may continue to apply domestic legislation regulating foreign ownership and/or ownership by non-residents, existing on the date of entry into force of the EEA Agreement, subject to time limits and within the areas set out below :
 - up to 1 January 1995 for Iceland regarding short term capital movement operations set out in Annex II to the Directive;

- up to 1 January 1995 for Norway regarding acquisition of domestic securities and admission of domestic securities to a foreign capital market;
 - up to 1 January 1995 for Norway and Sweden, and up to 1 January 1996 for Finland, Iceland and Liechtenstein regarding direct investment on national territory;
 - up to 1 January 1998 for Switzerland regarding direct investment in professional real estate business on national territory;
 - up to 1 January 1995 for Norway, up to 1 January 1996 for Austria, Finland and Iceland and up to 1 January 1998 for Liechtenstein and Switzerland regarding investments in real estate on national territory;
 - for Austria regarding direct investments in the sector of inland waterways, until equal access to EC waterways is obtained.
- (e) during transition periods, EFTA States shall not treat new and existing investments by companies or nationals of EC Member States or other EFTA States less favourably than under the legislation existing at the date of signature of the Agreement, without prejudice to the right of EFTA States to introduce legislation which is in conformity with the Agreement and in particular provisions concerning the purchase of secondary residences which correspond in their effect to legislation that has been upheld within the Community in accordance with Article 6(4) of the Directive;
- (f) the reference in the introductory part of Annex I of the Directive to Article 68(3) of the EEC Treaty shall be deemed to be to Article 42(2) of the Agreement;
- (g) notwithstanding Article 40 of the Agreement and the provisions of this Annex, Iceland may continue to apply restrictions existing on the date of signature of the Agreement on foreign ownership and/or ownership by non-residents in the sectors of fisheries and fish processing.

These restrictions shall not prevent investments by non-nationals or nationals who do not have legal domicile in Iceland in companies which are only indirectly engaged in fisheries or fish processing. However, national authorities shall have the right to oblige companies which have, wholly or partly, been acquired by non-nationals or nationals who do not have legal domicile in Iceland to divest themselves of any investments in fish-processing activities or fishing vessels;

- (h) notwithstanding Article 40 of the Agreement and the provisions of this Annex, Norway may continue to apply restrictions existing on the date of signature of the Agreement, on ownership by non-nationals of fishing vessels.

These restrictions shall not prevent investments by non-nationals in land-based fish processing or in companies which are only indirectly engaged in fishing operations. National authorities shall have the right to oblige companies which have been wholly or partly acquired by non-nationals to divest themselves of any investments in fishing vessels.

ANNEX XIII

TRANSPORT

List provided for in Article 47

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles;
- the addressees of the Community acts;
- references to territories or languages of the EC;
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

I. Where the acts referred to in this Annex contain references to the EEC Treaty, they shall, for the purposes of the present Agreement,

(a) be read, with regard to the following references, as indicated below:

- Article 55 EEC = Article 32 EEA,
- Article 56 EEC = Article 33 EEA,
- Article 57 EEC = Article 30 EEA,
- Article 58 EEC = Article 34 EEA,
- Article 77 EEC = Article 49 EEA,
- Article 79 EEC = Article 50 EEA,
- Article 85 EEC = Article 53 EEA,
- Article 86 EEC = Article 54 EEA,
- Article 92 EEC = Article 61 EEA,
- Article 93 EEC = Article 62 EEA,
- Article 214 EEC = Article 122 EEA;

(b) be deemed, with regard to the following references, as not relevant:

- Article 75 EEC,
- Article 83 EEC,
- Article 94 EEC,
- Article 95 EEC,
- Article 99 EEC,
- Article 172 EEC,
- Article 192 EEC,
- Article 207 EEC,
- Article 209 EEC.

II. For the purposes of the present Agreement, the following shall be added to the lists set out in Annex II, A.1 of Regulation (EEC) No 1108/70, Article 19 of Regulation (EEC) No 1191/69, Article 1 of Decision 83/418/EEC, Article 3 of Regulation (EEC) No 1192/69, Article 2 of Regulation (EEC) No 2830/77, Article 2 of Regulation (EEC) No 2183/78 and Article 2 of Decision 82/529/EEC:

- Österreichische Bundesbahnen
- Valtionrautatiet/Statsjärnvägarna
- Norges Statsbaner
- Statens Järnvägar
- Schweizerische Bundesbahnen/Chemins de fer fédéraux suisses/Ferrovie federali svizzere/Viafiere federalas svizas.”.

III. When an act referred to in this Annex provides for procedures to settle a dispute between EC Member States and a dispute arises between EFTA States they shall submit the dispute for settlement to the appropriate EFTA body applying equivalent procedures. If a dispute arises between an EC Member State and an EFTA State, the respective Contracting Parties shall submit the dispute for settlement by the EEA Joint Committee applying equivalent procedures.

ACTS REFERRED TO

I. INLAND TRANSPORT

(i) GENERAL ISSUES

1. **370 R 1108:** Council Regulation (EEC) No 1108/70 of 4 June 1970 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway (OJ No L 130, 15.6.1970, p. 4), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 073, 27.3.1972, p. 90),
 - **373 D 0101(01):** Council Decision of the European Communities of 1 January 1973 adjusting the instruments concerning the accession of new Member States to the European Communities (OJ No L 002, 1.1.1973, p. 19),
 - **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 92),
 - **379 R 1384:** Council Regulation (EEC) No 1384/79 of 25 June 1979 (OJ No L 167, 5.7.1979, p. 1),
 - **381 R 3021:** Council Regulation (EEC) No 3021/81 of 19 October 1981 (OJ No L 302, 23.10.1981, p. 8),

- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 161),
- 390 R 3572: Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Annex II of the Regulation:

A.1 RAIL - Main networks

See sectoral adaptation II;

A.2 RAIL - Networks open to public traffic and connected to the main network (excluding urban networks)

"Austria

1. Montafoner Bahn AG
2. Stubaitalbahn AG
3. Achenseebahn AG
4. Zillertaler Verkehrsbetriebe AG
5. Salzburger Stadtwerke Verkehrsbetriebe (SVB)
6. Bürmoos - Trimmelkam AG
7. Lokalbahn Vöcklamarkt - Attersee AG
8. Lokalbahn Gmunden - Vorchdorf AG
9. Lokalbahn Lambach - Vochdorf - Eggenberg AG
10. Linzer Lokalbahn AG
11. Lokalbahn Neumarkt - Waizenkirchen - Peuerbach AG
12. Lambach - Haag
13. Steiermärkische Landesbahnen
14. GKB Graz-Köflacher Eisenbahn-und Bergbau-Ges.m.b.H.
15. Raab - Sopron - Ebenfurther Eisenbahn
16. AG der Wiener Lokalbahn

Finland

Valtionrautatiet/Statsjärnvägarna

Norway

Norges Statsbaner

Sweden

Nordmark-Klarälvens Järnväg (NKLJ)

Malmö-Limhamns Järnväg (NLJ)

Växjö-Hultsfred-Västerviks Järnväg (VHVJ)

Johannesberg-Ljungaverks Järnväg (JLJ)

Switzerland

1. Chemin de fer Vevey-Chexbres
2. Chemin de fer Pont-Brassus
3. Chemin de fer Orbe-Chavornay
4. Chemin de fer Régional du val-de-Travers
5. Chemins de fer du Jura
6. Chemin de fer Fribourgeois
7. Chemin de fer Martigny-Orsières
8. Berner Alpenbahn Gesellschaft
Bern-Lötschberg-Simplon
9. Bern-Neuenburg-Bahn
10. Gürbetal-Bern-Schwarzenburg-Bahn
11. Simmentalbahn, Spiez-Erlenbach-Zweisimmen
12. Sensetalbahn
13. Solothurn-Münster-Bahn
14. Emmental-Burgdorf-Thun-Bahn
15. Vereinigte Huttwil-Bahnen
16. Oensingen-Balsthal-Bahn
17. Wohlen-Meisterschwanden-Bahn
18. Sursee-Triengen-Bahn
19. Sihltal-Zürich-Uetliberg-Bahn
20. Schweizerische Südostbahn
21. Mittel-Thurgau-Bahn
22. Bodensee-Toggenburg-Bahn
23. Chemin de fer Nyon-St Cergue-Morez
24. Chemin de fer Bière-Apples-Morges
25. Chemin de fer Lausanne-Echallens-Bercher
26. Chemin de fer Yverdon-Ste Croix
27. Chemin de fer des Montagnes Neuchâteloises
28. Chemins de fer Electriques Veveysans
29. Chemin de fer Montreux-Oherland Bernois
30. Chemin de fer Aigle-Leysin
31. Chemin de fer Aigle-Sépey-Diablerets
32. Chemin de fer Aigle-Ollon-Monthey-Champéry
33. Chemin de fer Bex-Villars-Bretaye
34. Chemin de fer Martigny-Châtelard
35. Berner Oberland-Bahnen
36. Meiringen-Innertkirchen-Bahn
37. Brig-Visp-Zermatt-Bahn
38. Furka-Oberalp-Bahn
39. Biel-Täuffelen-Ins-Bahn
40. Regionalverkehr Bern-Solothurn
41. Solothurn-Niederbipp-Bahn
42. Oberraargau-Jura-Bahnen
43. Baselland-Transport
44. Waldenburgerbahn
45. Wynental- und Suhrentalbahn
46. Bremgarten-Dietikon-Bahn
47. Luzern-Stans-Engelberg-Bahn
48. Ferrovie Autolinee Regionali Ticinesi

49. Ferrovia Lugano-Ponte Tresa
50. Forchbahn
51. Frauenfeld-Wil-Bahn
52. Appenzellerbahn
53. St. Gallen-Gais-Appenzell-Altstätten-Bahn
54. Trogenerbahn
St. Gallen-Speicher-Trogen
55. Rhätische Bahn/Viafier Retica";

B. ROAD

Austria

1. Bundesautobahnen
2. Bundesstrassen
3. Landesstrassen
4. Gemeindestrassen

Finland

1. Päätiät/Huvudvägar
2. Muut maantiet/Övriga landsvägar
3. Paikallistiet/Bygdevägar
4. Kadut ja kaavatiet/Gator och planlagda vägar

Iceland

1. Þjóðvegir
2. Sýsluvegir
3. Þjóðvegir í þéttbýli
4. Götur sveitarfélaga

Liechtenstein

1. Landesstrassen
2. Gemeindestrassen

Norway

1. Riksveger
2. Fylkesveger
3. Kommunale veger

Sweden

1. Motorvägar
2. Motortrafikleder
3. Övriga vägar

Switzerland

1. Nationalstrassen/routes nationales/strade Nazionali
2. Kantonsstrassen/routes cantonales/strade cantonali
3. Gemeindestrassen/routes communales/strade comunali".

2. **370 R 2598:** Regulation (EEC) No 2598/70 of the Commission of 18 December 1970 specifying the items to be included under the various headings in the forms of accounts shown in Annex I to Council Regulation (EEC) No 1108/70 of 4 June 1970 (OJ No L 278, 23.12.1970, p. 1) as amended by:
 - **378 R 2116:** Commission Regulation (EEC) No 2116/78 of 7 September 1978 (OJ No L 246, 8.9.1978, p. 7).
3. **371 R 0281:** Commission Regulation (EEC) No 281/71 of 9 February 1971 determining the composition of the list of waterways of maritime character provided for in Article 3 (e) of Council Regulation (EEC) No 1108/70 of 4 June 1970 (OJ No L 33, 10.2.1971, p. 11), as amended by:
 - **1 72 B:** Act concerning the conditions of accession to the European Communities of the Kingdom of Denmark, the Republic of Ireland and the United Kingdom and the adjustments to the Treaties (OJ No L 073, 27.3.1972, p. 92),
 - **1 85 I:** Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 162).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to the Annex:

"Finland

- Saimaan kanava/Saima kanal
- Saimaan vesistö/Saimens vattendrag

Sweden

- Trollhätte kanal and Göta älv
- Lake Vänern
- Södertälje kanal
- Lake Mälaren".

4. **369 R 1191:** Council Regulation (EEC) No 1191/69 of 26 June 1969 on action by the Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway (OJ No L 156, 28.6.1969, p. 1), as amended by:
 - **1 72 B:** Act concerning the conditions of accession and the adjustments to the Treaties (OJ No L 073, 27.3.1972, p. 90),
 - **373 D 0101(01):** Council Decision of the European Communities of 1 January 1973 adjusting the instruments concerning accession of new Member States to the European Communities (OJ No L 002, 1.1.1973, p. 19),
 - **1 79 H:** Act concerning the conditions of Accession of the Hellenic Republic and the adjustments to the Treaties (OJ No L 291, 19.11.1979, p. 92),

- **1 85 I:** Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 161),
- **390 R 3572:** Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12),
- **391 R 1893:** Council Regulation (EEC) No 1893/91 of 20 June 1991 (OJ No L 169, 29.6.1991, p. 1).

(ii) INFRASTRUCTURE

5. **378 D 0174:** Council Decision No 78/174/EEC of 20 February 1978 instituting a consultation procedure and setting up a Committee in the field of transport infrastructure (OJ No L 054, 25.2.1978, p. 16).

The provisions of the Decision shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Articles 1 point 2 and 2(1) of the Decision, the words "of Community interest" shall be replaced by "of interest to the Contracting Parties to the EEA Agreement" and in Article 5 thereof the words "of interest to the Community" shall be replaced by "of interest to the Contracting Parties to the EEA Agreement".
- (b) Article 1(2)(c) shall not apply.

Modalities for association of EFTA States in accordance with Article 101 of the Agreement:

An expert from each EFTA State may participate in the tasks of the Committee on transport infrastructure which are described in this Decision.

The EC Commission shall, in due time, inform the participants of the date of the meeting of the Committee and transmit the relevant documentation.

(iii) COMPETITION RULES

6. **360 R 001I:** Council Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community (OJ No L 052, 16.8.1960, p. 1121/60) as amended and supplemented by:

- **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 073, 27.3.1972, p. 148),
- **384 R 3626:** Council Regulation (EEC) No 3626/84 of 19 December 1984 (OJ No L 335, 22.12.1984, p. 4).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptation:

For the application of Articles 11 to 26 of this Regulation, see Protocol 21.

7. **368 R 1017:** Council Regulation (EEC) No 1017/68 of 19 July 1968 applying rules of competition to transport by rail, road and inland waterway (OJ No L 175, 23.7.1968, p. 1)⁽¹⁾.
8. **369 R 1629:** Regulation (EEC) No 1629/69 of the Commission of 8 August 1969 on the form, content and other details of complaints pursuant to Article 10, applications pursuant to Article 12 and notifications pursuant to Article 14(1) of Council Regulation (EEC) No 1017/68 of 19 July 1968 (OJ No L 209, 21.8.1969, p. 1)⁽²⁾.
9. **369 R 1630:** Regulation (EEC) No 1630/69 of the Commission of 8 August 1969 on the hearings provided for in Article 26 (1) and (2) of Council Regulation (EEC) No 1017/68 of 19 July 1968 (OJ No L 209, 21.8.1969, p. 11)⁽²⁾.
10. **374 R 2988:** Council Regulation (EEC) No 2988/74 of 26 November 1974 concerning limitation periods in proceedings and the enforcement of sanctions under the rules of the European Economic Community relating to transport and competition (OJ No L 319, 29.11.1974, p. 1)⁽²⁾.

(iv) STATE AID

11. **370 R 1107:** Council Regulation (EEC) No 1107/70 of 4 June 1970 on the granting of aids for transport by rail, road and inland waterway (OJ No L 130, 15.6.1970, p. 1), as amended and supplemented by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 073, 27.3.1972, p. 149),
 - **375 R 1473:** Council Regulation (EEC) No 1473/75 of 20 May 1975 (OJ No L 152, 12.6.1975, p. 1),
 - **382 R 1658:** Council Regulation (EEC) No 1658/82 of 10 June 1982 supplementing, by provisions on combined transport, Regulation (EEC) No 1107/70 (OJ No L 184, 29.6.1982, p. 1),
 - **389 R 1100:** Council Regulation (EEC) No 1100/89 of 27 April 1989 (OJ No L 116, 28.4.1989, p. 24).

(1) Listed here for purposes of information only. For application, see Annex XIV.

(2) Listed here for purposes of information only. For application see Protocol 21.

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptation:

In Article 5 "Commission" shall read "the competent authority as defined in Article 62 of the EEA Agreement".

(v) FRONTIER FACILITATION

12. **389 R 4060:** Council Regulation (EEC) No 4060/89 of 21 December 1989 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport (OJ No L 390, 30.12.1989, p. 18).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) Pursuant to Article 17 of the Agreement between the European Economic Community and the Republic of Austria on transit of goods by road and rail (referred to as "the transit agreement"), Austria may perform controls at the frontier to verify compliance with the ecopoint system as referred to in Articles 15 and 16 of the transit agreement. All Contracting Parties concerned may perform controls at the frontier to verify compliance with the quota arrangements referred to in Article 16 of the transit agreement which are not replaced by the ecopoint system and with quota arrangements covered by bilateral agreements between Austria on the one hand and Finland, Norway, Sweden and Switzerland on the other. All other controls shall be performed in conformity with the Regulation.
- (b) Switzerland may perform controls at the frontier to verify permits issued under Annex 6 to the Agreement between the European Communities and the Swiss Confederation on carriage of goods by road and rail. All other controls shall be performed in conformity with the Regulation.

(vi) COMBINED TRANSPORT

13. **375 L 0130:** Council Directive No 75/130/EEC of 17 February 1975 on the establishment of common rules for certain types of combined transport of goods between Member States (OJ No L 48, 22.2.1975, p. 31), as amended by:
- **379 L 0005:** Council Directive No 79/5/EEC of 19 December 1978 (OJ No L 005, 9.1.1979, p. 33),
 - **382 L 0003:** Council Directive No 82/3/EEC of 21 December 1981 (OJ No L 005, 9.1.1982, p. 12),
 - **382 L 0603:** Council Directive No 82/603/EEC of 28 July 1982 (OJ No L 247, 23.8.1982, p. 6),
 - **I 85 I:** Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 5.11.1985, p. 163),

- **386 L 0544:** Council Directive No 86/544/EEC of 10 November 1986 (OJ No L 320, 15.11.1986, p. 33),
- **391 L 0224:** Council Directive No 91/224/EEC of 27 March 1991 (OJ No L 103, 23.4.1991, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Article 8(3):

- *— **Austria:**
Strassenverkehrsbeitrag
- **Finland:**
Moottorijaneuvovero/ Motorfordonsskatt
- **Sweden:**
Fordonsskatt. ”;

Switzerland will maintain a system of subsidies for combined transport (at the date of signature of the Agreement: Verordnung des Schweizerischen Bundesrates vom 29.Juni 1988 über die Förderung des kombinierten Verkehrs und des Transportes begleiteter Motorfahrzeuge - Ordonnance sur la promotion du trafic combiné et du transport des véhicules à moteur accompagnés, du 29 juin 1988 - Ordinanza sul promovimento del traffico combinato e del trasporto di autoveicoli accompagnati, del 29 giugno 1988.) instead of introducing a reimbursement of taxes.

II. ROAD TRANSPORT

(i) TECHNICAL HARMONISATION AND SAFETY

14. **385 L 0003:** Council Directive No 85/3/EEC of 19 December 1984 on the weights, dimensions and certain other technical characteristics of certain road vehicles (OJ No L 002, 3.1.1985, p. 14), as amended by:
- **386 L 0360:** Council Directive No 86/360/EEC of 24 July 1986 (OJ No L 217, 5.8.1986, p. 19),
 - **388 L 0218:** Council Directive No 88/218/EEC of 11 April 1988 (OJ No L 098, 15.4.1988, p. 48),
 - **389 L 0338:** Council Directive No 89/338/EEC of 27 April 1989 (OJ No L 142, 25.5.1989, p. 3),
 - **389 L 0460:** Council Directive No 89/460/EEC of 18 July 1989 amending, with a view to fixing an expiry date for the derogations accorded to Ireland and the United Kingdom, Directive/85/3/EEC (OJ No L 226, 3.8.1989, p. 5),

- **389 L 0461**: Council Directive No 89/461/EEC of 18 July 1989 amending, with a view to fixing certain maximum authorized dimensions for articulated vehicles, Directive/85/3/EEC (OJ No L 226, 3.8.1989, p. 7),
- **391 L 0060**: Council Directive No 91/60/EEC of 4 February 1991 amending, with a view to fixing certain maximum authorized dimensions for road trains, Directive/85/3/EEC (OJ No L 037, 9.2.1991, p. 37).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Austria may maintain its national legislation for maximum authorized weights of motor vehicles and trailers as set out in Annex I, sections 2.2.1 and 2.2.2 of this Directive. Therefore provisions authorizing the use of vehicles (individual or combined) which are not in conformity with such national legislation shall not be applicable in Austria. This situation will be jointly reviewed six months before the expiry of the agreement between the European Communities and the Republic of Austria on transit of goods by road and rail;

Switzerland may maintain its national legislation for maximum authorized weights of motor vehicles and trailers as set out in Annex 1, sections 2.2 and 2.3.3 of this Directive. Therefore provisions authorizing the use of vehicles (individual or combined) which are not in conformity with such national legislation shall not be applicable in Switzerland. This situation will be jointly reviewed six months before the expiry of the agreement between the European Communities and the Swiss Confederation on the carriage of goods by road and rail;

all other provisions on weights and dimensions covered by this Directive shall be fully implemented by Austria and Switzerland.

15. **386 L 0364**: Council Directive No 86/364/EEC of 24 July 1986 relating to proof of compliance of vehicles with Directive 85/3/EEC on the weights, dimensions and certain other technical characteristics of certain road vehicles (OJ No L 221, 7.8.1986, p. 48),
16. **377 L O143**:: Council Directive No 77/143/EEC of 29 December 1976 on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (OJ No L 047, 18.2.1977, p. 47), as amended by:
 - **388 L 0449**: Council Directive No 88/449/EEC of 26 July 1988 (OJ No L 222, 12.8.1988, p. 10) as corrected in OJ No L 261, 21.9.1988, p. 28,
 - **391 L 0225**: Council Directive No 91/225/EEC of 27 March 1991 (OJ No L 103, 23.4.1991, p. 3).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

until 1 January 1998, Switzerland may maintain a longer interval between two successive compulsory road worthiness tests for all categories of vehicles listed in Annex I of the Directive.

17. **389 L 0459**: Council Directive No 89/459/EEC of 18 July 1989 on the approximation of the laws of the Member States relating to the tread depth of tyres of certain categories of motor vehicles and their trailers (OJ No L 226, 3.8.1989, p. 4).

(ii) TAXATION

18. **368 L 0297:** Council Directive No 68/297/EEC of 19 July 1968 on the standardisation of provisions regarding the duty-free admission of fuel contained in the fuel tanks of commercial motor vehicles (OJ No L 175, 23.7.1968, p. 15), as amended by:
- **1 72 B:** Act concerning the conditions of accession and the adjustments to the Treaties (OJ No L 073, 27.3.1972, p. 92),
 - **385 L 0347:** Council Directive No 85/347/EEC of 8 July 1985 (OJ No L 183, 16.7.1985, p. 22).

(iii) SOCIAL HARMONISATION

19. **377 L 0796:** Council Directive No 77/796/EEC of 12 December 1977 aiming at the mutual recognition of diplomas, certificates and other evidence of formal qualifications for goods haulage operators and road passenger transport operators, including measures intended to encourage these operators effectively to exercise their right to freedom of establishment (OJ No L 334, 24.12.1977, p. 37), as amended by:
- **389 L 0438:** Council Directive No 89/438/EEC of 21 June 1989 (OJ No L 212, 22.7.1989, p. 101) as corrected in OJ No L 298, 17.10.1989, p. 31.
20. **385 R 3820:** Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport (OJ No L 370, 31.12.1985 p. 1)

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The provisions of Article 3 shall not apply;
 - (b) Switzerland shall implement the provisions of Articles 5(2), 6(1), 7(1) and (2) and 8(1 to 3) of the Regulation at the latest on 1 January 1995.
21. **385 R 3821:** Council Regulation (EEC) No 3821/85 of 20 December 1985 on the introduction of recording equipment in road transport (OJ No L 370, 31.12.1985, p. 8), as amended by:
- **390 R 3572:** Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) until 1 January 1995 at the latest Austria may exempt vehicles which are only engaged in national transport from the obligation to install recording equipment as described in Article 3(1) of the Regulation;

- (b) until 1 January 1995 at the latest Switzerland may exempt crews consisting of more than one driver from the obligation set out in point 4.3 of Annex I, Chapter III(c) of the Regulation to make the recordings provided for in point 4.1 on two separate sheets.

22. **376 L 0914:** Council Directive No 76/914/EEC of 16 December 1976 on the minimum level of training for some road transport drivers (OJ No L 357, 29.12.1976, p. 36).

The provisions of this Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Switzerland shall implement the provisions of the Directive not later than on 1 January 1995.

23. **388 L 0599:** Council Directive No 88/599/EEC of 23 November 1988 on standard checking procedures for the implementation of Regulation (EEC) No 3820/85 on the harmonisation of certain social legislation relating to road transport and Regulation (EEC) No 3821/85 on recording equipment in road transport (OJ No L 325, 29.11.1988, p. 55).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Austria and Switzerland shall implement the provisions of the Directive not later than on 1 January 1995.

24. **389 L 0684:** Council Directive No 89/684/EEC of 21 December 1989 on vocational training for certain drivers of vehicles carrying dangerous goods by road (OJ No L 398, 30.12.1989, p. 33).

(iv) ACCESS TO THE MARKET (goods)

25. **362 L 2005:** First Council Directive of 23 July 1962 on certain types of carriage of goods by road between Member States (OJ No 70, 6.8.1962, p. 2005/62), as amended and supplemented by:

- **1 72 B:** Act concerning the conditions of accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland and the adjustments to the Treaties (OJ No L 073, 27.3.1972, p. 126),
- **372 L 0426:** Council Directive No 72/426/EEC of 19 December 1972 (OJ No L 291, 28.12.1972, p. 155),
- **374 L 0149:** Council Directive No 74/149/EEC of 4 March 1974 (OJ No L 084, 28.3.1974, p. 8),
- **377 L 0158:** Council Directive No 77/158/EEC of 14 February 1977 (OJ No L 048, 19.2.1977, p. 30),
- **378 L 0175:** Council Directive No 78/175/EEC of 20 February 1978 (OJ No L 054, 25.2.1978, p. 18),

- **380 L 0049:** Council Directive No 80/49/EEC of 20 December 1979 (OJ No L 018, 24.1.1980, p. 23),
- **382 L 0050:** Council Directive No 82/50/EEC of 19 January 1982 (OJ No L 027 4.2.1982, p. 22),
- **383 L 0572:** Council Directive No 83/572/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 33),
- **384 L 0647:** Council Directive No 84/647/EEC of 19 December 1984 on the use of vehicles hired without drivers for the carriage of goods by road (OJ No L 335, 22.12.1984, p. 72).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the provisions of the Directive shall only be applicable to own account transport;
 - (b) for the duration of the Agreement between the European Communities and the Republic of Austria on transit of goods by road and rail, the application of this Directive shall not affect the existing mutual rights for market access referred to in Article 16 of the Agreement between the European Communities and the Republic of Austria on transit of goods by road and rail, and as set out in the bilateral Agreements between Austria on the one hand and Finland, Norway, Sweden and Switzerland on the other hand, unless otherwise agreed by the Parties concerned.
26. **376 R 3164:** Council Regulation (EEC) No 3164/76 of 16 December 1976 on access to the market in the international carriage of goods by road (OJ No L 357, 29.12.1976, p. 1), as amended by:

- **388 R 1841:** Council Regulation (EEC) No 1841/88 of 21 June 1988 (OJ No L 163, 30.6.1988, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) only Article 4a of the Regulation shall apply, subject to implementation measures as provided for in Article 4b and adopted in accordance with the provisions of the Agreement;
- (b) for the duration of the Agreement between the European Communities and the Republic of Austria on transit of goods by road and rail, the application of this Regulation shall not affect the existing mutual rights for market access referred to in Article 16 of the Agreement between the European Communities and Austria on transport of goods by road and rail, and as set out in the bilateral Agreements between Austria on the one hand and Finland, Norway, Sweden and Switzerland on the other hand, unless otherwise agreed by the Parties concerned.

(v) RATES (goods)

27. **389 R 4058:** Council Regulation (EEC) No 4058/89 of 21 December 1989 on the fixing of rates for the carriage of goods by road between Member States (OJ No L 390, 30.12.1989, p. 1).

(vi) ADMISSION TO THE OCCUPATION (goods)

28. **374 L 0561:** Council Directive No 74/561/EEC of 12 November 1974 on admission to the occupation of road haulage operator in national and international transport operations (OJ No L 308, 19.11.1974, p. 18), as amended by:

- **389 L 0438:** Council Directive No 89/438/EEC of 21 June 1989 (OJ No L 212, 22.7.1989, p. 101),
- **390 R 3572:** Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

The provisions of this Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Switzerland shall implement the provisions of the Directive at the latest on 1 January 1995.

(vii) HIRED VEHICLES (goods)

29. **384 L 0647:** Council Directive No 84/647/EEC of 19 December 1984 on the use of vehicles hired without drivers for the carriage of goods by road (OJ No L 335, 22.12.1984, p. 72), as amended by:

- **390 L 0398:** Council Directive No 90/398/EEC of 24 July 1990 (OJ No L 202, 31.7.1990, p. 46).

(viii) ACCESS TO THE MARKET (passengers)

30. **366 R 0117:** Council Regulation No 117/66/EEC of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus (OJ No L 147, 9.8.1966, p. 2688/66).

The provisions of this Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

Article 4(2) shall not apply.

31. **368 R 1016:** Commission Regulation (EEC) No 1016/68 of 9 July 1968 prescribing the model control documents referred to in Articles 6 and 9 of Council Regulation No 117/66/EEC (OJ No L 173, 22.7.1968, p. 8) as amended by:
 - **382 R 2485:** Commission Regulation (EEC) No 2485/82 of 13 September 1982 (OJ No L 265, 15.9.1982, p. 5).
32. **372 R 0516:** Council Regulation (EEC) No 516/72 of 28 February 1972 on the introduction of common rules for shuttle services by coach and bus between Member States (OJ No L 067, 20.3.1972, p. 13), as amended by:
 - **378 R 2778:** Council Regulation (EEC) No 2778/78 of 23 November 1978 (OJ No L 333, 30.11.1978, p. 4).
33. **372 R 0517:** Council Regulation (EEC) No 517/72 of 28 February 1972 on the introduction of common rules for regular and special regular services by coach and bus between Member States (OJ No L 067, 20.3.1972, p. 19), as amended by:
 - **377 R 3022:** Council Regulation (EEC) No 3022/77 of 20 December 1977 (OJ No L 358, 31.12.1977, p. 1),
 - **378 R 1301:** Council Regulation (EEC) No 1301/78 of 12 June 1978 (OJ No L 158, 16.6.1978, p. 1).
34. **372 R 1172:** Commission Regulation (EEC) No 1172/72 of 26 May 1972 prescribing the form of the documents referred to in Council Regulation (EEC) No 517/72 and Council Regulation (EEC) No 516/72 (OJ No L 134, 12.6.1972, p. 1), as amended by:
 - **372 R 2778** Commission Regulation (EEC) 2778/72 of 20 December 1972 (OJ No L 292, 29.12.1972, p. 22).
 - **I 79 H:** Act concerning the conditions of accession to the European Communities of the Hellenic Republic and the adjustments to the Treaties (OJ No L 291, 19.11.1979, p. 92),
 - **I 85 I:** Act concerning the conditions of accession to the European Communities of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 162).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptation:

in Annex 1, footnote (1) shall be completed as follows:

"ICELAND (IS), LIECHTENSTEIN (FL), NORWAY (N), AUSTRIA (A), SWITZERLAND (CH), FINLAND (SF), SWEDEN (S)".

(ix) ADMISSION TO THE OCCUPATION (passengers)

35. **374 L 0562**: Council Directive No 74/562/EEC of 12 November 1974 on admission to the occupation of road passenger transport operator in national and international transport operations (OJ No L 308, 19.II.1974, p. 23), as amended by:
- **389 L 0438**: Council Directive No 89/438/EEC of 21 June 1989 (OJ No L 212, 22.7.1989, p. 101).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Austria shall implement the provisions of the Directive at the latest on 1 January 1995.

36. **390 R 3572**: Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

III. TRANSPORT BY RAIL

(i) STRUCTURAL POLICY

37. **375 D 0327**: Council Decision No 75/327/EEC of 20 May 1975 on the improvement of the situation of railway undertakings and the harmonisation of rules governing financial relations between such undertakings and States (OJ No L 152, 12.6.1975, p. 3), as amended by:
- **1 79 H**: Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties (OJ No L 291, 19.11.1979, p. 92),
- **1 85 I**: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 163),
- **390 R 3572**: Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) Article 8 shall not apply;
- (b) Austria shall apply the provisions of this Decision as of 1 January 1995 at the latest.

38. **383 D O418**: Council Decision No 83/418/EEC of 25 July 1983 on the commercial independence of the railways in the management of their international passenger and luggage traffic (OJ No L 237, 26.8.1983, p. 32), as amended by:
- **1 85 I**: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 165),
 - **390 R 3572**: Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).
39. **369 R 1192**: Council Regulation (EEC) No 1192/69 of 26 June 1969 on common rules for the normalisation of the accounts of railway undertakings (OJ No L 156, 28.6.1969, p. 8), as amended by:
- **I 72 B**: Act concerning the conditions of accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland and the adjustments to the Treaties (OJ No L 073, 27.3.1972, p. 90),
 - **373 D 0101(01)**: Council Decision of 1 January 1973 adjusting the instruments concerning the accession of new Member States to the European Communities (OJ No L 002, 1.1.1973, p. 19),
 - **1 79 H**: Act concerning the conditions of accession to the European Communities of the Hellenic Republic and the adjustments to the Treaties (OJ No L 291, 19.11.1979, p. 92),
 - **1 85 I**: Act concerning the conditions of accession to the European Communities of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 161),
 - **390 R 3572**: Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).
40. **377 R 2830**: Council Regulation (EEC) No 2830/77 of 12 December 1977 on the measures necessary to achieve comparability between the accounting systems and annual accounts of railway undertakings (OJ No L 334, 24.12.1977, p. 13), as amended by:
- **1 79 H**: Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties (OJ No L 291, 19.11.1979, p. 94),
 - **1 85 I**: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 162),

- **390 R 3572:** Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).
- 41. **378 R 2183:** Council Regulation (EEC) No 2183/78 of 19 September 1978 laying down uniform costing principles for railway undertakings (OJ No L 258, 21.9.1978, p. 1), as amended by:
 - **1 79 H:** Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties (OJ No L 291, 19.11.1979, p. 93),
 - **1 85 I:** Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 162),
 - **390 R 3572:** Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

(ii) RATES

42. **382 D 0529:** Council Decision No 82/529/EEC of 19 July 1982 on the fixing of rates for the international carriage of goods by rail (OJ No L 234, 9.8.1982, p. 5), as amended by:
 - **1 85 I:** Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties (OJ No L 302, 15.11.1985, p. 164),
 - **390 R 3572:** Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

IV. TRANSPORT BY INLAND WATERWAY

(i) ACCESS TO THE MARKET

43. **385 R 2919:** Council Regulation (EEC) No 2919/85 of 17 October 1985 laying down the conditions for access to the arrangements under the Revised Convention for the navigation of the Rhine relating to vessels belonging to the Rhine Navigation (OJ No L 280, 22.10.1985, p. 4).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the Commission shall also be informed by the EFTA States, in accordance with the provisions of Article 2, of any information referred to in that Article which EFTA States may send to the CCR;
- (b) Article 3 shall not apply.

(ii) STRUCTURAL POLICY

44. **389 R 1101:** Council Regulation (EEC) No 1101/89 of 27 April 1989 on structural improvements in inland waterway transport (OJ No L 116, 28.4.1989, p. 25), as amended by:
- **390 R 3572:** Council Regulation (EEC) No 3572/90 of 4 December 1990 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway (OJ No L 353, 17.12.1990, p. 12).

The provisions of this Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

the Commission, in reaching its decisions as mentioned in Articles 6(7), 8(1)(c) and 8(3)(c), shall take due account of the views expressed by EFTA States in the same manner as those expressed by EC Member States.

45. **389 R 1102:** Commission Regulation (EEC) No 1102/89 of 27 April 1989 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 (OJ No L 116, 28.4.1989, p. 30), as amended by:
- **389 R 3685:** Commission Regulation (EEC) No 3685/89 of 8 December 1989 (OJ No L 360, 9.12.1989, p. 20),
 - **391 R 0317:** Commission Regulation (EEC) No 317/91 of 8 February 1991 (OJ No L 37, 9.2.1991, p. 27).

The provisions of this Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

the Commission, in amending this Regulation as mentioned in Article 12(1), shall take due account of the views expressed by EFTA States in the same manner as of those expressed by EC Member States.

(iii) ACCESS TO THE OCCUPATION

46. **387 L 0540:** Council Directive No 87/540/EEC of 9 November 1987 on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation (OJ No L 322, 12.11.1987, p. 20).

The provisions of the Directive shall, for the purpose of the present Agreement, be read with the following adaptation:

Austria shall implement the Directive at the latest on 1 July 1994. Switzerland shall implement the Directive at the latest on 1 January 1995.

(iv) TECHNICAL HARMONISATION

47. **382 L 0714:** Council Directive No 82/714/EEC of 4 October 1982 laying down technical requirements for inland waterway vessels (OJ No L 301, 28.10.1982, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

the list in Annex I shall be supplemented as follows:

CHAPTER I
Zone 2

"Sweden
Trollhätte kanal and Göta älv
Lake Vänern
Södertälje kanal
Lake Mälaren
Falsterbokanal
Sotenkanälen."

CHAPTER II
Zone 3

"Austria
Danube from the Austrian-German border to the Austrian Czechoslovak border.

"Sweden
Göta kanal
Lake Vättern.

"Switzerland
Rhine from Rheinfelden to the Swiss-German border."

CHAPTER III
Zone 4

"Sweden
All other rivers, canals and inland seas not listed in Zones 1,2 and 3."

48. **376 L 0135:** Council Directive No 76/135/EEC of 20 January 1976 on reciprocal recognition of navigability licences for inland waterway vessels (OJ No L 021, 29.1.1976, p. 10) as amended by:
- **378 L 1016:** Council Directive No 78/1016/EEC of 23 November 1978 (OJ No L 349, 13.12.1978, p. 31).
49. **377 D 0527:** Commission Decision No 77/527/EEC of 29 July 1977 establishing the list of maritime shipping lanes for the application of Council Directive 76/135/EEC (OJ No L 209, 17.8.1977, p. 29), as amended by:
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 164).

The provisions of the decision shall, for the purposes of the present Agreement, be read with the following adaptation:

the list set out in the Annex shall be supplemented as follows:

"FINLAND

Saimaan kanava/Saima kanal
Saimaan vesistö/Saimens vattendrag

SWEDEN

Trollhätte kanal and Göta älv
Lake Vänern
Lake Mälaren
Södertälje kanal
Falsterbokanal
Sotenkanalen"

V. MARITIME TRANSPORT

Protocol 19 shall apply in the field of third country relations in maritime transport.

50. **386 R 4056:** Council Regulation (EEC) No 4056/86 of 22 December 1986 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport (OJ No L 378, 31.12.1986, p. 4)⁽³⁾.
51. **388 R 4260:** Commission Regulation (EEC) No 4260/88 of 16 December 1988 on the communications, complaints and applications and the hearings provided for in Council Regulation (EEC) No 4056/88 (OJ No L 376, 21.12.1988, p. 1)⁽⁴⁾.
52. **379 R 0954:** Council Regulation (EEC) No 954/79 of 15 May 1979 concerning the ratification by Member States of, or their accession to, the United Nations Convention on a Code of Conduct for Liner Conferences (OJ No L 121, 17.5.1979 p. 1)⁽³⁾.
53. **386 R 4055:** Council Regulation (EEC) No 4055/86 of 22 December 1986 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries (OJ No L 378, 31.12.1986, p. 1), as amended by:
 - **390 R 3573:** Council Regulation (EEC) No 3573/90 of 4 December 1990 amending, as a result of German unification, Regulation (EEC) No 4055/86 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries (OJ No L 353, 17.12.1990, p. 16).

