

## ANNEXES

## ANNEX I

## VETERINARY AND PHYTOSANITARY MATTERS

**List provided for in Article 17**

## 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

Switzerland and Liechtenstein shall with regard to acts referred to in this Annex be regarded as one entity.

**I. VETERINARY ISSUES**

1.

(a) The provisions relating to third-country relations in the acts referred to in this Chapter are not applicable. However, the following general principles are applicable:

- The Contracting Parties shall not apply more favourable rules on imports from third countries than those resulting from the Agreement.

Nevertheless, regarding substances having a hormonal or thyrostatic action the EFTA States may maintain their national legislation on imports from third countries.

- In trade between EFTA States or between an EFTA State and the Community, animals and products coming from third countries, or partially or totally derived therefrom, must comply with the rules of the importing Contracting Party as concerns third countries.

The exporting Contracting Party shall ensure that the competent authority, in each case, takes the necessary measures to secure that the provisions of this paragraph are complied with.

(b) The Contracting Parties shall review the matter during 1995.

2. The provisions relating to border controls, animal welfare and financial arrangements in the acts referred to in this Chapter are not applicable. The Contracting Parties shall review the matter during 1995.

3. In order to enable the EFTA Surveillance Authority to take the necessary measures, the provisions of the acts referred to in this Chapter will be applied, for the purposes of this Agreement, as from nine months after the entry into force of the Agreement and at the latest from 1 January 1994.

4. The acts referred to in this Chapter, except Directives 91/67/EEC, 91/492/EEC and 91/493/EEC, do not apply to Iceland. The other Contracting Parties may maintain their third-country regime in trade with Iceland for areas not covered by the acts mentioned. The Contracting Parties shall review the matter during 1995.
5. Notwithstanding the integration into this Agreement of the Community legislation concerning BSE and awaiting the outcome of ongoing discussions aimed at arriving, as soon as possible, at an overall agreement related to the application by the EFTA States of this legislation, the EFTA States may apply their national rules. However, they undertake to apply transparent national rules based on objective criteria in a non-discriminatory and foreseeable manner. Such national rules shall be communicated to the Community in accordance with the rules laid down in Protocol 1 paragraph 4 by the entry into force of the Agreement. The Community reserves the right to apply similar rules in trade with the EFTA State concerned. The Contracting Parties shall review the situation during 1995.
6. Notwithstanding the integration into this Agreement of the Community legislation concerning new pig disease and awaiting the outcome of ongoing discussions aimed at arriving, as soon as possible, at an overall agreement related to the application by Norway of this legislation, Norway may apply its own protective rules, based on a definition of non-affected regions, for live pigs, fresh meat, meat products and porcine semen. The other Contracting Parties reserve the right to apply similar rules in trade with Norway. The Contracting Parties shall review the situation during 1995.
7. Notwithstanding the integration into this Agreement of Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals and awaiting the outcome of ongoing discussions aimed at arriving, as soon as possible, at an overall agreement related to the application by Austria, Finland and Norway of this legislation, these Contracting Parties may apply their national legislation. The other Contracting Parties may maintain their third-country regime towards these countries in this field. The Contracting Parties shall review the situation during 1995.
8. Notwithstanding the integration into this Agreement of Council Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products and awaiting the outcome of ongoing discussions aimed at arriving, as soon as possible, at an overall agreement related to the application by Finland, Iceland and Norway of this legislation, these Contracting Parties may apply their national legislation concerning live fish and crustaceans as well as eggs and gametes of fish and crustaceans for farming or restocking. The other Contracting Parties may maintain their third-country regime towards these Contracting Parties in the fields mentioned above. The Contracting Parties shall review the situation during 1995.
9. Safeguard clause
  - (1) (a) The Community and an EFTA State may, on serious public or animal health grounds, take interim protective measures according to their own procedures with regard to the introduction into their territory of animals or animal products.

These measures shall be notified without delay to each Contracting Party and to both the EC Commission and the EFTA Surveillance Authority.

- (b) Consultations regarding the situation shall be held within 10 days from the date of notification.

The EC Commission and/or the EFTA Surveillance Authority shall, within their competences, take the necessary measures taking due account of the results of such consultations.

- (2) The EC Commission and the EFTA Surveillance Authority may hold consultations regarding any aspect of the animal or public health situation. The provisions of subparagraph (1)(b) are applicable.
- (3)
  - (a) The EC Commission shall transmit to the EFTA Surveillance Authority any safeguard decision relating to intra-Community trade. If the EFTA Surveillance Authority considers the decision to be inadequate, the provisions of subparagraph (2) are applicable.
  - (b) The EFTA Surveillance Authority shall transmit to the EC Commission any safeguard decision relating to trade between EFTA States, If the Commission considers the decision to be inadequate, the provisions of subparagraph (2) are applicable.

#### 10. On-the-spot inspections

- (1) For application of the provisions regarding spot-checks, inspections or disputes requiring the participation of experts referred to in this Chapter, the EFTA Surveillance Authority shall be responsible with regard to the EFTA States.
- (2) The following principles shall apply:
  - (a) Inspections shall be carried out in accordance with programmes equivalent to those of the Community.
  - (b) The EFTA Surveillance Authority shall have a structure, equivalent to that in the Community, for inspections in the EFTA States.
  - (c) The same criteria shall apply for inspections.
  - (d) The inspector shall be independent for the purposes of inspections.
  - (e) The inspectors shall have comparable levels of training and experience.
  - (f) Information concerning inspections shall be exchanged between the EC Commission and the EFTA Surveillance Authority.
  - (g) The follow-up of the inspections shall be coordinated between the EC Commission and the EFTA Surveillance Authority.
- (3) Necessary rules for implementation of the provisions regarding spot-checks, inspections or disputes requiring the participation of experts will be determined in close cooperation between the EC Commission and the EFTA Surveillance Authority.
- (4) The rules on spot-checks, inspections or disputes requiring the participation of experts referred to in this Chapter, are only valid in respect of the acts or the parts thereof applied by the EFTA States.