(3) Listed here for purposes of information only. For application, see Annex XIV.

(4) Listed here for purposes of information only. For application see, Protocol 21.

The provisions of the Regulation shall , for the purposes of the present Agreement, be read with the following adaptations:

- (a) Article 2 shall be replaced by: "There shall be no unilateral national restrictions on the carriage of certain goods wholly or partly reserved for vessels flying the national flag.";
 - (b) with respect to Article 5(1), it is understood that cargo sharing arrangements in bulk trades in any future agreements with third countries are prohibited;
 - (c) for the implementation of Articles 5, 6 and 7, Protocol 19 to the EEA Agreement shall apply.
54. **379 L 0115:** Council Directive No 79/115/EEC of 21 December 1978 concerning pilotage of vessels by deep-sea pilots in the North Sea and English Channel (OJ No L 033, 8.2.1979, p. 32).
55. **379 L 0116:** Council Directive No 79/116/EEC of 21 December 1978 concerning minimum requirements for certain tankers entering or leaving Community ports (OJ No L 033, 8.2.1979, p. 33), as amended by:
- **379 L 1034:** Council Directive 79/1034/EEC of 6 December 1979 (OJ No L 315, 11.12.1979, p. 16).
56. **391 R 0613:** Council Regulation (EEC) No 613/91 of 4 March 1991 on the transfer of ships from one register to another within the Community (OJ No L 68, 15.3.1991, p. 1).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the contents of the following acts:

57. **386 R 4057:** Council Regulation (EEC) No 4057/86 of 22 December 1986 on unfair pricing practices in maritime transport (OJ No L 378, 31.12.1986, p. 14).
58. **386 R 4058:** Council Regulation (EEC) No 4058/86 of 22 December 1986 concerning coordinated action to safeguard free access to cargoes in ocean trades (OJ No L 378 31.12.1986 p. 21).
59. **383 D 0573:** Council Decision No 83/573/EEC of 26 October 1983 concerning counter-measures in the field of international merchant shipping (OJ No L 332, 28.11.1983, p. 37).

ACTS REFERRED TO

VI. CIVIL AVIATION

(i) COMPETITION RULES

60. **387 R 3975:** Council Regulation (EEC) No 3975/87 of 14 December 1987 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector (OJ No L 374, 31.12.1987, p. 1)⁽⁵⁾
61. **388 R 4261:** Commission Regulation (EEC) No 4261/88 of 16 December 1988 on the complaints, application and hearings provided for in Council Regulation (EEC) No 3975/87 (OJ No L 376, 31.12.1988, p. 10)⁽⁵⁾

(ii) MARKET ACCESS

62. **390 R 2343:** Council Regulation (EEC) No 2343/90 of 24 July 1990 on access for air carriers to scheduled intra-Community air service routes and on the sharing of passenger capacity between air carriers on scheduled air services between Member States (OJ No L 217, 11.8.1990, p. 8).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

the list set out in Annex II of the Regulation shall be supplemented as follows:

"AUSTRIA	:	Vienna
FINLAND	:	Helsinki-Vantaa
ICELAND	:	Keflavik
NORWAY	:	Oslo-Fornebu/Gardemoen
SWEDEN	:	Stockholm-Arlanda
SWITZERLAND	:	Zurich Geneva-Cointrin".

63. **389 R 2299:** Council Regulation (EEC) No 2299/89 of 24 July 1989 introducing a Code of Conduct for the use of computer reservation systems (OJ No L 220, 29.7.1989, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

for the application of Articles 7 and 11 to 20 of this Regulation, see Protocol 21.

64. **391 R 0294:** Council Regulation (EEC) No 294/91 of 4 February 1991 on the operation of air cargo services between Member States (OJ No L 036, 8.2.1991, p. 1).

(5) Listed here for purposes of information only. For application, see Protocol 21.

(iii) FARES

65. **390 R 2342**: Council Regulation (EEC) No 2342/90 of 24 July 1990 on fares for scheduled air services (OJ No L 217, 11.8.1990, p. 1).

(iv) TECHNICAL HARMONISATION AND SAFETY

66. **380 L 1266**: Council Directive No 80/1266/EEC of 16 December 1980 on future cooperation and mutual assistance between the Member States in the field of air accident investigation (OJ No L 375, 31.12.1980, p. 32).

(v) CONSULTATION PROCEDURE

67. **380 D 0050**: Council Decision 80/50/EEC of 20 December 1979 setting up a consultation procedure on relations between Member States and third countries in the field of air transport and on action relating to such matters within international organizations (OJ No L 018, 24.1.1980, p. 24).

(vi) SOCIAL HARMONISATION

68. **391 R 0295**: Council Regulation (EEC) No 295/91 of 4 February 1991 establishing common rules for a denied boarding compensation system in scheduled air transport (OJ No L 036, 8.2.1991, p. 5).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of contents of the following acts:

69. **C/257/88/p. 6**: Commission Notice concerning procedures for communications to the Commission relating to Articles 4 and 5 of Commission Regulation (EEC) No 2671/88 of 26 July 1988 on the application of the Treaty to certain categories of Agreements between undertakings and concerted practices concerning joint planning and coordination of capacity, sharing of revenue and consultations on tariffs on scheduled air services and slot allocation at airports (OJ No C 257, 4.10.1988, p. 6).
70. **C/119/89 p. 6**: Commission Notice concerning the application of Article 4(1) (a) of Commission Regulation (EEC) No 2671/88 of 26 July 1988 on the application of Article 85(3) of the Treaty to certain categories of Agreements between undertakings, decisions of associations of undertakings and concerted practices concerning joint planning and coordination of capacity, sharing of revenue and consultations on tariffs on scheduled air services and slot allocation at airports (OJ No C 119, 13.5.1989, p. 6).

71. **361 Y 0722(01)**: Recommendation of the Commission of 14 June 1961 addressed to the Member States on the application of Regulation 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty (OJ No L 050, 22.7.1961, p. 975/61).
72. **485 Y 1231(01)**: Resolution 85/C348/01 of the Council and the Representatives of the Governments of the Member States meeting within the Council to improve the implementation of the social regulations in road transport (OJ No C 348, 31.12.1985, p. 1).
73. **384 X 0646**: Recommendation 84/646/EEC of the Council of 19 December 1984 on strengthening the cooperation of the national railway companies of the Member States in international passenger and goods transport (OJ No L 333, 21.12.1984, p. 63).
74. **382 X 0922**: Recommendation 82/922/EEC of the Commission of 17 December 1982 to national railway undertakings on the definition of a high quality international passenger transport system (OJ No L 381, 31.12.1982, p. 38).
75. **371 Y 0119(01)**: Resolution of the Council of 7 December 1970 on the cooperation between railway companies (OJ No C 005, 19.1.1971, p. 1).

ANNEX XIV

COMPETITION

List provided for in Article 60

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles;
- the addressees of the Community acts;
- references to territories or languages of the EC;
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

Unless otherwise provided for, the provisions of this Annex shall, for the purposes of the present Agreement, be read with the following adaptations:

- I. the term "Commission" shall read "competent surveillance authority";
- II. the term "common market" shall read "the territory covered by the EEA Agreement";
- III. the term "trade between Member States" shall read "trade between Contracting Parties";
- IV. the term "the Commission and the authorities of the Member States" shall read "the EC Commission, the EFTA Surveillance Authority, the authorities of the EC Member States and of the EFTA States";
- V. References to Articles of the Treaty establishing the European Economic Community (EEC) or the Treaty establishing the European Coal and Steel Community (ECSC) shall be read as references to the EEA Agreement (EEA) as follows:
 - Article 85 (EEC) - Article 53 (EEA),
 - Article 86 (EEC) - Article 54 (EEA),
 - Article 90 (EEC) - Article 59 (EEA),
 - Article 66 (ECSC) - Article 2 of Protocol 25 to the EEA Agreement,
 - Article 80 (ECSC) - Article 3 of Protocol 25 to the EEA Agreement.

- VI. the term "this Regulation" shall read "this Act";
- VII. the term "the competition rules of the Treaty" shall read "the competition rules of the EEA Agreement";
- VIII. the term "High Authority" shall read "competent surveillance authority".

Without prejudice to the rules on control of concentrations, the term "competent surveillance authority" as referred to in the rules below shall read "the surveillance authority which is competent to decide on a case in accordance with Article 56 of the EEA Agreement".

ACTS REFERRED TO

A. *MERGER CONTROL*

- I. **389 R 4064:** Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings (OJ No L 395, 30.12.1989, p.1), as corrected by OJ No L 257, 21.9.1990, p.13.

The provisions of Articles 1 to 5 of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 1(1), the phrase ",or the corresponding provision envisaged in Protocol 21 to the EEA Agreement," shall be inserted after the words "Without prejudice to Article 22";
- furthermore, the term "Community dimension" shall be replaced by "Community or EFTA dimension";
- (b) in Article 1(2), the term "Community dimension" shall be replaced by "Community or EFTA dimension respectively";
- furthermore, the term "Community-wide turnover" shall be replaced by "Community-wide or EFTA-wide turnover";
- in the last subparagraph, the term "Member State" shall be replaced by "State";
- (c) Article 1(3) shall not apply;
- (d) in Article 2(1), first subparagraph, the term "common market" shall be replaced by "functioning of the EEA Agreement";
- (e) in Article 2(2), at the end, the term "common market" shall be replaced by "functioning of the EEA Agreement";
- (f) in Article 2(3), at the end, the term "common market" shall be replaced by "functioning of the EEA Agreement";
- (g) in Article 3(5)(b), the term "Member State" shall be replaced by "EC Member State or an EFTA State";

- (h) in Article 4(1), the term "Community dimension" shall be replaced by "Community or EFTA dimension";

furthermore, in the first sentence, the phrase "in accordance with Article 57 of the EEA Agreement" shall be inserted after the words "... shall be notified to the Commission";

- (i) in Article 5(1), the last subparagraph shall be replaced by the following:

"Turnover, in the Community or in an EC Member State, shall comprise products sold and services provided to undertakings or consumers, in the Community or in that EC Member State as the case may be. The same shall apply as regards turnover in the territory of the EFTA States as a whole or in an EFTA State.";

- (j) in Article 5(3)(a), second subparagraph, the term "Community-wide turnover" shall be replaced by the words "Community-wide or EFTA-wide turnover";

furthermore, the term "Community residents" shall be replaced by "Community or EFTA residents, respectively";

- (k) in Article 5(3)(a), third subparagraph, the term "Member State" shall be replaced by "EC Member State or EFTA State";

- (l) in Article 5(3)(b), the last phrase "..., gross premiums received from Community residents and from residents of one Member State respectively shall be taken into account." shall be replaced by the following:

"..., gross premiums received from Community residents and from residents of one EC Member State respectively shall be taken into account. The same shall apply as regards gross premiums received from residents in the territory of the EFTA States as a whole and from residents in one EFTA State, respectively."

B. EXCLUSIVE DEALING AGREEMENTS

2. **383 R 1983:** Commission Regulation (EEC) No 1983/83 of 22 June 1983 on the application of Article 85(3) of the Treaty to categories of exclusive distribution agreements (OJ No L 173, 30.6.1983, p.1), as corrected by OJ No L 281, 13.10.1983, p.24, and as amended by:

- **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.166).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 5(1), the term "the Treaty" shall read "the Treaty establishing the European Economic Community";

- (b) in Article 6, introductory paragraph, the phrase "pursuant to Article 7 of Regulation No 19/65/EEC" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";
- (c) the following paragraph shall be added at the end of Article 6:
- "The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation (EEC) No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required.";
- (d) Article 7 shall not apply;
- (e) Article 10 shall read:
- "This Act shall expire on 31 December 1997."
3. **383 R 1984:** Commission Regulation (EEC) No 1984/83 of 22 June 1983 on the application of Article 85(3) of the Treaty to categories of exclusive purchasing agreements (OJ No L 173, 30.6.1983, p.5), as corrected by OJ No L 281, 13.10.1983, p. 24, and as amended by:
- **1 85 1:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.166).
- The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:
- (a) in Article 5(1) the term "the Treaty" shall read "the Treaty establishing the European Economic Community";
- (b) in Article 14, introductory paragraph, the phrase "pursuant to Article 7 of Regulation No 19/65/EEC" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";
- (c) the following paragraph shall be added at the end of Article 14:
- "The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation (EEC) No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required.";
- (d) Article 15 shall not apply;
- (e) Article 19 shall read:
- "This Act shall expire on 31 December 1997."

4. **385 R 0123:** Commission Regulation (EEC) No 123/85 of 12 December 1984 on the application of Article 85(3) of the Treaty to certain categories of motor vehicle distribution and servicing agreements (OJ No L 15, 18.1.1985, p.16), as amended by:

— **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.167).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 5(1), subparagraph (2)(d), the term "Member State" shall read "EC Member State or EFTA State";
- (b) Article 7 shall not apply;
- (c) Article 8 shall not apply;
- (d) Article 9 shall not apply;
- (e) in Article 10, introductory paragraph, the phrase "pursuant to Article 7 of Regulation No 19/65/EEC" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";
- (f) in Article 10 (3), the term "Member States" shall read "Contracting Parties";
- (g) the following paragraph shall be added at the end of Article 10:

"The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation (EEC) No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required.";

- (b) Article 14 shall read:

"This Act shall remain in force until 30 June 1995."

C. *PATENT LICENSING AGREEMENTS*

5. **384 R 2349:** Commission Regulation (EEC) No 2349/84 of 23 July 1984 on the application of Article 85(3) of the Treaty to certain categories of patent licensing agreements (OJ No L 219, 16.8.1984, p.15), as amended by:

— **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.166).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 4(1), the phrase "on condition that the agreements in question are notified to the Commission in accordance with the provisions of Commission Regulation No 27, as last amended by Regulation (EEC) No 1699/75, and that the Commission does not oppose" shall read "on condition that the agreements in question are notified to the EC Commission or the EFTA Surveillance Authority in accordance with the provisions of Commission Regulation No 27/62, as last amended by Regulation (EEC) No 2526/85, and the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, and that the competent surveillance authority does not oppose";
- (b) in Article 4(2), the term "the Commission" shall read "the EC Commission or the EFTA Surveillance Authority";
- (c) Article 4(4) shall not apply;
- (d) in Article 4(5), the second sentence shall be replaced as follows:

"It shall oppose exemption if it receives a request to do so from a State falling within its competence within three months of the transmission to those States of the notification referred to in paragraph 1.";
- (e) in Article 4(6), the second sentence shall be replaced as follows:

"However, where the opposition was raised at the request of a State falling within its competence and this request is maintained, it may be withdrawn only after consultation of its Advisory Committee on Restrictive Practices and Dominant Positions.";
- (f) the following shall be added to the end of Article 4(9):

", or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement.";
- (g) Article 6 shall not apply;
- (h) Article 7 shall not apply;
- (i) Article 8 shall not apply;
- (j) in Article 9, introductory paragraph, the phrase "pursuant to Article 7 of Regulation No 19/65/EEC" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";
- (k) the following paragraph shall be added at the end of Article 9:

"The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation (EEC) No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required.";

(l) Article 14 shall read:

"This Act shall apply until 31 December 1994."

D. SPECIALIZATION AND RESEARCH AND DEVELOPMENT AGREEMENTS

6. **385 R 0417:** Commission Regulation (EEC) No 417/85 of 19 December 1984 on the application of Article 85(3) of the Treaty to categories of specialization agreements (OJ No L 53, 22.2.1985, p.1), as amended by:

— **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.167).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 4(1), the phrase "on condition that the agreements in question are notified to the Commission in accordance with the provisions of Commission Regulation No 27 and that the Commission does not oppose" shall read "on condition that the agreements in question are notified to the EC Commission or the EFTA Surveillance Authority in accordance with the provisions of Commission Regulation No 27/62, as last amended by Regulation (EEC) No 2526/85, and the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, and that the competent surveillance authority does not oppose";
- (b) in Article 4(2) the term "the Commission" shall read "the EC Commission or the EFTA Surveillance Authority";
- (c) Article 4(4) shall not apply;
- (d) in Article 4(5), the second sentence shall be replaced as follows:

"It shall oppose exemption if it receives a request to do so from a State falling within its competence within three months of the forwarding to those States of the notification referred to in paragraph 1.";
- (e) in Article 4(6), the second sentence shall be replaced as follows:

"However, where the opposition was raised at the request of a State falling within its competence and this request is maintained, it may be withdrawn only after consultation of its Advisory Committee on Restrictive Practices and Dominant Positions.";
- (f) the following shall be added to the end of Article 4(9):

", or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement.";
- (g) in Article 8, introductory paragraph, the phrase "pursuant to Article 7 of Regulation (EEC) No 2821/71" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";

- (h) the following paragraph shall be added at the end of Article 8:

"The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation (EEC) No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required.";

- (i) Article 10 shall read:

"This Act shall apply until 31 December 1997.".

7. **385 R 0418:** Commission Regulation (EEC) No 418/85 of 19 December 1984 on the application of Article 85(3) of the Treaty to categories of research and development agreements (OJ No L 53, 22.2.1985, p.5), as amended by:

- **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 167).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 7(1), the phrase "on condition that the agreements in question are notified to the Commission in accordance with the provisions of Commission Regulation No 27 and that the Commission does not oppose" shall read "on condition that the agreements in question are notified to the EC Commission or the EFTA Surveillance Authority in accordance with the provisions of Commission Regulation No 27/62, as last amended by Regulation (EEC) No 2526/85, and the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, and that the competent surveillance authority does not oppose";
- (b) in Article 7(2), the term "the Commission" shall read "the EC Commission or the EFTA Surveillance Authority";
- (c) Article 7(4) shall not apply;
- (d) in Article 7(5), the second sentence shall be replaced as follows:

"It shall oppose exemption if it receives a request to do so from a State falling within its competence within three months of the forwarding to those States of the notification referred to in paragraph 1.";

- (e) in Article 7(6), the second sentence shall be replaced as follows:

"However, where the opposition was raised at the request of a State falling within its competence and this request is maintained, it may be withdrawn only after consultation of its Advisory Committee on Restrictive Practices and Dominant Positions.";

- (f) the following shall be added to the end of Article 7(9):
- ", or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement.";
- (g) in Article 10, introductory paragraph, the phrase "pursuant to Article 7 of Regulation (EEC) No 2821/71" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";
- (h) the following paragraph shall be added at the end of Article 10:
- "The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation (EEC) No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required.";
- (i) Article 11 shall not apply;
- (j) Article 13 shall read:
- "This Act shall apply until 31 December 1997."

E. FRANCHISING AGREEMENTS

8. **388 R 4087:** Commission Regulation (EEC) No 4087/88 of 30 November 1988 on the application of Article 85(3) of the Treaty to categories of franchise agreements (OJ No L 359, 28.12.1988, p.46).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 6(1), the phrase "on condition that the agreements in question are notified to the Commission in accordance with the provisions of Commission Regulation No 27, and that the Commission does not oppose" shall read "on condition that the agreements in question are notified to the EC Commission or the EFTA Surveillance Authority in accordance with the provisions of Commission Regulation No 27/62, as last amended by Regulation (EEC) No 2526/85, and the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, and that the competent surveillance authority does not oppose";
- (b) in Article 6(2), the term "the Commission" shall read "the EC Commission or the EFTA Surveillance Authority";
- (c) Article 6(4) shall not apply;
- (d) in Article 6(5), the second sentence shall be replaced as follows:
- "It shall oppose exemption if it receives a request to do so from a State falling within its competence within three months of the forwarding to those States of the notification referred to in paragraph 1.";

- (e) in Article 6(6), the second sentence shall be replaced as follows:

"However, where the opposition was raised at the request of a State falling within its competence and this request is maintained, it may be withdrawn only after consultation of its Advisory Committee on Restrictive Practices and Dominant Positions.";

- (f) the following shall be added to the end of Article 6(9):

", or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement.";

- (g) in Article 8, introductory paragraph, the phrase "pursuant to Article 7 of Regulation No 19/65/EEC" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";

- (h) the following paragraph shall be added at the end of Article 8:

"The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required.";

- (i) in Article 8(c), the term "Member States" shall read "EC Member States or EFTA States";

- (j) Article 9 shall read:

"This Act shall remain in force until 31 December 1999.".

F. *KNOW-HOW LICENSING AGREEMENTS*

9. **389 R 0556:** Commission Regulation (EEC) No 556/89 of 30 November 1988 on the application of Article 85(3) of the Treaty to certain categories of know-how licensing agreements (OJ No L 61, 4.3.1989, p.1).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 1(2), the term "EEC" shall read "the territory covered by the EEA Agreement";

- (h) Article 1(4) shall read:

"In so far as the obligations referred to in paragraph 1 (1) to (5) concern territories including EC Member States or EFTA States in which the same technology is protected by necessary patents, the exemption provided for in paragraph 1 shall extend for those States as long as the licensed product or process is protected in those States by such patents, where the duration of such protection exceeds the periods specified in paragraph 2.";

- (c) in Article 1(7), points 6 and 8, the term "Member States" shall read "EC Member States or EFTA States";
- (d) in Article 4(1), the phrase "on condition that the agreements in question are notified to the Commission in accordance with the provisions of Commission Regulation No 27 and that the Commission does not oppose" shall read "on condition that the agreements in question are notified to the EC Commission or the EFTA Surveillance Authority in accordance with the provisions of Commission Regulation No 27/62, as last amended by Regulation (EEC) No 2526/85, and the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, and that the competent surveillance authority does not oppose";
- (e) in Article 4(3) the term "the Commission" shall read "the EC Commission or the EFTA Surveillance Authority";
- (f) Article 4(5) shall not apply;
- (g) in Article 4(6), the second sentence shall be replaced as follows:
- "It shall oppose exemption if it receives a request to do so from a State falling within its competence within three months of the transmission to those States of the notification referred to in paragraph 1.";
- (h) in Article 4(7), the second sentence shall be replaced as follows:
- "However, where the opposition was raised at the request of a State falling within its competence and this request is maintained, it may be withdrawn only after consultation of its Advisory Committee on Restrictive Practices and Dominant Positions.";
- (i) the following shall be added to the end of Article 4(10):
- ", or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement.";
- (j) in Article 7, introductory paragraph, the phrase "pursuant to Article 7 of Regulation No 19/65/EEC" shall read "either on its own initiative or at the request of the other surveillance authority or a State falling within its competence or of natural or legal persons claiming a legitimate interest";
- (k) in Article 7, the following shall be added at the end of point (5) (a) and (b):
- "The competent surveillance authority may in such cases issue a decision in accordance with Articles 6 and 8 of Regulation (EEC) No 17/62, or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement, without any notification from the undertakings concerned being required;";
- (l) Article 8 shall not apply;
- (m) Article 9 shall not apply;

- (n) Article 10 shall not apply;
- (o) Article 12 shall read:

"This Act shall apply until 31 December 1999."

G. *TRANSPORT*

10. **368 R 1017:** Council Regulation (EEC) No 1017/68 of 19 July 1968 applying rules of competition to transport by rail, road and inland waterway (OJ No L 175, 23.7.1968, p.1).

The provisions of Articles 1 to 5 and of Articles 7 to 9 of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 2, the introductory paragraph shall read as follows:

"Subject to the provisions of Articles 3 to 5, Article 6 of Regulation (EEC) No 1017/68 and to the provision corresponding to Article 6 as it is envisaged in Protocol 21 to the EEA Agreement, the following shall be prohibited as incompatible with the functioning of the EEA Agreement, no prior decision to that effect being required: all agreements between undertakings, decisions by associations of undertakings and concerted practices liable to affect trade between Contracting Parties which have as their object or effect the prevention, restriction or distortion of competition within the territory covered by the EEA Agreement, and in particular those which:"

- (b) Article 3(2) shall not apply;
- (c) Article 6 shall not apply;
- (d) in the first subparagraph of Article 8, the phrase "incompatible with the common market" shall read "incompatible with the functioning of the EEA Agreement";
- (e) Article 9(1) shall read:

"In the case of public undertakings and undertakings to which EC Member States or EFTA States grant special or exclusive rights, Contracting Parties shall ensure that there is neither enacted nor maintained in force any measure contrary to the provisions of the foregoing Articles."

- (f) in Article 9(2), the term "Community" shall read "the Contracting Parties";
- (g) Article 9 (3) shall read:

"The EC Commission and the EFTA Surveillance Authority shall see to it that the provisions of this Article are applied and shall, where necessary, address appropriate measures to States falling within their respective competence."

11. **386 R 4056:** Council Regulation (EEC) No 4056/86 of 22 December 1986 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport (OJ No L 378, 31.12.1986, p.4).

The provisions of Section I of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 1(2), the term "Community ports" shall read "ports in the territory covered by the EEA Agreement";
- (b) Article 2 (2) shall not apply;
- (c) in Article 7(1), introductory paragraph, the term "Section II" shall read "Section II or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement"; furthermore, in the second indent, the term "Article 11 (4)" shall read "Article 11 (4) or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement";
- (d) in Article 7(2)(a), the term "Section II" shall read "Section II or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement";
- (e) the following subparagraphs shall be added to Article 7 (2)(c)(i):

"If any of the Contracting Parties intends to undertake consultations with a third country in accordance with this Regulation, it shall inform the EEA Joint Committee.

Whenever appropriate, the Contracting Party initiating the procedure may request the other Contracting Parties to cooperate in these procedures.

If one or more of the other Contracting Parties object to the intended action, a satisfactory solution will be sought within the EEA Joint Committee. If the Contracting Parties do not reach agreement, appropriate measures may be taken to remedy subsequent distortions of competition.";

- (f) in Article 8(2), the phrase "at the request of a Member State" shall read "at the request of a State falling within its competence";

furthermore, the term "Article 10" shall read "Article 10 or the corresponding provisions envisaged in Protocol 21 to the EEA Agreement";
- (g) in Article 9(1), the term "Community trading and shipping interests" shall read the "trading and shipping interests of the Contracting Parties";

(h) the following paragraph shall be added to Article 9:

- "4. If any of the Contracting Parties intends to undertake consultations with a third country in accordance with this Regulation, it shall inform the EEA Joint Committee.

Whenever appropriate, the Contracting Party initiating the procedure may request the other Contracting Parties to cooperate in these procedures.

If one or more of the other Contracting Parties object to the intended action, a satisfactory solution will be sought within the EEA Joint Committee. If the Contracting Parties do not reach agreement, appropriate measures may be taken to remedy subsequent distortions of competition."

H. PUBLIC UNDERTAKINGS

12. **388 L 0301:** Commission Directive 88/301/EEC of 16 May 1988 on competition in the markets in telecommunications terminal equipment (OJ No L 131, 27.5.1988, p.73).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in the second subparagraph of Article 2, the phrase "notification of this Directive" shall be replaced by "entry into force of the EEA Agreement";
- (b) Article 10 shall not apply;
- (c) in addition, the following shall apply:

as regards EFTA States, it is understood that the EFTA Surveillance Authority shall be the addressee of all the information, communications, reports and notifications which according to this Directive are, within the Community, addressed to the EC Commission.

As regards the different transition periods provided for in this act, a general transition period of six months as from the entry into force of the EEA Agreement shall apply.

13. **390 L 0388:** Commission Directive 90/388/EEC of 28 June 1990 on competition in the markets for telecommunications services (OJ No L 192, 24.7.1990, p.10).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 3, the fifth subparagraph shall be replaced by the following:

"Before they are implemented, the EC Commission or the EFTA Surveillance Authority shall, in their respective competence, verify the compatibility of these projects with the EEA Agreement."

- (b) in the second subparagraph of Article 6, the phrase "harmonized Community rules adopted by the Council" shall be replaced by "harmonized rules contained in the EEA Agreement";
- (c) the first paragraph of Article 10 shall not apply;
- (d) in addition, the following shall apply:

as regards EFTA States, it is understood that the EFTA Surveillance Authority shall be the addressee of all the information, communications, reports and notifications which according to this Directive are, within the Community, addressed to the EC Commission. Likewise, the EFTA Surveillance Authority shall be responsible, as regards EFTA States, for making the necessary reports or assessments.

As regards the different transition periods provided for in this act, a general transition period of six months as from the entry into force of the EEA Agreement shall apply.

I. COAL AND STEEL

14. **354 D 7024:** High Authority Decision No 24/54 of 6 May 1954 laying down in implementation of Article 66(1) of the Treaty a regulation on what constitutes control of an undertaking (OJ of the ECSC No 9, 11.5.1954, p.345/54).

The provisions of the Decision shall, for the purposes of the Agreement, be read with the following adaptation:

Article 4 shall not apply.

15. **367 D 7025:** High Authority Decision No 25/67 of 22 June 1967 laying down in implementation of Article 66(3) of the Treaty a regulation concerning exemption from prior authorization (OJ No 154, 14.7.1967, p.11), as amended by:

— **378 S 2495:** Commission Decision No 2495/78/ECSC of 20 October 1978 (OJ No L 300, 27.10.1978, p.21).

The provisions of the Decision shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 1 (2), the phrase "and within the EFTA States" shall be inserted after "... within the Community";
- (b) in the heading of Article 2, the phrase "the scope of the Treaty" shall read "the scope of Protocol 25 to the EEA Agreement";
- (c) in the heading of Article 3, the phrase "the scope of the Treaty" shall read "the scope of Protocol 25 to the EEA Agreement";
- (d) Article 11 shall not apply.

ACTS OF WHICH THE EC COMMISSION AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT

In the application of Articles 53 to 60 of the Agreement and the provisions referred to in this Annex, the EC Commission and the EFTA Surveillance Authority shall take due account of the principles and rules contained in the following acts:

Control of concentrations

16. **C/203/90/p.5:** Commission Notice regarding restrictions ancillary to concentrations (OJ No C 203, 14.8.1990, p.5).
17. **C/203/90/p.10:** Commission Notice regarding the concentrative and co-operative operations under Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings (OJ No C 203, 14.8.1990, p.10).

Exclusive dealing agreements

18. **C/101/84/p.2:** Commission Notice concerning Commission Regulations (EEC) No 1983/83 and (EEC) No 1984/83 of 22 June 1983 on the application of Article 85(3) of the Treaty to categories of exclusive distribution and exclusive purchasing agreements (OJ No C 101, 13.4.1984, p.2).
19. **C/17/85/p.4:** Commission Notice concerning Regulation (EEC) No 123/85 of 12 December 1984 on the application of Article 85(3) of the Treaty to certain categories of motor vehicle distribution and servicing agreements (OJ No C 17, 18.1.1985, p.4).

Other

20. **362 X 1224 (01):** Commission Notice on exclusive dealing contracts with commercial agents (OJ No 139, 24.12.1962, p.2921/62).
21. **C/75/68/p.3:** Commission Notice concerning agreements, decisions and concerted practices in the field of co-operation between enterprises (OJ No C 75, 29.7.1968, p.3) as corrected by OJ No C 84, 28.8.1968, p.14.
22. **C/111/72/p.13:** Commission Notice concerning imports into the Community of Japanese goods falling within the scope of the Rome Treaty (OJ No C 111, 21.10.1972, p.13).
23. **C/1/79/p.2:** Commission Notice of 18 December 1978 concerning its assessment of certain subcontracting agreements in relation to Article 85(1) of the EEC Treaty (OJ No C 1, 3.1.1979, p.2).
24. **C/231/86/p.2:** Commission Notice on agreements of minor importance which do not fall under Article 85(1) of the Treaty establishing the European Economic Community (OJ No C 231, 12.9.1986, p.2).
25. **C/233/91/p.2:** Guidelines on the application of EEC competition rules in the telecommunication sector (OJ No C 233, 6.9.1991, p.2).

ANNEX XV

STATE AID

List provided for in Article 63

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles;
- the addressees of the Community acts;
- references to territories or languages of the EC;
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

Public undertakings

1. **380 L 0723:** Commission Directive 80/723/EEC of 25 June 1980 on the transparency of financial relations between Member States and public undertakings (OJ No L 195, 29.7.1980, p. 35), as amended by:
 - **385 L 0413:** Commission Directive 85/413/EEC of 24 July 1985 amending Directive 80/723/EEC on the transparency of financial relations between Member States and public undertakings (OJ No L 229, 28.8.1985, p. 20).

The provisions of this Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the term "Commission" shall read "competent surveillance authority as defined in Article 62 of the EEA Agreement";
- (b) The term "trade between Member States" shall read "trade between Contracting Parties".

ACTS OF WHICH THE EC COMMISSION AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT

In the application of Articles 61 to 63 of the Agreement and the provisions referred to in this Annex, the EC Commission and the EFTA Surveillance Authority shall take due account of the principles and rules contained in the following acts:

Scrutiny by the Commission

Prior notification of State aid plans and other procedural rules

2. **C/252/80/p. 2:** The notification of State aids to the Commission pursuant to Article 93 (3) of the EEC Treaty; the failure of Member States to respect their obligations (OJ No C 252, 30.9.1980, p. 2).
3. Letter from the Commission to the Member States SG(81) 12740 of 2 October 1981.
4. Letter from the Commission to the Member States SG(89) D/5521 of 27 April 1989.
5. Letter from the Commission to the Member States SG(87) D/5540 of 30 April 1989: Procedure under Article 93 (2) of the EEC Treaty - time limits.
6. Letter from the Commission to the Member States SG(90) D/28091 of 11 October 1990: State aid - informing Member States about aid cases not objected by the Commission.
7. Letter from the Commission to the Member States SG(91) D/4577 of 4 March 1991: Communication to the Member States concerning the procedure for the notification of aid plans and procedures applicable when aid is provided in breach of the rules of Article 93 (3) of the EEC Treaty.

Evaluation of aid of minor importance

8. **C/40/90/p. 2:** Notification of an aid scheme of minor importance (OJ No C 40, 20.2.1990, p. 2).

Public authorities' holdings

9. Application of Articles 92 and 93 of the EEC Treaty to public authorities' holdings (Bulletin EC 9-1984).

Aid granted illegally

10. **C/318/83/p. 3:** Commission Communication on aids granted illegally (OJ No C 318, 24.11.1983, p. 3).

State guarantees

11. Letter from the Commission to the Member States SG(89) D/4328 of 5 April 1989.
12. Letter from the Commission to the Member States SG(89) D/12772 of 12 October 1989.

Frameworks on sectoral aid schemes*Textile and clothing industry*

13. Commission Communication to the Member States on the Community framework on aid to the textile industry (SEC(71) 363 Final - July 1971).
14. Letter from the Commission to the Member States SG(77) D/1190 of 4 February 1977 and Annex (Doc. SEC(77) 317, 25.1.1977): Examination of the present situation with regard to aids to the textile and clothing industries.

Synthetic fibres industry

15. C/173/89/p. 5: Commission Communication on aid to the EEC synthetic fibres industries (OJ No C 173, 8.7.1989, p. 5).

Motor vehicle industry

16. C/123/89/p. 3: Community framework on State aid to the motor vehicle industry (OJ No C 123, 18.5.1989, p. 3).
17. C/81/91/p. 4: Community framework on State aid to the motor vehicle industry (OJ No C 81, 26.3.1991, p. 4).

Frameworks on general systems of regional aid

18. 471 Y 1104: Council Resolution of 20 October 1971 on general systems of regional aid (OJ No C 111, 4.11.1971, p. 1).
19. C/111/71/p. 7: Commission Communication on Council Resolution of 20 October 1971 on general systems of regional aid (OJ No C 111, 4.11.1971, p. 7).
20. Commission Communication to the Council on general regional aid systems (COM(75)77, final).
21. C/31/79/p. 9: Commission Communication of 21 December 1978 on regional aid systems (OJ No C 31, 3.2.1979, p. 9).
22. C/212/88/p. 2: Commission Communication on the method for the application of Article 92(3)(a) and (c) to regional aid (OJ No C 212, 12.8.1988, p. 2).
23. C/10/90/p. 8: Commission Communication on the revision of the Communication of 21 December 1978 (OJ No C 10, 16.1.1990, p. 8).
24. C/163/90/p. 5: Commission Communication on the method of application of Article 92 (3) (c) to regional aid (OJ No C 163, 4.7.1990, p. 5).
25. C/163/90/p. 6: Commission Communication on the method of application of Article 92 (3) (a) to regional aid (OJ No C 163, 4.7.1990, p. 6).

Horizontal frameworks*Community framework on State aid in environmental matters*

26. Letter from the Commission to the Member States S/74/30.807 of 7 November 1974.
27. Letter from the Commission to the Member States SG(80) D/8287 of 7 July 1980.
28. Commission Communication to the Member States (Annex to the letter of 7 July 1980).
29. Letter from the Commission to the Member States SG(87) D/3795 of 23 March 1987.

Community framework on State aid to research and development

30. C/83/86/p. 2: Community framework for State aids for research and development (OJ No C 83, 11.4.1986, p. 2).
31. Letter from the Commission to the Member States SG(90) D/01620 of 5 February 1990.

Rules applicable to general aid schemes

32. Letter from the Commission to the Member States SG(79) D/10478 of 14 September 1979.
33. Control of aid for rescue and restructuring (Eighth Report on Competition Policy, point 228).

Rules applicable to cases of cumulation of aid for different purposes

34. C/3/85/p. 2: Commission Communication on the cumulation of aids for different purposes (OJ No C 3, 5.1.1985, p. 2).

Aid to employment

35. Sixteenth Report on Competition Policy, point 253.
36. Twentieth Report on Competition Policy, point 280.

Control of aid to the steel industry

37. C/320/88/p. 3: Framework for certain steel sectors not covered by the ECSC Treaty (OJ No C 320, 13.12.1988, p. 3).

ANNEX XVI

PROCUREMENT

List provided for in Article 65 (1)

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

1. For the purposes of applying Directives 71/305/EEC, 89/440/EEC and 90/531/EEC referred to in this Annex the following shall apply :

Until such time as they apply free movement of labour in accordance with Article 28 of the Agreement, the Contracting Parties shall ensure :

- effective free access for key employees of contractors of any Contracting Parties who have obtained public works contracts;
- non-discriminatory access to work-permits for contractors from any Contracting Parties who have obtained public works contracts.

2. When the acts referred to in this Annex require the publication of notices or documents the following shall apply:

- (a) the publication of notices and other documents as required by the acts referred to in this Annex in the Official Journal of the European Communities and in the Tenders Electronic Daily shall be carried out by the Office for Official Publications of the European Communities;
- (b) notices from the EFTA States shall be sent in at least one of the Community languages to the Office for Official Publications of the European Communities. They shall be published in the Community languages in the S-Series of the Official Journal of the European Communities and in the Tenders Electronic Daily. EC notices need not be translated into the languages of the EFTA States.

3. When applying Part VII, Chapter 3, of the Agreement to surveillance for the purposes of this Annex, the competence for surveillance of alleged infringements lies with the EC Commission if the alleged infringement is committed by a contracting entity in the Community and with the EFTA Surveillance Authority if it is committed by a contracting entity in an EFTA State.

ACTS REFERRED TO

1. **371 L 0304** : Council Directive 71/304/EEC of 26 July 1971 concerning the abolition of restrictions on freedom to provide services in respect of public works contracts and on the award of public works contracts to contractors acting through agencies of branches (OJ No L 185, 16.8.1971, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations :

- (a) the list of professional trade activities shall be replaced by Annex II of Directive 89/440/EEC;
- (b) with regard to Liechtenstein, the measures necessary to comply with this Directive shall enter into force by 1 January 1995;

with regard to Switzerland, the measures necessary to comply with this Directive shall enter into force by 1 January 1994;

during these transition periods the application of the Directive will be reciprocally suspended between these States and the other Contracting Parties.

2. **371 L 0305** : Council Directive 71/305/EEC of 26 July 1971 concerning the co-ordination of procedure for the award of public works contracts (OJ No L 185, 25.8.1971, p. 5), as amended by:

- **389 L 0440**: Council Directive 89/440/EEC of 18 July 1989 (OJ No L 210, 21.7.1989, p. 1),
- **390 D 0380** : Commission Decision 90/380/EEC of 13 July 1990 concerning the updating of Annex I to Council Directive 89/440/EEC (OJ No L 187, 19.7.1990, p. 55).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) with regard to Liechtenstein, the measures necessary to comply with this Directive shall enter into force by 1 January 1995;

with regard to Switzerland, the measures necessary to comply with this Directive shall enter into force by 1 January 1994;

during these transition periods, the application of the Directive will be reciprocally suspended between these States and the other Contracting Parties;

- (b) in Article 4(a), the phrase "in conformity with the EEC Treaty" shall read "in conformity with the EEA Agreement";

- (c) in Article 4(a)(1) and 4(a)(3), in so far as it is not introduced in Finland, Liechtenstein and Switzerland, VAT shall mean :
- "liikevaihtovero/omsättningskatt" in Finland;
 - "Warenumsatzsteuer" in Liechtenstein;
 - "Warenumsatzsteuer/ impot sur le chiffre d'affaires/ imposta sulla cifra d'affari" in Switzerland;
- (d) in Article 4(a)(2), the value of the thresholds in national currencies of the EFTA States shall be calculated so as to come into effect on 1 January 1993 and shall in principle be revised every two years with effect from 1 January 1995 and published in the Official Journal of the European Communities;
- (e) Article 24 shall be supplemented as follows:
- "— in Austria, the Firmenbuch, the Gewerberegister, the Mitgliederverzeichnisse der Landeskamern;
in Finland, the Kaupparekisteri, Handelsregistret;
in Iceland, the Firmaskrá;
in Liechtenstein, the Gewerberegister;
in Norway, the Foretaksregisteret;
in Sweden, the Aktiebolagsregistret, Handelsregistret;
in Switzerland, the Handelsregister, the Registre du Commerce, Registro di Commercio.";
- (f) in Article 30 a (1), the date of 31 October 1993 shall be replaced by 31 October 1995;
- (g) Annex I is supplemented by Appendix 1 to this Annex.
3. 377 L 0062 : Council Directive 77/62/EEC of 21 December 1976 coordinating procedures for the award of public supply contracts (OJ No L 13, 15.1.1977, p. 1) as amended by Directive 80/767/EEC and Directive 88/295/EEC, as amended and supplemented by:
- 380 L 0767 : Council Directive 80/767/EEC of 22 July 1980 adapting and supplementing in respect of certain contracting authorities Directive 77/62/EEC coordinating procedures for the award of public supply contracts (OJ No L 215, 18.8.1980, p. 1), as amended by Directive 88/295/EEC.
 - 388 L 0295 : Council Directive 88/295/EEC of 22 March 1988 amending Directive 77/62/EEC relating to the coordination of procedures on the award of public supply contracts and repealing certain provisions of Directive 80/767/EEC (OJ No L 127, 20.5.1988, p. 1).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) with regard to Liechtenstein, the measures necessary to comply with this Directive shall enter into force by 1 January 1995;

with regard to Switzerland, the measures necessary to comply with this Directive shall enter into force by 1 January 1994;

during these transition periods, the application of the Directive will be reciprocally suspended between these States and the other Contracting Parties;

- (b) in Article 2(a), the reference to "Article 223(1)(b) of the Treaty" shall be replaced by reference to "Article 123 of the EEA Agreement";

- (c) In Article 5(1)(a), in so far as it is not introduced in Finland, Liechtenstein and Switzerland, VAT shall mean :

- "Liikevaihtovero/omsättningskatt" in Finland,
- "Warenumsatzsteuer" in Liechtenstein,
- "Warenumsatzsteuer/ impôt sur le chiffre d'affaires/ imposta sulla cifra d'affari" in Switzerland;

- (d) on the understanding that the threshold expressed in ECU shall only apply within the EEA, the following words shall be deleted in Article 5(1)(c):

- in the first sentence, the words "and the threshold of the GATT Agreement expressed in ECU";
- in the second sentence, the words "and of the ECU expressed in SDR's";

- (e) in Article 5(1)(c), the value of the thresholds in the national currencies of the EFTA States shall be calculated so as to come into effect on 1 January 1993;

- (f) in Article 9(1), the date of 1 January 1989 shall be replaced by 1 January 1993;

- (g) in Article 20(4) the sentence "within the time limit laid down in Article 30" shall read "before 1 January 1993";

- (b) Article 21 shall be supplemented as follows:

- in Austria, the Firmenbuch, the Gewerberegister, the der Landeskammern,
- in Finland, the Kaupparekisteri, Handelsregistret,
- in Iceland, the Firmaskrá,
- in Liechtenstein, the Gewerberegister,
- in Norway, the Foretaksregisteret,
- in Sweden, the Aktiebolagsregistret, Handelsregistret,
- in Switzerland, the Handelsregister, the Registre du Commerce, Registro di Commercio;

- (i) in Article 29(1)(b), the date of 31 October 1991 shall be replaced by 31 October 1994;
 - (j) Annex I to Directive 80/767/EEC shall be supplemented by Appendix 2 to this Annex;
 - (k) Annex I to Directive 88/295/EEC shall be supplemented by Appendix 3 to this Annex.
4. **390 L 0531** : Council Directive 90/531/EEC of 17 September 1990 on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ No L 297, 29.10.1990, p. 1) .

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations :

- (a) with regard to Liechtenstein, the measures necessary to comply with this Directive shall enter into force by 1 January 1995,

with regard to Switzerland, the measures necessary to comply with this Directive shall enter into force by 1 January 1994,

during these transition periods the application of the Directive will be reciprocally suspended between these States and the other Contracting Parties;
- (b) with regard to Norway, the measures necessary to comply with this Directive shall enter into force on 1 January 1995 or before upon notification by Norway of having complied with this Directive. During this transition period the application of the Directive will be reciprocally suspended between Norway and the other Contracting Parties;
- (c) in Article 3 (1) (e) the reference to "Article 36 of the Treaty" shall be read as a reference to "Article 13 of the EEA Agreement";
- (d) in Article 11, point 1), the phrase "in conformity with the Treaty" shall read "in conformity with the EEA Agreement";
- (e) in Article 12 (1) and 12 (6), in so far as it is not introduced in Finland, Liechtenstein and Switzerland VAT shall mean :
 - "Liikevaihtovero/omsättningskatt" in Finland,
 - "Warenumsatzsteuer" in Liechtenstein,
 - "Warenumsatzsteuer/ impôt sur le chiffre d'affaires/ imposta sulla cifra d'affari" in Switzerland;
- (f) in Article 27(5) the reference to "Article 93(3) of the Treaty" shall be replaced by a reference to "Article 62 of the EEA Agreement";
- (g) in Article 29, the term "third countries" shall be understood as "countries other than the Contracting Parties to the EEA Agreement";

- (h) in Article 29(1) the term "Community" shall read "Community, as regards Community entities, or the EFTA States, as regards their entities";
- (i) in Article 29(1) the term "Community undertakings" shall read "Community undertakings, as regards Community agreements, or EFTA States' undertakings, as regards EFTA States' agreements";
- (j) in Article 29(1) the words "the Community or its Member States in respect of third countries" shall read "either the Community or its Member States in respect of third countries or the EFTA States in respect of third countries";
- (k) in Article 29(5), the words "by a Council decision" shall read by a "decision in the context of the general decision-making procedure of the EEA Agreement";
- (l) Article 29(6) shall read as follows:

"6. In the context of the general institutional provisions of the EEA Agreement, annual reports shall be submitted on the progress made in multilateral or bilateral negotiations regarding access for Community and EFTA undertakings to the markets of third countries in the fields covered by this Directive, on any result which such negotiations may have achieved, and on the implementation in practice of all the agreements which have been concluded.

In the context of the general decision-making procedure of the EEA Agreement the provisions of this Article may be amended in the light of such developments.";

- (m) in order to enable the contracting entities in the EEA to apply Article 29 (2) and (3), the Contracting Parties shall ensure that the suppliers established in their respective territories determine the origin of the products in their tenders for supply contracts in conformity with Regulation (EEC) No 802/68 of the Council of 27 June 1968 on the common definition of the concept of the origin of goods (OJ No L 148, 28.6.1968, p.1);
- (n) in order to obtain maximum convergence Article 29 will be applied in the EEA context on the understanding that :
 - the operation of paragraph (3) is without prejudice to the existing degree of liberalization towards third countries,
 - the Contracting Parties consult closely in their negotiations with third countries.

The application of this regime will be jointly reviewed during 1996;

- (o) in Article 30, the values of the thresholds in national currencies of the EFTA States shall be calculated so as to come into effect on 1 January 1993. They shall in principle be revised every two years with effect from 1 January 1995;

(p) Annexes I to X are supplemented by Appendices 4 to 13 to this Annex, respectively.

5. 389 L 0665 : Council Directive 89/665/EEC of 21 December 1989 on the co-ordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ No L 395, 30.12.1989, p. 33).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations :

- (a) with regard to Liechtenstein, the measures necessary to comply with this Directive shall enter into force by 1 January 1995,

with regard to Switzerland, the measures necessary to comply with this Directive shall enter into force by 1 January 1994,

during these transition periods the application of the Directive will be reciprocally suspended between these States and the other Contracting Parties;

- (b) in Article 2(8), the reference to "Article 177 of the EEC Treaty" shall be read as by a reference to the "criteria laid down by the Court of Justice in its interpretation of Article 177 of the EEC Treaty"⁽¹⁾.

6. 371 R 1182 : Regulation (EEC/Euratom) No 1182 of 3 June 1971 determining the rules applicable to periods, dates and time limits (OJ No L 124, 8.6.1971, p. 1)⁽²⁾.

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations :

- (a) with regard to Liechtenstein, the measures necessary to comply with this Regulation shall enter into force by 1 January 1995,

with regard to Switzerland, the measures necessary to comply with this Regulation shall enter into force by 1 January 1994,

during these transition periods the application of the Regulation will be reciprocally suspended between these States and the other Contracting Parties;

- (b) the words "Council and Commission acts" shall mean acts referred to in this Annex.

⁽¹⁾ Examples: Case 61/65 Vaassen v. Beambtenfonds Mijnbedrijf [1966] E.C.R. 261; [1966] C.M.L.R. 508; Case 36/73 Nederlandse Spoorwegen v. Minister van Verkeer en Waterstaat [1973] E.C.R. 1299; [1974] 2 C.M.L.R. 148; Case 246/80 Broekmeulen v. Huisarts Registratie Commissie [1981] E.C.R. 2311; [1982] 1 C.M.L.R. 91

⁽²⁾ Article 30 of Directive 71/305/EEC and Article 28 of Directive 77/62/EEC refer to this Regulation which needs therefore to be part of the *acquis*.

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

In the application of the provisions of this Annex, the Contracting Parties shall take note of the contents of the following acts :

7. Guide to the Community rules on open public procurement (OJ No C 358, 21.12.1987, p. 1)
8. Commission communication (COM(89)400 of 27.7.1989) on regional and social aspects (OJ No C 311, 12.12.1989, p. 7).

APPENDIX I

LISTS OF BODIES AND CATEGORIES OF BODIES GOVERNED BY
PUBLIC LAW

I. In AUSTRIA:

all bodies subject to budgetary supervision by the "Rechnungshof" (audit authority) not having an industrial or commercial character.

II. In FINLAND:

public or publicly controlled entities or undertakings not having an industrial or commercial character.

III. In ICELAND:

Categories

Fjármálaráðuneytið (Ministry of Finance),
Innkaupastofnun ríkisins (Government Purchasing Department) pursuant to lög nr. 63 1970 um skipan opinberra framkvæmda,
Lyfjaverslun ríkisins (The State Pharmaceuticals Import Company),
Samgönguráðuneytið (Ministry of Communications),
Póst- og sífámálastofnunin (The Post and Telecommunication Administration),
Vegagerð ríkisins (Public Road Administration),
Flugmálastjórn (Directorate of Civil Aviation),
Menntamálaráðuneytið (Ministry of Culture and Education),
Háskóli Íslands (University of Iceland),
Utanríkisráðuneytið (Ministry for Foreign Affairs),
Félagsmálaráðuneytið (Ministry of Social Affairs),
Heilbrigðis- og tryggingamálaráðuneytið (Ministry of Health and Social Security),
Ríkisspítalar (National Hospitals),
Sveitarfélög (Municipalities),
City of Reykjavík,
Innkaupastofnun Reykjavíkurborgar (Reykjavik Purchasing Center).

IV. In LIECHTENSTEIN:

die öffentlich-rechtlichen Verwaltungseinrichtungen auf Landes- und Gemeindeebene.
(Authorities, establishments and foundations governed by public law and established at national and municipal level).

V. In NORWAY:

offentlige eller offentlig kontrollerte organer eller virksomheter som ikke har en industriell eller kommersiell karakter. (Public or publicly controlled entities or undertakings not having an industrial or commercial character).

Bodies

- Norsk Rikskringkasting (Norwegian Broadcasting Corporation),
- Norges Bank (Central Bank),
- Statens Lånekasse for Utdanning (State Educational Loan Fund),
- Statistisk Sentralbyrå (Central Bureau of Statistics),
- Den Norske Stats Husbank (Norwegian State Housing Bank),
- Statens Innvandr- og Flyktningeboliger,
- Medisinsk Innovasjon Rikshospitalet,
- Norsk Teknisk Naturvitenskapelig Forskningsråd (Royal Norwegian Council for Scientific and Industrial Research),
- Statens Pensjonskasse (Norwegian Public Pension Fund).

Categories

- Statsbedrifter i h.h.t lov om statsbedrifter av 25. juni 1965 nr. 3 (State enterprises),
- Statsbanker (State banks),
- Universiteter og høyskoler etter lov av 16. juni 1989 nr. 77 (Universities).

VI. In SWEDEN:

alla icke-kommersiella organ vars upphandling står under tillsyn av riksrevisionsverket. (All non-commercial bodies whose procurement is subject to supervision by the National Audit Bureau).

VII. In SWITZERLAND:

die öffentlich-rechtlichen Verwaltungseinrichtungen auf Landes-, kantonaler, Bezirks- und Gemeindeebene.

(Authorities, establishments and foundations governed by public law and established at federal, cantonal, district and municipal level.)

APPENDIX 2

AUSTRIA

LIST OF CENTRAL PURCHASING ENTITIES

1. **Bundeskanzleramt (Federal Chancellery)**
2. **Bundesministerium für auswärtige Angelegenheiten (Federal Ministry for Foreign Affairs)**
3. **Bundesministerium für Gesundheit, Sport und Konsumentenschutz (Federal Ministry of Health, Sports and Consumer Protection)**
4. **Bundesministerium für Finanzen**
 - (a) Amtswirtschaftsstelle
 - (b) Abteilung VI/5 (EDV-Bereich des Bundesministeriums für Finanzen und des Bundesrechenamtes)
 - (c) Abteilung III/1 (Beschaffung von technischen Geräten, Einrichtungen und Sachgütern für die Zollwache)

(Federal Ministry of Finance)

 - (a) Procurement Office
 - (b) Division VI/5 (EDP procurement of the Federal Ministry of Finance and of the Federal Office of Account)
 - (c) Division III/1 (procurement of technical appliances, equipments and goods for the customs guard))
5. **Bundesministerium für Umwelt, Jugend und Familie Amtswirtschaftsstelle (Federal Ministry for Environment, Youth and Family Procurement Office)**
6. **Bundesministerium für wirtschaftliche Angelegenheiten Abteilung Präsidium I (Federal Ministry for Economic Affairs Division Präsidium I)**
7. **Bundesministerium für Inneres**
 - (a) Abteilung I/5 (Amtswirtschaftsstelle)
 - (b) EDV-Zentrale (Beschaffung von EDV-Hardware)
 - (c) Abteilung II/3 (Beschaffung von technischen Geräten und Einrichtungen für die Bundespolizei)
 - (d) Abteilung I/6 (Beschaffung aller Sachgüter für die Bundespolizei, soweit sie nicht von der Abteilung II/3 beschafft werden)
 - (e) Abteilung IV/8 (Beschaffung von Flugzeugen)

(Federal Ministry of the Interior)

 - (a) Division I/5 (Procurement Office)
 - (b) EDP-Centre (procurement of electrical data processing machines (hardware))
 - (c) Division II/3 (procurement of technical appliances and equipments for the Federal Police)
 - (d) Division I/6 (procurement of goods (other than those procured by division II/3) for the Federal Police)
 - (e) Division IV/8 (procurement of aircraft))

8. **Bundesministerium für Justiz
Amtswirtschaftsstelle
(Federal Ministry for Justice
Procurement Office)**
9. **Bundesministerium für Landesverteidigung (Nichtkriegs-material ist in Anhang I, Teil II, Österreich, des GATT Übereinkommens über das öffentliche Beschaffungswesen enthalten)
(Federal Ministry of Defence (non-warlike materials contained in Annex I, Part II, Austria of the GATT Agreement on Government Procurement))**
10. **Bundesministerium für Land- und Forstwirtschaft
(Federal Ministry of Agriculture and Forestry)**
11. **Bundesministerium für Arbeit und Soziales Amtswirtschaftsstelle
(Federal Ministry of Labour and Social Affairs Procurement Office)**
12. **Bundesministerium für Unterricht und Kunst
(Federal Ministry of Education and Fine Arts)**
13. **Bundesministerium für öffentliche Wirtschaft und Verkehr
(Federal Ministry for Public Economy and Transport)**
14. **Bundesministerium für Wissenschaft und Forschung
(Federal Ministry of Science and Research)**
15. **Österreichisches Statistisches Zentralamt
(Austrian Central Statistical Office)**
16. **Österreichische Staatsdruckerei
(Austrian State Printing Office)**
17. **Bundesamt für Eich- und Vermessungswesen
(Federal Office of Metrology and Surveying)**
18. **Bundesversuchs- und Forschungsanstalt Arsenal (BVFA)
(Federal Institute for Testing and Research Arsenal (BVFA))**
19. **Bundesstaatliche Prothesenwerkstätten
(Federal Workshops for Artificial Limbs)**
20. **Bundesamt für Zivilluftfahrt
(Federal Office for Civil Aviation)**
21. **Amt für Schifffahrt
(Office for Navigation)**
22. **Bundesprüfanstalt für Kraftfahrzeuge
(Federal Institute for Testing of Motor Vehicles)**

23. Generaldirektion für die Post- und Telegraphenverwaltung (nur Einrichtungen für das Postwesen)
(Headquarters of the Postal and Telegraph Administration (postal business only))

FINLAND

LIST OF CENTRAL PURCHASING ENTITIES

1. Oikeusministeriö, Justitieministeriet (Ministry of Justice)
2. Suomen rahapaja, Myntverket i Finland (Mint of Finland)
3. Valtion painatuskeskus, Statens tryckericentral (Government Printing Centre)
4. Valtion ravitsemuskeskus, Statens måltidscentral (State Catering Centre)
5. Metsähallitus, Forststyrelsen (National Board of Forestry)
6. Maanmittaushallitus, Lantmäteristytelsen (National Board of Survey)
7. Maatalouden tutkimuskeskus, Lantbrukets forskningscentral (Agricultural Research Centre of Finland)
8. Valtion margariinitehdas, Statens margarinfabrik (State Margarine Factory)
9. Ilmailulaitos, Luftfartsverket (National Board of Aviation)
10. Ilmatieteen laitos, Meteorologiska institutet (Finnish Meteorological Institute)
11. Merenkulkuhallitus, Sjöfarstytelsen (National Board of Navigation)
12. Valtion teknillinen tutkimuskeskus, Statens tekniska forskningscentral (Technical Research Centre of Finland)
13. Valtion Hankintakeskus, Statens upphandlingscentral (Government Purchasing Centre)
14. Vesi- ja ympäristöhallitus, Vatten- och miljöstyrelsen (National Board of Waters and the Environment)
15. Opetushallitus, Utbildningstyrelsen (National Board of Education)

ICELAND

LIST OF CENTRAL PURCHASING ENTITIES EQUIVALENT TO THOSE COVERED BY
THE GATT AGREEMENT ON GOVERNMENT PROCUREMENT.

Central purchasing entities governed by the lög um opinber innkaup 18. mars 1987, and reglugerð 14. apríl 1988.

LIECHTENSTEIN

LIST OF CENTRAL PURCHASING ENTITIES EQUIVALENT TO THOSE COVERED BY
THE GATT AGREEMENT ON GOVERNMENT PROCUREMENT

1. Regierung des Fürstentums Liechtenstein
2. Liechtensteinische Post-, Telefon- und Telegrafbetriebe (PTT)

NORWAY

LIST OF CENTRAL PURCHASING ENTITIES

1. Statens vegvesen (National Road Services)
2. Postverket (Postal Services Administration)
3. Rikshospitalet (State Hospital)
4. Universitetet i Oslo (University of Oslo)
5. Politiet (Police Services)
6. Norsk Rikskringkasting (Norwegian Broadcasting Corporation)
7. Universitetet i Trondheim (University of Trondheim)
8. Universitetet i Bergen (University of Bergen)
9. Kystdirektoratet (Coastal Directorate)
10. Universitetet i Tromsø (University of Tromsø)
11. Statens forurensingstilsyn (State Pollution Control Authority)
12. Luftfartsverket (National Civil Aviation Administration)
13. Forsvarsdepartementet (Ministry of Defence)
14. Forsvarets Sanitet (Norwegian Defence Medical Service)

15. Luftforsvarets Forsyningskommando (Airforce Material Command)
16. Hærens Forsyningskommando (Army Material Command)
17. Sjøforsvarets Forsyningskommando (Navy Material Command)
18. Forsvarets Felles Materielltjeneste (Defence Combined Material Agency)
19. Norges Statsbaner (for innkjøp av)
 - betongsviller
 - bremseutstyr til rullende materiell
 - reservedeler til skinnegående maskiner
 - autodiesel
 - person- og varebiler

(National Railways (for the procurement of

 - concrete sleepers
 - brake details for rolling stocks
 - spare parts for railway track machines
 - autodiesel
 - cars and vans for railway services)

SWEDEN

LIST OF CENTRAL PURCHASING ENTITIES. THE LISTED ENTITIES INCLUDE REGIONAL AND LOCAL SUBDIVISIONS.

1. Försvarets materielverk (Defence Material Administration)
2. Vägverket (National Road Administration)
3. Byggnadsstyrelsen (National Board of Public Building)
4. Postverket (Post Office Administration)
5. Domänverket (Swedish Forest Service)
6. Luftfartsverket (National Civil Aviation Administration)
7. Fortifikationsförvaltningen (Fortifications Administration)
8. Skolverket (National Board of Education)
9. Rikspolisstyrelsen (National Police Board)
10. Statskontoret (Agency for Administrative Development)
11. Kriminalvårdsstyrelsen (National Prison and Probation Administration)

12. Sjöfartsverket (National Administration of Shipping and Navigation)
13. Riksskatteverket (National Tax Board)
14. Skogsstyrelsen (National Board of Forestry)
15. Försvarets sjukvårdsstyrelse (Medical Board of the Armed Forces)
16. Statens trafiksäkerhetsverk (National Road Safety Office)
17. Civilförsvarsstyrelsen (Civil Defence Board)
18. Närings- och teknikutvecklingsverket (Board for Industrial and Technical Development)
19. Socialstyrelsen (National Board of Health and Welfare)
20. Statistiska centralbyrån (Central Bureau of Statistics)

SWITZERLAND

LIST OF CENTRAL PURCHASING ENTITIES

1. Eidgenössische Drucksachen- und Materialzentrale Office central fédéral des imprimés et du matériel
Ufficio centrale federale degli stampati e del materiale
(Central Federal Office for Printed Material and Supplies)
2. Eidgenössische Parlaments- und Zentralbibliothek
Bibliothèque centrale du Parlement et de l'administration fédérale
Biblioteca centrale del Parlamento e dell'amministrazione federale
(Central Library for the Parliament and the Federal Administration)
3. Amt für Bundesbauten
Office des constructions fédérales
Ufficio delle costruzioni federali
(Federal Construction Office)
4. Eidgenössische Technische Hochschule Zürich
Ecole polytechnique fédérale de Zurich
Politecnico federale di Zurigo
(Federal Polytechnic School, Zürich)
5. Eidgenössische Technische Hochschule Lausanne
Ecole polytechnique fédérale de Lausanne
Politecnico federale di Losanna
(Federal Polytechnic School, Lausanne)
6. Schweizerische Meteorologische Zentralanstalt
Institut suisse de météorologie
Istituto svizzero di meteorologia
(Swiss Institute for Meteorology)

7. Eidgenössische Anstalt für Wasserversorgung, Abwasserreinigung und Gewässerschutz
Institut fédéral pour l'aménagement, l'épuration et la protection des eaux
Istituto federale per l'approvvigionamento, la depurazione e la protezione delle acque
(Federal Institute for Water Management, Purification and Protection)
8. Eidgenössische Forschungsanstalt für Wald, Schnee und Landschaft
Institut fédéral de recherches sur la forêt, la neige et le paysage
Istituto federale di ricerca per la foresta, la neve e il paesaggio
Federal Institute for research on the forest, the snow and the landscape
9. Bundesamt für Gesundheitswesen
Office fédéral de la santé publique
Ufficio federale della sanità pubblica
(Federal Office for Public Health)
10. Schweizerische Landesbibliothek
Bibliothèque nationale suisse
Biblioteca nazionale svizzera
(Swiss National Library)
11. Bundesamt für Zivilschutz
Office fédéral de la protection civile
Ufficio federale della protezione civile
(Federal Office for Civil Protection)
12. Eidgenössische Zollverwaltung
Administration fédérale des douanes
Amministrazione federale delle dogane
(Federal Administration for Customs)
13. Eidgenössische Alkoholverwaltung
Régie fédérale des alcools
Regia federale degli alcool
(Federal Alcohol Administration)
14. Münzstätte
Monnaie
Zecca
(Mint)
15. Eidgenössisches Amt für Messwesen
Office fédéral de métrologie
Ufficio federale di metrologia
(Federal Office for Metrology)
16. Paul Scherrer Institut
Institut Paul Scherrer
Istituto Paul Scherrer
(Institute Paul Scherrer)
17. Bundesamt für Landwirtschaft
Office fédéral de l'agriculture
Ufficio federale dell'agricoltura
(Federal Office for Agriculture)

18. Bundesamt für Zivilluftfahrt
Office fédéral de l'aviation civile
Ufficio federale dell'aviazione civile
(Federal Office for Civil Aviation)
19. Bundesamt für Wasserwirtschaft
Office fédéral de l'économie des eaux
Ufficio federale dell'economia delle acque
(Federal Office for Water Management)
20. Gruppe für Rüstungsdienste
Groupement de l'armement
Aggruppamento dell'armamento
(Group for Armament)
21. Postbetriebe
Entreprise des postes
Azienda delle poste
(Postal business of the PTT)

APPENDIX 3

LISTS OF BODIES AND CATEGORIES OF BODIES GOVERNED
BY PUBLIC LAW

I. In AUSTRIA:

all bodies subject to budgetary supervision by the "Rechnungshof" (audit authority) not having an industrial or commercial character.

II. In FINLAND:

public or publicly controlled entities or undertakings not having an industrial or commercial character.

III. In ICELAND:

Categories

Fjármálaráðuneytið (Ministry of Finance),
Innkaupastofnun ríkisins (Government Purchasing Department) pursuant to lög um opinber innkaup 18. mars 1987 and Reglugerð 14. apríl 1988,
Lyfjaverslun ríkisins (The State Pharmaceuticals Import Company),
Samgönguráðuneytið (Ministry of Communications),
Póst- og sífámálastofnunin (The Post and Telecommunication Administration),
Vegagerð ríkisins (Public Road Administration),
Flugmálastjórn (Directorate of Civil Aviation),
Menntamálaráðuneytið (Ministry of Culture and Education),
Háskóli Íslands (University of Iceland),
Útanríkisráðuneytið (Ministry for Foreign Affairs),
Félagsmálaráðuneytið (Ministry of Social Affairs),
Heilbrigðis- og tryggingamálaráðuneytið (Ministry of Health and Social Security),
Ríkisspítalar (National Hospitals),
Sveitarfélög (Municipalities),
City of Reykjavík,
Innkaupastofnun Reykjavískurborgar (Reykjavik Purchasing Center).

IV. In LIECHTENSTEIN:

die öffentlich-rechtlichen Verwaltungseinrichtungen auf Landes- und Gemeindeebene.
(Authorities, establishments and foundations governed by public law and established at national and municipal level).

V. In NORWAY:

offentlige eller offentlig kontrollerte organer eller virksomheter som ikke har en industriell eller kommersiell karakter. (Public or publicly controlled entities or undertakings not having an industrial or commercial character).

Bodies

- Norsk Rikskringkasting (Norwegian Broadcasting Corporation),
- Norges Bank (Central Bank),
- Statens Lånekasse for Utdanning (State Educational Loan Fund),
- Statistisk Sentralbyrå (Central Bureau of Statistics),
- Den Norske Stats Husbank (Norwegian State Housing Bank),
- Statens Innvandrar- og Flyktningeboliger,
- Medisinsk Innovasjon Rikshospitalet,
- Norsk Teknisk Naturvitenskapelig Forskningsråd, (Royal Norwegian Council for Scientific and Industrial Research),
- Statens Pensjonskasse (Norwegian Public Pension Fund).

Categories

- Statsbedrifter i h.h.t. lov om statsbedrifter av 25. juni 1965 nr. 3 (State enterprises),
- Statsbanker (State banks),
- Universiteter og høyskoler etter lov av 16. juni 1989 nr. 77 (Universities).

VI. In SWEDEN:

alla icke-kommersiella organ vars upphandling står under tillsyn av riksrevisionsverket. (All non-commercial bodies whose procurement is subject to supervision by the National Audit Bureau).

VII. In SWITZERLAND:

die öffentlich-rechtlichen Verwaltungseinrichtungen auf Landes-, kantonaler, Bezirks- und Gemeindeebene (authorities, establishments and foundations governed by public law and established at federal, cantonal, district and municipal level).

APPENDIX 4

PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER

AUSTRIA

Entities of local authorities (*Gemeinden*) and associations of local authorities (*Gemeindeverbände*) pursuant to the *Wasserversorgungsgesetze* of the nine Länder.

FINLAND

Entities producing, transporting or distributing drinking water pursuant to Article 1 of *Laki yleisistä vesi- ja viemäritaitoksista* (982/77) of 23 December 1977.

ICELAND

Reykjavik Municipal Water Works and other Municipal Water Works pursuant to *lög nr. 15 frá 1923*.

LIECHTENSTEIN

Gruppenwasserversorgung Liechtensteiner Oberland.
Wasserversorgung Liechtensteiner Unterland.

NORWAY

Entities producing or distributing water pursuant to *Forskrift om Drikkevann og Vannforsyning (FOR 1951-09-28 9576 SO)*.

SWEDEN

Local authorities and municipal companies which produce, transport or distribute drinking water pursuant to *Lag (1970:244) om allmänna vatten- och avloppsanläggningar*.

SWITZERLAND

Territorial administrative bodies and enterprises producing, transporting and distributing water.

Such territorial administrative bodies and enterprises are operating under local or cantonal legislation or under individual agreements based thereupon.

APPENDIX 5

PRODUCTION, TRANSPORT OR DISTRIBUTION OF ELECTRICITY

AUSTRIA

Entities pursuant to the second *Verstaatlichungsgesetz* (BGBl. 81/47, as last amended by BGBl. 321/87) and the *Elektrizitätswirtschaftsgesetz* (BGBl. 260/75, as amended by BGBl. 131/79), including the *Elektrizitätswirtschafts-gesetze* of the nine *Länder*.

FINLAND

Entities producing, transporting or distributing electricity on the basis of a concession pursuant to Article 27 of *Sähkölaki* (319/79) of 16 March 1979.

ICELAND

The National Power Company pursuant to *lög nr. 59 árið 1965*.

The State Electric Power Works pursuant to *9. kafli orkulaga nr. 58 árið 1967*.

Reykjavik Municipal Electric Works.

Sudurnes Regional Heating pursuant to *lög nr. 100 árið 1974*.

Vestfjord Power Company pursuant to *lög nr. 66 árið 1976*.

LIECHTENSTEIN

Liechtensteinische Kraftwerke.

NORWAY

Entities producing, transporting or distributing electricity pursuant to *lov om bygging og drift av elektriske anlegg* (LOV 1969-06-19) *Lov om erverv av vannfall, bergverk og annen fast eiendom m.v., Kap. 1, jf. kap. V* (LOV 1917-12-14 16, kap. 1), or *Vassdragsreguleringsloven* (LOV 1917-12-14 17) or *Energiloven* (LOV 1990-06-29 50).

SWEDEN

Entities which transport or distribute electricity on the basis of a concession pursuant to *Lag* (1902:71 s.1) *innefattande vissa bestämmelser om elektriska anläggningar*.

SWITZERLAND

Territorial administrative bodies and enterprises for the transport and distribution of electricity operating on the basis of authorizations for expropriation pursuant to the *Bundesgesetz vom 24. Juni 1902 betreffend die elektrischen Schwach- und Starkstromanlagen*.

Territorial administrative bodies and enterprises producing electricity to be supplied to territorial administrative bodies and enterprises mentioned above pursuant to the *Bundesgesetz vom 22. Dezember 1916 über die Nutzbarmachung der Wasserkräfte* and the *Bundesgesetz vom 23. Dezember 1959 über die friedliche Verwendung der Atomenergie und den Strahlenschutz*.

APPENDIX 6

TRANSPORT OR DISTRIBUTION OF GAS OR HEAT

AUSTRIA

Gas: contracting entities pursuant to the *Energiewirtschaftsgesetz 1935*.

Heat: contracting entities transporting or distributing heat licensed pursuant to the Austrian Trade, Commerce and Industry Regulation Act (*Gewerbeordnung*), (*BGBI. 50/74*, as last amended by *BGBI. 233/80*).

FINLAND

Municipal energy boards (*kunnalliset energialaitokset*), or associations thereof, or other entities distributing gas or heat on the basis of a concession granted by the municipal authorities.

ICELAND

Sudurnes Regional Heating pursuant to *lög nr. 100 árið 1974*.

Reykjavik Municipal District Heating and other municipal district heating.

LIECHTENSTEIN

Liechtensteinische Gasversorgung.

NORWAY

Entities transporting or distributing heat pursuant to *Lov om bygging og drift av fjernvarmeanlegg (LOV 1986-04-18 10)* or *Energiloven (LOV 1990-06-29 50)*.

SWEDEN

Entities which transport or distribute gas or heat on the basis of a concession pursuant to *Lag (1978:160) om vissa rörledninggar*.

SWITZERLAND

Territorial administrative bodies and enterprises operating a pipeline pursuant to the *Bundesgesetz vom 4. Oktober 1963 über Rohrleitungsanlagen zur Beförderung flüssiger oder gasförmiger Brenn- und Treibstoffe*.

APPENDIX 7

EXPLORATION FOR AND EXTRACTION OF OIL OR GAS

AUSTRIA

Entities pursuant to the *Berggesetz 1975 (BGBl. 259/75, as last amended by BGBl. 355/90)*.

FINLAND

Entities operating on the basis of an exclusive right pursuant to Articles 1 and 2 of *Laki oikeudesta luovuttaa valtion maaomaisuutta ja tuloatuottavia oikeuksia (687/78)*.

ICELAND

National Energy Authority pursuant to *lög nr. 58 árið 1967*.

LIECHTENSTEIN

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NORWAY

Contracting entities covered by *Petroleumsloven (LOV 1985-03-22 11)* (Petroleum Act) and regulations pursuant to the Petroleum Act or by *Lov om undersøkelse etter og utvinning av petroleum i grunnen under norsk landområde (LOV 1973-05-04 21)*.

SWEDEN

Entities exploring or extracting oil or gas on the basis of a concession pursuant to *Lag (1974:890) om vissa mineralfyndigheter* or which have been granted an authorisation pursuant to *Lag (1966:314) om kontinentalsockeln*.

SWITZERLAND

Territorial administrative bodies and enterprises exploring for or extracting oil or gas pursuant to cantonal provisions on exploitation of the subsoil laid down in the the *Verfassungen der Kantone* or the *Erdölkonkordat vom 24. September 1955 zwischen den Kantonen Zürich, Schwyz, Zug, Schaffhausen, Appenzell Innerrhoden, Appenzell Auserrhoden, St. Gallen, Argau und Thurgau* or the *Einführungsgesetzen zum Zivilgesetzbuch der Kantone* or the *Spezialgesetzgebungen der Kantone*.

APPENDIX 8

EXPLORATION FOR AND EXTRACTION OF COAL OR OTHER SOLID FUELS

AUSTRIA

Entities pursuant to the *Berggesetz 1975 (BGBl. 259/75, as last amended by BGBl. 355/90)*.

FINLAND

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ICELAND

National Energy Authority pursuant to *lög nr. 58 árið 1967*.

LIECHTENSTEIN

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NORWAY

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SWEDEN

Entities exploring or extracting coal or other solid fuels on the basis of a concession pursuant to *Lag (1974:890) om vissa mineralfyndigheter* or *Lag (1985:620) om vissa torvfyndigheter* or which have been granted an authorisation pursuant to *Lag (1966:314) om kontinentalsockeln*.

SWITZERLAND

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APPENDIX 9

CONTRACTING ENTITIES IN THE FIELD OF RAILWAY SERVICES

AUSTRIA

Entities pursuant to the *Eisenbahngesetz 1957 (BGBl. 60/57, amended last by BGBl. 305/76)*.

FINLAND

Valtion rautatiet, Statsjärnvägarna (State Railways).

ICELAND

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LIECHTENSTEIN

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NORWAY

Norges Statsbaner (NSB) and entities operating pursuant to *Lov inneholdende særskilte Bestemmelser angaaende Anlæg af Jernveie til almindelig Benyttelse (LOV 1848-08-12)* or *Lov inneholdende Bestemmelser angaaende Jernveie til almindelig Afbenyttelse (LOV 1854-09-07)* or *Lov om Tillæg til Jernveisloven af 12te August 1848 (LOV 1898-04-23)*.

SWEDEN

Public entities operating railway services in accordance with *Förordning (1988:1339) om statens spåranläggningar and Lag (1990:1157) om järnvägssäkerhet*.

Regional and local public entities operating regional or local railway communications pursuant to *Lag (1978:438) om huvudmannskap för viss kollektiv persontrafik*.

Private entities operating railway services pursuant to a permission under *Förordning (1988:1339) om statens spåranläggningar* where such permits correspond to Article 2.3 of the Directive.

SWITZERLAND

Schweizerische Bundesbahnen (SBB)/Chemins de Fer Fédéraux (CFF).

All other enterprises pursuant to Article 1, paragraph 2, and Article 2, paragraph 1, of the *Eisenbahngesetz vom 20. Dezember 1957*.

APPENDIX 10

CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEY BUS OR BUS SERVICES

AUSTRIA

Entities pursuant to the *Eisenbahngesetz 1957 (BGBl. 60/57, amended last by BGBl. 305/76)* and the *Kraffahrtingengesetz 1952 (BGBl. 84/52, as amended by BGBl. 265/66)*.

FINLAND

Municipal traffic boards (*kunnalliset liikennelaitokset*) or entities providing bus services to the public on the basis of a concession granted by the municipal authorities.

ICELAND

The *Reykjavik Municipal Bus Service*.

LIECHTENSTEIN

Liechtensteinische Post-, Telefon- und Telegrafbetriebe (PTT).

NORWAY

Norges Statsbaner (NSB) and land transport entities operating pursuant to *Lov inneholdende særskilte Bestemmelser angaaende Anlæg af Jernveie til almindelig Benyttelse (LOV 1848-08-12)* or *Lov inneholdende Bestemmelser angaaende Jernveie til almindelig Afbenyttelse (LOV 1854-09-07)* or *Lov om Tillæg til Jernveisloven af 12te August 1848 (LOV 1898-04-23)* or *Lov om samferdsel (LOV 1976-06-04 63)* or *Lov om anlæg av taugbaner og løipestrenger (LOV 1912-06-14 1)*.

SWEDEN

Public entities operating urban railway or tramway services according to *Lag (1978:438) om huvudmannskap för viss kollektiv persontrafik* and *Lag (1990:1157) om järnvägssäkerhet*.