#### 11. Designation of common reference laboratories



Without prejudice to financial implications, the Community reference laboratories shall act as reference laboratories for all Parties to this Agreement.

Consultations shall take place between the Contracting Parties in order to define the working conditions.

## 12. The Scientific Veterinary Committee

The EC Commission nominates from highly qualified scientific persons from EFTA States, in addition to the number laid down in Article 3 of Commission Decision 81/651/EEC,<sup>(4)</sup> two persons for each section as referred to in Articles 2(1) and 3 of the Decision, who will participate fully in the work of the Scientific Veterinary Committee. They will not participate in the voting and their position will be recorded separately.

### ACTS REFERRED TO

#### 1. *Basic texts*

##### 1.1. **Animal health**

###### 1.1.1. Trade and placing on the market

###### *Bovine/swine*

1. **364 L 0432:** Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ No 121, 29.7.1964, p. 1977), as amended by;
  - **366 L 0600:** Council Directive 66/600/EEC of 25 October 1966 (OJ No L 192, 27.10.1966, p. 3294),
  - **371 L 0285:** Council Directive 71/285/EEC of 19 July 1971 (OJ No L 179, 9.8.1971, p. 1),
  - **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. 76),
  - **372 L 0445:** Council Directive 72/445/EEC of 28 December 1972 (OJ No L 298, 31.12.1972, p. 49),
  - **373 L 0150:** Council Directive 73/150/EEC of 5 June 1973 (OJ No L 172, 28.6.1973, p. 18),
  - **377 L 0098:** Council Directive 77/98/EEC of 21 December 1976 (OJ No L 26, 31.1.1977, p. 81),
  - **379 L 0109:** Council Directive 79/109/EEC of 24 January 1979 (OJ No L 29, 3.2.1979, p. 20),
  - **379 L 0111:** Council Directive 79/11 I/EEC of 24 January 1979 (OJ No L 29, 3.2.1979, p. 26),
  - **380 L 0219:** Council Directive 80/219/EEC of 22 January 1980 (OJ No L 47, 21.2.1980, p. 25),
  - **380 L 1098:** Council Directive 80/1098/EEC of 11 November 1980 (OJ No L 325, 1.12.1980, p. 11),
  - **380 L 1274:** Council Directive 80/1274/EEC of 22 December 1980 (OJ No L 375, 31.12.1980, p. 75),
  - **381 L 0476:** Council Directive 81/476/EEC of 24 June 1981 (OJ No L 186, 8.7.1981, p. 20),
  - **382 L 0061:** Council Directive 82/61/EEC of 26 January 1982 (OJ No L 29, 6.2.1982, p. 13),

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- **382 L 0893:** Council Directive 82/893/EEC of 21 December 1982 (OJ No L 378, 31.12.1982, p. 57),
- **383 L 0642:** Council Directive 83/642/EEC of 12 December 1983 (OJ No L 358, 22.12.1983, p. 41),
- **383 L 0646:** Council Directive 83/646/EEC of 13 December 1983 (OJ No L 360, 23.12.1983, p. 44),
- **384 L 0336:** Council Directive 84/336/EEC of 19 June 1984 (OJ No L 177, 4.7.1984, p. 22),
- **384 L 0643:** Council Directive 84/643/EEC of 11 December 1984 (OJ No L 339, 27.12.1984, p. 27),
- **384 L 0644:** Council Directive 84/644/EEC of 11 December 1984 (OJ No L 339, 27.12.1984, p. 30),
- **385 L 0320:** Council Directive 85/320/EEC of 12 June 1985 (OJ No L 168, 28.6.1985, p. 36),
- **385 L 0586:** Council Directive 85/586/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p. 44),
- **387 D 0231:** Council Decision 87/231/EEC of 7 April 1987 (OJ No L 99, 11.4.1987, p. 18),
- **387 L 0489:** Council Directive 87/489/EEC of 22 September 1987 (OJ No L 280, 3.10.1987, p. 28),
- **388 L 0406:** Council Directive 88/406/EEC of 14 June 1988 (OJ No L 194, 22.7.1988, p. 1),
- **389 L 0360:** Council Directive 89/360/EEC of 30 May 1989 (OJ No L 153, 6.6.1989, p. 29),
- **389 D 0469:** Commission Decision 89/469/EEC of 28 July 1989 (OJ No L 225, 3.8.1989, p. 51),
- **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 (OJ No L 395, 30.12.1989, p. 13),
- **390 L 0422:** Council Directive 90/422/EEC of 26 June 1990 (OJ No L 224, 18.8.1990, p. 9),
- **390 L 0423:** Council Directive 90/423/EEC of 26 June 1990 (OJ No L 224, 18.8.1990, p. 13),
- **390 L 0425:** Council Directive 90/425/EEC of 26 June 1990 (OJ No L 224, 18.8.1990, p. 29),
- **391 D 0013:** Commission Decision 91/13/EEC of 17 December 1990 (OJ No L 8, 11.1.1991, p. 26),
- **391 D 0177:** Commission Decision 91/177/EEC of 26 March 1991 (OJ No L 86, 6.4.1991, p. 32).

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

- (a) In Article 2(o) concerning regions, the following shall be added:

— Austria:	Bundesland
— Finland:	lääni/län
— Liechtenstein:	Liechtenstein

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— Norway:	fylke
— Sweden:	län
— Switzerland:	Kanton/canton/cantone.

- (b) Article 4(b) shall not apply. New legislation will be laid down according to the procedure in this Agreement.
- (c) In Article 10(2), the dates 1 July 1991 and 1 January 1992 referred to in the last sentence of the paragraph are, with regard to the EFTA States, replaced by 1 January 1993 and 1 July 1993 respectively.
- (d) In Annex B(12), the following shall be added concerning State institutes responsible for official testing of tuberculin:

(m) Austria:	Bundesanstalt für Tierseuchenbekämpfung, Mödling
(n) Finland:	Veterinærinstituttet, Oslo
(o) Norway:	Veterinærinstituttet, Oslo
(p) Sweden:	Institute of the supplying country
(q) Switzerland/Liechtenstein:	Eidgenössisches Institut für Viruskrankheiten und Immunprophylaxe, Mittelhäusern.

- (e) In Annex C(9), the following shall be added concerning official institutes responsible for the official testing of antigens:

(m) Austria:	Bundesanstalt für Tierseuchenbekämpfung, Mödling
(n) Finland:	Veterinærinstituttet, Oslo
(o) Norway:	Veterinærinstituttet, Oslo
(p) Sweden:	Statens veterinärmedicinska anstalt, Uppsala
(q) Switzerland/Liechtenstein:	Institut für Veterinär-Bakteriologie, Bern.

- (f) In Annex F  
Model I footnote 4,  
Model II footnote 5,  
Model III footnote 4 and

Model IV footnote 5,

the following shall be added concerning the names of the veterinary services:

(m)	Austria:	Amtstierarzt
(n)	Finland:	Kunnaneläinlääkäri, Kaupungineläinlääkäri or Läänineläinlääkäri/Kommunalveterinär, Stadsveterinär or Länsveterinär
(o)	Norway:	Distriktsveterinær
(p)	Sweden:	Gränsveterinär or Distriktsveterinär
(q)	Switzerland/Liechtenstein:	Kontrolltierarzt/Vétérinaire de contrôle/ Veterinario di controllo.

(g) In Annex G(A)(2), the following shall be added concerning official institutes:

(m)	Austria:	Bundesanstalt für Tierseuchenbekämpfung, Mödling
(n)	Finland:	Valtion eläinlääketieteellinen laitos, Helsinki/Statens veterinärmedicinska anstalt, Helsingfors
(o)	Norway:	Veterinærinstituttet, Oslo
(p)	Sweden:	Statens veterinärmedicinska anstalt, Uppsala
(q)	Switzerland/Liechtenstein:	Eidgenössisches Institut für Viruskrankheiten und Immunprophylaxe, Mittelhäusern.

*Ovine/caprine*

2. **391 L 0068:** Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals ([OJ No L 46, 19.2.1991, p. 19](#)).

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

(a) Article 2(3) shall be replaced by:

Holding shall mean an agricultural establishment or premises of a dealer, as defined by the national rules in force, situated in the territory of an EC Member State or EFTA State and in which bovine and porcine animals, sheep and goats, live poultry and domestic rabbits are held or regularly kept, and the holding as defined in Article 2(a) of Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of live equidae.<sup>(2)</sup>

(b) Article 2(9) shall be replaced by:

Approved market or assembly centre means any place, other than the holding, where ovine or caprine animals are sold, bought and/or assembled or loaded, and which complies with Article 3(7) of Council Directive 64/432/EEC and which has been approved.

(c) Article 4(1)(a) shall be replaced by:

must be identified and registered in such a way that the original or transit holding, centre or organization can be traced. For the identification, the EFTA States undertake to coordinate their system between them and the EC.

Before 1 September 1993, the EFTA States must take appropriate measures to guarantee that the identification and registration systems applicable to intra-EEA trade are extended to the movement of animals within their territory. National identification or registration systems must be notified to the EFTA Surveillance Authority before 1 July 1993.

(d) Article 4(2) first indent shall be replaced by:

- Ovine and caprine animals which might have to be slaughtered under a national programme for the eradication of diseases which are not referred to in the following list or in Chapter I of Annex B to this Directive:
- Foot-and-mouth disease (FMD)
- Classical swine fever (CSF)
- African swine fever (ASF)
- Swine vesicular disease (SVD)
- Newcastle disease (ND)
- Rinderpest
- Peste des petits ruminants (PPR)
- Vesicular stomatitis (VS)
- Blue tongue
- African horse sickness (AHS)
- Viral equine encephalomyelitis
- Teschen disease
- Avian influenza
- Sheep and goat pox
- Lumpy skin disease
- Rift valley fever
- Contagious bovine pleuropneumonia.

(e) Article 4(2) second indent shall be replaced by:

- ovine and caprine animals which cannot be marketed on their own territory for health or animal health reasons.

(f) Article 6(b)(i) first indent shall be replaced by:

- the holding is subject to regular official veterinary checks in accordance with the following requirements:

Without prejudice to the monitoring duties assigned to the official veterinarian under this Agreement, the competent authority shall carry out checks on holdings, approved markets and assembly centres, centres or organizations in order to satisfy itself that animals and products intended for

trade comply with the requirements of this Directive and in particular fulfil the conditions laid down in Article 4 paragraph 1(a) concerning identification and registration, and must be accompanied to their destination(s) by health certificates as provided for in this Directive.

(g) In Article 8(2), the dates 1 January 1992 and 1 July 1992 referred to in the last sentence of the paragraph are, with regard to the EFTA States, replaced by 1 January 1993 and 1 July 1993 respectively.

(h) Article 10 shall not apply.

(i) In Annex A Chapter 2(D)(2), the first phrase shall be replaced by:

until 1 September 1993 ovine or caprine animals from holdings other than those referred to in point 1, provided that they meet the following conditions:

(j) Annex C shall be replaced by:

Brucellosis (*B. melitensis*) tests

For a holding to qualify for brucellosis-free status, testing for brucellosis (*B. melitensis*) is performed by means of the Rose Bengal method or by the complement-fixation method described in points 1 and 2 or by any other method recognized in accordance with the procedure laid down in Article 15 of this Directive. The complement-fixation method is used for tests on individual animals.

1. Rose Bengal test

The Rose Bengal test may be used for screening ovine or caprine holdings in order to establish the status of holdings as officially brucellosis-free or brucellosis-free.