Public or private entities operating a trolley bus or bus service in accordance with *Lag (1978:438) om huvudmannskap för viss kollektiv persontrafik* and *Lag (1988:263) om yrkestrafik*.

SWITZERLAND

Schweizerische Post-, Telefon- und Telegrafbetriebe (PTT).

Territorial administrative bodies and enterprises providing tramways services pursuant to Article 2, paragraph 1 of the *Eisenbahngesetz vom 20. Dezember 1957*.

Territorial administrative bodies and enterprises for the public transport providing services pursuant to Article 4, paragraph 1, of the *Bundesgesetz vom 29. März 1950 über die Trolleybusunternehmen*.

Territorial administrative bodies and enterprises undertaking scheduled commercial passenger transport pursuant to Article 1, paragraph 1 lit. a, and Article 3 paragraph 1, of the *Postverkehrsgesetz vom 2. Oktober 1924*.

APPENDIX 11

CONTRACTING ENTITIES IN THE FIELD
OF AIRPORT FACILITIES

AUSTRIA

Entities as defined in Articles 63 to 80 of the *Luftfahrtgesetz 1957 (BGBl. 253/57)*.

FINLAND

Airports managed by "*Ilmailulaitos*" pursuant to *Ilmailulaki (595/64)*.

ICELAND

Directorate of Civil Aviation.

LIECHTENSTEIN

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NORWAY

Entities providing airport facilities pursuant to *Lov om luftfart (LOV 1960-12-16 1)*.

SWEDEN

Publicly owned and operated airports in accordance with *Lag (1957:297) om luftfart*.

Privately owned and operated airports with an exploitation permit under the act, where this permit corresponds to the criteria of Article 2.3 of the Directive.

SWITZERLAND

Aéroport de Bâle-Mulhouse set up pursuant to the *Convention Franco-Suisse du 4 juillet 1949 relative à la construction et à l'exploitation de l'aéroport de Bâle-Mulhouse, à Blotzheim*.

Airports operated by virtue of a licence pursuant to Article 37 of the *Bundesgesetz vom 21. Dezember 1948 über die Luftfahrt*.

APPENDIX 12

CONTRACTING ENTITIES IN THE FIELD OF MARITIME
OR INLAND PORT OR OTHER TERMINAL FACILITIES

AUSTRIA

Inland ports owned totally or partially by *Länder* and/or *Gemeinden*.

FINLAND

Ports owned or managed by municipal authorities pursuant to *Laki kunnallisista satamajärjeslyksistä ja liikennemaksuista (955/76)*.

Saimaa Canal (*Saimaan kanavan hoitokunta*).

ICELAND

The State Lighthouse and Port Authority pursuant to *hafnalög nr. 69 árið 1984*.

Port of Reykjavik.

LIECHTENSTEIN

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NORWAY

Norges Statsbaner (NSB) (Railway terminals).

Entities operating pursuant to *Havneloven (LOV 1984-06-08 51)*.

SWEDEN

Publicly owned and/or operated ports and terminal facilities according to *Lag (1988:293) om inrättande, utvidgning och avlysning av allmän farled och allmän hamn, Förordning (1983:744) om trafiken på Göta kanal, Kungörelse (1970:664) om trafik på Södertälje kanal, Kungörelse (1979:665) om trafik på Trollhätte kanal*.

SWITZERLAND

Rheinhäfen beider Basel: for the Kanton *Basel-Stadt* set up pursuant to the *Gesetz vom 13. November 1919 betreffend Verwaltung der baselstädtischen Rheinhafenanlagen*, for the Kanton *Basel-Land* set up pursuant to the *Gesetz vom 26. Oktober 1936 über die Errichtung von Hafens-, Geleise- und Strassenanlagen auf dem "Sternenfeld", Birsfelden, und in der "Au", Muttenz*.

APPENDIX 13

OPERATION OF TELECOMMUNICATIONS NETWORKS OR PROVISION OF
TELECOMMUNICATIONS SERVICES

AUSTRIA

Österreichische Post- und Telegraphenverwaltung (PTV).

FINLAND

Entities operating on the basis of an exclusive right pursuant to Article 4 of *Teleoimintalaki (183/87)* of 16 July 1990.

ICELAND

The Post and Telecommunication Administration pursuant to *lög um fjarskipti nr. 73 árið 1984 and lög um stjórn og starfsemi póst- og símamála nr. 36 árið 1977.*

LIECHTENSTEIN

Liechtensteinische Post-, Telefon- und Telegraphenbetriebe (PTT).

NORWAY

Entities operating pursuant to *Telegrafloven (LOV 1899-04-29).*

SWEDEN

Private entities operating subject to permits corresponding to the criteria of Article 2.3 of the Directive.

SWITZERLAND

Schweizerische Post-, Telefon- und Telegraphenbetriebe (PTT).

ANNEX XVII

INTELLECTUAL PROPERTY

List provided for in Article 65(2)

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO:

1. **387 L 0054:** Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products (OJ No L 24, 27.I.1987, p.36).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 1(1)(c), the reference to Article 223 (1)(b) of the EEC Treaty shall be replaced by reference to Article 123 of the EEA Agreement”;
- (b) Article 3(6) to 3(8) shall not apply;
- (c) Article 5(5) shall be replaced by the following:

“The exclusive rights to authorize or prohibit the acts specified in paragraph 1(b) shall not apply to any such act committed after the topography or the semiconductor product has been put on the market in a Contracting Party by the person entitled to authorize its marketing or with his consent.”.

2. **390 D 0510:** First Council Decision 90/510/EEC of 9 October 1990 on the extension of the legal protection of topographies of semiconductor products to persons from certain countries and territories (OJ No L 285, 17.10.1990, p.29).

The provisions of the Decision shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in the Annex, the references to Austria and Sweden shall be deleted;
- (b) in addition, the following shall apply:

where a country or territory listed in the Annex does not give the same protection as provided for in that Decision to persons from a Contracting Party, the Contracting Parties will use their best endeavours to ensure that such protection is given by the said country or territory to the said Contracting Party at the latest one year after the date of entry into force of this Agreement.

3. (a) **390 D 0511:** Second Council Decision 90/511/EEC of 9 October 1990 on the extension of the legal protection of topographies of semiconductor products to persons from certain countries and territories (OJ No L 285, 17.10.1990, p.31).
- (b) **390 D 0541:** Commission Decision 90/541/EEC of 26 October 1990 in accordance with Council Decision 90/511/EEC determining the countries to the companies or other legal persons of which legal protection of topographies of semiconductors is extended (OJ No L 307, 7.11.1990, p.21).

In addition to these two Decisions, the following shall apply:

the EFTA States undertake to adopt for the purposes of this Agreement Council Decision 90/511/EEC and the decisions taken by the Commission in accordance with the said Council Decision, if their application is extended beyond 31 December 1992. Ensuing EC amendments or replacements shall be adopted by the EFTA States before the entry into force of the Agreement.

4. **389 L 0104:** First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks (OJ No L 40, 11.2.1989, p.1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) in Article 3(2), the term "trade mark law" shall be understood to be the trade mark law applicable in a Contracting Party;
- (b) in Articles 4(2)(a)(i), (2)(b) and (3), 9 and 14, the provisions concerning the Community Trade Mark shall not apply to EFTA States unless the Community Trade Mark extends to them;
- (c) Article 7(1) shall be replaced by the following:

"The trade mark shall not entitle the proprietor to prohibit its use in relation to goods which have been put on the market in a Contracting Party under that trade mark by the proprietor or with his consent."

5. **391 L 0250:** Council Directive 91/250/EEC of 14 May 1991 on the legal protection of computer programs (OJ No L 122, 17.5.1991, p. 42).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Article 4(c) shall be replaced by the following:

"any form of distribution to the public, including the rental, of the original computer program or of copies thereof. The first sale in a Contracting Party of a copy of a programme by the rightholder or with his consent shall exhaust the distribution right within the territories of the Contracting Parties of that copy, with the exception of the right to control further rental of the program or a copy thereof."

ANNEX XVIII

**HEALTH AND SAFETY AT WORK,
LABOUR LAW, AND EQUAL TREATMENT
FOR MEN AND WOMEN**

List provided for in Articles 67 to 70

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

ACTS REFERRED TO

Health and safety at work

1. **377 L 0576:** Council Directive 77/576/EEC of 25 July 1977 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the provision of safety signs at places of work (OJ No L 229, 7.9.1977, p. 19), as amended by:
 - **379 L 0640:** Council Directive 79/640/EEC of 21 June 1979 (OJ No L 183, 19.7.1979, p. 11),
 - **I 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 108),
 - **I 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 208, 209),

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Annex II shall be supplemented by the following new entries:

"Liite II - II. viðauki - Vedlegg II - Bilaga II

Erityinen turvamerkintä - Sérstök öryggisskilti -
Spesiell sikkerhetsskiltning - Särskilda
säkerhetsskyltar

1. Kieltomerkit - Bannskilti - Forhudsskilt - Förbudsskyltar

- (a) Tupakointi kielletty
Reykingar bannaðar
Røyking forbudt
Rökning förbjuden
- (b) Tupakointi ja avotulen teko kielletty
Reykingar og opinn eldur bannaður
Ild, ápen varme og røyking forbudt
Förbud mot rökning och öppen eld
- (c) Jalankulku kielletty
Umferð gangandi vegfarenda bönnuð
Forbudt for gående
Förbjuden ingång
- (d) Vedellä sammuttaminen kielletty
Bannað að slökkva með vatni
Vann er forbudt som slokkningsmiddel
Förbud mot släckning med vatten
- (e) Juomakelvotonta vettä
Ekki drykkjarhæft
Ikke drikkevann
Ej dricksvatten

2. Varoitusmerkit - Viðvörðunarskilti - Fareskilt -
Varningsskyltar

- (a) Syttyvää ainetta
Eldfim efni
Forsiktig, brannfare
Brandfarliga ämnen
- (b) Räjätävää ainetta
Sprengifim efni
Forsiktig, eksplosjonsfare
Explosiva ämnen

- (c) Myrkyllistä ainetta
Eiturefni
Forsiktig, fare for forgiftning
Giftiga ämnen
 - (d) Syövyttävää ainetta
Ætandi efni
Forsiktig, fare for korrosjon eller etsing
Frätande ämnen
 - (e) Radioaktiivista ainetta
Jónandi geislun
Forsiktig, ioniserende stråling
Radioaktiva ämnen
 - (f) Riippuva taakka
Krani að vinnu
Forsiktig, kran i arbeid
Hängande last
 - (g) Liikkuvia ajoneuvoja
Flutningatæki
Forsiktig, truckkjøring
Arbetsfordon i rörelse
 - (h) Vaarallinen jännite
Hættuleg rafspenna
Forsiktig, farlig spenning
Farlig spänning
 - (i) Yleinen varoitusmerkki
Hætta
Alminnelig advarsel, forsiktig, fare
Varning
 - (j) Lasersäteilyä
Leysigeislar
Forsiktig, laserstråling
Laserstråling
3. Käskeymerkit - Boðskilti - Pábudsskilt - Pábudsskyltar
- (a) Silmiensuojaimien käyttöpakko
Notið augnhlífar
Pábudt med øyevern
Skyddsglasögon

- (b) Suojakypärän käyttöpakko
Notið öryggishjálma
Pábudt med vernehjelm
Skyddshjäl
 - (c) Kuulonsuojainten käyttöpakko
Notið heyrnarhlffar
Pábudt med hørselvern
Hørselskydd
 - (d) Hengityksensuojainten käyttöpakko
Notið öndunargrímur
Pábudt med ándedrettsvern
Andningsskydd
 - (e) Suojajalkineiden käyttöpakko
Notið öryggisskó
Pábudt med vernesko
Skyddsskor
 - (f) Suojakäsineiden käyttöpakko
Notið hlffðarhanska
Pábudt med vernehansker
Skyddshandskar
4. Hätätilanteisiin tarkoitettut merkit - Neyðarskilti - Redningsskilt - Ráddningsskyltar
- (a) Ensiapu
Skyndihjálp
Førstehjelp
Första hjälpen
 - (c) tai
eða
eller
eller
 - (d) Poistumistie
Leið að neyðarútgangi
Retningsangivelse til nødutgang
Nødutgång i denna riktning
 - (e) Poistumistie (asetetaan uloskäynnin yläpuolelle)
Neyðarútgangur (setjist yfir neyðarútganginn)
Nødutgang (plasseres over utgangen)
Nødutgång (placeras ovanför utgangen)."

2. **378 L 0610:** Council Directive 78/610/EEC of 29 June 1978 on the approximation of the laws, regulations and administrative provisions of the Member States on the protection of health of workers exposed to vinyl chloride monomer (OJ No L 197, 22.7.1978, p. 12).
3. **380 L 1107:** Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work (OJ No L 327, 3.12.1980, p. 8), as amended by:
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 209),
 - **388 L 0642:** Council Directive (88/642/EEC) of 16 December 1988 (OJ No L 356, 24.12.1988, p. 74).
4. **382 L 0605:** Council Directive 82/605/EEC of 28 July 1982 on the protection of workers from the risks related to exposure to metallic lead and its ionic compounds at work (first individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) (OJ No L 247, 23.8.1982, p. 12).
5. **383 L 0477:** Council Directive 83/477/EEC of 19 September 1983 on the protection of workers from the risks related to exposure to asbestos at work (second individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) (OJ No L 263, 24.9.1983, p. 25), as amended by:
 - **391 L 0382:** Council Directive 91/382/EEC of 25 June 1991 (OJ No L 206, 29.7.1991, p. 16).
6. **386 L 0188:** Council Directive 86/188/EEC of 12 May 1986 on the protection of workers from the risks related to exposure to noise at work (OJ No L 137, 24.5.1986, p. 28).
7. **388 L 0364:** Council Directive 88/364/EEC of 9 June 1988 on the protection of workers by the banning of certain specified agents and/or certain work activities (Fourth individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) (OJ No L 179, 9.7.1988, p. 44).
8. **389 L 0391:** Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ No L 183, 29.6.1989, p. 1), as corrected by OJ No L 275, 5.10.1990, p. 42.
9. **389 L 0654:** Council Directive 89/654/EEC of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ No L 393, 30.12.1989, p. 1).
10. **389 L 0655:** Council Directive 89/655/EEC of 30 November 1989 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ No L 393, 30.12.1989, p. 13).
11. **389 L 0656:** Council Directive 89/656/EEC of 30 November 1989 on the minimum health and safety requirements for the use by workers of personal protective equipment at workplace (third individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ No L 393, 30.12.1989, p. 18).

12. **390 L 0269:** Council Directive 90/269/EEC of 29 May 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ No L 156, 21.6.1990, p. 9).
13. **390 L 0270:** Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ No L 156, 21.6.1990, p. 14).
14. **390 L 0394:** Council Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work (Sixth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ No L 196, 26.7.1990, p. 1).
15. **390 L 679:** Council Directive 90/679/EEC of 26 November 1990 on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ No L 374, 31.12.1990, p. 1).
16. **391 L 0383:** Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed-duration employment relationship or a temporary employment relationship (OJ No L 206, 29.7.91, p. 19).

Equal treatment for men and women

17. **375 L 0117:** Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women (OJ No L 45, 19.2.1975, p. 19).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 1, "Article 119 of the Treaty" shall be read as "Article 69 of the EEA Agreement".

18. **376 L 0207:** Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ No L 39, 14.2.1976, p. 40).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Switzerland and Liechtenstein shall put into effect the measures necessary for them to comply with the provisions of this Directive as from 1 January 1995.

19. **379 L 0007:** Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security (OJ No L 6, 10.1.1979, p. 24).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Austria shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1994.

20. **386 L 0378:** Council Directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes (OJ No L 225, 12.8.1986, p. 40).
21. **386 L 0613:** Council Directive 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood (OJ No L 359, 19.12.1986, p. 56).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Austria shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1994.

Labour law

22. **375 L 0129:** Council Directive 75/129/EEC of 17 February 1975 on the approximation of the laws of the Member States relating to collective redundancies (OJ No L 48, 22.2.1975, p. 29).
23. **377 L 0187:** Council Directive 77/187/EEC of 14 February 1977 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses (OJ No L 61, 5.3.1977, p. 26).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 1(2), "the territorial scope of the Treaty" shall be read "the territorial scope of the EEA Agreement".

24. **380 L 0987:** Council Directive 80/987/EEC of 20 October 1980 on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer (OJ No L 283, 28.10.1980, p. 23), as amended by:

— **387 L 0164:** Council Directive 87/164/EEC of 2 March 1987 (OJ No L 66, 11.3.1987, p. 11).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) The following shall be added to section I of the Annex:

"F. AUSTRIA

1. Members of the authority of a body corporate, which is responsible for the statutory representation of that body.
2. Associates entitled to exercise dominant influence in the association, even if this influence is based on fiduciary disposition.

G. LIECHTENSTEIN

Partners or shareholders entitled to exercise dominant influence in a partnership or a company.

H. ICELAND

1. Those members of the Board of Directors of a bankrupt company after the company's financial situation became considerably adverse.
2. Those having held 5% or thereover of the capital of a bankrupt limited company.
3. The general manager of a liquidated company or those others who, on account of their work with the company, had had a survey of the company's finances in such manner that it could not be concealed from them that a company's liquidation had been impending at the time the wages were being earned.
4. The spouse of a person in a situation specified in clauses 1 to 3 as well as his/her direct relative and direct relative's spouse.

I. SWEDEN

An employee, or the survivors of an employee, who on his own or together with his close relatives was the owner of an essential part of the employer's undertaking or business and had a considerable influence on its activities. This shall apply also when the employer is a legal person without an undertaking or business.";

(b) The following shall be added to section II of the Annex:

"E. LIECHTENSTEIN

Insured persons receiving benefits from the old age insurance.

F. SWITZERLAND

Insured persons receiving benefits from the old age insurance."

ANNEX XIX

CONSUMER PROTECTION

List provided for in Article 72

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

For the purposes of this Annex and notwithstanding the provisions of Protocol 1, the term "Member State(s)" contained in the acts referred to shall be understood to include, in addition to its meaning in the relevant EC acts, Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland.

ACTS REFERRED TO

1. **379 L 0581:** Council Directive 79/581/EEC of 19 June 1979 on consumer protection in the indication of the prices of foodstuffs (OJ No L 158, 26.6.1979, p. 19), as amended by:
 - **388 L 0315:** Council Directive 88/315/EEC of 7 June 1988 (OJ No L 142, 9.6.1988, p. 23).
2. **384 L 0450:** Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising (OJ No L 250, 19.9.1984, p. 17).
3. **385 L 0577:** Council Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises (OJ No L 372, 31.12.1985, p. 31).
4. **387 L 0102:** Council Directive 87/102/EEC of 22 December 1986 for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit (OJ No L 42, 12.2.1987, p. 48), as amended by:
 - **390 L 0088:** Council Directive 90/88/EEC of 22 February 1990 (OJ No L 61, 10.3.1990, p. 14).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Articles 1a(3)(a) and (5)(a), the date 1 March 1990 is replaced by the date 1 March 1992.

5. **387 L 0357:** Council Directive 87/357/EEC of 25 June 1987 on the approximation of the laws of the Member States concerning products which, appearing to be other than they are, endanger the health or safety of consumers (OJ No L 192, 11.7.1987, p. 49).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

in Article 4(2), the reference to Decision 84/133/EEC shall be read as a reference to Decision 89/45/EEC.

6. **388 L 0314:** Council Directive 88/314/EEC of 7 June 1988 on consumer protection in the indication of the prices of non-food products (OJ No L 142, 9.6.1988, p. 19).
7. **390 L 0314:** Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours (OJ No L 158, 23.6.1990, p. 59).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

8. **388 X 0590:** Commission Recommendation 88/590/EEC of 17 November 1988 concerning payment systems and in particular the relationship between cardholder and card issuer (OJ No L 317, 24.11.1988, p. 55).
9. **388 Y 0611(01):** Council Resolution 88/C 153/01 of 7 June 1988 on consumer protection in the indication of the prices of foodstuffs and non-food products (OJ No C 153, 11.6.1988, p. 1).

ANNEX XX**ENVIRONMENT**

List provided for in Article 74

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATION

For the purposes of this Annex and notwithstanding the provisions of Protocol 1, the term "Member State(s)" contained in the acts referred to shall be understood to include, in addition to its meaning in the relevant EC acts, Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland.

ACTS REFERRED TO**I. GENERAL**

1. **385 L 0337:** Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (OJ No L 175, 5.7.1985, p.40).
2. **390 L 0313:** Council Directive 90/313/EEC of 7 June 1990 on freedom of access to information (OJ No L 158, 23.6.1990, p.56).

II. WATER

3. **375 L 0440:** Council Directive 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States (OJ No L 194, 25.7.1975, p.26), as amended by:
 - **379 L 0869:** Council Directive 79/869/EEC of 9 October 1979 (OJ No L 271, 29.10.1979, p.44).

4. **376 L 0464:** Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (OJ L 129, 18.5.1976, p.23).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

5. **379 L 0869:** Council Directive 79/869/EEC of 9 October 1979 concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States (OJ L 271, 29.10.1979, p.44), as amended by:

— **381 L 0855:** Council Directive 81/855/EEC of 19 October 1981 (OJ No L 319, 7.11.1981, p.16),

— **I 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.219).

6. **380 L 0068:** Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances (OJ No L 20, 26.1.1980, p.43).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

the provisions of Article 14 shall not apply.

7. **380 L 0778:** Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption (OJ No L 229, 30.8.1980, p.11), as amended by:

— **381 L 0858:** Council Directive 81/858/EEC of 19 October 1981 (OJ No L 319, 7.11.1981, p.19).

— **I 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.219, 397).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

the provisions of Article 20 shall not apply.

8. **382 L 0176:** Council Directive 82/176/EEC of 22 March 1982 on limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry (OJ No L 81, 27.3.1982, p.29).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

9. **383 L 0513:** Council Directive 83/513/EEC of 26 September 1983 on limit values and quality objectives for cadmium discharges (OJ No L 291, 24.10.1983, p.1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

10. **384 L 0156:** Council Directive 84/156/EEC of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chlor-alkali electrolysis industry (OJ No L 74, 17.3.1984, p.49).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

11. **384 L 0491:** Council Directive 84/491/EEC of 9 October 1984 on limit values and quality objectives for discharges of hexachlorocyclohexane (OJ No L 274, 17.10.1984, p.11).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

12. **386 L 0280:** Council Directive 86/280/EEC of 12 June 1986 on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Directive 76/464/EEC (OJ No L 181, 4.7.1986, p.16), as amended by:

— **388 L 0347:** Council Directive 88/347/EEC of 16 June 1988 amending Annex II to Directive 86/280/EEC (OJ No L 158, 25.6.1988, p.35),

— **390 L 0415:** Council Directive 90/415/EEC of 27 July 1990 amending Annex II to Directive 86/280/EEC (OJ No L 219, 14.8.1990, p.49).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

13. **391 L 0271:** Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ No L 135, 30.5.1991, p.40).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

III. AIR

14. **380 L 0779:** Council Directive 80/779/EEC of 15 July 1980 on air quality limit values and guide values for sulphur dioxide and suspended particulates (OJ No L 229, 30.8.1980, p.30), as amended by:

— **381 L 0857:** Council Directive 81/857/EEC of 19 October 1981 (OJ No L 319, 7.11.1981, p.18),

— **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.219),

— **389 L 0427:** Council Directive 89/427/EEC of 21 June 1989 (OJ No L 201, 14.7.1989, p.53).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

15. **382 L 0884:** Council Directive 82/884/EEC of 3 December 1982 on a limit value for lead in the air (OJ No L 378, 31.12.1982, p.15).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

16. **384 L 0360:** Council Directive 84/360/EEC of 28 June 1984 on the combating of air pollution from industrial plants (OJ No L 188, 16.7.1984, p.20).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

17. **385 L 0203:** Council Directive 85/203/EEC of 7 March 1985 on air quality standards for nitrogen dioxide (OJ No L 87, 27.3.1985, p.1), as amended by:

— **385 L 0580:** Council Directive 85/580/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p.36).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

18. **387 L 0217:** Council Directive 87/217/EEC of 19 March 1987 on the prevention and reduction of environmental pollution by asbestos (OJ No L 85, 28.3.1987, p.40).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

(a) in Article 9 "the Treaty" shall read "the EEA Agreement";

(b) Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

19. **388 L 0609:** Council Directive 88/609/EEC of 24 November 1988 on the limitation of emissions of certain pollutants into the air from large combustion plants (OJ No L 336, 7.12.1988, p.1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

(a) Article 3 (5) shall be replaced by the following:

"5.(a) If a substantial and unexpected change in energy demand or in the availability of certain fuels or certain generating installations creates serious technical difficulties for the implementation by a Contracting Party of the emission ceilings, such a Contracting Party may request a modification of the emission ceilings and/or dates set out in Annexes I and II. The procedure set out in (b) shall apply.

(b) The Contracting Party shall immediately inform the other Contracting Parties through the EEA Joint Committee of such action and give reasons for its decision. If a Contracting Party so requires, consultations on the appropriateness of the measures taken shall take place in the EEA Joint Committee. Part VII of the Agreement shall apply.";

(b) the following shall be added to the table for ceilings and reduction targets in Annex I:

	0	1	2	3	4	5	6	7	8	9
Austria:	90	54	36	27	-40	-60	-70	-40	-60	-70
Finland:	171	102	68	51	-40	-60	-70	-40	-60	-70
Sweden:	112	67	45	34	-40	-60	-70	-40	-60	-70
Switzerland:	28	14	14	14	-50	-50	-50	-50	-50	-50

(c) the following is added to the table for ceilings and reduction targets in Annex II:

	0	1	2	3	4	5	6
Austria:	19	15	11	-20	-40	-20	-40
Finland:	81	65	48	-20	-40	-20	-40
Sweden:	31	25	19	-20	-40	-20	-40
Switzerland:	9	8	5	-10	-40	-10	-40

(d) at the time of entry into force of the Agreement, Iceland, Liechtenstein and Norway do not have any large combustion plants as defined in Article 1. These States will comply with the Directive if and when they acquire such plants.

20. **389 L 0369:** Council Directive 89/369/EEC of 8 June 1989 on the prevention of air pollution from new municipal waste incineration plants (OJ No L 163, 14.6.1989, p.32).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Iceland shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995.

21. **389 L 0429:** Council Directive 89/429/EEC of 21 June 1989 on the reduction of air pollution from existing municipal waste-incineration plants (OJ No L 203, 15.7.1989, p.50).

IV. CHEMICALS, INDUSTRIAL RISK AND BIOTECHNOLOGY

22. **376 L 0403:** Council Directive 76/403/EEC of 6 April 1976 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (OJ No L 108, 26.4.1976, p.41).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

The EFTA States shall put into effect the measures necessary for them to comply with the provisions of this Directive as from 1 January 1995, subject to a review before that date.

23. **382 L 0501:** Council Directive 82/501/EEC of 24 June 1982 on the major-accident hazards of certain industrial activities (OJ No L 230, 5.8.1982, p.1), as amended by:
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.219),
 - **387 L 0216:** Council Directive 87/216/EEC of 19 March 1987 (OJ No L 085, 28.3.1987, p.36),
 - **388 L 0610:** Council Directive 88/610/EEC of 24 November 1988 (OJ No L 336, 7.12.1988, p.14).

24. **390 L 0219:** Council Directive 90/219/EEC of 23 April 1990 on the contained use of genetically modified micro-organisms (OJ No L 117, 8.5.1990, p.1).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Austria, Finland, Iceland, Liechtenstein, Norway and Sweden shall put into effect the measures necessary for them to comply with the provisions of this Directive as from 1 January 1995.

25. **390 L 0220:** Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms (OJ No L 117, 8.5.1990, p.15).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) Austria, Finland, Iceland, Liechtenstein, Norway and Sweden shall put into effect the measures necessary for them to comply with the provisions of this Directive as from 1 January 1995;

(b) Article 16 shall be replaced by the following:

"1. Where a Contracting Party has justifiable reasons to consider that a product which has been properly notified and has received written consent under this Directive constitutes a risk to human health or the environment, it may restrict or prohibit the use and/or sale of that product on its territory. It shall immediately inform the other Contracting Parties through the EEA Joint Committee of such action and give reasons for its decision.

2. If a Contracting Party so requires, consultations on the appropriateness of the measures taken shall take place in the EEA Joint Committee. Part VII of the Agreement shall apply.";

(c) The Contracting Parties agree that the Directive only covers aspects relating to the potential risks to humans, plants, animals and the environment.

The EFTA States therefore reserve the right to apply their national legislation in this area in relation to other concerns than health and environment, in so far as it is compatible with this Agreement.

V. WASTE

26. **375 L 0439**: Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils (OJ No L 194, 25.7.1975, p.23), as amended by:
- **387 L 0101**: Council Directive 87/101/EEC of 22 December 1986 (OJ No L 42, 12.2.1987, p.43).
27. **375 L 0442**: Council Directive 75/442/EEC of 15 July 1975 on waste (OJ No L 194, 25.7.1975, p.39), as amended by:
- **391 L 0156**: Council Directive 91/156/EEC of 18 March 1991 (OJ No L 78, 26.3.1991, p.32).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

Norway shall put into effect the measures necessary for it to comply with the provisions of this Directive as from 1 January 1995, subject to a review before that date.

28. **378 L 0176**: Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry (OJ No L 54, 25.2.1978, p.19), as amended by:
- **382 L 0883**: Council Directive 82/883/EEC of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry (OJ No L 378, 31.12.1982, p.1),
 - **383 L 0029**: Council Directive 83/29/EEC of 24 January 1983 (OJ No L 32, 3.2.1983, p.28).
29. **378 L 0319**: Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste (OJ No L 84, 31.3.1978, p.43), as amended by:
- **1 79 H**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p.111),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.219, 397).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptation:

the EFTA States shall put into effect the measures necessary for them to comply with the provisions of this Directive as from 1 January 1995, subject to a review before that date.

30. **382 L 0883:** Council Directive 82/883/EEC of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry (OJ No L 378, 31.12.1982, p.1), as amended by:
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p.219).
31. **384 L 0631:** Council Directive 84/631/EEC of 6 December 1984 on the supervision and control within the European Community of the transfrontier shipment of hazardous waste (OJ No L 326, 13.12.1984, p.31), as amended by:
- **385 L 0469:** Commission Directive 85/469/EEC of 22 July 1985 (OJ No L 272, 12.10.1985, p.1),
 - **386 L 0121:** Council Directive 86/121/EEC of 8 April 1986 (OJ No L 100, 16.4.1986, p.20),
 - **386 L 0279:** Council Directive 86/279/EEC of 12 June 1986 (OJ No L 181, 4.7.1986, p.13).

The provisions of the Directive shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) the following shall be added to box 36 of Annex I:

ÍSLENSKA	duft	duftkennt	fast	lítkennt	seigljótandi	þunnljótandi	vökvi	loftkennt
NORSK	pulverformet	støvformet	fast	paetaformet	viakst	slamformet	flyende	gaseformet
SUOMEKSI	jauhainen	pölymäinen	kiinteä	tahnainen	sirappimäinen	lietäinen	nestemäinen	kaasumainen
SVENSKA	pulverformigt	stoft	fast	paetst	viakst	slamformigt	flyende	gasformigt

- (b) the following new entries shall be added to the last sentence of provision 6 of Annex III: "AU for Austria, SF for Finland, IS for Iceland, LI for Liechtenstein, NO for Norway, SE for Sweden and CH for Switzerland.";
- (c) the EFTA States shall put into effect the measures necessary for them to comply with the provisions of this Directive as from 1 January 1995, subject to a review before that date.
32. **386 L 0278:** Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ No L 181, 4.7.1986, p.6).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

33. **375 X 0436**: Council Recommendation 75/436/Euratom, ECSC, EEC of 3 March 1975 regarding cost allocation by public authorities on environmental matters (OJ L 194, 25.7.75, p.1).
34. **379 X 0003**: Council Recommendation 79/3/EEC of 19 December 1978 to the Member States regarding methods of evaluating the cost of pollution control to industry (OJ No L 5, 9.1.1979, p.28).
35. **380 Y 0830(01)**: Council Resolution of 15 July 1980 on transboundary air pollution by sulphur dioxide and suspended particulates (OJ No C 222, 30.8.1980, p.1).
36. **389 Y 1026(01)**: Council Resolution (89/C273/01) of 16 October 1989 on guidelines to reduce technological and natural hazards (OJ No C 273, 26.10.1989, p.1).
37. **390 Y 0518(01)**: Council Resolution (90/C 122/02) of 7 May 1990 on waste policy (OJ No C 122, 18.5.1990, p.2).
38. **SEC (89) 934 final**: Communication from the Commission to the Council and to Parliament of 18 September 1989. A Community Strategy for waste management.

ANNEX XXI

STATISTICS

List provided for in Article 76

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as

- preambles;
- the addressees of the Community acts;
- references to territories or languages of the EC;
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

1. For the purposes of this Annex and notwithstanding the provisions of Protocol I, the term "Member State(s)" contained in the acts referred to shall be understood to include, in addition to its meaning in the relevant EC acts, Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland.
2. References to the "Nomenclature of Industries in the European Communities (NICE)", and to "Nomenclature of Economic Activities in the European Communities (NACE)" shall, except where otherwise provided, be read as references to "Nomenclature of Economic Activities in the European Communities (NACE Rev.1)", as defined by the Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Communities, and as adapted for this Agreement. The referred code numbers shall be read as the corresponding converted code numbers in NACE Rev.1.
3. Provisions laying down by whom the costs for carrying out surveys and the like shall be borne are not relevant for the purposes of this Agreement.

ACTS REFERRED TO

INDUSTRIAL STATISTICS

1. **364 L 0475**: Council Directive 64/475/EEC of 30 July 1964 concerning co-ordinated annual surveys of investment in industry (OJ No L 31, 13.8.1964, p. 2193/64), as amended by:
 - **1 72 B**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 121 and 159),
 - **1 79 H**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 112),
 - **1 85 I**: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 231).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the Annex is not relevant;
- (b) for Liechtenstein, the data required by this Directive shall be included in the data for Switzerland;
- (c) the EFTA States shall, respectively, carry out their first survey required by this Directive not later than in 1995;
- (d) Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland shall provide the data required by this Directive at least down to the 3-digit level and, if possible, down to the 4-digit level of NACE Rev. 1;
- (e) Austria, Finland, Iceland, Norway, Sweden and Switzerland shall, for the undertakings being classified by Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Communities under the code number 27.10 and taking due consideration of statistical confidentiality as defined by Council Regulation (Euratom/EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, as adapted for this Agreement, provide through the competent national statistical authorities the information equivalent to that requested in questionnaires 2.60 and 2.61 in the Annex to the Commission Decision 3302/81/ECSC of 18 November 1981 on the information to be furnished by steel undertakings about their investment (OJ No L 333, 20.11.1981, p. 35).

2. **372 L 0211:** Council Directive 72/211/EEC of 30 May 1972 concerning co-ordinated statistics on the business cycle in industry and small craft industries (OJ No L 128, 3.6.1972, p.28), as amended by:

- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 112),
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 231).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 3, first paragraph, point 5, the text "specifying the number of manual workers" shall be deleted;
 - (b) Iceland and Liechtenstein are exempted from collecting the data required by this Directive;
 - (c) Switzerland shall collect the data required by this Directive from, at the latest, 1997 onwards. However, the data shall already be provided on a quarterly basis from 1995 onwards;
 - (d) Finland shall collect the data required by this Directive from, at the latest, 1997 onwards. However, monthly data on the industrial production index shall be provided from, at the latest, 1995 onwards;
 - (e) Austria, Norway and Sweden shall collect the data required by this Directive from, at the latest, 1995 onwards.
3. **372 L 0221:** Council Directive 72/221/EEC of 6 June 1972 concerning co-ordinated annual inquiry into industrial activity (OJ No L 133, 10.6.1972, p. 57), as amended by:

- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 112),
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 231).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 3, the reference to "NACE" shall be read as "NACE, 1970 edition";
- (b) for Liechtenstein, the data required by this Directive shall be included in the data for Switzerland;

- (c) the EFTA States shall collect the data required by this Directive from, at the latest, 1995 onwards;
 - (d) Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland shall collect and provide the data required in Articles 2 and 5 of this Directive at least down to the 3-digit level of NACE Rev. 1;
 - (e) Switzerland and Liechtenstein are exempted from providing the data on the economic activity unit and the local unit for all variables except those on turnover and employment;
 - (f) the EFTA States are exempted from providing data on the variables corresponding to the code numbers 1.21, 1.21.1, 1.22 and 1.22.1 of the Annex.
4. **378 L 0166:** Council Directive 78/166/EEC of 13 February 1978 concerning co-ordinated statistics on the business cycle in building and civil engineering (OJ No L 52, 23.1.1978, p. 17, as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 113),
 - **1 85 1:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, 231).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 2, second paragraph, the reference to "Part I of NACE" shall be read "Part I of NACE, 1970 edition". In the third paragraph, the reference to "NACE" shall read "NACE Rev. 1";
- (b) in Article 3(a), the data is to be provided at least quarterly;
- (c) in Article 4(1), the text "month or" is deleted;
- (d) Iceland and Liechtenstein are exempted from providing the data required by this Directive;
- (e) Austria, Finland, Norway, Sweden and Switzerland shall collect the data required by this Directive from, at the latest, 1995 onwards.

TRANSPORT STATISTICS

5. **378 L 0546:** Council Directive 78/546/EEC of 12 June 1978 on statistical returns in respect of carriage of goods by road, as part of regional statistics (OJ No L 168, 26.6.78, p. 29), as amended by:

- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 29),
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 163),
- **389 L 0462:** Council Directive 89/462/EEC of 18 July 1989 (OJ No L 226, 3.8.89, p. 8).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) for Liechtenstein, the data required by this Directive shall be included in the data for Switzerland;
- (b) in Annex II, the following is added after the entries for United Kingdom:

"Austria

Burgenland
Kärnten
Niederösterreich
Oberösterreich
Salzburg
Steiermark
Tirol
Vorarlberg
Wien

Finland

Suomi/Finland

Iceland

Island

Norway

Norge/Noreg

Sweden

Sverige

Switzerland and Liechtenstein

Schweiz/Suisse/Svizzera and Liechtenstein";

- (c) Annex III is replaced by the following:

"LIST OF COUNTRIES

Belgium
Denmark
France
Germany
Greece
Ireland
Italy
Luxembourg
Netherlands
Portugal
Spain
United Kingdom

Austria
Finland
Iceland
Norway
Sweden
Switzerland and Liechtenstein

Bulgaria
Czechoslovakia
Hungary
Poland
Romania
Turkey
Soviet Union
Yugoslavia

Other European countries
North African countries
Near and Middle Eastern countries
Other countries";

- (d) in Tables B, C2, and C4 of Annex IV, the term "Member States" shall read "EEA States";
- (e) in Tables C1, C2, C3, C5 and C6 of Annex IV, the term "EUR" is replaced by "EEA";
- (f) in Table C2 of the Annex IV, the last country number under "Received from" and "Dispatched to" shall be 18;
- (g) Austria, Finland, Liechtenstein, Norway, Sweden and Switzerland shall compile the data required by this Directive from, at the latest, 1995 onwards. Iceland shall compile the data from, at the latest, 1998 onwards;

- (h) until 1997, Switzerland shall be allowed to send the quarterly data on national transport (including transport to and from Liechtenstein) required by this Directive as part of the annual data;
 - (i) Iceland shall compile the data on national transport required by this Directive at least every third year.
6. **380 L 1119:** Council Directive 80/1119/EEC of 17 November 1980 on statistical returns in respect of carriage of goods by inland waterways (OJ No L 339, 15.12.1980, p. 30), as amended by:
- **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 163).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Annex II, the following is added after the entries for United Kingdom:

"Austria

Burgenland
Kärnten
Niederösterreich
Oberösterreich
Salzburg
Steiermark
Tirol
Vorarlberg
Wien

Finland

Suomi/Finland

Iceland

Island

Norway

Norge/Noreg

Sweden

Sverige

Switzerland and Liechtenstein

Schweiz/Suisse/Svizzera and Liechtenstein";

(b) Annex III is amended as follows:

The following is inserted between the heading "LIST OF ..." and part I of the table:

"A. EEA States";

Part II-VII is replaced by the following:

- "II. EFTA States
13. Austria
14. Finland
15. Iceland
16. Norway
17. Sweden
18. Switzerland and Liechtenstein
- B. Non-EEA countries
- III. Non-EEA European Countries
19. USSR
20. Poland
21. Czechoslovakia
22. Hungary
23. Romania
24. Bulgaria
25. Yugoslavia
26. Turkey
27. Other non-EEA European countries
- IV. 28. United States of America
- V. 29. Other countries";

- (c) in Annex IV, Tables I(A) and 1(B), the term "EEC share" shall read "EEA share";
- (d) in Annex IV, Tables 7(A), 7(B), 8(A) and 8(B), the positions of the columns headed "State trading countries" and "Other countries" are interchanged; the heading "Other countries" is replaced by "EFTA countries"; the heading "State trading countries" is replaced by "Other countries";
- (e) in Annex IV, Tables 10(A) and 10(B), the list of countries under the heading "Nationality of vessel" is replaced by the "list of countries and groups of countries" of amended Annex III. The term "EEC share" shall be read as "EEA share";
- (f) the EFTA States shall carry out the surveys required by this Directive from, at the latest, 1995 onwards.