2. Complement-fixation test

(a) The complement-fixation test must be used for all individual animal tests.

(b) The complement-fixation test may be used for ovine or caprine holdings in order to establish the status of holdings as officially brucellosis-free or brucellosis-free.

When carrying out the Rose Bengal test, if more than 5% of the animals on a holding show a positive reaction, a further test is carried out on every animal on the holding by means of the complement-fixation method.

Serum containing 20 or more ICFT units/ml must be regarded as positive in the complement-fixation test.

The antigens used must be approved by the national laboratory and must be standardized against the second international standard *anti-Brucella abortus* serum.

(k) Annex E

Model I(III)(b) and (V)(e) third indent,

Model II(III)(b) and (V)(f) third indent and

Model III(III)(b) and (V)(i) third indent

shall not apply.

*Equidae*

3. **390 L 0426:** Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ No L 224, 18.8.1990, p. 42).

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

- (a) Article 9 shall not apply.  
(b) In Annex C footnote 1, the following shall be added:

Austria:	Amtstierarzt
Finland:	Kunnaneläinlääkäri, Kaupungineläinlääkäri or Läänineläinlääkäri/Kommunalveterinär, Stadsveterinär or Länsveterinär
Norway:	Distriktsveterinær
Sweden:	Gränsveterinär or Distriktsveterinär
Switzerland/Liechtenstein:	Kontrolltierarzt/Vétérinaire de contrôle/ Veterinario di controllo.

*Poultry/hatching eggs*

4. **390 L 0539:** Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (OJ No L 303, 31.10.1990, p. 6).

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

- (a) In Article 3(1), the date 1 July 1991 referred to in the first sentence of the paragraph is, with regard to the EFTA States, replaced by 1 January 1993.  
(b) For the purpose of Article 7(1)(b), the provisions on marking contained in Commission Regulation (EEC) 1868/77<sup>(3)</sup> are relevant. For the application of these provisions, the following abbreviations shall apply with regard to the EFTA States:

AT	for Austria
FI	for Finland
NO	for Norway
SE	for Sweden
CH or FL	for Switzerland/Liechtenstein.

- (c) In Article 13(2), the dates 1 July 1991 and 1 January 1992 referred to in the second subparagraph are, with regard to the EFTA States, replaced by 1 January 1993 and 1 July 1993 respectively.

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- (d) In Article 14(2), the dates 1 July 1991 and 1 January 1992 referred to in the last sentence of the paragraph are, with regard to the EFTA States, replaced by 1 January 1993 and 1 July 1993 respectively.
- (e) Article 29 shall not apply.
- (f) Article 30 shall not apply.
- (g) In Annex I, the following shall be added concerning national reference laboratories for avian diseases:

Austria:	Bundesanstalt für Virusseuchenbekämpfung bei Haustieren, Wien-Hetzendorf
Finland:	Valtion eläinlääketieteellinen laitos, Helsinki/Statens veterinärmedicinska anstalt, Helsingfors
Norway:	Veterinærinstituttet, Oslo
Sweden:	Statens veterinärmedicinska anstalt, Uppsala
Switzerland/Liechtenstein:	Eidgenössisches Institut für Viruskrankheiten und Immunprophylaxe, Mittelhäusern.

- (h) In Annex II Chapter I (2), the reference to EEC Regulation 2782/75 shall not apply.

#### ***Aquaculture***

5. **391 L 0067:** Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ([OJ No L 46, 19.2.1991, p. 1](#)).

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

Article 16 shall not apply.

#### ***Bovine embryos***

6. **389 L 0556:** Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species ([OJ No L 302, 19.10.1989, p. 1](#)), as amended by:
- **390 L 0425:** Council Directive 90/425/EEC of 26 June 1990 ([OJ No L 224, 18.8.1990, p. 29](#)).

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

Article 14 shall not apply.

#### ***Bovine semen***

7. **388 L 0407:** Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species ([OJ No L 194, 22.7.1988, p. 10](#)), as amended by:



- **390 L 0120:** Council Directive 90/120/EEC of 5 March 1990 (OJ No L 71, 17.3.1990, p. 37),
- **390 L 0425:** Council Directive 90/425/EEC of 26 June 1990 (OJ No L 224, 18.8.1990, p. 29).

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

Article 15 shall not apply.

*Porcine semen*

8. **390 L 0429:** Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ No L 224, 18.8.1990, p. 62).

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

- (a) Article 6(2) shall not apply.
- (b) Article 14 shall not apply.
- (c) Article 15 shall not apply.

*Fresh meat*

9. **372 L 0461:** Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat (OJ No L 302, 31.12.1972, p. 24), as amended by:
  - **377 L 0098:** Council Directive 77/98/EEC of 21 December 1976 (OJ No L 26, 31.1.1977, p. 81),
  - **380 L 0213:** Council Directive 80/213/EEC of 22 January 1980 (OJ No L 47, 21.2.1980, p. 1),
  - **380 L 1099:** Council Directive 80/1099/EEC of 11 November 1980 (OJ No L 325, 1.12.1980, p. 14),
  - **381 L 0476:** Council Directive 81/476/EEC of 24 June 1981 (OJ No L 186, 8.7.1981, p. 20),
  - **382 L 0893:** Council Directive 82/893/EEC of 21 December 1982 (OJ No L 378, 31.12.1982, p. 57),
  - **383 L 0646:** Council Directive 83/646/EEC of 13 December 1983 (OJ No L 360, 23.12.1983, p. 44),
  - **384 L 0336:** Council Directive 84/336/EEC of 19 June 1984 (OJ No L 177, 4.7.1984, p. 22),
  - **384 L 0643:** Council Directive 84/643/EEC of 11 December 1984 (OJ No L 339, 27.12.1984, p. 27),
  - **385 L 0322:** Council Directive 85/322/EEC of 12 June 1985 (OJ No L 168, 28.6.1985, p. 41),
  - **387 L 0064:** Council Directive 87/64/EEC of 30 December 1986 (OJ No L 34, 5.2.1987, p. 52),
  - **387 D 0231:** Council Decision 87/231/EEC of 7 April 1987 (OJ No L 99, 11.4.1987, p. 18),
  - **387 L 0489:** Council Directive 87/489/EEC of 22 September 1987 (OJ No L 280, 3.10.1987, p. 28),

- **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 ([OJ No L 395, 30.12.1989, p. 13](#)),
- **391 L 0266:** Council Directive 91/266/EEC of 21 May 1991 ([OJ No L 134, 29.5.1991, p. 45](#)),

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

- (a) In Article 5(1), the reference to ‘Chapter IX of Annex I’ shall be replaced by ‘Chapter XI of Annex I’.
- (b) For the application of Article 8a(2), the reference to ‘Article 9 of Council Directive 89/662/EEC’ shall read ‘paragraph 9 of Chapter I of Annex I to the EEA Agreement’.
- (c) Article 13a shall not apply. New legislation will be laid down according to the procedure in this Agreement.
- (d) Article 15 shall not apply.
- (e) In the Annex paragraph (2) third indent, the following shall be added:  
‘EFTA’.

*Poultrymeat*

- 10. **391 L 0494:** Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat ([OJ No L 268, 24.9.1991, p. 35](#)).

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

Article 6 shall not apply.

*Meat products*

- 11. **380 L 0215:** Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra Community trade in meat products ([OJ No L 47, 21.2.1980, p. 4](#)), as amended by:
  - **380 L 1100:** Council Directive 80/1100/EEC of 11 November 1980 ([OJ No L 325, 1.12.1980, p. 16](#)),
  - **381 L 0476:** Council Directive 81/476/EEC of 24 June 1981 ([OJ No L 186, 8.7.1981, p. 20](#)),
  - **385 L 0321:** Council Directive 85/321/EEC of 12 June 1985 ([OJ No L 168, 28.6.1985, p. 39](#)),
  - **387 L 0491:** Council Directive 87/491/EEC of 22 September 1987 ([OJ No L 279, 2.10.1987, p. 27](#)),
  - **388 L 0660:** Council Directive 88/660/EEC of 19 December 1988 ([OJ No L 382, 31.12.1988, p. 35](#)),
  - **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 ([OJ No L 395, 30.12.1989, p. 13](#)).

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

- (a) For the application of Article 7a(1) and (2), the references to ‘Article 9 of Council Directive 89/662/EEC’ shall read ‘paragraph 9 of Chapter I of Annex I to the EEA Agreement’.

*Status: This is the original version (as it was originally adopted).*

(b) Article 10 shall not apply. New legislation will be laid down according to the procedure in this Agreement.

(c) Article 15 shall not apply.

1.1.2. Control measures

*Foot-and-mouth disease*

12. **385 L 0511:** Council Directive 85/51 I/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease ([OJ No L 315, 26.11.1985, p. 11](#)), as amended by:

— **390 L 0423:** Council Directive 90/423/EEC of 26 June 1990 ([OJ No L 224, 18.8.1990, p. 13](#)).

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

(a) In Annex A, the following shall be added concerning approved establishments:

Public

(m) Austria:	Bundesanstalt für Virusseuchenbekämpfung bei Haustieren, Wien
(n) Finland:	
(o) Norway:	Veterinærinstituttet, Oslo
(p) Sweden:	Statens veterinärmedicinska anstalt, Uppsala
(q) Switzerland/Liechtenstein:	Eidgenössisches Institut für Viruskrankheiten und Immunprophylaxe, Mittelhäusern
Private:	‘-’

(b) In Annex B, the following shall be added concerning national laboratories:

(m) Austria:	Bundesanstalt für Virusseuchenbekämpfung bei Haustieren, Wien- Hetzendorf
(n) Finland:	Statens veterinære Institut for virusforskning, Lindholm, Denmark Animal Virus Research Institute, Pirbright Woking, Surrey
(o) Norway:	Statens veterinære Institut for virusforskning, Lindholm, Denmark Animal Virus Research Institute, Pirbright Woking, Surrey

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*Status: This is the original version (as it was originally adopted).*

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(p)	Sweden:	Statens veterinärmedicinska anstalt, Uppsala
(q)	Switzerland/Liechtenstein:	Eidgenössisches Institut für Viruskrankheiten und Immunprophylaxe, Mittelhäusern.

13. **390 L 0423:** Council Directive 90/423/EEC of 26 June 1990 amending Directive 85/51 I/EEC introducing Community measures for the control of foot-and-mouth disease, Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries (OJ No L 224, 18.8.1990, p. 13).

*Classical swine fever*

The provisions of Council Decision 90/678/EEC of 13 December 1990 recognizing certain parts of the territory of the Community as being either officially swine-fever-free or swine-fever-free have been revised and will therefore not be taken over by the EFTA States. The new Community rules in this area will be dealt with according to the provisions laid down in the Agreement.

14. **380 L 0217:** Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever (OJ No L 47, 21.2.1980, p. 11), as amended by:
- **380 L 1274:** Council Directive 80/1274/EEC of 22 December 1980 (OJ No L 375, 31.12.1980, p. 75),
  - **381 L 0476:** Council Directive 81/476/EEC of 24 June 1981 (OJ No L 186, 8.7.1981, p. 20),
  - **384 L 0645:** Council Directive 84/645/EEC of 11 December 1984 (OJ No L 339, 27.12.1984, p. 33),
  - **385 L 0586:** Council Directive 85/586/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p. 44),
  - **387 L 0486:** Council Directive 87/486/EEC of 22 September 1987 (OJ No L 280, 3.10.1987, p. 21).