7. **380 L 1177:** Council Directive 80/1177/EEC of 4 December 1980 on statistical returns in respect of carriage of goods by rail, as part of regional statistics (OJ No L 350, 23.12.1980, p. 23), as amended by:

— **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 164).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the following is added to Article 1(2) (a):

“ÖBB: Österreichische Bundesbahnen
VR: Valtionrautatiet/Statsjärnvägarna
NSB: Norges Statsbaner
SJ: Statens Järnvägar
SBB/CFF/FFS: Schweizerische Bundesbahnen/Chemins de fer fédéraux/Ferrovie
federali svizzere
BLS: Bern-Lötschberg-Simplon”;

- (b) in Annex II, the following is added after the entries for United Kingdom:

“Austria
Österreich

Finland
Suomi/Finland

Norway
Norge/Noreg

Sweden
Sverige

Switzerland
Schweiz/Suisse/Svizzera”;

(c) Annex III is amended as follows:

The following is inserted between the heading "LIST OF ..." and part I of the table:

"A. EEA States";

Part II is replaced by the following:

"II. EFTA States

13. Austria
14. Finland
15. Norway
16. Sweden
17. Switzerland

B. Non-EEA countries

18. USSR
19. Poland
20. Czechoslovakia
21. Hungary
22. Romania
23. Bulgaria
24. Yugoslavia
25. Turkey
26. Near and Middle Eastern countries
27. Other countries";

(d) the EFTA States shall collect the data required by this Directive from, at the latest, 1995 onwards.

FOREIGN AND COMMUNITY INTERNAL TRADE STATISTICS

8. **375 R 1736:** Regulation (EEC) No 1736/75 of the Council of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States (OJ No L 183, 14.7.1975, p. 3), as amended by:
 - **377 R 2845:** Council Regulation (EEC) No 2845/77 of 19 December 1977 (OJ No L 329, 22.12.1977, p. 3),
 - **384 R 3396:** Commission Regulation (EEC) No 3396/84 of 3 December 1984 (OJ No L 314, 4.12.1984, p. 10),
 - **387 R 3367:** Council Regulation (EEC) No 3367/87 of 9 November 1987 on the application of the Combined Nomenclature to the statistics of trade between Member States and amending Regulation (EEC) No 1736/75 on the external trade statistics of the Community and statistics of trade between its Member States (OJ No L 321, 11.11.1987, p. 3),

- **387 R 3678:** Commission Regulation (EEC) No 3678/87 of 9 December 1987 on statistical procedures in respect of the Community's external trade (OJ No L 346, 10.12.1987, p. 12),
- **388 R 0455:** Commission Regulation (EEC) No 455/88 of 18 February 1988 on the statistical threshold in the external trade statistics of the Community and statistics of trade between Member States (OJ No L 46, 19.2.1988, p. 19),
- **388 R 1629:** Council Regulation (EEC) No 1629/88 of 27 May 1988 (OJ No L 147, 14.6.1988, p. 1),
- **391 R 0091:** Commission Regulation (EEC) No 91/91 of 15 January 1991 (OJ No L 11, 16.1.1991, p. 5).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) Article 2 (2) (a) and (b) shall read:

- "(a) goods entering or leaving the customs warehouses with the exception of the customs warehouses listed in Annex A;
- (b) goods entering or leaving the free zones listed in Annex A.";

(b) Article 3 is replaced by the following:

1. The statistical territory of the EEA shall, in principle, comprise the customs territories of the Contracting Parties. The Contracting Parties shall define their statistical territories accordingly.
2. The statistical territory of the Community shall comprise the customs territory of the Community as defined in Council Regulation (EEC) No 2151/84 of 23 July 1984 on the definition of the customs territory of the Community as last amended by Regulation (EEC) No 4151/88.
3. For the EFTA States the statistical territory shall comprise the customs territory. However, for Norway, the Svalbard Archipelago and the Jan Mayen Island shall be included in the statistical territory. Switzerland and Liechtenstein together form one single statistical territory.";

(c) the classification referred to in Article 5(1) and (3) shall be made at least down to the first 6 digits;

(d) in Article 7(1), the introductory phrase is replaced by the following:

"Without prejudice to Article 5(1) and (2) of Regulation (EEC) No 2658/87, the following should be indicated in the statistical information medium of each CN subheading, at least down to the first 6 digits.";

- (e) the following new paragraph is added to Article 9:
- "3. For the EFTA States, "country of origin" shall be taken to mean the country in which the goods originated within the meaning of the respective national rules of origin.";
- (f) Article 17(1): The reference to "Council Regulation (EEC) No 803/68 of ... as last amended by Regulation (EEC) No 1028/75" shall read "Council Regulation (EEC) No 1224/80 of 28 May 1980 concerning the valuation of goods for customs purposes (OJ No L 134, 31.5.1980, p. 1)";
- (g) Article 34 is replaced by the following:
- "The data referred to in Article 22 (1) shall be compiled for each CN subheading according to the current version of the first 6 digits of the Combined Nomenclature.";
- (h) Annex C is amended as follows:
- the following line is inserted between "EUROPE" and "Community":
- "European Economic Area";
- the following is inserted between the entry "022 Ceuta and" and the heading "Other European countries and territories":
- "EFTA countries
- 024 Iceland
- 028 Norway
Including Svalbard Archipelago and Jan Mayen Island
- 030 Sweden
- 032 Finland
Including Åland Islands
- 036 Switzerland
Including Liechtenstein, the German territory of Büsingen and the Italian parish of Campione d'Italia
- 038 Austria
Excluding the territories of Junholz and Mittelberg";
- the entries 024, 025, 028, 030, 032, 036 and 038 after "Other European countries .." are replaced by "04I Faroe Islands";
- (i) the EFTA States shall collect the data required by this Regulation from, at the latest, 1995 onwards.

9. **377 R 0546:** Commission Regulation (EEC) No 546/77 of 16 March 1977 on statistical procedures in respect of the Community's external trade (OJ No L 70, 17.3.1977, p. 13), as amended by:
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 112),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 230),
 - **387 R 3678:** Commission Regulation (EEC) No 3678/87 of 9 December 1987 on statistical procedures in respect of the Community's external trade (OJ No L 346, 10.12.1987, p. 12).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) the following is added to Article 1:

"Austria:	—	Aktiver Veredelungsverkehr;
Finland:	—	Vientietumenettely/Exportförmånsförfarandet;
Iceland:	—	Vinnsla innanlands fyrir erlendan aðila;
Norway:	—	Foredling innenlands (aktiv);
Sweden:	—	Industrirestitution;
Switzerland:	—	Aktiver Eigen-/Lohn-veredelungsverkehr
	—	Traffic de perfectionnement actif à facon/commercial
	—	Regime economico di perfezionamento attivo a cottimo";

(b) the following is added to Article 2:

"Austria:	—	Passiver Veredelungsverkehr;
Finland:	—	Tullinalennusmenettely/Tullnedsättningsförfarandet;
Iceland:	—	Vinnsla erlendis fyrir innlendan aðila
Norway:	—	Foredling utenlands (passiv);
Sweden:	—	Återinförsel efter annan bearbetning än reparation;
Switzerland:	—	Passiver Eigen-/Lohn-veredelungsverkehr
	—	Traffic de perfectionnement passif à facon/commercial
	—	Regime economico di perfezionamento passivo a cottimo".

10. **379 R 0518:** Commission Regulation (EEC) No 518/79 of 19 March 1979 for recording exports of complete industrial plant in the external trade statistics of the Community and statistics of trade between Member States (OJ No L 69, 20.3.1979, p. 10), as amended by:
- **387 R 3521:** Commission Regulation (EEC) No 3521/87 of 24 November 1987 (OJ No L 335, 25.11.1987, p. 8).

11. **380 R 3345:** Commission Regulation (EEC) No 3345/80 of 23 December 1980 on the recording of the country of consignment in the external trade statistics of the Community and statistics of trade between Member States (OJ No L 351, 24.12.1980, p. 12).
12. **383 R 0200:** Council Regulation (EEC) No 200/83 of 24 January 1983 on the adaptation of the external trade statistics of the Community to the Directives concerning the harmonization of procedures for the export of goods and for the release of goods for free circulation (OJ No L 26, 28.1.1983, p. 1).
13. **387 R 3367:** Council Regulation (EEC) No 3367/87 of 9 November 1987 on the application of the Combined Nomenclature to the statistics of trade between Member States and amending Regulation (EEC) No 1736/75 on the external trade statistics of the Community and statistics of trade between its Member States (OJ No L 321, 11.11.1987, p. 3).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the Combined Nomenclature (CN) shall be applied, at least down to the first 6 digits;
- (b) in Article 1(2), the last sentence is not applicable.

14. **387 R 3522:** Commission Regulation (EEC) No 3522/87 of 24 November 1987 on the recording of the mode of transport in the statistics of trade between Member States (OJ No L 335, 25.11.1987, p. 10).
15. **387 R 3678:** Commission Regulation (EEC) No 3678/87 of 9 December 1987 on statistical procedures in respect of the Community's external trade (OJ No L 346, 10.12.1987, p. 12).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

Article 3 is not applicable.

16. **388 R 0455:** Commission Regulation (EEC) No 455/88 of 18 February 1988 on the statistical threshold in the external trade statistics of the Community and statistics of trade between Member States (OJ No L 46, 19.2.1988, p. 19).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

the following is added to Article 2:

"for Austria:	AS	11 500
for Finland:	FMk	4 000
for Iceland:	IKr	60 000
for Norway:	NKr	6 300
for Sweden:	SKr	6 000
for Switzerland:	SFRs	1 000."

STATISTICAL CONFIDENTIALITY

17. **390 R 1588:** Council Regulation (EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities (OJ No L 151, 15.6.1990, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the following new paragraph is added to Article 2:
- "11. Staff of the Office of the EFTA Statistical Adviser: staff of the EFTA Secretariat working on the premises of the SOEC.";
- (b) in the second sentence of Article 5(1), the term "SOEC" is replaced by "SOEC and of the Office of the EFTA Statistical Adviser";
- (c) the following new subparagraph is added to Article 5(2):
- "Confidential statistical data transmitted to the SOEC through the Office of the EFTA Statistical Adviser shall be accessible also to the staff of this Office.";
- (d) in Article 6, the term "SOEC" shall, for these purposes, be read as to include the Office of the EFTA Statistical Adviser.

DEMOGRAPHICAL AND SOCIAL STATISTICS

18. **376 R 0311:** Council Regulation (EEC) No 311/76 of 9 February 1976 on the compilation of statistics on foreign workers (OJ No L 39, 14.2.1976, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland shall not be bound by the regional breakdown of the data required in Article 1;
- (b) the EFTA States shall collect the data required by this Regulation from, at the latest, 1995 onwards.

NATIONAL ACCOUNTS - GDP

19. **389 L 0130:** Council Directive 89/130/EEC, Euratom of 13 February 1989 on the harmonization of gross national product at market prices (OJ No L 49, 21.2.1989, p. 26).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) Liechtenstein is exempted from providing the data required by this Directive;
- (b) Austria, Finland, Iceland, Norway, Sweden and Switzerland shall provide the data required by this Directive from, at the latest, 1995 onwards.

NOMENCLATURES

20. **390 R 3037:** Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Communities (OJ No L 293, 24.10.1990, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

Austria, Iceland, Liechtenstein, Norway, Sweden and Switzerland shall use "NACE Rev.1" or a national classification derived therefrom pursuant to Article 3 from, at the latest, 1995 onwards. Finland shall comply with this Regulation from, at the latest, 1997 onwards.

AGRICULTURAL STATISTICS

21. **372 L 0280:** Council Directive 72/280/EEC of 31 July 1972 on the statistical surveys to be made by Member States on milk and milk products (OJ No L 179, 7.8.1972, p. 2), as amended by:

- **373 L 0358:** Council Directive 73/358/EEC of 19 November 1973 (OJ No L 326, 27.11.1973, p. 17),
- **378 L 0320:** Council Directive 78/320/EEC of 30 March 1978 (OJ L 84, 31.3.1978, p. 49),
- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 67, 88),
- **386 L 0081:** Council Directive 86/81/EEC of 25 February 1986 (OJ No L 77, 22.3.1986, p. 29).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) Article 1(2) is not applicable;
- (b) in Article 4(3)(a) the territorial division therein referred is supplemented by the following entries:

"Austria:	Bundesländer
Finland:	—
Iceland:	—
Norway:	—
Sweden:	—
Switzerland:	—";

- (c) Austria, Finland, Iceland, Norway, Sweden and Switzerland shall collect the data required by this Directive from, at the latest, 1995 onwards;
- (d) Liechtenstein is exempted from supplying the statistical data required by this Directive;
- (e) Finland, Iceland, Norway, Sweden and Switzerland are exempted from supplying the weekly data required in Article 4(1) of this Directive;
- (f) Finland, Iceland, Norway, Sweden and Switzerland are exempted from supplying data on home consumption of milk.

22. **372 D 0356:** Commission Decision 72/356/EEC of 18 October 1972 laying down implementing provisions for the statistical surveys on milk and milk products (OJ No L 246, 30.10.1972, p. 1), as amended by:

- **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 88),
- **386 D 0180:** Commission Decision 86/180/EEC of 19 March 1986 (OJ No L 138 24.5.1986 p. 49).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Annex II, table 4, footnote 1, the territorial division referred therein is supplemented by the following entries:

"Austria:	Bundesländer
Finland:	One region only
Iceland:	One region only
Norway:	One region only
Sweden:	One region only
Switzerland:	One region only";

- (b) in Annex II, table 5, part B, the following new footnote is added to item I (a) "Home consumption":

"(I) Not required for Finland, Iceland, Norway, Sweden and Switzerland";

the other two footnotes are renumbered accordingly.

23. **388 R 0571:** Council Regulation (EEC) No 571/88 of 29 February 1988 on the organization of Community surveys on the structure of agricultural holdings between 1988 and 1997 (OJ No L 56, 2.3.1988, p. 1), as amended by:

— **389 R 0807:** Council Regulation (EEC) No 807/89 of 20 March 1989 (OJ No L 86, 31.3.1989, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 4, the text beginning with "and insofar as they are important locally ..." until the end of the Article is not applicable;
- (b) in Article 6(2), the text "standard gross margin (SGM), within the meaning of Decision 85/377/EEC" is replaced by:
- "standard gross margin (SGM), within the meaning of Decision 85/377/EEC, or to the value of the total agricultural production";
- (c) in Article 8(2), the reference to "Decision 83/461/EEC, as amended by Decisions 85/622/EEC and 85/643/EEC" is replaced by a reference to "Decision 89/651/EEC". A new footnote is added at the bottom of the page: OJ No L 391, 30.12.1989, p. 1";
- (d) Articles 10, 12, and 13, and Annex II are not relevant;
- (e) in Annex I, appropriate footnotes are added marking the following variables as optional for the indicated countries:

B.02: Optional for Iceland.
 B.03: Optional for Finland, Iceland and Sweden.
 B.04: Optional for Austria, Finland and Switzerland.
 C.03: Optional for Iceland.
 C.04: Optional for Austria, Finland, Iceland, Norway and Sweden.
 E: Optional for Austria, Finland, Iceland, Norway, Sweden and Switzerland.
 G.05: Optional for Finland.
 I.01: Optional for Norway.
 I.01(a): Optional for Norway.
 I.01(b): Optional for Norway.
 I.01(c): Optional for Norway.
 I.01(d): Optional for Norway.
 I.02: Optional for Norway.

I.03:	Optional for Austria, Finland and Sweden.
I.03(a):	Optional for Austria, Finland and Sweden.
J.03:	Breakdown on the two sexes optional for Iceland.
J.04:	Breakdown on the two sexes optional for Iceland.
J.09(a):	Optional for Finland.
J.09(b):	Optional for Finland.
J.11:	Breakdown on piglets, breeding sows and other pigs optional for Iceland.
J.12:	Breakdown on piglets, breeding sows and other pigs optional for Iceland.
J.13:	Breakdown on piglets, breeding sows and other pigs optional for Iceland.
J.17:	Optional for Austria and Switzerland.
K:	Optional for Iceland and Sweden.
K.02:	Optional for Austria.
L:	Finland, Iceland and Sweden are allowed to provide the variables of the table on a higher aggregation level.
L.10:	Optional for Austria;

- (f) for Liechtenstein, the data required by this Regulation shall be included in the data for Switzerland;
- (g) Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland shall not be bound by the geographical breakdown of the data required in Articles 4, 8 and Annex I of this Regulation. However, these States shall assure that sample sizes are such that the breakdown of the data other than regional is obtained on a representative basis;
- (b) Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland shall not be bound by the typology referred to in Articles 6, 7, 8, 9 and Annex I of this Regulation. However, these States shall transmit the necessary additional information allowing the reclassification according to this typology;
- (i) the EFTA States are exempted from the obligation to carry out the survey referred to in Article 3(c);
- (j) the EFTA States shall collect the data required by this Regulation from, at the latest, 1995 onwards.
24. **390 R 0837:** Council Regulation (EEC) No 837/90 of 26 March 1990 concerning statistical information to be supplied by the Member States on cereals production (OJ No L 88, 3.4.1990, p. I).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 8(4), the text "twice a year" is deleted;

(b) in Annex III, the following is added after the entry for United Kingdom:

"Austria: Bundesländer
 Finland: —
 Iceland: —
 Norway: —
 Sweden: —
 Switzerland: —";

(c) Liechtenstein is exempted from supplying the data required by this Regulation;

(d) Austria, Finland, Iceland, Norway, Sweden and Switzerland shall provide the data required by this Regulation from, at the latest, 1995 onwards.

FISHERY STATISTICS

25. 391 R 1382: Council Regulation (EEC) No 1382/91 of 21 May 1991 on the submission of data on the landings of fishery products in Member States (OJ No L 133, 28.5.1991, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) in Annex 3, the layout of the table is changed according to the following:

	EC		EFTA ^(*)	
	QUANTITY	PRICE	QUANTITY	PRICE
For human consumption: Cods (CDZ) Fresh whole				

(*) Column to be completed by EFTA States, and by those EC Member States which register EFTA vessels.

(b) the EFTA States shall provide the data required by this Regulation from, at the latest, 1995 onwards. The report referred to in Article 5(1) and, in case of the need, the request for exclusions of small ports referred to in Article 5(6), first subparagraph, shall be made in the course of the year 1995.

ENERGY STATISTICS

26. **390 L 0377**: Council Directive 90/377/EEC of 29 June 1990 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users (OJ No L 185, 17.7.1990, p. 16).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) the following is added to Article 2(1) and (3):

"For Austria, Finland, Norway, Sweden and Switzerland the data shall be sent to the SOEC through the countries' competent national authorities.";

- (b) irrespective of the provisions of Articles 4 and 5, the handling of confidential data from Austria, Finland, Norway, Sweden and Switzerland is governed exclusively by the Council Regulation (Euratom/EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, as adapted for this Agreement;
- (c) Iceland and Liechtenstein shall be exempted from supplying the information requested by this Directive;
- (d) Austria, Finland, Norway, Sweden and Switzerland shall provide the information required by this Directive from, at the latest, 1995 onwards. These countries shall inform the SOEC by 1 January 1993 about the places and regions for which prices will be recorded according to item 11 of Annex I and items 2 and 13 of Annex II.

ANNEX XXII**COMPANY LAW**

List provided for in Article 77

INTRODUCTION

When the acts referred to in this Annex contain notions or refer to procedures which are specific to the Community legal order, such as:

- preambles,
- the addressees of the Community acts,
- references to territories or languages of the EC,
- references to rights and obligations of EC Member States, their public entities, undertakings or individuals in relation to each other, and
- references to information and notification procedures,

Protocol I on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

Integration of company forms not existing at the time of the initialling of the EEA Agreement:

Where reference is made in the directives mentioned below exclusively or primarily to one type of company, this reference may be changed upon the introduction of specific legislation for private companies. The introduction of such legislation and the denomination of the companies involved will be notified to the EEA Joint Committee at the latest at the time of implementation of the relevant directives.

TRANSITION PERIODS

The EFTA States shall implement in full the provisions laid down in this Annex not later than three years, as regards Switzerland and Liechtenstein, and two years as regards Austria, Finland, Iceland, Norway and Sweden, after the entry into force of the EEA Agreement.

ACTS REFERRED TO

1. **368 L 0151:** First Council Directive 68/151/EEC of 9 March 1968 on co-ordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community (OJ No L 65, 14.3.1968, p.8), as amended by:
 - **1 72 B:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 89),
 - **1 79 H:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 89),
 - **1 85 I:** Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 157).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Article 1:

- "— *In Austria:*
die Aktiengesellschaft, die Gesellschaft mit beschränkter Haftung;
- *In Finland:*
osakeyhtiö, aktiebolag;
- *In Iceland:*
almenningshlutafélag, einkahlutafélag, samlagsfélag;
- *In Liechtenstein:*
die Aktiengesellschaft, die Gesellschaft mit beschränkter Haftung,
die Kommanditaktiengesellschaft;
- *In Norway:*
aksjeselskap;
- *In Sweden:*
aktiebolag;
- *In Switzerland:*
die Aktiengesellschaft, la société anonyme, la società anonima;

die Gesellschaft mit beschränkter Haftung,
la société à responsabilité limitée,
società a garanzia limitata;

die Kommanditaktiengesellschaft,
la société en commandite par actions,
la società in accomandita per azioni."

2. **377 L 0091:** Second Council Directive 77/91/EEC of 13 December 1976 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, in respect of the formation of public limited liability companies and the maintenance and alteration of their capital, with a view to making such safeguards equivalent (OJ No L 26, 31.1.1977, p. 1), as amended by:

- **1 79 H:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 89),
- **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 157).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The following shall be added to Article 1(1), subparagraph 1:

— *in Austria:*

die Aktiengesellschaft;

— *in Finland:*

osakeyhtiö, aktiebolag;

— *in Iceland:*

almenningshlutafélag;

— *in Liechtenstein:*

die Aktiengesellschaft;

— *in Norway:*

aksjeselskap;

— *in Sweden:*

aktiebolag;

— *in Switzerland:*

die Aktiengesellschaft, la société anonyme, la società anonima.”;

- (b) In Article 6, the term "European unit of account" shall be replaced by "ECU";
- (c) The transition measures indicated in Article 43(2) shall be applicable also with regard to the EFTA States.

3. **378 L 0855:** Third Council Directive 78/855/EEC of 9 October 1978 based on Article 54 (3)(g) of the Treaty concerning mergers of public limited liability companies (OJ No L 295, 20.10.1978, p. 36), as amended by:

- **1 79 H:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 89),

- **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 157).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The following shall be added to Article 1(1):

- "— Austria:
die Aktiengesellschaft;
- Finland:
osakeyhtiö, aktiebolag;
- Iceland:
almenningshlutafélag;
- Liechtenstein:
die Aktiengesellschaft;
- Norway:
aksjeselskap;
- Sweden:
aktiebolag;
- Switzerland:
die Aktiengesellschaft, la société anonyme, la società anonima."

- (b) The transition measures indicated in Article 32(3) and (4) shall be applicable also with regard to the EFTA States.

- 4. **378 L 0660:** Fourth Council Directive 78/660/EEC of 25 July 1978 based on Article 54 (3)(g) of the Treaty on the annual accounts of certain types of companies (OJ No L 222, 14.8.1978, p. 11), as amended by:

- **1 79 H:** Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 89),
- **383 L 0349:** Seventh Council Directive 83/349/EEC of 13 June 1983 based on the Article 54 (3) (g) of the Treaty on consolidated accounts (OJ No L 193, 18.7.1983, p. 1),
- **1 85 I:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, pp. 157-158),

- **389 L 0666:** Eleventh Council Directive 89/666/EEC of 21 December 1989 concerning disclosure requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State (OJ No L 395, 30.12.1989, p. 36),
- **390 L 0604:** Council Directive 90/604/EEC of 8 November 1990 amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts as concerns the exemptions for small and medium-sized companies and the publication of accounts in ECUs (OJ No L 317, 16.11.1990, p. 57),
- **390 L 0605:** Council Directive 90/605/EEC of 8 November 1990 amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts as regards the scope of those Directives (OJ No L 317, 16.11.1990, p. 60).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) The following shall be added to Article 1(1), subparagraph 1:

- "— in Austria:
die Aktiengesellschaft,
die Gesellschaft mit beschränkter Haftung;
- in Finland:
osakeyhtiö, aktiebolag;
- in Iceland:
almenningshlutafélag,
einkahlutafélag;
- in Liechtenstein:
die Aktiengesellschaft,
die Gesellschaft mit beschränkter Haftung,
die Kommanditaktiengesellschaft;
- in Norway:
aksjeselskap;
- in Sweden:
aktiebolag;
- in Switzerland:
die Aktiengesellschaft, la société anonyme, la società anonima;
die Gesellschaft mit beschränkter Haftung, la société à responsabilité limitée,
la società a garanzia limitata; die Kommanditaktiengesellschaft,
la société en commandite par actions, la società in accomandita per azioni."

(b) The following shall be added to Article 1(1), subparagraph 2:

- "(m) in Austria:
die offene Handelsgesellschaft, die Kommanditgesellschaft;
- (n) in Finland:
avoin yhtiö, öppet bolag, kommandiittiyhtiö, kommanditbolag;
- (o) in Iceland:
sameignarfélag, samlagsfélag;
- (p) in Liechtenstein:
die offene Handelsgesellschaft, die Kommanditgesellschaft;
- (q) in Norway:
partrederi, ansvarlig selskap, kommanditselskap;
- (r) in Sweden:
handelsbolag, kommanditbolag."

5. **382 L 0891:** Sixth Council Directive 82/891/EEC of 17 December 1982 based on Article 54(3)(g) of the Treaty, concerning the division of public limited liability companies (OJ No L 378, 31.12.1982, p. 47),

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The transition measures indicated in Article 26(4) and (5) shall be applicable also with regard to the EFTA States.

6. **383 L 0349:** Seventh Council Directive 83/349/EEC of 13 June 1983 based on the Article 54(3)(g) of the Treaty on consolidated accounts (OJ No L 193, 18.7.1983, p. 1), as amended by:

- **1 85 1:** Act concerning the conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 158),
- **390 L 0604:** Council Directive 90/604/EEC of 8 November 1990 amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts as concerns the exemptions for small and medium-sized companies and the publication of accounts in ECUs (OJ No L 317, 16.11.1990, p. 57),
- **390 L 0605:** Council Directive 90/605/EEC of 8 November 1990 amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts as regards the scope of those Directives (OJ No L 317, 16.11.1990, p. 60).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Article 4(1), subparagraph 1:

- “(m) *in Austria:*
die Aktiengesellschaft, die Gesellschaft mit beschränkter Haftung;
- (n) *in Finland:*
osakeyhtiö, aktiebolag;
- (o) *in Iceland:*
almenningshlutafélag, einkahlutafélag, samlagsfélag;
- (p) *in Liechtenstein:*
die Aktiengesellschaft, die Gesellschaft mit beschränkter Haftung,
die Kommanditaktiengesellschaft;
- (q) *in Norway:*
aksjeselskap;
- (r) *in Sweden:*
aktiebolag;
- (s) *in Switzerland:*
die Aktiengesellschaft, la société anonyme, la società anonima;
die Gesellschaft mit beschränkter Haftung, la société à responsabilité limitée, la società a garanzia limitata; die Kommanditaktiengesellschaft, la société en commandite par actions, la società in accomandita per azioni.”

7. **384 L 0253:** Eighth Council Directive 84/253/EEC of 10 April 1984 based on Article 54(3)(g) of the Treaty on the approval of persons responsible for carrying out the statutory audits of accounting documents (OJ No L 126, 12.5.1984, p. 20)
8. **389 L 0666:** Eleventh Council Directive 89/666/EEC of 21 December 1989 concerning disclosure requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State (OJ No L 395, 30.12.1989, p. 36)

9. **389 L 0667:** Twelfth Council Directive 89/667/EEC of 21 December 1989 on single-member private limited-liability companies (OJ No L 395, 30.12.1989, p. 40)

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

The following shall be added to Article 1:

- "— *in Austria:*
die Gesellschaft mit beschränkter Haftung;
- *in Finland:*
osakeyhtiö, aktiebolag;
- *in Iceland:*
einkahlutafélag;
- *in Liechtenstein:*
die Gesellschaft mit beschränkter Haftung;
- *in Norway:*
aksjeselskap;
- *in Sweden:*
aktiebolag;
- *in Switzerland:*
die Gesellschaft mit beschränkter Haftung, la société à responsabilité limitée,
la società a garanzia limitata."

10. **385 R 2137:** Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG) (OJ No L 199, 31.7.1985, p. 1)

FINAL ACT

The plenipotentiaries of:

**THE EUROPEAN ECONOMIC COMMUNITY,
THE EUROPEAN COAL AND STEEL COMMUNITY,**

hereinafter referred to as "the Community", and 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 and the Treaty establishing the EUROPEAN COAL AND STEEL COMMUNITY,

hereinafter referred to as "the EC Member States",

and

the plenipotentiaries of:

**THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF FINLAND,
THE REPUBLIC OF ICELAND,
THE PRINCIPALITY OF LIECHTENSTEIN,
THE KINGDOM OF NORWAY,
THE KINGDOM OF SWEDEN,
THE SWISS CONFEDERATION,**

hereinafter referred to as "the EFTA States",

meeting at Oporto, this second day of May in the year one thousand nine hundred and ninety-two for the signature of the Agreement on the European Economic Area, hereinafter referred to as the EEA Agreement, have adopted the following texts:

- I. the Agreement on the European Economic Area;
- II. the texts listed below which are annexed to the Agreement on the European Economic Area:
- A.
- | | |
|-------------|---|
| Protocol 1 | on horizontal adaptations |
| Protocol 2 | on products excluded from the scope of the Agreement in accordance with Article 8(3)(a) |
| Protocol 3 | concerning products referred to in Article 8(3)(b) of the Agreement |
| Protocol 4 | on rules of origin |
| Protocol 5 | on customs duties of a fiscal nature (Switzerland/Liechtenstein) |
| Protocol 6 | on the building up of compulsory reserves by Switzerland and Liechtenstein |
| Protocol 7 | on quantitative restrictions which Iceland may retain |
| Protocol 8 | on State monopolies |
| Protocol 9 | on trade in fish and other marine products |
| Protocol 10 | on simplification of inspections and formalities in respect of carriage of goods |
| Protocol 11 | on mutual assistance in customs matters |
| Protocol 12 | on conformity assessment agreements with third countries |
| Protocol 13 | on the non-application of anti-dumping and countervailing measures |
| Protocol 14 | on trade in coal and steel products |
| Protocol 15 | on transitional periods on the free movement of persons (Switzerland and Liechtenstein) |
| Protocol 16 | on measures in the field of social security related to transitional periods on the free movement of persons (Switzerland and Liechtenstein) |
| Protocol 17 | concerning Article 34 |
| Protocol 18 | on internal procedures for the implementation of Article 43 |
| Protocol 19 | on maritime transport |
| Protocol 20 | on access to inland waterways |
| Protocol 21 | on the implementation of competition rules applicable to undertakings |
| Protocol 22 | concerning the definition of "undertaking" and "turnover" (Article 56) |

- Protocol 23 concerning the cooperation between the surveillance authorities (Article 58)
- Protocol 24 on cooperation in the field of control of concentrations
- Protocol 25 on competition regarding coal and steel
- Protocol 26 on the powers and functions of the EFTA Surveillance Authority in the field of State aid
- Protocol 27 on cooperation in the field of State aid
- Protocol 28 on intellectual property
- Protocol 29 on vocational training
- Protocol 30 on specific provisions on the organization of cooperation in the field of statistics
- Protocol 31 on cooperation in specific fields outside the four freedoms
- Protocol 32 on financial modalities for the implementation of Article 82
- Protocol 33 on arbitration procedures
- Protocol 34 on the possibility for courts and tribunals of EFTA States to request the Court of Justice of the European Communities to decide on the interpretation of EEA rules corresponding to EC rules
- Protocol 35 on the implementation of EEA rules
- Protocol 36 on the Statute of the EEA Joint Parliamentary Committee
- Protocol 37 containing the list provided for in Article 101
- Protocol 38 on the financial mechanism
- Protocol 39 on the ECU
- Protocol 40 on Svalbard
- Protocol 41 on existing agreements
- Protocol 42 on bilateral arrangements concerning specific agricultural products
- Protocol 43 on the Agreement between the EEC and the Republic of Austria on the transit of goods by road and rail
- Protocol 44 on the Agreement between the EEC and the Swiss Confederation on the carriage of goods by road and rail
- Protocol 45 on transitional periods concerning Spain and Portugal
- Protocol 46 on the development of cooperation in the fisheries sector
- Protocol 47 on the abolition of technical barriers to trade in wine
- Protocol 48 concerning Articles 105 and 111
- Protocol 49 on Ceuta and Melilla

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- B.** Annex I Veterinary and phytosanitary matters
- Annex II Technical regulations, standards, testing and certification
- Annex III Product liability
- Annex IV Energy
- Annex V Free movement of workers
- Annex VI Social security
- Annex VII Mutual recognition of professional qualifications
- Annex VIII Right of establishment
- Annex IX Financial services
- Annex X Audio-visual services
- Annex XI Telecommunication services
- Annex XII Free movement of capital
- Annex XIII Transport
- Annex XIV Competition
- Annex XV State aid
- Annex XVI Procurement
- Annex XVII Intellectual property
- Annex XVIII Health and safety at work, labour law, and equal treatment for men and women
- Annex XIX Consumer protection
- Annex XX Environment
- Annex XXI Statistics
- Annex XXII Company law

The plenipotentiaries of the EC Member States and of the Community and the plenipotentiaries of the EFTA States have adopted the joint declarations listed below and annexed to this Final Act:

1. Joint Declaration concerning the preparation of joint reports under paragraph 5 of Protocol 1 on horizontal adaptations;
2. Joint Declaration on mutual recognition and protection agreements for the designations of wine and spirituous beverages;
3. Joint Declaration on a transitional period concerning the issuing or making out of documents relating to the proof of origin;
4. Joint Declaration concerning Articles 10 and 14(1) of Protocol 11 to the Agreement;
5. Joint Declaration on electro-medical equipment;
6. Joint Declaration concerning nationals of the Republic of Iceland who hold a diploma in specialized medicine, specialized dentistry, veterinary medicine, pharmacy, general medical practice or architecture conferred in a third country;
7. Joint Declaration concerning nationals of the Republic of Iceland who hold higher-education diplomas awarded on completion of professional education and training of at least three years' duration conferred in a third country;
8. Joint Declaration on transport of goods by road;
9. Joint Declaration concerning rules on competition;
10. Joint Declaration on Article 61(3)(b) of the Agreement;
11. Joint Declaration on Article 61(3)(c) of the Agreement;
12. Joint Declaration on aid granted through the EC Structural Funds or other financial instruments;
13. Joint Declaration on paragraph (c) of Protocol 27 to the Agreement;
14. Joint Declaration on shipbuilding;
15. Joint Declaration on applicable procedures in cases where, by virtue of Article 76 and Part VI of the Agreement and corresponding Protocols, EFTA States participate fully in EC committees;
16. Joint Declaration on cooperation in cultural affairs;
17. Joint Declaration on cooperation against illegal traffic in cultural goods;
18. Joint Declaration on the association of Community experts with the work of committees among the EFTA States or set up by the EFTA Surveillance Authority;
19. Joint Declaration on Article 103 of the Agreement;
20. Joint Declaration on Protocol 35 to the Agreement;
21. Joint Declaration concerning the Financial Mechanism;

22. Joint Declaration on the relation between the EEA Agreement and existing agreements;
23. Joint Declaration on the agreed interpretation of Article 4(1) and (2) of Protocol 9 on trade in fish and other marine products;
24. Joint Declaration concerning the application of tariff concessions for certain agricultural products;
25. Joint Declaration on plant health issues;
26. Joint Declaration on mutual assistance between control authorities in the area of spirit drinks;
27. Joint Declaration on Protocol 47 on the abolition of technical barriers to trade in wine;
28. Joint Declaration on modification of tariff concessions and on special treatment of Spain and Portugal;
29. Joint Declaration on animal welfare;
30. Joint Declaration on the Harmonized System.

The plenipotentiaries of the EC Member States and the plenipotentiaries of the EFTA States have adopted the declarations listed below and annexed to this Final Act:

1. Declaration by the Governments of the Member States of the EC and the EFTA States on the facilitation of border controls;
2. Declaration by the Governments of the Member States of the EC and the EFTA States on political dialogue.

The plenipotentiaries of the EC Member States and of the Community and the plenipotentiaries of the EFTA States have also taken note of the arrangement regarding the functioning of a High-Level Interim Group during the period preceding the entry into force of the EEA Agreement which is annexed to this Final Act. They have further agreed that the High-Level Interim Group shall, at the latest by the entry into force of the EEA Agreement, decide on the authentication of texts of the EC acts referred to in the Annexes to the EEA Agreement which have been drawn up in the Finnish, Icelandic, Norwegian and Swedish languages.

The plenipotentiaries of the EC Member States and of the Community and the plenipotentiaries of the EFTA States have further taken note of the arrangement regarding the publication of EEA relevant information which is annexed to this Final Act.

Further, the plenipotentiaries of the EC Member States and of the Community and the plenipotentiaries of the EFTA States have taken note of the arrangement regarding the publication of EFTA notices on procurement which is annexed to this Final Act.

Furthermore, the plenipotentiaries of the EC Member States and of the Community and the plenipotentiaries of the EFTA States have adopted the Agreed Minutes from the negotiations which are annexed to this Final Act. The Agreed Minutes shall have a binding character.

Finally, the plenipotentiaries of the EC Member States and of the Community and the plenipotentiaries of the EFTA States have taken note of the declarations listed below and annexed to this Final Act:

1. Declaration by the Governments of Finland, Iceland, Norway and Sweden on alcohol monopolies;
2. Declaration by the Governments of Liechtenstein and Switzerland on alcohol monopolies;
3. Declaration by the European Community on mutual assistance in customs matters;
4. Declaration by the Governments of the EFTA States on free circulation of light duty commercial vehicles;
5. Declaration by the Government of Liechtenstein on product liability;
6. Declaration by the Government of Liechtenstein on the specific situation of the country;
7. Declaration by the Government of Austria on safeguards;
8. Declaration by the European Community;
9. Declaration by the Government of Iceland on the use of safeguard measures under the EEA Agreement;
10. Declaration by the Government of Switzerland on safeguard measures;
11. Declaration by the European Community;
12. Declaration by the Government of Switzerland on the introduction of post-diploma studies in architecture at the higher technical colleges;
13. Declaration by the Governments of Austria and Switzerland on audiovisual services;
14. Declaration by the Governments of Liechtenstein and Switzerland on administrative assistance;
15. Declaration by the European Community;
16. Declaration by the Government of Switzerland on the use of the safeguard clause in connection with capital movements;
17. Declaration by the European Community;
18. Declaration by the Government of Norway on the direct enforceability of decisions by the EC institutions regarding pecuniary obligations addressed to enterprises located in Norway;
19. Declaration by the European Community;
20. Declaration by the Government of Austria on the enforcement on its territory of decisions by EC institutions regarding pecuniary obligations;
21. Declaration by the European Community;
22. Declaration by the European Community on shipbuilding;
23. Declaration by the Government of Ireland concerning Protocol 28 on intellectual property - international conventions;

24. Declaration by the Governments of the EFTA States on the charter of fundamental social rights for workers;
25. Declaration by the Government of Austria on the implementation of Article 5 of Directive 76/207/EEC in respect of night-work;
26. Declaration by the European Community;
27. Declaration by the European Community on the rights for the EFTA States before the EC Court of Justice;
28. Declaration by the European Community on the rights of lawyers of the EFTA States under Community law;
29. Declaration by the European Community on the participation of the EFTA States' experts in EEA relevant EC committees in application of Article 100 of the Agreement;
30. Declaration by the European Community on Article 103 of the Agreement;
31. Declaration by the Governments of the EFTA States on Article 103(1) of the Agreement;
32. Declaration by the European Community on transit in the fisheries sector;
33. Declaration by the European Community and the Governments of Austria, Finland, Liechtenstein, Sweden and Switzerland on whale products;
34. Declaration by the Government of Switzerland concerning customs duties of a fiscal nature;
35. Declaration by the European Community on bilateral agreements;
36. Declaration by the Government of Switzerland on the Agreement between the EEC and the Swiss Confederation on the carriage of goods by road and rail;
37. Declaration by the Government of Austria on the Agreement between the EEC and the Republic of Austria on the transit of goods by road and rail;
38. Declaration by the Governments of the EFTA States concerning the EFTA financial mechanism;
39. Declaration by the Governments of the EFTA States concerning a court of first instance.

[For the testimonium and signatures, see United Nations, Treaty Series, vol. 1818, p. 433.]

**JOINT DECLARATIONS BY
THE CONTRACTING PARTIES
TO THE AGREEMENT ON
THE EUROPEAN ECONOMIC AREA**

**JOINT DECLARATION
CONCERNING THE PREPARATION OF JOINT REPORTS
UNDER PARAGRAPH 5 OF PROTOCOL 1
ON HORIZONTAL ADAPTATIONS**

As regards the review and reporting procedures under paragraph 5 of Protocol 1 on Horizontal Adaptations, it is understood that the EEA Joint Committee may, whenever it considers this useful, request the preparation of a joint report.

**JOINT DECLARATION
ON MUTUAL RECOGNITION AND PROTECTION AGREEMENTS
FOR THE DESIGNATIONS OF WINE AND SPIRITUOUS BEVERAGES**

The Contracting Parties agree to negotiate with a view to concluding before 1 July 1993 separate mutual recognition and protection agreements for the designations of wine and spirituous beverages, taking into account the existing bilateral agreements.

**JOINT DECLARATION
ON A TRANSITIONAL PERIOD CONCERNING THE ISSUING OR MAKING
OUT OF DOCUMENTS RELATING TO THE PROOF OF ORIGIN**

- (a) For two years after the entry into force of the EEA Agreement, the competent customs authorities of the Community and those of Austria, Finland, Iceland, Norway, Sweden and Switzerland shall accept as valid proof of origin within the meaning of Protocol 4 to the EEA Agreement the following documents referred to in Article 13 of Protocol No. 3 to the Free Trade Agreements between the EEC and the individual EFTA States mentioned above:
- (i) EUR.1 certificates, including Long-Term certificates, endorsed beforehand with the stamp of the competent customs office of the exporting State;
 - (ii) EUR.1 certificates, including Long-Term certificates, endorsed by an approved exporter with a special stamp which has been approved by the customs authorities of the exporting State; and
 - (iii) invoices referring to Long-Term certificates.
- (b) For six months after the entry into force of the EEA Agreement, the competent customs authorities of the Community and those of Austria, Finland, Iceland, Norway, Sweden and Switzerland shall accept as valid proof of origin within the meaning of Protocol 4 to the EEA Agreement the following documents referred to in Article 8 of Protocol No 3 to the Free Trade Agreements between the EEC and the individual EFTA States mentioned above:
- (i) invoices bearing the exporter's declaration as given in Annex V to Protocol No 3 made out in accordance with Article 13 of that Protocol; and
 - (ii) invoices bearing the exporter's declaration as given in Annex V to Protocol No 3 made out by any exporter.
- (c) Requests for subsequent verification of documents referred to in paragraphs (a) and (b) shall be accepted by the competent customs authorities of the Community and those of Austria, Finland, Iceland, Norway, Sweden and Switzerland for a period of two years after issuing and making out of the proof of origin concerned. These verifications shall be carried out in accordance with Title VI of Protocol 4 to the EEA Agreement.

**JOINT DECLARATION
CONCERNING ARTICLES 10 AND 14(1)
OF PROTOCOL 11 TO THE AGREEMENT**

The Contracting Parties stress the importance they attach to the protection of nominative data. They undertake to consider this matter further with a view to ensuring appropriate protection of such data under Protocol 11, at least at a level comparable to the one provided for by the Council of Europe Convention of 28 January 1981.

**JOINT DECLARATION
ON ELECTRO-MEDICAL EQUIPMENT**

The Contracting Parties take note that the Commission has presented to the Council a proposal for a Council directive on electro-medical equipment falling so far within the scope of Directive 84/539/EEC (OJ No L 300, 19.11.1984, p. 179) (Annex II).

The Commission proposal strengthens the protection of patients, users and third persons by referring to harmonized standards which are to be adopted by CEN-CENELEC in accordance with the legal requirements and by subjecting these products to appropriate conformity assessment procedures including a third party intervention for certain devices.

**JOINT DECLARATION
CONCERNING NATIONALS OF THE REPUBLIC OF ICELAND
WHO HOLD A DIPLOMA IN SPECIALIZED MEDICINE,
SPECIALIZED DENTISTRY, VETERINARY MEDICINE,
PHARMACY, GENERAL MEDICAL PRACTICE OR ARCHITECTURE
CONFERRED IN A THIRD COUNTRY**

Noting that Council Directives 75/362/EEC, 78/686/EEC, 78/1026/EEC, 85/384/EEC, 85/433/EEC and 86/457/EEC, as adapted for EEA purposes, refer only to diplomas, certificates and other evidence of formal qualifications conferred in the Contracting Parties;

anxious, however, to take account of the special position of nationals of the Republic of Iceland who, since there is no complete university training in specialized medicine, specialized dentistry, veterinary medicine and architecture in Iceland itself, since there are limited possibilities of training in specialized dentistry and of specific training in general medical practice and other specialization in medicine, and since there is only recently a complete university training in pharmacy offered in Iceland, have studied in a third country;

the Contracting Parties hereby recommend that the Governments concerned should allow nationals of the Republic of Iceland who hold a diploma in specialized dentistry, in veterinary medicine, in architecture, in pharmacy, on completion of specific training in general medical practice or of specializations in medicine, awarded in a third country and recognized by the competent Icelandic authorities, to take up and pursue activities as specialists in dentistry, veterinary surgeons, architects, pharmacists, general medical practitioners or specialists in medicine within the European Economic Area, by recognizing these diplomas in their territories.

**JOINT DECLARATION
CONCERNING NATIONALS OF THE REPUBLIC OF ICELAND
WHO HOLD HIGHER-EDUCATION DIPLOMAS
AWARDED ON COMPLETION OF PROFESSIONAL EDUCATION AND TRAINING
OF AT LEAST THREE YEARS' DURATION CONFERRED IN A THIRD COUNTRY**

Noting that Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (OJ No L 19, 24.1.1989, p. 16), as adapted for EEA purposes, refers to diplomas, certificates and other evidence of formal qualifications conferred mainly in the Contracting Parties;

anxious, however, to take account of the special position of nationals of the Republic of Iceland who, since there are limited possibilities of post-secondary education and a long tradition of students receiving this education abroad, have studied in a third country;

the Contracting Parties hereby recommend that the Governments concerned should allow nationals of the Republic of Iceland who hold a diploma of studies covered by the general system, awarded in a third country and recognized by the competent Icelandic authorities, to take up and pursue within the European Economic Area the activities of the professions concerned, by recognizing these diplomas in their territories.

**JOINT DECLARATION
ON TRANSPORT OF GOODS BY ROAD**

If the European Community elaborates new legislation to amend, replace or prolong the application of rules on access to the market in transport of goods by road (First Council Directive of 23 July 1962 on certain types of carriage of goods between Member States, OJ No 070, 6.8.1962, p. 2005/62; Council Directive 65/269/EEC, OJ No 88, 24.5.1965, p. 1469/65; Council Regulation (EEC) 3164/76, OJ No L 357, 29.12.1976, p. 1; Council Decision 80/48/EEC, OJ No L 18, 24.1.1980, p. 21; Council Regulation (EEC) 4059/89, OJ No L 390, 30.12.1989, p. 3) the Contracting Parties shall, in accordance with the jointly agreed procedures, take a decision concerning an amendment of the relevant Annex, allowing carriers of the Contracting Parties reciprocal and mutual access to the market in transport of goods by road on equal terms.

For the duration of the Agreement between the European Communities and Austria on transport of goods by road and rail, future amendments of the present Agreement shall not affect the existing mutual rights for market access referred to in Article 16 of the Agreement between the European Communities and Austria on transport of goods by road and rail, and as set out in the bilateral Agreements between Austria on the one hand and Finland, Norway, Sweden and Switzerland on the other hand, unless otherwise agreed by the Parties concerned.

**JOINT DECLARATION
CONCERNING RULES ON COMPETITION**

The Contracting Parties declare that the implementation of the EEA competition rules, in cases falling within the responsibility of the EC Commission, is based on the existing Community competences, supplemented by the provisions contained in the Agreement. In cases falling within the responsibility of the EFTA Surveillance Authority, the implementation of the EEA competition rules is based on the agreement establishing that authority as well as on the provisions contained in the EEA Agreement.

**JOINT DECLARATION
ON ARTICLE 61(3)(b) OF THE AGREEMENT**

The Contracting Parties declare that in establishing whether a derogation can be granted under Article 61(3)(b) the EC Commission shall take the interest of the EFTA States into account and the EFTA Surveillance Authority shall take the interest of the Community into account.

**JOINT DECLARATION
ON ARTICLE 61(3)(c) OF THE AGREEMENT**

The Contracting Parties take note that even if eligibility of the regions has to be denied in the context of Article 61(3)(a) and according to the criteria of the first stage of analysis under subparagraph (c) (see Commission Communication on the method for the application of Article 92(3)(a) and (c) to regional aid, OJ No C 212, 12.8.1988, p. 2) examination according to other criteria, e.g. very low population density, is possible.

**JOINT DECLARATION
ON AID GRANTED THROUGH THE EC STRUCTURAL
FUNDS OR OTHER FINANCIAL INSTRUMENTS**

The Contracting Parties declare that financial support to undertakings financed by the EC Structural Funds or receiving assistance from the European Investment Bank or from any other similar financial instrument or fund shall be in keeping with the provisions of this Agreement on State aid. They declare that exchange of information and views on these forms of aid shall take place at the request of either surveillance authority.

**JOINT DECLARATION
ON PARAGRAPH (c) OF PROTOCOL 27 TO THE AGREEMENT**

The notice referred to in paragraph (c) of Protocol 27 shall contain a description of the State aid programme or case concerned, including all elements which are necessary for a proper evaluation of the programme or case (depending on the State aid elements concerned, such as type of State aid, budget, beneficiary, duration). Moreover, the reasons for the opening of the procedure referred to in Article 93(2) of the Treaty establishing the European Economic Community or of the corresponding procedure set out in an agreement between the EFTA States establishing the EFTA Surveillance Authority shall be communicated to the other surveillance authority. Exchange of information between the two surveillance authorities shall take place on a reciprocal basis.

**JOINT DECLARATION
ON SHIPBUILDING**

The Contracting Parties agree that, until the expiry of the 7th Shipbuilding Directive (i.e. at the end of 1993), they will refrain from the application of the general rules on State aid laid down in Article 61 of the Agreement to the sector of shipbuilding.

Article 62(2) of the Agreement as well as the Protocols referring to State aid are applicable to the sector of shipbuilding.

**JOINT DECLARATION
ON APPLICABLE PROCEDURES IN CASES
WHERE, BY VIRTUE OF ARTICLE 76 AND PART VI OF THE AGREEMENT
AND CORRESPONDING PROTOCOLS, EFTA STATES PARTICIPATE FULLY
IN EC COMMITTEES**

The EFTA States shall have the same rights and obligations as EC Member States within EC committees in which they participate fully, by virtue of Article 76 and Part VI of the Agreement and the corresponding Protocols, except in respect of voting procedures, if any. In reaching its decision, the EC Commission shall take due account of the views expressed by the EFTA States in the same manner as of the views expressed by the EC Member States before voting.

In cases where the EC Member States have the possibility of appealing to the EC Council against the decision of the EC Commission, the EFTA States may raise the issue in the EEA Joint Committee in conformity with Article 5 of the Agreement.

**JOINT DECLARATION
ON COOPERATION IN CULTURAL AFFAIRS**

The Contracting Parties, having regard to their cooperation within the Council of Europe, recalling the Declaration of 9 April 1984 from the Ministerial meeting in Luxembourg between the European Community and its Member States and the States of the European Free Trade Association, mindful that the establishment of the free movement of goods, services, capital and persons within the EEA will have a significant impact in the field of culture, declare their intention to strengthen and broaden cooperation in the area of cultural affairs, in order to contribute to a better understanding between the peoples of a multi-cultural Europe and to safeguard and further develop the national and regional heritage that enriches European culture by its diversity.

**JOINT DECLARATION
ON COOPERATION AGAINST ILLEGAL TRAFFIC
IN CULTURAL GOODS**

The Contracting Parties declare their willingness to establish cooperation arrangements and procedures against illegal traffic in cultural goods as well as arrangements concerning the management of the regime for regular traffic in cultural goods.

Without prejudice to the provisions of the EEA Agreement and other international obligations, these arrangements and procedures shall take into account the legislation which the Community is developing in this field.

JOINT DECLARATION
ON THE ASSOCIATION OF COMMUNITY EXPERTS
WITH THE WORK OF COMMITTEES AMONG THE EFTA STATES OR
SET UP BY THE EFTA SURVEILLANCE AUTHORITY

Having regard to the association of experts of the EFTA States with the work of the EC committees listed in Protocol 37 to the Agreement, Community experts shall on the same basis be associated, at the request of the Community, with the work of any corresponding bodies among the EFTA States or set up by the EFTA Surveillance Authority relating to the same subject matter as covered by the EC committees listed in Protocol 37.

**JOINT DECLARATION
ON ARTICLE 103 OF THE AGREEMENT**

It is the understanding of the Contracting Parties that the reference to the fulfilment of constitutional requirements contained in Article 103(1) of the Agreement and the reference to provisional application contained in Article 103(2) have no practical implications for internal Community procedures.

JOINT DECLARATION
ON PROTOCOL 35 TO THE AGREEMENT

It is the understanding of the Contracting Parties that Protocol 35 does not restrict the effects of those existing internal rules which provide for direct effect and primacy of international agreements.

**JOINT DECLARATION
CONCERNING THE FINANCIAL MECHANISM**

Should an EFTA Contracting Party withdraw from EFTA and accede to the Community, appropriate arrangements should be made to ensure that no additional financial obligations are, as a result, incurred by the remaining EFTA States. The Contracting Parties note in this regard the decision by the EFTA States to calculate their respective contributions to the Financial Mechanism based on the GNP at market price data for the three most recent years. As regards any acceding EFTA State, appropriate and equitable solutions should be found in the context of the accession negotiations.

**JOINT DECLARATION
ON THE RELATION BETWEEN THE EEA AGREEMENT AND EXISTING AGREEMENTS**

The EEA Agreement shall not affect rights assured through existing agreements binding one or more EC Member States, on the one hand, and one or more EFTA States, on the other, or two or more EFTA States, such as among others agreements concerning individuals, economic operators, regional cooperation and administrative arrangements, until at least equivalent rights have been achieved under the Agreement.

JOINT DECLARATION
ON THE AGREED INTERPRETATION OF ARTICLE 4(1) AND (2)
OF PROTOCOL 9 ON TRADE IN FISH
AND OTHER MARINE PRODUCTS

1. While the EFTA States will not take over the "acquis communautaire" concerning the fishery policy, it is understood that, where reference is made to aid granted through State resources, any distortion of competition is to be assessed by the Contracting Parties in the context of Articles 92 and 93 of the EEC Treaty and in relation to relevant provisions of the "acquis communautaire" concerning the fishery policy and the content of the Joint Declaration regarding Article 61(3)(c) of the Agreement.
2. While the EFTA States will not take over the "acquis communautaire" concerning the fishery policy, it is understood that, where reference is made to legislation relating to the organization of the market, any distortion of competition caused by such legislation is to be assessed in relation to the principles of the "acquis communautaire" concerning the common organization of the market.

Whenever an EFTA State maintains or introduces national provisions on market organization in the fisheries sector, such provisions shall be considered a priori to be compatible with the principles, referred to in the first subparagraph, if they contain at least the following elements:

- (a) the legislation on producers' organizations reflects the principles of the "acquis communautaire" regarding:
 - establishment on the producers' initiative;
 - freedom to become and cease to be a member;
 - absence of a dominant position, unless necessary in pursuance of objectives corresponding to those specified in Article 39 of the EEC Treaty;
- (b) whenever the rules of producers' organizations are extended to non-members of producers' organizations, the provisions to be applied correspond to those laid down in Article 7 of Regulation (EEC) No 3687/91;
- (c) whenever provisions in respect of interventions to support prices exist or are established, they correspond to those specified in Title III of Regulation (EEC) No 3687/91.

**JOINT DECLARATION
CONCERNING THE APPLICATION OF
TARIFF CONCESSIONS FOR CERTAIN AGRICULTURAL PRODUCTS**

The Contracting Parties declare that in the case of tariff concessions granted for the same product, both under Protocol 3 to the Agreement and under a bilateral agreement on trade in agricultural products as referred to in Protocol 42 to the above-mentioned Agreement, the more advantageous tariff treatment shall be granted upon submission of the relevant documentation.

This is without prejudice to the obligations resulting from Article 16 of the Agreement.

**JOINT DECLARATION
ON PLANT HEALTH ISSUES**

The Contracting Parties state that the existing Community acts in this area are under review. Therefore, this legislation will not be taken over by the EFTA States. New rules will be dealt with according to Articles 99 and 102 of the Agreement.

**JOINT DECLARATION
ON MUTUAL ASSISTANCE BETWEEN CONTROL AUTHORITIES
IN THE AREA OF SPIRIT DRINKS**

The Contracting Parties agree that any future EC legislation on mutual assistance in the area of spirit drinks between the competent authorities of EC Member States, relevant for this Agreement, shall be dealt with according to the general provisions on decision making of the Agreement.

**JOINT DECLARATION
ON PROTOCOL 47 ON THE ABOLITION
OF TECHNICAL BARRIERS TO
TRADE IN WINE**

The adaptation concerning the use of the terms "Federweiss" and "Federweisser" as provided for in the Appendix to Protocol 47, shall be without prejudice to any future modifications of the relevant Community legislation where provisions may be introduced regulating the use of the same terms and their equivalents for wine produced in the Community.

The classification of EFTA States' wine producing regions in wine-growing zone B for the purposes of this Agreement, shall not prejudice any future modifications of the Community's classification scheme which may have a subsequent impact on the classification within the framework of the Agreement. Any such modifications shall be dealt with in accordance with the general provisions of the Agreement.

**JOINT DECLARATION
ON MODIFICATION OF TARIFF CONCESSIONS AND ON
SPECIAL TREATMENT OF SPAIN AND PORTUGAL**

A full implementation of the system outlined in Protocol 3 depends in some Contracting Parties on amendments to the national price compensation system. These amendments are not possible without the modification of tariff concessions. Such modifications would not imply the need for compensation between the Contracting Parties of the EEA Agreement.

The system outlined in Protocol 3 does not preclude the application of the relevant transitional provisions of the Act of Accession of Spain and Portugal and shall not result in the Community, in its composition as of 31 December 1985, granting Contracting Parties to the EEA Agreement a more favourable treatment than the one applied to the new EC Member States. In particular, the application of this system does not preclude the application of the accession price compensatory amounts established in application of the Act of Accession of Spain and Portugal.

JOINT DECLARATION
ON ANIMAL WELFARE

Notwithstanding the provisions of point 2, Chapter I (veterinary issues) of Annex I to the Agreement, the Contracting Parties note the new development of the Community legislation in this area and agree to consult each other in case differences in their legislations concerning animal welfare constitute barriers to the free movement of goods. The Contracting Parties agree to monitor the situation in this area.

**JOINT DECLARATION
ON THE HARMONIZED SYSTEM**

The Contracting Parties agree to harmonize as soon as possible, and by 31 December 1992 at the latest, the German text of the description of goods in the Harmonized System, contained in the relevant Protocols and Annexes to the EEA Agreement.

**DECLARATIONS BY THE GOVERNMENTS
OF THE MEMBER STATES OF THE EC
AND THE EFTA STATES**

**DECLARATION
BY THE GOVERNMENTS OF THE MEMBER STATES OF THE EC
AND THE EFTA STATES ON THE FACILITATION
OF BORDER CONTROLS**

In order to promote the free movement of persons, the Member States of the EC and the EFTA States shall, subject to the practical modalities to be defined in appropriate fora, cooperate with a view to the facilitation of controls for each other's citizens and the members of their families at borders between their territories.

DECLARATION
BY THE GOVERNMENTS OF THE MEMBER STATES OF THE EC
AND THE EFTA STATES
ON POLITICAL DIALOGUE

The European Community and its Member States and the Member States of the European Free Trade Association expressed their wish to strengthen their political dialogue on foreign policy with the view to developing closer relations in spheres of mutual interest.

They agreed to that end:

- to hold informal exchanges of view at ministerial level at meetings of the EEA Council. As appropriate these exchanges of view could be prepared by meetings at political directors' level;
- to make full use of existing diplomatic channels, in particular the diplomatic representations in the capital of the country holding the EC Presidency, in Brussels and in the capitals of the EFTA Countries;
- to consult informally at conferences and in international organizations;
- that this will in no way affect or replace existing bilateral contacts in this field.

**INTERIM ARRANGEMENT
TO PREPARE FOR THE ORDERLY ENTRY INTO FORCE
OF THE AGREEMENT**

**COMMISSION
OF THE EUROPEAN
COMMUNITIES**

Brussels,

Directorate-General
External Relations

The Director General

Mr H. Hafstein,
Ambassador,
Head of the EFTA Delegation,
EFTA Secretariat,
Rue Arlon 118,
1040-Brussels.

Dear Mr Hafstein,

I refer to our discussions concerning the EEA interim phase and understand that we agree to set up an interim arrangement to prepare for the orderly entry into force of the Agreement.

Under this arrangement, the structures and procedures established during the EEA Negotiations will be maintained. A High Level Interim Group assisted by Expert Interim Groups, analogous to the previous High Level Negotiating Group and the Negotiating Groups, composed by representatives of the Community and of the EFTA States, will i.a. examine in the EEA context Community acquis issued between 1 August 1991 and the entry into force of the Agreement. Consensus will be recorded and finalized either in Additional Protocols to be attached to the EEA Agreement, or in appropriate decisions by the EEA Joint Committee after the entry into force of the Agreement. Any substantial negotiating problems arising under the interim arrangement will be dealt with by the EEA Joint Committee after the entry into force of the Agreement.

It being understood that the information and consultation procedures of the EEA Agreement can only be applied after the latter's entry into force, the Community will inform the EFTA States during the interim phase on proposals for new Community acquis after they have been submitted to the EC Council of Ministers.

I would be grateful for confirmation of your agreement on this interim arrangement.

Yours sincerely,

(s.) Horst G. Krenzler

**ICELANDIC MISSION
to the
EUROPEAN COMMUNITIES**

Rue Archimède 5
1040 Bruxelles

Brussels,

Dear Mr Krenzler,

I hereby acknowledge receipt today of your letter which reads as follows:

"I refer to our discussions concerning the EEA interim phase and understand that we agree to set up an interim arrangement to prepare for the orderly entry into force of the Agreement.

Under this arrangement, the structures and procedures established during the EEA Negotiations will be maintained. A High Level Interim Group, assisted by Expert Interim Groups, analogous to the previous High Level Negotiating Group and the Negotiating Groups, composed by representatives of the Community and of the EFTA States, will i.a. examine in the EEA context Community acquis issued between 1 August 1991 and the entry into force of the Agreement. Consensus will be recorded and finalized either in Additional Protocols to be attached to the EEA Agreement, or in appropriate decisions by the EEA Joint Committee after the entry into force of the Agreement. Any substantial negotiating problems arising under the interim arrangement will be dealt with by the EEA Joint Committee after the entry into force of the Agreement.

It being understood that the information and consultation procedures of the EEA Agreement can only be applied after the latter's entry into force, the Community will inform the EFTA States during the interim phase on proposals for new Community acquis after they have been submitted to the EC Council of Ministers.

I would be grateful for confirmation of your agreement on this interim arrangement."

I have the honour to confirm my agreement on this interim arrangement.

Yours sincerely,

(s.) Hannes Hafstein, Ambassador,
Head of the Icelandic Mission
to the European Communities

**ARRANGEMENT
WITH REGARD TO PUBLICATION
OF EEA RELEVANT INFORMATION**

**ICELANDIC MISSION
to the
EUROPEAN COMMUNITIES**

Rue Archimède 5
1040 Bruxelles

Brussels,

Subject: Publication of EEA relevant information

Sir,

With regard to publication of EEA relevant information to be published after the entry into force of the EEA Agreement, I have the honour to summarize the agreement we have reached as follows.

There will be a co-ordinated system consisting of the Official Journal of the EC and a special EEA supplement thereto. Where information to be published both for the EC and the EFTA States is identical, publication by the EC in the Official Journal of the EC will serve at the same time as publication in the three common EC/EFTA languages, while the information in the remaining four EFTA languages (Finnish, Icelandic, Norwegian and Swedish) will be published in the EEA supplement to the Official Journal of the EC. The EFTA States undertake to provide an appropriate infrastructure in order to ensure the timely availability of the necessary translations into the four non-EC EFTA languages. The EFTA States will be responsible for producing the material for the production of the EEA supplement.

The publication system would contain the following elements:

- (a) **Decisions of the EEA Joint Committee relating to the acquis and other decisions, acts, notices, etc., by the EEA organs**

The decisions of the EEA Joint Committee relating to the acquis shall be published in the nine official languages in a special EEA section of the Official Journal of the EC. That publication will serve as publication in relation to the three common languages. These decisions will also be published in the EEA supplement in the official languages of the Nordic EFTA States and, under the responsibility of the EFTA States, possibly, for information, in the EFTA working language.

The same applies to other decisions, acts, notices, etc., by the EEA organs, in particular the EEA Council and the EEA Joint Committee.

As concerns decisions by the EEA Joint Committee relating to the acquis, the table of contents of the EEA section will contain references to where the relevant internal EC texts can be found.

(b) EFTA data with EC relevance

Information emanating from the EFTA States, the EFTA Surveillance Authority, the Standing Committee of the EFTA States and the EFTA Court regarding, for example, competition, state aid, public procurement and technical standards will be published in the nine official languages of the EC in a special EEA section of the Official Journal of the EC. That publication will also serve as publication for the EFTA States for the three common languages whereas the other four EFTA languages will be produced in the EEA supplement. Where relevant, the table of contents of the EEA section and the EEA supplement, respectively, will contain references to where the corresponding information emanating from the EC and its Member States can be found.

(c) EC data with EFTA relevance

Information emanating from the EC and its Member States regarding, for example, competition, state aid, public procurement and technical standards will be published in the nine official languages of the EC in the Official Journal of the EC. That publication will also serve as publication for the EFTA States for the three common languages whereas the other four EFTA languages will be produced in the EEA supplement. Where relevant, reference will be made to where the corresponding information emanating from the EFTA States, the EFTA Surveillance Authority, the Standing Committee of the EFTA States and the EFTA Court can be found.

The financial aspects of the publication system will be the subject of a separate arrangement.

I should be obliged if you would confirm that you are in agreement with the above.

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

(s.) Hannes Hafstein,
Ambassador
Head of the Icelandic Mission
to the European Communities

Mr Horst G. Krenzler
Director-General
Commission of the European Communities
Directorate-General I
Avenue d'Auderghem 35
Brussels

**COMMISSION
OF THE EUROPEAN
COMMUNITIES**

Brussels,

Directorate-General
External Relations

The Director General

Mr H. Hafstein,
Ambassador,
Head of the EFTA Delegation,
EFTA Secretariat,
Rue Arlon 118,
1040-Brussels.

Sir,

I hereby acknowledge receipt today of your letter which reads as follows:

"With regard to publication of EEA relevant information to be published after the entry into force of the EEA Agreement, I have the honour to summarize the agreement we have reached as follows.

There will be a co-ordinated system consisting of the Official Journal of the EC and a special EEA supplement thereto. Where information to be published both for the EC and the EFTA States is identical, publication by the EC in the Official Journal of the EC will serve at the same time as publication in the three common EC/EFTA languages, while the information in the remaining four EFTA languages (Finnish, Icelandic, Norwegian and Swedish) will be published in the EEA supplement to the Official Journal of the EC. The EFTA States undertake to provide an appropriate infrastructure in order to ensure the timely availability of the necessary translations into the four non-EC EFTA languages. The EFTA States will be responsible for producing the material for the production of the EEA supplement. The publication system would contain the following elements:

- (a) Decisions of the EEA Joint Committee relating to the acquis and other decisions, acts, notices, etc., by the EEA organs**

The decisions of the EEA Joint Committee relating to the acquis shall be published in the nine official languages in a special EEA section of the Official Journal of the EC. That publication will serve as publication in relation to the three common languages. These decisions will also be published in the EEA supplement in the official languages of the Nordic EFTA States and, under the responsibility of the EFTA States, possibly, for information, in the EFTA working language.

The same applies to other decisions, acts, notices, etc., by the EEA organs, in particular the EEA Council and the EEA Joint Committee.

As concerns decisions by the EEA Joint Committee relating to the acquis, the table of contents of the EEA section will contain references to where the relevant internal EC texts can be found.

(b) EFTA data with EC relevance

Information emanating from the EFTA States, the EFTA Surveillance Authority, the Standing Committee of the EFTA States and the EFTA Court regarding, for example, competition, state aid, public procurement and technical standards will be published in the nine official languages of the EC in a special EEA section of the Official Journal of the EC. That publication will also serve as publication for the EFTA States for the three common languages whereas the other four EFTA languages will be produced in the EEA supplement. Where relevant, the table of contents of the EEA section and the EEA supplement, respectively, will contain references to where the corresponding information emanating from the EC and its Member States can be found.

(c) EC data with EFTA relevance

Information emanating from the EC and its Member States regarding, for example, competition, state aid, public procurement and technical standards will be published in the nine official languages of the EC in the Official Journal of the EC. That publication will also serve as publication for the EFTA States for the three common languages whereas the other four EFTA languages will be produced in the EEA supplement. Where relevant, reference will be made to where the corresponding information emanating from the EFTA States, the EFTA Surveillance Authority, the Standing Committee of the EFTA States and the EFTA Court can be found.

The financial aspects of the publication system will be the subject of a separate arrangement.

I should be obliged if you would confirm that you are in agreement with the above."

I have the honour to confirm my agreement to the above.

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

(s.) Horst G. Krenzler

ARRANGEMENT

REGARDING THE PUBLICATION OF EFTA NOTICES ON PROCUREMENT

COMMISSION
OF THE EUROPEAN
COMMUNITIES

Brussels,

Directorate-General
External Relations

The Director General

Mr H. Hafstein,
Ambassador,
Head of the EFTA Delegation,
EFTA Secretariat,
Rue Arlon 118,
1040-Brussels.

Subject: Publication of EFTA notices on procurement

Dear Mr Hafstein,

With regard to the publication of the EFTA notices in the Official Journal of the EC as provided for in Annex XVI to the EEA Agreement and in particular in paragraph 2(a) and (b) thereof, I have the honour to summarize the agreement we have reached as follows:

- (a) the EFTA notices shall be sent, in at least one of the Community languages, to the Office for Official Publication of the European Communities (OPOCE); the notice shall specify in which EC language the notice shall be considered as authentic;
- (b) the OPOCE shall publish the notice which is considered as being authentic, in full, in the Official Journal and in the TED data bank; a summary of the important elements shall be published in the other official languages of the Community;
- (c) the EFTA notices shall be published, by the OPOCE, in the S-series of the EC Official Journal along with EC notices and within the time limits provided for in the acts referred to in Annex XVI;
- (d) the EFTA States undertake to ensure that notices shall be transmitted to the OPOCE in an official language of the Community in good time so that, provided the obligation of the OPOCE to translate the notices into the official languages of the Community and to publish them in the Official Journal and in TED within a period of 12 days (in urgent cases 5 days) is respected, the time available to suppliers and contractors to present bids or expressions of interest shall not be reduced with respect to the time limits referred to in Annex XVI;
- (e) the EFTA notices shall be sent in the format of the model notices annexed to the acts referred to in Annex XVI; however, with a view to setting up an efficient and timely system of translation and publication, the EFTA States take note that they are recommended to set up standardized notices for each of their States along the lines of those recommended for each of the twelve Member States in Recommendation 91/561/EEC of 24 October 1991⁽¹⁾;

(1) OJ No L 305 of 6.11.1991 and OJ No S 217 A - N of 16.11.1991.

- (f) the contracts signed in 1988 and 1989 by the EC Commission acting through the OPOCE and the respective designated contractors of Sweden, Norway, Finland, Switzerland and Austria on the publication of EFTA supply contracts covered by the GATT Agreement on Government Procurement shall be terminated by the time the EEA Agreement enters into force;
- (g) the financial aspects of this publication system shall be subject to the separate arrangement, which will be set up for all the other publications relevant to the EEA.

I should be obliged if you would confirm that you are in agreement with the above.

Yours sincerely,

(s.) Horst G. Krenzler

ICELANDIC MISSION
To The
EUROPEAN COMMUNITIES

Rue Archimède 5
1040 Bruxelles

Brussels,

Sir,

I hereby acknowledge receipt today of your letter reading as follows:

*Subject: Publication of EFTA Notices on procurement

With regard to the publication of the EFTA notices in the Official Journal of the EC as provided for in Annex XVI to the EEA Agreement and in particular in paragraph 2(a) and (b) thereof, I have the honour to summarize the agreement we have reached as follows:

- (a) the EFTA notices shall be sent, in at least one of the Community languages, to the Office for Official Publication of the European Communities (OPOCE); the notice shall specify in which EC language the notice shall be considered as authentic;
- (b) the OPOCE shall publish the notice which is considered as being authentic, in full, in the Official Journal and in the TED data bank; a summary of the important elements shall be published in the other official languages of the Community;
- (c) the EFTA notices shall be published, by the OPOCE, in the S-series of the EC Official Journal along with EC notices and within the time limits provided for in the acts referred to in Annex XVI;
- (d) the EFTA States undertake to ensure that notices shall be transmitted to the OPOCE in an official language of the Community in good time so that, provided the obligation of the OPOCE to translate the notices into the official languages of the Community and to publish them in the Official Journal and in TED within a period of 12 days (in urgent cases 5 days) is respected, the time available to suppliers and contractors to present bids or expressions of interest shall not be reduced with respect to the time limits referred to in Annex XVI;
- (e) the EFTA notices shall be sent in the format of the model notices annexed to the acts referred to in Annex XVI; however, with a view to setting up an efficient and timely system of translation and publication, the EFTA States take note that they are recommended to set up standardized notices for each of their States along the lines of those recommended for each of the twelve Member States in Recommendation 91/561/EEC of 24 October 1991⁽¹⁾;
- (f) the contracts signed in 1988 and 1989 by the EC Commission acting through the OPOCE and the respective designated contractors of Sweden, Norway, Finland, Switzerland and Austria on the publication of EFTA supply contracts covered by the GATT Agreement on Government Procurement shall be terminated by the time the EEA Agreement enters into force;

(1) OJ No L 305 of 6.11.1991 and OJ No S 217 A - N of 16.11.1991.

- (g) the financial aspects of this publication system shall be subject to the separate arrangement, which will be set up for all the other publications relevant to the EEA.

I should be obliged if you would confirm that you are in agreement with the above."

I have the honour to confirm my agreement to the above.