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 concerning national laboratories for swine fever:

(m)	Austria:	Bundesanstalt für Virusseuchenbekämpfung bei Haustieren, Wien-Hetzendorf
(n)	Finland:	Statens veterinære Institut for virusforskning, Lindholm, Denmark
(o)	Norway:	Statens veterinære Institut for virusforskning, Lindholm, Denmark
(p)	Sweden:	Statens veterinärmedicinska anstalt, Uppsala

(q) Switzerland/Liechtenstein:	Eidgenössisches Institut für Viruskrankheiten und Immunprophylaxe, Mittelhäusern.
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(b) For the application of Annex III, the EFTA States will set up a similar notification and information system which will work according to Protocol 1 to the Agreement and which will be coordinated with the EC system.

#### 1.1.3. Notification of diseases

15. **382 L 0894:** Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community ([OJ No L 378, 31.12.1982, p. 58](#)), as amended by:

— **389 D 0162:** Commission Decision 89/162/EEC of 10 February 1989 ([OJ No L 61, 4.3.1989, p. 48](#)),

— **390 D 0134:** Commission Decision 90/134/EEC of 6 March 1990 ([OJ No L 76, 22.3.1990, p. 23](#)).

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

The EFTA States will set up a similar notification and information system, which will work according to Protocol 1 to the Agreement and which will be coordinated with the EC system (ADNS) in principle before 1 September 1993.

16. 384 D 0090: Commission Decision 84/90/EEC of 3 February 1984 laying down the codified form for the notification of animal diseases pursuant to Council Directive 82/894/EEC ([OJ No L 50, 21.2.1984, p. 10](#)), as amended by:

— **389 D 0163:** Commission Decision 89/163/EEC of 13 February 1989 ([OJ No L 61, 4.3.1989, p. 49](#)).

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

The EFTA States will set up a similar notification and information system, which will work according to Protocol 1 to the Agreement and which will be coordinated with the EC system (ADNS) in principle before 1 September 1993.

17. **390 D 0442:** Commission Decision 90/442/EEC of 25 July 1990 laying down the codes for the notification of animal diseases ([OJ No L 227, 21.8.1990, p. 39](#)).

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

The EFTA States will set up a similar notification and information system, which will work according to Protocol 1 to the Agreement and which will be coordinated with the EC system (ADNS) in principle before 1 September 1993.

## 1.2. Public Health

### *Fresh meat*

18. **364 L 0433:** Council Directive 64/433/EEC of 26 June 1964 on health conditions for the production and marketing of fresh meat ([OJ No 121, 29.7.1964, p. 2012](#)), as amended by:

— **391 L 0497:** Council Directive 91/497/EEC of 29 July 1991 ([OJ No L 268, 24.9.1991, p. 69](#)).

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

- (a) In Article 4(A), the dates 1 January 1993 and 31 December 1991 referred to in the first sentence of the paragraph are, with regard to the EFTA States, replaced by 1 September 1993 and 31 December 1992 respectively.
- (b) Article 5(1)(a)(i) shall be replaced by:
- in which, without prejudice to diseases specified in the following list:
- Foot-and-mouth disease (FMD)
  - Classical swine fever (CSF)
  - African swine fever (ASF)
  - Swine vesicular disease (SVD)
  - Newcastle disease (ND)
  - Rinderpest
  - Peste des petits ruminants (PPR)
  - Vesicular stomatitis (VS)
  - Blue tongue
  - African horse sickness (AHS)
  - Viral equine encephalomyelitis
  - Teschen disease
  - Avian influenza
  - Sheep and goat pox
  - Lumpy skin disease
  - Rift valley fever
  - Contagious bovine pleuropneumonia
- one of the following diseases has been diagnosed:
- generalized actinobacillosis or actinomycosis
  - anthrax and blackleg
  - generalized tuberculosis
  - generalized lymphadenitis
  - glanders
  - rabies
  - tetanus
  - acute salmonellosis
  - acute brucellosis
  - swine erysipelas
  - botulism
  - septicaemia, pyaemia, toxæmia or viraemia;
- (c) For the purposes of Article 6(1)(a), Council Directive 77/96/EEC of 21 December 1976<sup>(4)</sup> on examination for Trichinae (*Trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine is relevant.
- (d) For the application of Article 6(2), the EFTA Standing Committee shall, with regard to the EFTA States, take the necessary decisions before 1 September 1993.

- (e) In Article 10(1) sixth subparagraph, the beginning of the last sentence shall read ‘The other Member States, the EFTA Surveillance Authority and the EC Commission shall be informed’.
  - (f) In Article 13(1)(b), the date 1 July 1991 referred to in the *littera* is, with regard to the EFTA States, replaced by 1 January 1993.
  - (g) Article 18 shall not apply.
  - (h) In Annex I Chapter VI(26)(b), the reference to ‘Community rules on animal welfare’ shall be replaced by ‘national legislation on animal welfare’.
  - (i) For the purpose of Annex I Chapter VIII(42)(A)(3) third subparagraph, Annex 1(1) of Council Directive 77/96/EEC of 21 December 1976<sup>(4)</sup> on examination for Trichinae (*Trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine is relevant.
  - (j) In Annex I Chapter XI(50)(a) first indent, the following shall be added:
    - AT - FI - NO - SE - CH - FL.
  - (k) In Annex I Chapter XI(50)(a) second indent and (b) third indent, the following shall be added:
    - EFTA.
19. **391 L 0498:** Council Directive 91/498/EEC of 29 July 1991 on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat (OJ No L 268, 24.9.1991, p. 105).