Yours faithfully,

(s.) Hannes Hafstein, Ambassador,
Head of the Icelandic Mission
to the European Communities

Mr Horst G. Krenzler
Director-General

AGREED MINUTES
of the negotiations for an Agreement between the European Economic
Community, the European Coal and Steel Community
and their Member States and the EFTA States on
the European Economic Area

The Contracting Parties agreed that:

Ad Article 26 and Protocol 13

before the entry into force of the Agreement the Community shall, together with the interested EFTA States, examine whether the conditions are fulfilled in which Article 26 of the Agreement, irrespective of the provisions set forth in the first paragraph in Protocol 13, will apply between the Community and the EFTA States concerned in the fisheries sector;

Ad Article 56(3)

the word "appreciable" in Article 56(3) of the Agreement is understood to have the meaning it has in the Commission Notice of 3 September 1986 on agreements of minor importance which do not fall under Article 85(1) of the Treaty establishing the European Economic Community (OJ No C 231, 12.9.1986, p. 2);

Ad Article 90

the rules of procedure of the EEA Council will make it clear that, when taking decisions, EFTA Ministers speak with one voice;

Ad Article 91

the EEA Council shall, if necessary, provide in its rules of procedure for the possibility of establishing any subcommittee or working party;

Ad Article 91(2)

the rules of procedure of the EEA Council will make it clear that the words "whenever circumstances so require", in Article 91(2), cover the situation where a Contracting Party makes use of its "droit d'évocation" in conformity with Article 89(2);

Ad Article 94(3)

it is understood that the EEA Joint Committee will at one of its first meetings, when adopting its rules of procedure, decide on the setting up of subcommittees or working groups particularly needed to assist it in carrying out its tasks, e.g. in the field of origin and other customs matters;

Ad Article 102(5)

in the case of a provisional suspension under Article 102(5) the scope and entry into force thereof shall be adequately published;

Ad Article 102(6)

Article 102(6) applies only to actually acquired rights but not to expectations only. Some examples of such acquired rights would be:

- a suspension relating to free movement of workers will not affect the right of a worker to remain in a Contracting Party he had moved to already before the rules were suspended;
- a suspension relating to freedom of establishment will not affect the rights of a company in a Contracting Party in which it had established itself already before the rules were suspended;
- a suspension relating to investment, e.g. in real estate, will not affect investments made already before the date of suspension;

- a suspension relating to public procurement will not affect the execution of a contract awarded already before the suspension;
- a suspension relating to the recognition of a diploma shall not affect the right of a holder of such a diploma to continue his professional activities thereunder in a Contracting Party not having awarded the diploma;

Ad Article 103

if a decision is adopted by the EEA Council, Article 103(1) shall apply;

Ad Article 109(3)

the term "application" in Article 109(3) also covers implementation of the Agreement;

Ad Article 111

suspension is not in the interest of the good functioning of the Agreement and all efforts should be made to avoid it;

Ad Article 112(1)

the provisions of Article 112(1) also cover the situation in a given area;

Ad Article 123

they would not make improper use of provisions in Article 123 to prevent the disclosure of information in the field of competition;

Ad Article 129

should any one of them not be prepared to ratify the Agreement, the signatories shall review the situation;

Ad Article 129

should any one of them not ratify the Agreement, the remaining Contracting Parties shall convene a diplomatic conference to assess the effects of the non-ratification for the Agreement and to examine the possibility of adopting a Protocol containing the amendments which will be subject to necessary internal procedures. Such a conference shall be convened as soon as it has become clear that one of the Contracting Parties will not ratify the Agreement or at the latest if the date of entry into force of the Agreement is not respected;

Ad Protocol 3

Appendices 2 to 7 will be completed before the entry into force of the Agreement; Appendices 2 to 7 shall be worked out as soon as possible and in any case before 1 July 1992. With regard to Appendix 2 experts shall work out a list of raw materials subject to price compensation on the basis of raw materials subject to price compensation measures in the Contracting Parties prior to the entry into force of the Agreement;

Ad Protocol 3, Article 11

with a view to facilitating the application of Protocol No 2 of the Free Trade Agreements, the provisions of Protocol No 3 to each of these Free Trade Agreements concerning the definition of the concept of "originating products" and methods of administrative cooperation shall be amended before the entry into force of the EEA Agreement. These amendments shall aim at bringing the above-mentioned provisions, inter alia those concerning proof of origin and administrative cooperation, as much in line with those of Protocol 4 of the EEA Agreement as possible while maintaining the "diagonal" cumulation system and the corresponding provisions currently applicable in the framework of Protocol No 3. It is thus understood that these amendments shall not modify the degree of liberalization achieved under the Free Trade Agreements;

Ad Protocol 9

before the entry into force of the Agreement, the Community and the interested EFTA States shall continue their discussions of legislative adaptations in relation to the issue of transit of fish and fishery products in order to find a satisfactory arrangement;

Ad Protocol 11, Article 14(3)

the Community, while fully complying with the coordination role of the Commission, will develop direct contacts, as set out in the Commission working document XX1/201/89, where this may grant flexibility and efficiency to the functioning of this Protocol, in so far as this is on a reciprocal basis;

Ad Protocol 16 and Annex VI

the possibility of maintaining bilateral agreements in the area of social security after the expiration of the transitional periods relating to free movement of persons can be discussed bilaterally between Switzerland and the interested States;

Ad Protocol 20

the Contracting Parties shall, within the framework of the international organizations concerned, elaborate the rules for the application of structural improvement measures to the Austrian fleet, taking into account the extent to which this fleet will participate in the market for which the structural improvement measures were designed. Due account shall be paid to the date by which the obligations of Austria under the structural improvement measures become effective;

Ad Protocols 23 and 24 (Articles 12 concerning languages)

the EC Commission and the EFTA Surveillance Authority will provide for practical arrangements for mutual assistance or any other appropriate solution concerning in particular the question of translations;

Ad Protocol 30

the following EC committees in the field of statistical information have been identified as being committees in which the EFTA States shall participate fully in accordance with Article 2 of this Protocol:

1. *Committee on the Statistical Programmes of the European Communities*
as established in:

389 D 0382: Council Decision 89/382/EEC, EURATOM of 19 June 1989 establishing a Committee on the Statistical Programmes of the European Communities (OJ No L 181, 28.6.1989, p. 47);

2. *Committee on Monetary, Financial and Balance of Payments Statistics*
as established in:

391 D 0115: Council Decision 91/115/EEC of 25 February 1991 establishing a Committee on monetary, financial and balance of payments statistics (OJ No L 59, 6.3.1991, p. 19);

3. *Committee on Statistical Confidentiality*
as established in:

390 R 1588: Council Regulation (EURATOM, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities (OJ No L 151, 15.6.1990, p. 1);

4. *Committee on the Harmonization of the Compilation of GNP at Market Prices*
as established in:

389 L 0130: Council Directive 89/130/EEC, EURATOM of 13 February 1989 on the harmonization of gross national product at market prices (OJ No L 49, 21.2.1989, p. 26);

5. *Advisory Committee on Economic and Social Statistics*
as established in:

391 D 0116: Council Decision 91/116/EEC of 25 February 1991 setting up the European Advisory Committee on Statistical Information in the economic and social spheres (OJ No L 59, 6.3.1991, p. 21).

The EFTA States' rights and obligations in the said EC committees are governed by the Joint Declaration on applicable procedures in cases where, by virtue of Article 76 and Part VI of the Agreement and the corresponding Protocols, EFTA States participate fully in EC committees;

Ad Protocol 36, Article 2

the EFTA States will, before the entry into force of the Agreement, decide on the number of members from each of their Parliaments in the EEA Joint Parliamentary Committee;

Ad Protocol 37

in accordance with Article 6 of Protocol 23, the reference to the Advisory Committee on Restrictive Practices and Dominant Positions (Council Regulation No 17/62) also covers:

- the Advisory Committee on Restrictive Practices and Monopolies in the Transport Industry (Council Regulation (EEC) No 1017/68);
- the Advisory Committee on Agreements and Dominant Positions in the Maritime Transport (Council Regulation (EEC) No 4056/86);
- the Advisory Committee on Agreements and Dominant Positions in the Air Transport (Council Regulation (EEC) No 3975/87);

Ad Protocol 37

in application of the review clause in Article 101(2) of the Agreement, one more committee will be added, at the entry into force of the Agreement, to the list contained in Protocol 37:

Coordinating Group on Mutual Recognition of Higher-Education Diplomas (Council Directive 89/48/EEC).

The modalities of participation will be specified;

Ad Protocol 47

they will elaborate a system for mutual assistance between authorities responsible for ensuring compliance with Community and national provisions in the wine sector on the basis of the relevant provisions of Council Regulation (EEC) No 2048/89 of 19 June 1989 laying down general rules on controls in the wine sector. The modalities for this mutual assistance will be established before the entry into force of the Agreement. Until such a system has been established, the relevant provisions of the bilateral agreements between the Community and Switzerland and the Community and Austria on cooperation and control in the wine sector shall prevail;

Ad Annexes VI and VII

further specific adaptations as described in an NG III document dated 11 November 1991 have still to be made before the entry into force of the EEA Agreement in the field of social security and mutual recognition of professional qualifications;

Ad Annex VII

from the entry into force of the EEA Agreement, no State to which this Agreement applies may invoke Article 21 of Council Directive 75/362/EEC of 16 June 1975 (OJ No L 167, 30.6.1975, p. 1) to require nationals from other States to which the Agreement applies to complete an additional preparatory training in order to become eligible for appointment as a doctor of a social security scheme;

Ad Annex VII

from the entry into force of the EEA Agreement, no State to which this Agreement applies may invoke Article 20 of Council Directive 78/686/EEC of 25 July 1978 (OJ No L 233, 24.8.1978, p. 1) to require nationals from other States to which the Agreement applies to complete an additional preparatory training in order to become eligible for appointment as a dental practitioner of a social security scheme;

Ad Annex VII

engineers of the Foundation of the Swiss Register of Engineers, Architects and Technicians (REG) are covered by Article 1(d), first subparagraph, of Council Directive 89/48/EEC of 21 December 1988 (OJ No L 19, 24.1.1989, p. 16) on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration, in so far as they fulfil the provisions of Article 1(a) of this Directive;

Ad Annex IX

before 1 January 1993 Finland, Iceland and Norway shall each draw up a list of the non-life insurance undertakings that are exempt from the requirements of Articles 16 and 17 of Council Directive 73/239/EEC (OJ No L 228, 16.8.1973, p. 3) and shall communicate them to the other Contracting Parties;

Ad Annex IX

before 1 January 1993 Iceland shall draw up a list of the life insurance undertakings that are exempt from the requirements of Articles 18, 19 and 20 of Council Directive 79/267/EEC (OJ No L 63, 13.3.1979, p. 1), and shall communicate them to the other Contracting Parties;

Ad Annex XIII

they shall examine Council Directive 91/439/EEC of 29 July 1991 on driving licences, in accordance with the jointly agreed procedure, with a view to its inclusion in Annex XIII on transport;

Ad Annex XIII

the EFTA States which are Contracting Parties to the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) shall, before the entry into force of the present Agreement, introduce the following reservation to the AETR:

"Transport operations between Contracting Parties to the EEA Agreement shall be regarded as national transport operations within the meaning of the AETR in so far as such operations do not pass in transit through the territory of a third State which is a Contracting Party to the AETR."

The Community shall take the necessary measures in order to bring about corresponding modifications in the reservations of the EC Member States;

Ad Annex XVI

It is understood that Article 100 of the Agreement shall apply to the committees in the field of public procurement.

**DECLARATIONS
BY ONE OR MORE
OF THE CONTRACTING PARTIES
TO THE AGREEMENT ON THE EUROPEAN ECONOMIC AREA**

**DECLARATION
BY THE GOVERNMENTS OF FINLAND, ICELAND,
NORWAY AND SWEDEN ON ALCOHOL MONOPOLIES**

Without prejudice to the obligations arising under the Agreement, Finland, Iceland, Norway and Sweden recall that their alcohol monopolies are based on important health and social policy considerations.

DECLARATION
BY THE GOVERNMENTS OF LIECHTENSTEIN AND SWITZERLAND
ON ALCOHOL MONOPOLIES

Without prejudice to the obligations arising under the Agreement, Switzerland and Liechtenstein declare that their alcohol monopolies are based on important agricultural, health and social policy considerations.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON MUTUAL ASSISTANCE IN CUSTOMS MATTERS**

The European Community and its Member States declare that they understand the last sentence of Article 11(1) of Protocol 11 on Mutual Assistance in Customs Matters as being covered by the provisions of Article 2(2) of this Protocol.

**DECLARATION
BY THE GOVERNMENTS OF THE EFTA STATES
ON FREE CIRCULATION OF LIGHT DUTY COMMERCIAL VEHICLES**

The free circulation, as defined in Annex II on technical regulations, standards, testing and certification, Part I Motor vehicles, of light duty commercial vehicles from 1 January 1995 is accepted by the EFTA States on the understanding that new legislation will be applicable, by that date, in line with the other vehicle categories.

**DECLARATION
BY THE GOVERNMENT OF LIECHTENSTEIN
ON PRODUCT LIABILITY**

The Government of the Principality of Liechtenstein, with regard to Article 14 of Council Directive 85/374/EEC, declares that the Principality of Liechtenstein shall by the entry into force of this Agreement have introduced, to the extent necessary, legislation on nuclear accident protection equivalent to that afforded by international conventions.

**DECLARATION
BY THE GOVERNMENT OF LIECHTENSTEIN
ON THE SPECIFIC SITUATION OF THE COUNTRY**

The Government of the Principality of Liechtenstein,

Referring to paragraph 18 of the Joint Declaration of 14 May 1991 from the Ministerial meeting between the European Community, its Member States and the Countries of the European Free Trade Association;

Reaffirming the duty to ensure compliance with all provisions of the EEA Agreement and to apply them in good faith;

Expects that due regard will be paid under the EEA Agreement to the specific geographical situation of Liechtenstein;

Considers that a situation justifying the taking of the measures referred to in Article 112 of the EEA Agreement shall in particular be considered to exist if capital inflows from another Contracting Party are liable to endanger the access of the resident population to real estate, or in the case of an extraordinary increase in the number of nationals from the EC Member States or the other EFTA States, or in the total number of jobs in the economy, both in comparison with the number of the resident population.

**DECLARATION
BY THE GOVERNMENT OF AUSTRIA
ON SAFEGUARDS**

Austria declares that due to the specific geographical situation, the available settlement area (particularly the land available for housing construction) is scarce above average in parts of Austria. Accordingly, disturbances on the real estate market could eventually lead to serious economic, societal or environmental difficulties of a regional nature within the meaning of the safeguard clause contained in Article 112 of the EEA Agreement and require measures under this Article.

DECLARATION BY THE EUROPEAN COMMUNITY

The European Community considers that the declaration by the Government of Austria on safeguards shall be without prejudice to the rights and obligations of the Contracting Parties under the Agreement.

DECLARATION
BY THE GOVERNMENT OF ICELAND
ON THE USE OF
SAFEGUARD MEASURES UNDER THE EEA AGREEMENT

Due to the one-sided nature of its economy and the fact that its territory is sparsely populated, Iceland states its understanding that, without prejudice to the obligations arising under the Agreement, it may take safeguard measures if the application of the Agreement is to cause in particular:

- serious disturbances on the labour market through large-scale movements of labour into certain geographical areas, particular types of jobs, or branches of industry; or
- serious disturbances in the real estate market.

**DECLARATION
BY THE GOVERNMENT OF SWITZERLAND
ON SAFEGUARD MEASURES**

For reasons of its particular geographical and demographic situation Switzerland states its understanding that it would have the possibility to take measures to limit the immigration from EEA countries in cases of imbalances of a demographic, social or ecological nature resulting from migratory movements of EEA nationals.

**DECLARATION
BY THE EUROPEAN COMMUNITY**

The European Community considers that the declaration by the Government of Switzerland on safeguard measures shall be without prejudice to the rights and obligations of the Contracting Parties under the Agreement.

DECLARATION
BY THE GOVERNMENT OF SWITZERLAND
ON THE INTRODUCTION OF POST-DIPLOMA STUDIES IN
ARCHITECTURE AT THE HIGHER TECHNICAL COLLEGES

By asking to insert the diplomas in architecture awarded by the Swiss Higher Technical Colleges into Article 11 of Directive 85/384/EEC, the Swiss Confederation declares its willingness to establish a complementary post-diploma training of one year at academic level, sanctioned by an examination, in order to render the whole of the studies conform with the requirements of Article 4(1)(a). This complementary training will be introduced by the Federal Office for Industry and Labour by the beginning of the academic year 1995/1996.

**DECLARATION
BY THE GOVERNMENTS OF AUSTRIA AND SWITZERLAND
ON AUDIOVISUAL SERVICES**

With reference to Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, the Government of Austria and the Government of Switzerland state that, in accordance with existing EC law, as interpreted by the Court of Justice of the European Communities, they will have the possibility of taking appropriate measures in case of delocalisation for the purpose of circumvention of their domestic legislation.

**DECLARATION
BY THE GOVERNMENTS OF LIECHTENSTEIN AND SWITZERLAND
ON ADMINISTRATIVE ASSISTANCE**

With reference to the provisions of the Agreement on the European Economic Area dealing with cooperation between supervisory authorities in the field of financial services (banking, UCITS and trade in securities), the Governments of Liechtenstein and Switzerland underline the importance they attach to the principles of secrecy and speciality and state their understanding that information provided by their competent authorities will be treated by the receiving authorities according to those principles. Without prejudice to the cases specified in the relevant acquis, this means that:

- all persons working or having worked for the authorities receiving information shall be bound by professional secrecy. Information specified as confidential will be treated accordingly;
- competent authorities receiving confidential information may use it only for the performance of their duties as specified in the relevant acquis.

DECLARATION
BY THE EUROPEAN COMMUNITY

The European Community considers that the declaration made by the Governments of Switzerland and Liechtenstein on administrative assistance shall be without prejudice to the rights and obligations of the Contracting Parties under the Agreement.

**DECLARATION
BY THE GOVERNMENT OF SWITZERLAND
ON THE USE OF THE SAFEGUARD CLAUSE
IN CONNECTION WITH CAPITAL MOVEMENTS**

Considering the fact that in Switzerland the supply of land for productive use is particularly low, that the foreign demand for real estate has been traditionally high and that, in addition, the share of the resident population living in its own property is low as compared to the rest of Europe, Switzerland states its understanding that it may in particular take safeguard measures if capital inflows originating from other Contracting Parties lead to disturbances in the real estate market which, inter alia, could endanger the access of the resident population to real estate.

DECLARATION BY THE EUROPEAN COMMUNITY

The European Community considers that the declaration by the Government of Switzerland on the use of the safeguard clause in connection with capital movements, shall be without prejudice to the rights and obligations of the Contracting Parties under the Agreement.

**DECLARATION
BY THE GOVERNMENT OF NORWAY
ON THE DIRECT ENFORCEABILITY OF DECISIONS BY THE
EC INSTITUTIONS REGARDING PECUNIARY OBLIGATIONS
ADDRESSED TO ENTERPRISES LOCATED IN NORWAY**

The attention of the Contracting Parties is drawn to the fact that the present constitution of Norway does not provide for direct enforceability of decisions by the EC institutions regarding pecuniary obligations addressed to enterprises located in Norway. Norway acknowledges that such decisions should continue to be addressed directly to these enterprises and that they should fulfil their obligations in accordance with the present practice. The said constitutional limitations to direct enforceability of decisions by the EC institutions regarding pecuniary obligations do not apply to subsidiaries and assets in the territory of the Community belonging to enterprises located in Norway.

If difficulties should arise, Norway is prepared to enter into consultations and work towards a mutually satisfactory solution.

**DECLARATION
BY THE EUROPEAN COMMUNITY**

The Commission will keep the situation referred to in Norway's unilateral declaration under constant review. It may at any time initiate consultations with Norway with a view to finding satisfactory solutions to such problems as may arise.

**DECLARATION
BY THE GOVERNMENT OF AUSTRIA
ON THE ENFORCEMENT ON ITS TERRITORY OF DECISIONS BY
EC INSTITUTIONS REGARDING
PECUNIARY OBLIGATIONS**

Austria declares that its obligation to enforce on its territory decisions by EC institutions which impose pecuniary obligations shall only refer to such decisions which are fully covered by the provisions of the EEA Agreement.

**DECLARATION
BY THE EUROPEAN COMMUNITY**

The Community understands the Austrian declaration to mean that the enforcement of decisions imposing pecuniary obligations on undertakings will be ensured on Austrian territory to the extent that the decisions imposing such obligations are based - even if not exclusively - on provisions contained in the EEA Agreement.

The Commission may at any time initiate consultations with the Government of Austria with a view to finding satisfactory solutions to such problems as may arise.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON SHIPBUILDING**

It is the agreed policy of the European Community to progressively reduce the level of contract-related production aid paid to shipyards. The Commission is working to bring down the level of the ceiling as far as and as fast as is consistent with the 7th Directive (90/684/EEC).

The 7th Directive expires at the end of 1993. In deciding whether a new Directive is necessary, the Commission will also review the competitive situation in shipbuilding throughout the EEA in the light of progress made towards the reduction or elimination of contract-related production aid. When conducting this review the Commission will closely consult with the EFTA States, taking due account of the results of efforts in a wider international context and with a view to creating conditions which ensure that competition is not distorted.

DECLARATION
BY THE GOVERNMENT OF IRELAND
CONCERNING PROTOCOL 28 ON INTELLECTUAL
PROPERTY - INTERNATIONAL CONVENTIONS

Ireland understands Article 5(1) of Protocol 28 as imposing a requirement on the Government of Ireland to undertake, subject to its constitutional requirements, to take all necessary steps to obtain adherence to the Conventions listed.

**DECLARATION
BY THE GOVERNMENTS OF THE EFTA STATES
ON THE CHARTER OF FUNDAMENTAL
SOCIAL RIGHTS FOR WORKERS**

The Governments of the EFTA States share the view that enlarged economic cooperation must be accompanied by progress in the social dimension of integration, to be achieved in full cooperation with the social partners. The EFTA States wish actively to contribute to the development of the social dimension of the European Economic Area. They therefore welcome the strengthened cooperation in the social field with the Community and its Member States established under this Agreement. Recognizing the importance of guaranteeing, in this context, the fundamental social rights for workers within the whole EEA, the above-mentioned Governments endorse the principles and basic rights laid down in the Charter of the Fundamental Social Rights for Workers of 9 December 1989 recalling the principle of subsidiarity referred to therein. They note that, in the implementation of such rights, due regard must be given to the diversity of national practices, especially as regards the role of the social partners and collective agreements.

**DECLARATION
BY THE GOVERNMENT OF AUSTRIA
ON THE IMPLEMENTATION OF ARTICLE 5
OF DIRECTIVE 76/207/EEC
IN RESPECT OF NIGHT-WORK**

The Republic of Austria,

aware of the principle of equal treatment as laid down in the present Agreement;

in view of Austria's obligation under the present Agreement to incorporate the *acquis communautaire* into the Austrian legal order;

considering other obligations undertaken by Austria under public international law;

having regard to the effects harmful to health of night-work and to the particular need of female workers for protection;

declares its willingness to take account of the particular need of female workers' protection.

DECLARATION
BY THE EUROPEAN COMMUNITY

The European Community considers that the unilateral declaration made by the Government of Austria on the implementation of Article 5 of Directive 76/207/EEC in respect of night-work shall be without prejudice to the rights and obligations of the Contracting Parties under the Agreement.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON THE RIGHTS FOR THE EFTA STATES
BEFORE THE EC COURT OF JUSTICE**

1. In order to reinforce the legal homogeneity within the EEA through the opening of intervention possibilities for EFTA States and the EFTA Surveillance Authority before the EC Court of Justice, the Community will amend Articles 20 and 37 of the Statute of the Court of Justice and the Court of First Instance of the European Communities.

2. In addition, the Community will take the necessary measures to ensure that EFTA States, in so far as the implementation of Articles 2(2)(b) and 6 of Protocol 24 to the EEA Agreement is concerned, will have the same rights as EC Member States under Article 9(9) of Regulation (EEC) No 4064/89.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON THE RIGHTS OF LAWYERS OF THE EFTA STATES
UNDER COMMUNITY LAW**

The Community undertakes to amend the Statute of the Court of Justice and the Court of First Instance of the European Communities so as to ensure that agents appointed for each case, when representing an EFTA State or the EFTA Surveillance Authority, may be assisted by an adviser or by a lawyer entitled to practise before a court of an EFTA State. It also undertakes to ensure that lawyers entitled to practise before a court of an EFTA State may represent individuals and economic operators before the Court of Justice and the Court of First Instance of the European Communities.

Such agents, advisers and lawyers shall, when they appear before the Court of Justice and the Court of First Instance of the European Communities, enjoy the rights and immunities necessary to the independent exercise of their duties, under the conditions to be laid down in the rules of procedure of those Courts.

In addition, the Community will take the necessary measures in order to ensure lawyers of the EFTA States the same rights as to legal privilege under Community law as lawyers of EC Member States.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON THE PARTICIPATION OF THE EFTA STATES' EXPERTS
IN EEA RELEVANT EC COMMITTEES IN APPLICATION OF
ARTICLE 100 OF THE AGREEMENT**

The Commission of the European Communities confirms that in the application of the principles laid down in Article 100, it is understood that each EFTA State will designate its own experts. Those experts will be involved on an equal footing together with national experts from the EC Member States in the work preparatory to the convening of the EC committees relevant to the "acquis" in question. The EC Commission will pursue consultations as long as deemed necessary, until the Commission submits its proposal at a formal meeting.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON ARTICLE 103 OF THE AGREEMENT**

The European Community considers that until the constitutional requirements referred to in Article 103(1) of the Agreement are fulfilled by the EFTA States, it can delay the definitive application of the EEA Joint Committee decision referred to in the same Article.

**DECLARATION
BY THE GOVERNMENTS OF THE EFTA STATES
ON ARTICLE 103(1) OF THE AGREEMENT**

Aiming to achieve a homogeneous EEA, and without prejudice to the functioning of their democratic institutions, the EFTA States will use their best endeavours to promote the fulfilment of the necessary constitutional requirements as foreseen in the first subparagraph of Article 103(1) of the EEA Agreement.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON TRANSIT IN THE FISHERIES SECTOR**

It is the Community's understanding that Article 6 of Protocol 9 will also be applicable if a mutually satisfactory arrangement on the question of transit is not found before the entry into force of the Agreement.

**DECLARATION
BY THE EUROPEAN COMMUNITY AND THE GOVERNMENTS
OF AUSTRIA, FINLAND, LIECHTENSTEIN, SWEDEN
AND SWITZERLAND ON WHALE PRODUCTS**

The European Community and the Governments of Austria, Finland, Liechtenstein, Sweden and Switzerland declare that Appendix 2, Table I, of Protocol 9 is without prejudice to the import ban which they apply for whale products.

**DECLARATION
BY THE GOVERNMENT OF SWITZERLAND
CONCERNING CUSTOMS DUTIES OF A FISCAL NATURE**

The internal procedure in view of the transformation of customs duties of a fiscal nature into internal taxation has been launched.

Without prejudice to Protocol 5 to the Agreement, Switzerland will eliminate these duties on the tariff positions listed in the table attached to Protocol 5, subject to the approval, according to its internal legislation, of the necessary constitutional and legislative modifications, at the moment when the internal taxation enters into force.

A referendum on this subject will be held before the end of 1993.

In case of a positive outcome of the constitutional referendum, best efforts will be undertaken in order to proceed to the transformation of customs duties of a fiscal nature into internal taxes by the end of 1996.

**DECLARATION
BY THE EUROPEAN COMMUNITY
ON BILATERAL AGREEMENTS**

The Community considers that

- the bilateral agreements on transport of goods by road and rail between the European Economic Community and Austria and between the European Economic Community and Switzerland,
- the bilateral agreements on certain arrangements concerning agriculture between the European Economic Community and each EFTA State,
- the bilateral agreements on fisheries between the European Economic Community and Sweden, the European Economic Community and Norway and the European Economic Community and Iceland,

notwithstanding the fact that these agreements have been laid down in separate legal instruments, are part of the overall balance of the results of the negotiations and essential elements for its approval of the EEA Agreement.

The Community therefore reserves its right to suspend the conclusion of the EEA Agreement as long as the ratification of the above-mentioned bilateral agreements has not been notified to the Community by the EFTA States concerned. Moreover, the Community reserves its position as to the consequences to be drawn in case of non-ratification of these agreements.

**DECLARATION
BY THE GOVERNMENT OF SWITZERLAND
ON THE AGREEMENT BETWEEN THE EEC AND THE SWISS CONFEDERATION
ON THE CARRIAGE OF GOODS BY ROAD AND RAIL**

Switzerland shall endeavour to ratify the bilateral agreement between the EEC and the Swiss Confederation on carriage of goods by road and rail on time for the ratification of the EEA Agreement, while confirming its position that the EEA Agreement and this bilateral agreement are to be considered as two separate legal instruments with their own merits.

**DECLARATION
BY THE GOVERNMENT OF AUSTRIA
ON THE AGREEMENT BETWEEN THE EEC AND THE REPUBLIC OF AUSTRIA
ON THE TRANSIT OF GOODS BY ROAD AND RAIL**

Austria shall endeavour to ratify the bilateral agreement between the EEC and the Republic of Austria on the transit of goods by road and rail on time for the ratification of the EEA Agreement, while confirming its position that the EEA Agreement and this bilateral agreement are to be considered as two separate legal instruments with their own merits.

**DECLARATION
BY THE GOVERNMENTS OF THE EFTA STATES
CONCERNING THE EFTA FINANCIAL MECHANISM**

The EFTA States consider that the "appropriate and equitable solutions" referred to in the Joint Declaration concerning the financial mechanism should have the effect either that an EFTA State acceding to the Community should not be party to any financial obligation entered into by the EFTA financial mechanism after that State's accession to the Community or that a corresponding adjustment should be made to the contributions of that State to the EC general budget.

DECLARATION
BY THE GOVERNMENTS OF THE EFTA STATES
CONCERNING A COURT OF FIRST INSTANCE

The EFTA States will establish a court of first instance for cases in the field of competition, should the need arise.

PROTOCOL OF CORRECTION

TO THE AGREEMENT ON THE EUROPEAN ECONOMIC AREA

THE GENERAL SECRETARIAT OF THE COUNCIL OF THE EUROPEAN COMMUNITIES, acting as the depositary of the Agreement on the European Economic Area signed in Oporto on 2 May 1992, hereinafter referred to as the "Agreement",

Having established that the text of the Agreement, a certified copy of which was transmitted to the Signatories on 22 July 1992, contained certain material errors,

Having informed the Signatories to the Agreement of these errors and of proposals for correction, laying down as time limits for the formulation of any objections to the said proposals the dates of 22 December 1992 and 24 April 1993 respectively,

Having established that none of the Signatories have raised any objection by the date of expiry of these time limits,

HAS UNDERTAKEN this day the correction of the errors in question as set out in the Annex, in the authentic texts of the Agreement and has drawn up this Protocol of Correction, a copy of which shall be transmitted to the Contracting Parties; the text thus corrected shall replace the erroneous text.

[For the testimonium and signatures, see United Nations, Treaty Series, vol. 1818, p. 438.]

ANNEX

Annexes

Annex I, page A\EEEE\en 45, point 4, third indent:

- First line : the date should be corrected to read "22 December 1982".
- Second line : the reference to the OJ page should be corrected to read "p. 42".

Annex I, page A\EEEE\en 63, point 55, third line :

The publication reference should be corrected to read "(OJ No L 22, 31.1.1979, p. 17)".

Annex II, page AII\EEEE\en 5, point 8, second and third lines :

The publication reference should be corrected to read "(OJ No L 176, 10.8.1970, p. 12)".

Annex II, page AII\EEEE\en 16, point 40, third line :

The phrase "as corrected by OJ No L 10, 16.1.1979, p. 15," should be deleted.

Annex II, page AII\EEEE\en 56, point 11, adaptation, second and third lines :

The entry for Finland should be corrected to read : "kermajaue/gräddpulver".

Annex IV, page AIV\EEEE\en 4, Appendix 1 :

In the entry for Switzerland the words "Centralschweizerische Kraftwerke" should be inserted in the middle column between "Bernische Kraftwerke AG" and "L' Energie Ouest-Suisse SA".

Annex VI, page AVI\EEEE\en 41, adaptation, section "O. NORWAY"

- in point 1, second line, instead of: "arbeidskontor", read : "arbeidskontorer"
- in point 3, the Norwegian name reads as follows: " Rikstrygdeverket, Oslo, og de lokale trygdekontorer på bostedet eller oppholdsstedet" (rest unchanged)

Annex VI, page AVI\EEEE\en 48, point 2 under c), section "O. NORWAY"

Instead of: "arbeidskontor og trygdekontor", read : "arbeidskontorer og trygdekontorer"

Annex VI, page AVI\EEEE\en 52, point 2 under d), section "O. NORWAY"

In paragraph 2, instead of: "Rikstrygdeverket", read: "Rikstrygdeverket"

Annex VI, page AVI\EEEE\en 54, point 2 under f), section "O. NORWAY"

Instead of: "Sparebanken nor", read: "Sparebanken NOR"

Annex VI, page AVI\EEE\le 61, under h), section "O. NORWAY"

In paragraph 10, add a comma after " Oslo".

Annex VII, page AVI\EEE\en 10, point 4 under d), sixteenth indent ("dermato-venereology"):

Instead of: "hud-og veneriske sykdommer", read: "hudsykdommer og veneriske sykdommer"

Annex VII, page AVI\EEE\en 41, point 69, fourth line :

The publication reference should be corrected to read "(OJ No C 308, 23.12.1978, p. 1)".

Annex XIII, page AXIII\EEE\en 7, point 6, third line :

The publication reference should be corrected to read "(OJ No 52, 16.8.1960, p. 1121/60)".

Annex XIII, page AXIII\EEE\en 28, point 71, fourth line :

The publication reference should be corrected to read "(OJ No 50, 22.7.1961, p.975/61)".

Annex XVII, page AXVII\EEE\en 2, point 3, last paragraph :

The last sentence should be replaced as follows : "Ensuing amendments or replacements are to be adopted before the entry into force of the Agreement".

Annex XVIII, page AXVIII\EEE\en 1, point 1, third line :

The publication reference should be corrected to read "(OJ No L 229, 7.9.1977, p. 12)".

Annex XVIII, page AXVIII\EEE\en 4, point 1, under 3.c)

Instead of: "hørselvern", read : "hørselsvern".

Annex XXI, page AXXI\EEE\en 17, point 22, second and third lines :

The publication reference should be corrected to read "(OJ No L 246, 30.10.1972, p. 1)".

Annex XXII, page XXII\EEE\en 6, point 4, under b), entry "(q) in Norway "

Instead of: "kommanditselskap", read: "kommandittelskap".

PROTOCOL¹ ADJUSTING THE AGREEMENT ON THE EUROPEAN
ECONOMIC AREA²

PROTOCOL ADJUSTING
THE AGREEMENT ON THE EUROPEAN ECONOMIC AREA

THE EUROPEAN ECONOMIC COMMUNITY,
THE EUROPEAN COAL AND STEEL COMMUNITY,
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,

¹ Came into force in respect of the following Contracting Parties, on 1 January 1994, i.e., the first day of the month following the deposit of the last instrument of ratification or approval with the General Secretariat of the Council of the European Communities, in accordance with article 22 (3) of the Protocol:

<i>Participant</i>	<i>Date of deposit of the instrument of ratification of the Agreement</i>	<i>Date of deposit of the instrument of ratification of the Protocol</i>
Austria	15 October 1992	25 June 1993
Belgium	9 November 1993	9 November 1993
Denmark	30 December 1992	3 June 1993
European Coal and Steel Community	13 December 1993	13 December 1993
European Community	13 December 1993	13 December 1993
Finland	17 December 1992	24 June 1993
France	10 December 1993	10 December 1993
Germany	23 June 1993	30 September 1993
Greece	10 September 1993	10 September 1993
Iceland	4 February 1993	28 May 1993
Ireland	29 July 1993	29 July 1993
Italy	15 November 1993	15 November 1993
Luxembourg	21 October 1993	21 October 1993
Netherlands	31 December 1992	2 August 1993
Norway	19 November 1992	25 May 1993
Portugal	9 March 1993	3 November 1993
Spain	3 December 1993	3 December 1993
Sweden	18 December 1992	28 June 1993
United Kingdom of Great Britain and Northern Ireland	15 November 1993	15 November 1993

² United Nations, *Treaty Series*, vol. 1801, p. 4.

AND

THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF FINLAND,
THE REPUBLIC OF ICELAND,
THE PRINCIPALITY OF LIECHTENSTEIN,
THE KINGDOM OF NORWAY,
THE KINGDOM OF SWEDEN,

hereinafter referred to as the CONTRACTING PARTIES;

WHEREAS the Agreement on the European Economic Area, hereinafter referred to as the EEA Agreement, was signed in Oporto on 2 May 1992;

WHEREAS Article 129(2) of the EEA Agreement provides that it shall be ratified or approved by the Contracting Parties in accordance with their respective constitutional requirements;

WHEREAS it has become clear that one of the Signatories to the EEA Agreement, the Swiss Confederation, is not in a position to ratify the EEA Agreement;

WHEREAS the other Signatories to the EEA Agreement, remaining fully attached to its objectives, are determined to enact the EEA Agreement as soon as possible;

WHEREAS a new date for the entry into force of the EEA Agreement has to be laid down;

WHEREAS special provisions are required for the entry into force of the EEA Agreement as regards the Principality of Liechtenstein;

WHEREAS a number of adjustments to the EEA Agreement are necessary as a consequence of the non-ratification by Switzerland;

WHEREAS it is desirable to include among such adjustments a provision reflecting the wish of the Contracting Parties to enable Switzerland to participate in the EEA in the future;

HAVE DECIDED to conclude the following Protocol:

ARTICLE 1

1. The EEA Agreement, as adjusted by this Protocol, shall enter into force, on the date of entry into force of this Protocol, between the European Economic Community, the European Coal and Steel

Community, their Member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden.

2. As regards the Principality of Liechtenstein, the EEA Agreement, as adjusted by this Protocol, shall enter into force on a date to be determined by the EEA Council and provided that the EEA Council:

- has decided that the condition of Article 121(b) of the EEA Agreement, namely that the good functioning of the EEA Agreement is not impaired, is fulfilled; and
- has taken the appropriate decisions, in particular as to the application to Liechtenstein of the measures already adopted by the EEA Council and the EEA Joint Committee.

3. Liechtenstein shall be allowed to participate in those decisions of the EEA Council referred to in paragraph 2 above.

ARTICLE 2

1. Since the Swiss Confederation, following its non-ratification of the EEA Agreement, is not a Contracting Party thereto, the reference in the preamble to the EEA Agreement to "THE SWISS CONFEDERATION" as one of the Contracting Parties shall be deleted.

2. Article 2 (b) of the EEA Agreement shall be replaced by the following:

"the term 'EFTA States' means the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and, under the conditions laid down in Article 1(2) of the Protocol Adjusting the Agreement on the European Economic Area, the Principality of Liechtenstein;"

3. The EEA Agreement shall be adjusted further in accordance with Articles 3 to 20 of this Protocol.

ARTICLE 3

In Article 120 the words "Protocols 41, 43 and 44" shall be replaced by the words "Protocols 41 and 43".

ARTICLE 4

In Article 126(1) the words "the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation" shall be replaced by the words "the Kingdom of Norway and the Kingdom of Sweden".

ARTICLE 5

Article 128(1) shall be replaced by the following:

"Any European State becoming a member of the Community shall, and the Swiss Confederation or any European State becoming a member of EFTA may, apply to become a party to this Agreement. It shall address its application to the EEA Council."

ARTICLE 6

Article 129(3) shall be replaced by the following:

"3. This Agreement shall enter into force on the date and under the conditions provided for in the Protocol Adjusting the Agreement on the European Economic Area."

ARTICLE 7

In paragraph 11 of Protocol 1 on horizontal adaptations the words "Article 129(3)" shall be replaced by the words "the date of entry into force".

ARTICLE 8

In Protocol 4 on rules of origin, the words "Switzerland" and "Swiss" shall be replaced, respectively, by the words "Sweden" and "Swedish" in Appendix V, footnote 2, and in Appendix VI, footnote 3.

ARTICLE 9

In Protocol 5 on customs duties of a fiscal nature (Liechtenstein, Switzerland):

- the word "Switzerland" shall be deleted in the heading;
- the words "and Switzerland" and "or Switzerland" shall be deleted in paragraphs 1 and 2.

ARTICLE 10

Protocol 6 on the building up of compulsory reserves by Switzerland and Liechtenstein shall be replaced by the following:

**"PROTOCOL 6
ON THE BUILDING UP OF COMPULSORY RESERVES BY LIECHTENSTEIN**

Liechtenstein may subject to a scheme of compulsory reserves products which are indispensable for the survival of the population in times of serious supply shortages and the production of which in Liechtenstein is insufficient or non-existent and the characteristics and nature of which enable reserves to be built up.

Liechtenstein shall apply this scheme in a manner that does not involve discrimination, direct or indirect, between the products imported from the other Contracting Parties and like or substitute national products."

ARTICLE 11

In Protocol 8 on state monopolies the words "Swiss and" shall be deleted.

ARTICLE 12

In Protocol 9 on trade in fish and other marine products:

- the words "and Switzerland" shall be deleted in Appendix 1, Article 2, paragraphs 1 and 2 and the word "their" shall be replaced by "its" in the said paragraph 2;
- the words "-Agreement between the European Economic Community and the Swiss Confederation, signed on 22 July 1972, and a subsequent Exchange of Letters concerning agriculture and fisheries, signed on 14 July 1986;" shall be deleted in Appendix 3.

ARTICLE 13

In Protocol 15 on transitional periods on the free movement of persons (Switzerland and Liechtenstein):

- the words "Switzerland and" shall be deleted in the title, Article 8(1) and (2) and Article 11;
- the word ", respectively" shall be deleted in Article 8(2) and Article 11;
- Articles 2 to 4 and Article 9(1) shall be deleted.

ARTICLE 14

In Protocol 16 on measures in the field of social security related to transitional periods on the free movement of persons (Switzerland and Liechtenstein):

- the words "Switzerland and" shall be deleted in the title, Articles 1, 2 and 3, first sentence and paragraph (a);
- the words "Swiss and" shall be deleted in Articles 2 and 3(a);
- the word ", respectively" shall be deleted in Articles 1, 2 and 3, first sentence and paragraph (a);
- the words "500 as regards Switzerland or" and the words "as regards Liechtenstein" shall be deleted in Article 3(c);
- Article 4 shall be deleted.

ARTICLE 15

The following provisions of the EEA Agreement:

- Articles 81(a), (b), (d), (e) and (f);
- Article 82;
- Protocol 30, paragraph 2, first and second subparagraphs;

- Protocol 31, Article 1(1)(a), (b) and (c), Article 4(1), (3) and (4), Article 5(3), first and second subparagraphs, and
- Protocol 32

shall enter into force on 1 January 1994.

ARTICLE 16

In Protocol 38 on the Financial Mechanism:

- the word "three" shall be replaced by "two" in Article 2 (2);
- Article 2 (5) shall be replaced by the following :
 - "5. The total volume of loans, which shall be eligible for the interest rebates provided for in Article 1 shall be ECU 1 500 million, to be committed in equal tranches over a period of five years from 1 July 1993. Should the EEA Agreement enter into force after that date, the period shall be five years from the entry into force."
- Article 3 (1) shall be replaced by the following :
 - "1. The total amount of grants provided for in Article 1 shall be ECU 500 million, to be committed in equal tranches over a period of five years from 1 July 1993. Should the EEA Agreement enter into force after that date, the period shall be five years from the entry into force."

ARTICLE 17

In Protocol 41 on existing agreements the following shall be deleted:

"29.4.1963/3.12.1976 International Commission for the Protection of the Rhine against Pollution.
Mixed agreement between the Swiss Confederation and the European Economic Community, the Federal Republic of Germany, France, Luxembourg and the Netherlands.

- 3.12.1976 Protection of the Rhine against Chemical Pollution. Mixed agreement between the Swiss Confederation and the European Economic Community, the Federal Republic of Germany, France, Luxembourg and the Netherlands."

ARTICLE 18

Protocol 44 on the Agreement between the EC and the Swiss Confederation on the carriage of goods by road and rail shall be deleted.

ARTICLE 19

In the Appendix to Protocol 47 on the abolition of technical barriers to trade in wine:

15. 387 R 0822: Council Regulation (EEC) N° 822/87:

- adaptation (b)

 the provision shall be deleted;
- adaptations (d), (f), (m) and (n)

 the words ", Switzerland" and "and Switzerland" shall be deleted;
- adaptation (k), paragraph (b)

 the words "Switzerland or" shall be deleted.

22. 389 R 2392: Council Regulation (EEC) N° 2392/89:

- adaptation (a)

 the word ", Switzerland" shall be deleted;
- adaptation (c)

 the words "producer States concerned have" shall be replaced by the words "the producer State has".

26. 390 R 3201: Commission Regulation (EEC) N° 3201/90:

- adaptations (c), (d) and (f)

the provisions shall be deleted.

ARTICLE 20

Annexes I to IX, XII, XIII, XVI and XVIII to XXII to the EEA Agreement shall be adjusted as specified in the Annex to this Protocol.

ARTICLE 21

The provisions, references, specific adaptations, periods and dates concerning Liechtenstein in the EEA Agreement, as adjusted by this Protocol, shall only apply once the EEA Agreement, as adjusted by this Protocol, has entered into force with regard to Liechtenstein in accordance with Article 1(2) of this Protocol.

ARTICLE 22

1. This Protocol is drawn up in a single original in the Danish, Dutch, English, Finnish, French, German, Greek, Icelandic, Italian, Norwegian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

2. This Protocol shall be ratified or approved by the Contracting Parties in accordance with their respective constitutional requirements.

It shall be deposited with the General Secretariat of the Council of the European Communities which shall transmit certified copies to all the other Contracting Parties.

The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Communities which shall notify all the other Contracting Parties.

3. This Protocol shall enter into force on 1 July 1993, provided that all the Contracting Parties referred to in Article 1(1) have deposited their instruments of ratification or approval of the EEA Agreement and of this Protocol before that date. After that date, this Protocol shall enter into force

on the first day of the month following the last deposit. If, however, such deposit is made less than fifteen days before the beginning of the following month, this Protocol shall not enter into force until the first day of the second month after the date of such deposit.

4. As regards Liechtenstein, this Protocol shall enter into force following the deposit of its instruments of ratification of the EEA Agreement and this Protocol, on the date determined by the EEA Council under the conditions laid down in Article 1(2).

[For the testimonium and signatures, see United Nations, Treaty Series, vol. 1818, p. 452.]

ANNEX

PROVIDED FOR IN ARTICLE 20 OF THE PROTOCOL ADJUSTING THE
AGREEMENT ON THE EUROPEAN ECONOMIC AREA

Annexes I to IX, XII, XIII, XVI and XVIII to XXII to the EEA Agreement shall be adjusted as specified below.

I ANNEX I, VETERINARY AND PHYTOSANITARY MATTERSA. Sectoral adaptation

The provision regarding Switzerland and Liechtenstein under the heading 'SECTORAL ADAPTATION' as well as the heading itself shall be deleted.

B. Chapter I, Veterinary issues

- Introductory part to the Chapter

- paragraph 3

the words 'as from nine months after the entry into force of the Agreement and at the latest from 1 January 1994' shall be replaced by 'as from 1 January 1994 or from six months after the entry into force of the Agreement, whichever date is the later'.

The dates regarding the EFTA States referred to in the specific adaptations established in relation to the acts referred to in the Chapter shall be replaced in accordance with the following:

the dates '1 January 1993' and '31 December 1992' shall be replaced by 'the date of entry into force of the Agreement' and 'the day before the date of entry into force of the Agreement', respectively;

- the date '1 April 1993' shall be replaced by 'the first day of the second month following the entry into force of the Agreement';

- the date '1 July 1993' shall be replaced by 'the first day of the fourth month following the entry into force of the Agreement';

- the date '1 September 1993' shall be replaced by 'the date provided for in paragraph 3 of the introductory part of Chapter I, Veterinary issues, of Annex I to the Agreement'.

1. **364 L 0432: Council Directive 64/432/EEC:**
 - adaptation (a)
'Switzerland: Kanton/canton/cantone' shall be deleted;
 - adaptations (d), (e) and (g)
'Switzerland/' shall be deleted;
 - adaptation (f)
the words 'Switzerland/' and '/Vétérinaire de contrôle/Veterinario di controllo'
shall be deleted.

3. **390 L 0426: Council Directive 90/426/EEC:**
 - adaptation (b)
the words 'Switzerland/' and '/Vétérinaire de contrôle/Veterinario di controllo'
shall be deleted.

4. **390 L 0539: Council Directive 90/539/EEC:**
 - adaptation (b)
the words 'CH or' and 'Switzerland/' shall be deleted;
 - adaptation (g)
'Switzerland/' shall be deleted.

12. **385 L 0511: Council Directive 85/511/EEC:**
 - adaptation (a)
'Switzerland/' shall be deleted; and
the words 'Eidgenössisches Institut für Viruskrankheiten und Immunprophylaxe,
Mittelhäusern' shall be replaced by '-';
 - adaptation (b)
'Switzerland/' shall be deleted.

14. **380 L 0217:** Council Directive 80/217/EEC:

- adaptation (a)
'Switzerland/' shall be deleted.

18. **364 L 0433:** Council Directive 64/433/EEC:

- adaptation (j)
'CH-' shall be deleted.

20. **371 L 0118:** Council Directive 71/118/EEC and

21. **377 L 0099:** Council Directive 77/99/EEC:

- adaptation (c)
'CH-' and 'CH/' shall be deleted.

23. **389 L 0437:** Council Directive 89/437/EEC:

- adaptation (f)
'CH/' shall be deleted.

34. **391 L 0495:** Council Directive 91/495/EEC:

- adaptation (e)
'CH,' shall be deleted.

66. **389 D 0610:** Commission Decision 89/610/EEC:

- adaptation
'Switzerland/' shall be deleted.

C. Chapter II, Feedingstuffs

- Introduction, paragraph 1
the words 'Switzerland and' shall be deleted.
- The date '1 January 1993', as referred to with regard to the EFTA States in the specific adaptations established in relation to the acts referred to in the Chapter, shall be replaced by 'the date of entry into force of the Agreement'.

3. 377 L 0101: Council Directive 77/101/EEC and
4. 379 L 0373: Council Directive 79/373/EEC:
 - derogation, second indent

the words 'Switzerland and' shall be deleted; and

the word 'their' shall be replaced by the word 'its'.

II ANNEX II, TECHNICAL REGULATIONS, STANDARDS, TESTING AND CERTIFICATION

A. Chapter 1, Motor Vehicles

1. 370 L 0156: Council Directive 70/156/EEC:
 - adaptation

the words "'Typengenehmigung"/"approbation du type"/"approvazione del tipo" in Swiss law"' shall be deleted.
2. 370 L 0157: Council Directive 70/157/EEC:
 - adaptations (a) and (b)

'CH = Switzerland,' shall be deleted.
8. 370 L 0388: Council Directive 70/388/EEC,
9. 371 L 0127: Council Directive 71/127/EEC,
17. 374 L 0483: Council Directive 74/483/EEC,
19. 376 L 0114: Council Directive 76/114/EEC,
22. 376 L 0757: Council Directive 76/757/EEC,
23. 376 L 0758: Council Directive 76/758/EEC,
24. 376 L 0759: Council Directive 76/759/EEC,
25. 376 L 0760: Council Directive 76/760/EEC,
26. 376 L 0761: Council Directive 76/761/EEC,
27. 376 L 0762: Council Directive 76/762/EEC,
29. 377 L 0538: Council Directive 77/538/EEC,
30. 377 L 0539: Council Directive 77/539/EEC,
31. 377 L 0540: Council Directive 77/540/EEC,
32. 377 L 0541: Council Directive 77/541/EEC and
39. 378 L 0932: Council Directive 78/932/EEC:
 - adaptation

the words 'and 14 for Switzerland' and '14 for Switzerland' shall be deleted.

40. **378 L 1015:** Council Directive 78/1015/EEC:

- adaptation (a)

the words "'Typengenehmigung'/'approbation du type'/'approvazione del tipo' in Swiss law'" shall be deleted;

- adaptation (b)

the words '14 for Switzerland' shall be deleted.

41. **380 L 0780:** Council Directive 80/780/EEC:

- adaptation

the words "'Typengenehmigung'/'approbation du type'/'approvazione del tipo' in Swiss law'" shall be deleted.

44. **388 L 0077:** Council Directive 88/77/EEC:

- adaptation

the words '14 for Switzerland' shall be deleted.

B. Chapter II, Agricultural and forestry tractors

1. **374 L 0150:** Council Directive 74/150/EEC:

- adaptation

the words "'Typengenehmigung'/'approbation du type'/'approvazione del tipo' in Swiss law'" shall be deleted.

11. **377 L 0536:** Council Directive 77/536/EEC,

13. **378 L 0764:** Council Directive 78/764/EEC,

17. **379 L 0622:** Council Directive 79/622/EEC,

20. **386 L 0298:** Council Directive 86/298/EEC,

22. **387 L 0402:** Council Directive 87/402/EEC and

23. **389 L 0173:** Council Directive 89/173/EEC:

- adaptations

the words '14 for Switzerland' shall be deleted.

C. Chapter III, Lifting and mechanical handling appliances

2. **384 L 0528:** Council Directive 84/528/EEC:

- adaptation

the words 'CH for Switzerland,' shall be deleted.

D. Chapter VI, Construction plant and equipment

8. **386 L 0295:** Council Directive 86/295/EEC and

9. **386 L 0296:** Council Directive 86/296/EEC:

- adaptation:

the words 'CH for Switzerland,' shall be deleted.

E. Chapter VIII, Pressure vessels

2. **376 L 0767:** Council Directive 76/767/EEC:

- adaptation

the words 'CH for Switzerland,' shall be deleted.

F. Chapter IX, Measuring instruments

1. **371 L 0316:** Council Directive 71/316/EEC:

- adaptation (a)

the words 'CH for Switzerland,' shall be deleted;

- adaptation (b)

'CH,' shall be deleted.

6. **371 L 0348:** Council Directive 71/348/EEC:

- adaptation

the words "'1 Rappen/1 centime/1 centesimo" (Switzerland)' shall be deleted.

12. **375 L 0106:** Council Directive 75/106/EEC:

- adaptation (a)

the words 'Switzerland and' shall be deleted.

G. Chapter XIV, Fertilizers

1. **376 L 0116:** Council Directive 76/116/EEC:

- adaptations (a) and (b)
- ' , Switzerland' shall be deleted.

H. Chapter XIX, General provisions in the field of technical barriers to trade

1. **383 L 0189:** Council Directive 83/189/EEC:

- adaptation (g)
- 'SNV (Switzerland)' and 'SEK (Switzerland)', including the addresses, shall be deleted.

I. Chapter XXVII, Spirit drinks

1. **389 R 1576:** Council Regulation (EEC) No 1576/89:

- adaptation (h)

6. Grape marc spirit

the following shall be deleted:

- '- Baselbieter Marc'
- '- Grappa del Ticino/Grappa Ticinese'
- '- Grappa della Val Calanca'
- '- Grappa della Val Bregaglia'
- '- Grappa della Val Mesolcina'
- '- Grappa della Valle di Poschiavo'
- '- Marc d'Auvernier'
- '- Marc de Dôle du Valais';

7. Fruit spirit

the following shall be deleted:

- '- Aargauer Bure Kirsch'
- '- Abricotine du Valais/Walliser Aprikosenwasser'
- '- Baselbieterkirsch'
- '- Baselbieter Zwetschgenwasser'
- '- Bernbieter Birnenbrand'
- '- Bernbieter Kirsch'
- '- Bernbieter Mirabellen'

- '- Bernbieter Zwetscbgenwasser'
- '- Bérudges de Cornaux'
- '- Emmentaler Kirsch'
- '- Freiämter Theilersbirnenbranntwein'
- '- Freiämter Zwetschgenwasser'
- '- Fricktaler Kirsch'
- '- Kirsch de la Béroche'
- '- Luzerner Birnenträsch'
- '- Luzerner Kirsch'
- '- Luzerner Theilersbirnenbranntwein'
- '- Luzerner Zwetschgenwasser'
- '- Mirabelle du Valais'
- '- Rigi Kirsch'
- '- Seeländer Pflümliwasser'
- '- Urschwyzerkirsch'
- '- William du Valais/ Walliser Williams'
- '- Zuger Kirsch';

9. Gentian spirit

the following shall be deleted:

- '9. Gentian spirit
- Gentiane du Jura';

11. Juniper flavoured spirit drinks

the following shall be deleted:

- '11. Juniper flavoured spirit drinks
- Genièvre du Jura';

14. Liqueur

the following shall be deleted:

- '- Bernbieter Griottes Liqueur'
- '- Bernbieter Kirschen Liqueur'
- '- Genépi du Valais';

15. Spirit drinks

the following shall be deleted:

- '- Bernbieter Cherry Brandy Liqueur'
- '- Bernbieter Kräuterbitter'
- '- Eau-de-vie d'herbes du Jura'
- '- Gotthard Kräuterbranntwein'
- '- Luzerner Chrüter (Kräuterbranntwein)'
- '- Vieille lie du Mandement'
- '- Walliser Chrüter (Kräuterbranntwein)'.

III ANNEX III, PRODUCT LIABILITY

385 L 0374: Council Directive 85/374/EEC:

- adaptation (a)(iii) shall be deleted;
- adaptation (b)

the words 'Switzerland and' shall be deleted; and

the word 'their' shall be replaced by the word 'its'.

IV ANNEX IV, ENERGY

Appendices 1 and 2

'Switzerland', including its entries under Entity and Grid, shall be deleted.

V ANNEX V, FREE MOVEMENT OF WORKERS

A. Sectoral adaptations

The words 'and Switzerland' shall be deleted.

B. 3. **368 L 0360:** Council Directive 68/360/EEC:

- adaptation (e)(ii)

'Swiss,' shall be deleted.

VI ANNEX VI, SOCIAL SECURITYA. Sectoral adaptations

- paragraph I

'and Switzerland' shall be deleted.

B. 1. Council Regulation (EEC) No 1408/71:

- adaptation (b)

the provision shall be deleted;

- adaptations (g), (b), (i), (j), (m) and (n)

the entry 'S. SWITZERLAND', including the provision, shall be deleted;

- adaptations (k) and (l)

the headings and provisions of the following entries shall be deleted:

84, 101, 117, 132, 146, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171;

- adaptation (o)

the entry '16.', including the provision, shall be deleted.

2. Council Regulation (EEC) No 574/72:

- adaptations (a), (b), (c), (d), (e), (f), (g), (h) and (k)

the entry 'S. SWITZERLAND', including the provision, shall be deleted.

20. 383 Y O117: Decision No 117 and

21. 383 Y 1112(02): Decision No 118:

- adaptation

the entry 'Switzerland', including the provision, shall be deleted.

34. C/281/88/p.7: Decision No 135:

- adaptation

the entry '(s)', including the provision, shall be deleted.

35. **C/64/88/p.7: Decision No 136:**

- adaptation

the entry 'S. Switzerland', including the provision, shall be deleted.

C. MODALITIES FOR THE PARTICIPATION OF EFTA STATES IN THE ADMINISTRATIVE COMMISSION ON SOCIAL SECURITY FOR MIGRANT WORKERS AND IN THE AUDIT BOARD ATTACHED TO THIS COMMISSION IN ACCORDANCE WITH ARTICLE 101(1) OF THE AGREEMENT

The words 'and Switzerland' shall be deleted.

VII ANNEX VII, MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

A. Sectoral adaptations

The words 'and Switzerland' shall be deleted.

B. Chapter A, General system

1. 389 L 0048: Council Directive 89/48/EEC:

- the derogation for Switzerland shall be deleted.

C. Chapter B, Legal professions

2. 377 L 0249: Council Directive 77/249/EEC:

- adaptation

the entry '*in Switzerland:*', including the provision, shall be deleted.

D. Chapter C, Medical and para-medical activities

4. 375 L 0362: Council Directive 75/362/EEC:

- the derogation for Switzerland shall be deleted;

- adaptation (a)

the entry '*(s) in Switzerland:*', including the provision, shall be deleted;

- adaptation (b)

the entry '*in Switzerland:*', including the provision, shall be deleted;

- adaptation (c)
the entries 'Switzerland:', including the provisions, shall be deleted;
 - adaptation (d)
the heading '*- tropical medicine:*' and the entries 'Switzerland:', including the provisions, shall be deleted.
5. **375 L 0363:** Council Directive 75/363/EEC:
- the derogation for Switzerland shall be deleted.
6. **386 L 0457:** Council Directive 86/457/EEC:
- the derogation for Switzerland shall be deleted.
8. **377 L 0452:** Council Directive 77/452/EEC:
- the derogation for Switzerland shall be deleted;
 - adaptation (a)
the entry '*in Switzerland:*', including the provision, shall be deleted;
 - adaptation (b)
the entry '*(s) in Switzerland:*', including the provision, shall be deleted.
9. **377 L 0453:** Council Directive 77/453/EEC:
- the derogation for Switzerland shall be deleted.
10. **378 L 0686:** Council Directive 78/686/EEC:
- the derogation for Switzerland shall be deleted;
 - adaptation (a)
the entry '*in Switzerland:*', including the provision, shall be deleted;
 - adaptation (b)
the entry '*(s) in Switzerland:*', including the provision, shall be deleted;
 - adaptation (c) 1.
the entry '*- in Switzerland:*' including the provision, shall be deleted.

11. **378 L 0687:** Council Directive 78/687/EEC:
 - the derogation for Switzerland shall be deleted.
12. **378 L 1026:** Council Directive 78/1026/EEC:
 - adaptation
 - the entry '*(s) in Switzerland:*', including the provision, shall be deleted.
14. **380 L 0154:** Council Directive 80/154/EEC:
 - the derogation for Switzerland shall be deleted;
 - adaptation (a)
 - the entry '*in Switzerland:*', including the provision, shall be deleted;
 - adaptation (b)
 - the entry '*(s) in Switzerland:*', including the provision, shall be deleted.
15. **380 L 0155:** Council Directive 80/155/EEC:
 - the derogation for Switzerland shall be deleted.
17. **385 L 0433:** Council Directive 85/433/EEC:
 - adaptation (a)
 - the entry '*(s) in Switzerland:*', including the provision, shall be deleted.

E. Chapter D, Architecture

18. **385 L 0384:** Council Directive 85/384/EEC:
 - adaptation (a)
 - the entry '*(r) in Switzerland:*', including the provision, shall be deleted.

F. Chapter E, Commerce and intermediaries

22. **364 L 0224:** Council Directive 64/224/EEC:
 - adaptation
 - the entry '*In Switzerland:*', including the provision, shall be deleted.

28. **374 L 0557:** Council Directive 74/557/EEC:

- adaptation

the entry '*in Switzerland:*', including the provision, shall be deleted.

G. Chapter G, Services incidental to transport

38. **382 L 0470:** Council Directive 82/470/EEC:

- adaptation

the entry '*Switzerland:*', including the provision, shall be deleted.

H. Chapter I, Other sectors

43. **367 L 0043:** Council Directive 67/43/EEC:

- adaptation

the entry '*in Switzerland:*', including the provision, shall be deleted.

VIII ANNEX VIII, RIGHT OF ESTABLISHMENT

Sectoral adaptations

The words 'and Switzerland' shall be deleted.

IX ANNEX IX, FINANCIAL SERVICES

A. Chapter I, Insurance

2. **373 L 0239:** First Council Directive 73/239/EEC:

- adaptation (a)

the entry '(g) In Switzerland', including the provision, shall be deleted;

- adaptation (b)

the entry '- in the case of Switzerland:', including the provision, shall be deleted.

11. **379 L 0267:** First Council Directive 79/267/EEC:

- adaptation (b)

the entry '- in the case of Switzerland:', including the provision, shall be deleted.

13. **377 L 0092:** Council Directive 77/92/EEC:

- adaptations (a) and (b)

the entry 'in Switzerland:', including the provision, shall be deleted.

B. Chapter II, Banks and other credit institutions

21. **386 L 0635:** Council Directive 86/635/EEC:

- adaptation

the words 'and Switzerland' shall be deleted.

C. Chapter III, Stock exchange and securities

24. **379 L 0279:** Council Directive 79/279/EEC:

- adaptation

the words 'and Switzerland' shall be deleted; and

the words 'these countries' shall be replaced by 'this country'.

25. **380 L 0390:** Council Directive 80/390/EEC:

- adaptation (b)

the words 'and Switzerland' shall be deleted; and

the words 'these countries' shall be replaced by 'this country'.

26. **382 L 0121:** Council Directive 82/121/EEC:

- adaptation

the words 'and Switzerland' shall be deleted; and

the words 'these countries' shall be replaced by 'this country'.

27. **388 L 0627:** Council Directive 88/627/EEC:

- adaptation

', Switzerland' shall be deleted.

28. **389 L 0298:** Council Directive 89/298/EEC:

- adaptation (b)
' , Switzerland' shall be deleted.

29. **389 L 0592:** Council Directive 89/592/EEC:

- adaptation (a)
' , Switzerland' shall be deleted.

X ANNEX XII, FREE MOVEMENT OF CAPITAL

1. **388 L 0361:** Council Directive 88/361/EEC:

- adaptation (d)
the fourth indent shall be deleted;
fifth indent
the words 'and Switzerland' shall be deleted.

XI ANNEX XIII, TRANSPORT

A. Sectoral adaptations

- paragraph II
the fifth indent shall be deleted.

B. Chapter I, Inland transport

1. **370 R 1108:** Council Regulation (EEC) No 1108/70:

- adaptation
additions A.2 RAIL and B. ROAD
the entries '*Switzerland*', including the provisions, shall be deleted.

12. **389 R 4060:** Council Regulation (EEC) No 4060/89:

- adaptation (b) shall be deleted.

13. **375 L 0130:** Council Directive 75/130/EEC:

- the last sentence of the adaptation shall be deleted.

C. Chapter II, Road transport

14. **385 L 0003:** Council Directive 85/3/EEC:

- the second paragraph of the adaptation shall be deleted;
- adaptation, third paragraph
the words 'and Switzerland' shall be deleted.

16. **377 L 0143:** Council Directive 77/143/EEC:

- the adaptation and the immediately preceding sentence shall be deleted.

20. **385 R 3820:** Council Regulation (EEC) No 3820/85
and

21. **385 R 3821:** Council Regulation (EEC) No 3821/85:

- adaptation (b) shall be deleted.

22. **376 L 0914:** Council Directive 76/914/EEC:

- the adaptation and the immediately preceding sentence shall be deleted.

23. **388 L 0599:** Council Directive 88/599/EEC:

- adaptation
the words 'and Switzerland' shall be deleted.

25. **362 L 2005:** First Council Directive:

- adaptation (b)
the words 'and Switzerland' shall be deleted.

26. **376 R 3164:** Council Regulation (EEC) No 3164/76:

- adaptation (b)
the words 'and Switzerland' shall be deleted.

28. **374 L 0561:** Council Directive 74/561/EEC:

- the adaptation and the immediately preceding sentence shall be deleted.

34. **372 R 1172:** Commission Regulation (EEC) No 1172/72:

- adaptation
'Switzerland (CH),' shall be deleted.

D. Chapter IV, Transport by inland waterway

46. **387 L 0540:** Council Directive 87/540/EEC:

- adaptation
the following shall be deleted:
'Switzerland shall implement the Directive at the latest on 1 January 1995.'

47. **382 L 0714:** Council Directive 82/714/EEC:

- adaptation

CHAPTER II
Zone 3

the entry '*Switzerland*', including the provision, shall be deleted.

E. Chapter VI, Civil Aviation

62. **390 R 2343:** Council Regulation (EEC) No 2343/90:

- adaptation
the entry '*SWITZERLAND*:', including the provision, shall be deleted.

XII ANNEX XVI, PROCUREMENT

1. **371 L 0304:** Council Directive 71/304/EEC:

- adaptation (b)
the second subparagraph shall be deleted;
third subparagraph
the words 'these transition periods' shall be replaced by the words 'this transition period' and the words 'these States' shall be replaced by 'Liechtenstein'.

2. **371 L 0305:** Council Directive 71/305/EEC:

- adaptation (a)

the second subparagraph shall be deleted;

third subparagraph

the words 'these transition periods' shall be replaced by the words 'this transition period' and the words 'these States' shall be replaced by 'Liechtenstein';

- adaptation (c)

the words 'and Switzerland' shall be deleted;

the third indent shall be deleted;

- adaptation (e)

the entry 'in Switzerland,', including the provision, shall be deleted.

3. **377 L 0062:** Council Directive 77/62/EEC:

- adaptation (a)

the second subparagraph shall be deleted;

third subparagraph

the words 'these transition periods' shall be replaced by the words 'this transition period' and the words 'these States' shall be replaced by 'Liechtenstein';

- adaptation (c)

the words 'and Switzerland' shall be deleted;

the third indent shall be deleted;

- adaptation (h)

the entry 'in Switzerland,', including the provision, shall be deleted.

4. **390 L 0531: Council Directive 90/531/EEC:**

- adaptation (a)

the second subparagraph shall be deleted;

third subparagraph

the words 'these transition periods' shall be replaced by the words 'this transition period' and the words 'these States' shall be replaced by 'Liechtenstein';

- adaptation (e)

the words 'and Switzerland' shall be deleted;

the third indent shall be deleted.

5. **389 L 0665: Council Directive 89/665/EEC and**

6. **371 R 1182: Regulation (EEC/Euratom) No 1182 of 3 June 1971:**

- adaptation (a)

the second subparagraph shall be deleted;

third subparagraph

the words 'these transition periods' shall be replaced by the words 'this transition period' and the words 'these States' shall be replaced by 'Liechtenstein'.

Appendices 1 and 3:

- the entry 'VII. In SWITZERLAND:', including the provision, shall be deleted.

Appendices 2 and 4 to 13:

- the entry 'SWITZERLAND', including the provision, shall be deleted.

XIII ANNEX XVIII, HEALTH AND SAFETY AT WORK, LABOUR LAW AND EQUAL TREATMENT FOR MEN AND WOMEN

18. **376 L 0207: Council Directive 76/207/EEC:**

- adaptation

the words 'Switzerland and' shall be deleted;and

the word 'them' shall be replaced by 'it'.

24. **380 L 0987**: Council Directive 80/987/EEC:

- adaptation (b)

the entry 'F. SWITZERLAND', including the provision, shall be deleted.

XIV ANNEX XIX, CONSUMER PROTECTION

Sectoral adaptations

The words 'and Switzerland' shall be deleted.

XV ANNEX XX ENVIRONMENT

A. Sectoral adaptation

The words 'and Switzerland' shall be deleted.

B. Chapter III, Air

19. **388 L 0609**: Council Directive 88/609/EEC:

- adaptations (b) and (c)

the entry 'Switzerland:', including the provision, shall be deleted.

C. Chapter V, Waste

31. **384 L 0631**: Council Directive 84/631/EEC:

- adaptation (b)

the words 'and CH for Switzerland' shall be deleted.

XVI ANNEX XXI, STATISTICS

A. Sectoral adaptations

- paragraph 1

the words 'and Switzerland' shall be deleted.

B. Industrial statistics**1. 364 L 0475: Council Directive 64/475/EEC:**

- adaptation (b)

the provision shall be deleted;

- adaptations (d) and (e)

the words 'and Switzerland' shall be deleted.

2. 372 L 0211: Council Directive 72/211/EEC:

- adaptation (c)

the provision shall be deleted.

3. 372 L 0221: Council Directive 72/221/EEC:

- adaptation (b)

the provision shall be deleted.

- adaptation (d)

the words 'and Switzerland' shall be deleted;

- adaptation (e)

the words 'Switzerland and Liechtenstein are' shall be replaced by the words 'Liechtenstein is'.

4. 378 L 0166: Council Directive 78/166/EEC:

- adaptation (e)

the words 'and Switzerland' shall be deleted.

C. Transport statistics**5. 378 L 0546: Council Directive 78/546/EEC:**

- adaptation (a)

the provision shall be deleted;

- adaptation (b)
the words 'Switzerland and' and 'Schweiz/Suisse/Svizzera and' shall be deleted;
 - adaptation (c)
the words 'Switzerland and' shall be deleted in the second group of countries;
and
'Switzerland' shall be inserted before 'Bulgaria' in the third group of countries;
 - adaptation (g)
the words 'and Switzerland' shall be deleted;
 - adaptation (b)
the provision shall be deleted.
6. **380 L 1119: Council Directive 80/1119/EEC:**
- adaptation (a)
the words 'Switzerland and Liechtenstein' and 'Schweiz/Suisse/Svizzera and Liechtenstein' shall be deleted;
 - adaptation (b)
the heading 'II. EFTA States' shall be replaced by 'II. EFTA EEA States';
the words '18. Switzerland and Liechtenstein' shall be deleted;
'18. Switzerland' shall be inserted immediately below the heading 'III. Non-EEA European Countries';
 - adaptation (d)
the words 'EFTA countries' shall be replaced by 'EFTA EEA countries'.
7. **380 L 1177: Council Directive 80/1177/EEC:**
- adaptation (a)
the abbreviations 'SBB/CFF/FFS' and 'BLS', including the full names, shall be deleted;

- adaptation (b)
the words 'Switzerland Schweiz/Suisse/Svizzera' shall be deleted;
- adaptation (c)
'17. Switzerland' shall be deleted under the heading 'II. EFTA States' and be inserted immediately below the heading 'B. Non-EEA countries';
the heading 'II. EFTA States' shall be replaced by 'II. EFTA EEA States';

D. Foreign and Community internal trade statistics

8. **375 R 1736:** Regulation (EEC) No 1736/75:
- adaptation (b), paragraph 3
the following shall be deleted
'Switzerland and Liechtenstein together form one single statistical territory.';
 - adaptation (h)
the provision shall be deleted.
9. **377 R 0546:** Commission Regulation (EEC) No 546/77:
- adaptations (a) and (b)
the entry 'Switzerland:', including the provision, shall be deleted.
16. **388 R 0455:** Commission Regulation (EEC) No 455/88:
- adaptation
the words 'for Switzerland: SFrs 1 000' shall be deleted.

E. Demographical and social statistics

18. **376 R 0311:** Council Regulation (EEC) No 311/76:
- adaptation (a)
the words 'and Switzerland' shall be deleted.

F. National accounts - GDP**19. 389 L 0130: Council Directive 89/130/EEC/Euratom:**

- adaptation (b)

the words 'and Switzerland' shall be deleted.

G. Nomenclatures**20. 390 R 3037: Council Regulation (EEC) No 3037/90:**

- adaptation

the words 'and Switzerland' shall be deleted.

H. Agricultural statistics**21. 372 L 0280: Council Directive 72/280/EEC:**

- adaptation (b)

'Switzerland: -' shall be deleted;

- adaptations (c), (e) and (f)

the words 'and Switzerland' shall be deleted.

22. 372 D 0356: Commission Decision 72/356/EEC:

- adaptation (a)

the words 'Switzerland: One region only' shall be deleted;

- adaptation (b)

the words 'and Switzerland' shall be deleted.

23. 388 R 0571: Council Regulation (EEC) No 571/88:

- adaptation (e)

entries B.04, E, J.17

the words 'and Switzerland' shall be deleted;

- adaptation (f)
the provision shall be deleted;
- adaptations (g) and (h)
the words 'and Switzerland' shall be deleted.

24. **390 R 0837:** Council Regulation (EEC) No 837/90:

- adaptation (b)
'Switzerland: -' shall be deleted;
- adaptation (d)
the words 'and Switzerland' shall be deleted.

I. Fishery statistics

25. **391 R 1382:** Council Regulation (EEC) No 1382/91:

- adaptation (a)
the heading 'EFTA' shall be replaced by 'EFTA EEA States'.

J. Energy statistics

26. **390 L 0377:** Council Directive 90/377/EEC:

- adaptations (a), (b) and (d)
the words 'and Switzerland' shall be deleted.

XVII ANNEX XXII, COMPANY LAW

A. Transition Periods

The words 'Switzerland and' shall be deleted.

B. 1. **368 L 0151:** First Council Directive 68/151/EEC:

- adaptation
the entry '- *In Switzerland:*', including the provision, shall be deleted.

2. **377 L 0091**: Second Council Directive 77/91/EEC:
 - adaptation (a)
the entry '- *in Switzerland:*', including the provision, shall be deleted.
3. **378 L 0855**: Third Council Directive 78/855/EEC:
 - adaptation (a)
the entry '- *Switzerland:*', including the provision, shall be deleted.
4. **378 L 0660**: Fourth Council Directive 78/660/EEC:
 - adaptation (a)
the entry '- *in Switzerland:*', including the provision, shall be deleted.
6. **383 L 0349**: Seventh Council Directive 83/349/EEC:
 - adaptation
the entry '(s) *in Switzerland:*', including the provision, shall be deleted.
9. **389 L 0667**: Twelfth Council Directive 89/667/EEC:
 - adaptation
the entry '- *in Switzerland:*', including the provision, shall be deleted.

FINAL ACT

The plenipotentiaries of:

**THE EUROPEAN ECONOMIC COMMUNITY,
THE EUROPEAN COAL AND STEEL COMMUNITY,**

hereinafter referred to as "the Community", and 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 and the Treaty establishing the EUROPEAN COAL AND STEEL COMMUNITY,

hereinafter referred to as "the EC Member States",

and

the plenipotentiaries of:

**THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF FINLAND,
THE REPUBLIC OF ICELAND,
THE PRINCIPALITY OF LIECHTENSTEIN,
THE KINGDOM OF NORWAY,
THE KINGDOM OF SWEDEN,**

hereinafter referred to as "the EFTA States",

meeting at Brussels, this seventeenth day of March in the year one thousand nine hundred and ninety-three for the signature of the Protocol Adjusting the Agreement on the European Economic Area, have adopted the following texts:

- I. the Protocol Adjusting the Agreement on the European Economic Area ;
- II. the Annex provided for in Article 20 of the Protocol Adjusting the Agreement on the European Economic Area, which is annexed to that Protocol.

The plenipotentiaries of the Community and of the EC Member States and the plenipotentiaries of the EFTA States have adopted the joint declaration annexed to this Final Act.

Further, the plenipotentiaries of the Community and of the EC Member States and the plenipotentiaries of the EFTA States have adopted the Agreed Minutes which are annexed to this Final Act and which have a binding character.

The plenipotentiaries of the Community and of the EC Member States and the plenipotentiaries of the EFTA States have taken note of the declaration of the Government of France annexed to this Final Act.

The plenipotentiaries of the Community and of the EC Member States and the plenipotentiaries of the EFTA States have taken note that the references to Switzerland contained in the following joint declarations listed in and annexed to the Final Act signed in Oporto on 2 May 1992 have lapsed :

3. Joint Declaration on a transitional period concerning the issuing of making out of documents relating to the proof of origin
- and
8. Joint Declaration on transport of goods by road.

The plenipotentiaries of the Community and of the EC Member States and the plenipotentiaries of the EFTA States have taken note that the following agreements laid down in the Agreed Minutes of the negotiations annexed to the Final Act signed in Oporto on 2 May 1992, have lapsed :

- Ad Protocol 16 and Annex VI,
- Ad Annex VII (concerning engineers of the Foundation of the Swiss Register of Engineers).

They have agreed that in the Agreed Minute "Ad Protocol 47" the words 'the Community and Switzerland and' shall be deleted.

Finally, the plenipotentiaries of the Community and of the EC Member States and the plenipotentiaries of the EFTA States have taken note with regard to the declarations listed in and annexed to the Final Act signed in Oporto on 2 May 1992 that :

- I. the following declarations have lapsed :
 10. Declaration by the Government of Switzerland on safeguard measures ;
 11. Declaration by the European Community ;
 12. Declaration by the Government of Switzerland on the introduction of post-diploma studies in architecture at the higher technical colleges ;
 16. Declaration by the Government of Switzerland on the use of the safeguard clause in connection with capital movements ;
 17. Declaration by the European Community ;

34. Declaration by the Government of Switzerland concerning customs duties of a fiscal nature ;
 36. Declaration by the Government of Switzerland on the Agreement between the EEC and the Swiss Confederation on the carriage of goods by road and rail ;
- II. in the following declarations the declaration made by the Government of Switzerland or the declaration made by the European Community with reference to Switzerland have lapsed :
2. Declaration by the Governments of Liechtenstein and Switzerland on alcohol monopolies ;
 13. Declaration by the Governments of Austria and Switzerland on audio-visual services ;
 14. Declaration by the Governments of Liechtenstein and Switzerland on administrative assistance ;
 15. Declaration by the European Community ;
 33. Declaration by the European Community and the Governments of Austria, Finland, Liechtenstein, Sweden and Switzerland on whale products ;
 35. Declaration by the European Community on bilateral agreements.

[For the testimonium and signatures, see United Nations, Treaty Series, vol. 1818, p. 487.]

JOINT DECLARATION

1. Whilst fully respecting the outcome of the Swiss referendum of 6 December 1992, the Contracting Parties to the EEA Agreement regret that as a consequence of Swiss non-participation the EEA could not be realised among the Contracting Parties initially foreseen.
2. The Contracting Parties to the EEA Agreement have taken note that the Swiss authorities have kept open the option of future EEA participation. They will welcome Swiss participation in the EEA and will be ready to enter into negotiations if Switzerland submits an application according to Article 128 of the EEA Agreement as modified by the Protocol Adjusting the EEA Agreement.
3. Later participation of Switzerland in the EEA should be based on the results laid down in the original EEA Agreement and bilateral agreements negotiated at the same time as well as on possible subsequent changes in those agreements.

AGREED MINUTES

The Contracting Parties agreed that:

Ad Article 15:

the specific date of the entry into force of the provisions referred to in Article 15 is due to budgetary technical difficulties and shall be without prejudice to any bilateral or multilateral cooperation in the fields concerned and shall further not affect any cooperation referred to in Article 85 of the EEA Agreement.

In order to ensure the orderly entry into force of the provisions referred to in Article 15, the experts of the EFTA States may, during the period up to 1 January 1994, participate provisionally in the committees which assist the EC Commission in the management or development of Community activities in the fields covered by those provisions.

Each EFTA State shall bear its own costs incurred by this participation.

Ad Article 20:

Annex IV (Energy)

8. 390 L 0547: Council Directive 90/547/EEC and
9. 391 L 0296: Council Directive 91/296/EEC

as regards the term "intra-EFTA trade", the word "EFTA" refers to those EFTA States for which the EEA Agreement has entered into force;

Annex XIV (Competition)

1. 389 R 4064: Council Regulation (EEC) No 4064/89

as regards the terms "EFTA dimension" in adaptations (a), (b) and (h), "EFTA-wide turnover" in adaptations (b) and (j), and "EFTA residents" in adaptation (j), the word "EFTA" refers to those EFTA States for which the EEA Agreement has entered into force.

**DECLARATION
BY THE GOVERNMENT OF FRANCE**

France notes that the Agreement on the European Economic Area does not apply to overseas countries and territories associated to the European Economic Community pursuant to the provisions of the Treaty establishing the European Economic Community.