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

- (a) In Article 2(1), the ‘date on which this Directive is notified’ is, with regard to the EFTA States, replaced by 1 January 1993.
  - (b) In Article 2(2),
    - the date 1 April 1992 referred to in the first subparagraph is, with regard to the EFTA States, replaced by 1 April 1993;
    - the date 1 July 1992 referred to in the fourth subparagraph is, with regard to the EFTA States, replaced by 1 July 1993; and
    - the date 1 January 1993 referred to in the fifth subparagraph is, with regard to the EFTA States, replaced by 1 September 1993.
20. **371 L 0118:** Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat (OJ No L 55, 8.3.1971, p. 23), as amended by;
- **375 L 0431:** Council Directive 75/431/EEC of 10 July 1975 (OJ No L 192, 24.7.1975, p. 6),
  - **378 L 0050:** Council Directive 78/50/EEC of 13 December 1977 (OJ No L 15, 19.1.1978, p. 28),
  - **380 L 0216:** Council Directive 80/216/EEC of 22 January 1980 (OJ No L 47, 21.2.1980, p. 8),
  - **380 L 0879:** Commission Directive 80/879/EEC of 3 September 1980 (OJ No L 251, 24.9.1980, P. 10),
  - **381 L 0476:** Council Directive 81/476/EEC of 24 June 1981 (OJ No L 186, 8.7.1981, p. 20),

- **384 L 0642:** Council Directive 84/642/EEC of 11 December 1984 (OJ No L 339, 27.12.1984, p. 26),
- **385 L 0324:** Council Directive 85/324/EEC of 12 June 1985 (OJ No L 168, 28.6.1985, p. 45),
- **385 L 0326:** Council Directive 85/326/EEC of 12 June 1985 (OJ No L 168, 28.6.1985, p. 48),
- **387 R 3805:** Council Regulation (EEC) No 3508/87 of 15 December 1987 (OJ No L 357, 19.12.1987, p. 1),
- **388 L 0657:** Council Directive 88/657/EEC of 14 December 1988 (OJ No L 382, 31.12.1988, p. 3),
- **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 (OJ No L 395, 30.12.1989, p. 13),
- **390 D 0484:** Commission Decision 90/484/EEC of 27 September 1990 (OJ No L 267, 29.9.1990, p. 45),
- **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48),
- **391 L 0494:** Council Directive 91/494/EEC of 26 June 1991 (OJ No L 268, 24.9.1991, p. 35).

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

- (a) In Article 5(1) fourth subparagraph, the beginning of the last sentence shall read ‘The other Member States, the EFTA Surveillance Authority and the EC Commission shall be informed’.
- (b) Article 19 shall not apply.
- (c) In Annex I Chapter X(44)(l)(a) first indent, the following shall be added:
  - AT - FI - NO - SE - CH - FL.
- (d) In Annex I Chapter X(44)(l)(a) third indent, the following shall be added:
  - EFTA.

*Meat products*

- 21. **377 L 0099:** Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products (OJ No L 26, 31.1.1977, p. 85), as amended by:
  - **381 L 0476:** Council Directive 81/476/EEC of 24 June 1981 (OJ No L 186, 8.7.1981, p. 20),
  - **385 L 0327:** Council Directive 85/327/EEC of 12 June 1985 (OJ No L 168, 28.6.1985, p. 49),
  - **385 L 0586:** Council Directive 85/586/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p. 44),
  - **387 R 3805:** Council Regulation (EEC) No 3805/87 of 15 December 1987 (OJ No L 357, 19.12.1987, p. 1),
  - **388 L 0658:** Council Directive 88/658/EEC of 14 December 1988 (OJ No L 382, 31.12.1988, p. 15),
  - **389 L 0227:** Council Directive 89/227/EEC of 21 March 1989 (OJ No L 93, 6.4.1989, p. 25),



- **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 ([OJ No L 395, 30.12.1989, p. 13](#)).

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

- (a) In Article 7(1) third subparagraph, the beginning of the last sentence shall read ‘The other Member States, the EFTA Surveillance Authority and the EC Commission shall be informed’.
- (b) Article 24 shall not apply.
- (c) In Annex A Chapter VI(39)(a)(i) first indent, the following shall be added:
- /AT/FI/NO/SE/CH/FL.
- (d) In Annex A Chapter VI(39)(a)(i) second indent and (ii) third indent, the following shall be added:

EFTA.

*Minced meat*

22. **388 L 0657:** Council Directive 88/657/EEC of 14 December 1988 laying down the requirements for the production of, and trade in, minced meat, meat in pieces of less than 100 grams and meat preparations and amending Directives 64/433/EEC, 71/118/EEC and 72/462/EEC ([OJ No L 382, 31.12.1988, p. 3](#)), as amended by:
- **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 ([OJ No L 395, 30.12.1989, p. 13](#)).

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

- (a) In Article 7(3), the beginning of the last sentence shall read ‘The other Member States, the EFTA Surveillance Authority and the EC Commission shall be informed’.
- (b) Article 18 shall not apply.

*Egg products*

23. **389 L 0437:** Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products ([OJ No L 212, 22.7.1989, p. 87](#)), as amended by:
- **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 ([OJ No L 395, 30.12.1989, p. 13](#)).

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

- (a) In Article 2, the first phrase shall be replaced by:

For the purposes of this Directive:

- eggs mean hen eggs in shell, suitable for direct human consumption or for use in the food industries, except for incubated eggs which do not meet the following requirements:
- (a) they shall be marked before insertion in the incubator,
- (b) they shall not be fertile and shall be absolutely clear when candled,

- (c) the air space shall not exceed a height of 9 mm,
- (d) they shall not have remained more than six days in an incubator,
- (e) they shall not be treated with antibiotics,
- (f) they shall be intended for use in a processing plant manufacturing pasteurized egg products.

Industrial eggs mean hen eggs in shell other than those referred to in the preceding indent.

The following definitions shall also apply:.

- (b) Article 2(11) shall be replaced by the following:
  - (11) placing on the market: the marketing of egg products defined as holding or displaying for sale, offering for sale, selling, delivering or any other form of marketing.
- (c) In Article 6(1) second subparagraph, the beginning of the last sentence shall read ‘The other Member States, the EFTA Surveillance Authority and the EC Commission shall be informed’.
- (d) Article 17 shall not apply.
- (e) In the Annex, Chapter IV(1) shall be replaced by:
  - (1) Eggs used for the manufacture of egg products must be put in packaging which complies with the following provisions:
    - (a)
      - (i) Packs, including inner packing material, must be shock-resistant, dry, clean and in good repair, and made of materials which protect the eggs from extraneous odour and the risk of quality deterioration.
      - (ii) Large packs, used for transporting and dispatching eggs, including inner packing material, shall not be re-used unless they are as new and meet the technical requirements of paragraph 1. Re-used large packs must not bear any previous marking likely to lead to confusion.
      - (iii) Small packs may not be re-used.
    - (b)
      - (i) Eggs must be stored in clean, dry premises, free of extraneous odour.
      - (ii) Eggs in transport and during storage must be kept clean, dry and free of extraneous odour and effectively protected from shocks, weather and the effect of light.
      - (iii) Eggs in store and in transport must be protected from extremes of temperature.
- (f) In the Annex, Chapter XI(l)(i) first indent, the following shall be added:
  - /AT/FI/NO/SE/CH/FL.

- (g) In the Annex, Chapter XI(1)(i) second indent and (ii) third indent, the following shall be added:

EFTA.

*Fishery products*

24. **391 L 0493:** Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products (OJ No L 268, 24.9.1991, p. 15).

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

- (a) In Article 7(2), the dates 31 December 1991 and 1 July 1992 referred to in the second sentence of the paragraph are, with regard to the EFTA States, replaced by 31 December 1992 and 1 April 1993 respectively.
- (b) Article 9 shall not apply.
- (c) For the purpose of the Annex Chapter V(II)(1), the common marketing standards laid down pursuant to Article 2 of Council Regulation (EEC) 3796/81 are relevant.

*Molluscs*

25. **391 L 0492:** Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs (OJ No L 268, 24.9.1991, p. 1).

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

- (a) In Article 5(1)(a), the dates 31 December 1991 and 1 July 1992 referred to in the second sentence of the second subparagraph are, with regard to the EFTA States, replaced by 31 December 1992 and 1 April 1993 respectively.
- (b) Article 7 shall not apply.

*Hormones*

26. **381 L 0602:** Council Directive 81/602/EEC of 31 July 1981 concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action (OJ No L 222, 7.8.1981, p. 32), as amended by:

— **385 L 0358:** Council Directive 85/358/EEC of 16 July 1985 (OJ No L 191, 23.7.1985, p. 46).

27. **385 L 0358:** Council Directive 85/358/EEC of 16 July 1985 supplementing Directive 81/602/EEC concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action (OJ No L 191, 23.7.1985, p. 46), as amended by:

— **388 L 0146:** Council Directive 88/146/EEC of 7 March 1988 (OJ No L 70, 16.3.1988, p. 16).

28. **388 L 0146:** Council Directive 88/146/EEC of 7 March 1988 prohibiting the use in livestock farming of certain substances having a hormonal action (OJ No L 70, 16.3.1988, p. 16).

*Residues*

29. **386 L 0469:** Council Directive 86/469/EEC of 16 September 1986 concerning the examination of animals and fresh meat for the presence of residues ([OJ No L 275, 26.9.1986, p. 36](#)).

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

- (a) In Article 2, the reference to ‘Directive 85/649/EEC’ shall read ‘Directive 88/146/EEC’
- (b) In Article 4(1), the date 31 May 1987 referred to in the first sentence of the paragraph is, with regard to the EFTA States, replaced by 1 January 1993.
- (c) In Article 4(3), the date 30 September 1987 referred to in the third sentence of the paragraph is, with regard to the EFTA States, replaced by 1 September 1993.
- (d) In Article 9(1), the date 16 September 1986 referred to in the first sentence of the paragraph is, with regard to the EFTA States, replaced by 1 January 1993.

*BST*

30. **390 D 0218:** Council Decision 90/218/EEC of 25 April 1990 concerning the administration of Bovine Somatotrophin (BST) ([OJ No L 116, 8.5.1990, p. 27](#)).

### **1.3. Mixed group**

*Milk*

31. **385 L 0397:** Council Directive 85/397/EEC of 5 August 1985 on health and animal health problems affecting intra-Community trade in heat-treated milk ([OJ No L 226, 24.8.1985, p. 13](#)), as amended by:
- **389 D 0159:** Commission Decision 89/159/EEC of 21 February 1989 ([OJ No L 59, 2.3.1989, p. 40](#)),
  - **389 D 0165:** Commission Decision 89/165/EEC of 22 February 1989 ([OJ No L 61, 4.3.1989, p. 57](#)),
  - **389 L 0662:** Council Directive 89/662/EEC of 11 December 1989 ([OJ No L 395, 30.12.1989, p. 13](#)).

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

- (a) For the purpose of Annex A Chapter VIII(4), the reference to Council Directive 79/112/EEC<sup>(6)</sup> shall be relevant.
- (b) In Annex A Chapter VIII(4)(c), the following shall be added:

EFTA.

*Animal waste, pathogens*

32. **390 L 0667:** Council Directive 90/667/EEC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its placing on the market and for the prevention of pathogens in feedstuffs of animal or fish origin and amending Directive 90/425/EEC ([OJ No L 363, 27.12.1990, p. 51](#)).

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

- (a) In Article 3(1)(g), the words ‘Community legislation’ and ‘Community provisions’ shall, in relation to the EFTA States, be replaced by ‘the national legislation of the respective EFTA State’.
- (b) Article 7(iii) shall not apply.
- (c) Article 13 shall not apply.

*Medicated feedingstuffs*

33. **390 L 0167:** Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community (OJ No L 92, 7.4.1990, p. 42).

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

- (a) In Article 8(2), ‘the date provided for in the first indent of the first subparagraph of Article 15’ as referred to in the first sentence of the second subparagraph is, with regard to the EFTA States, replaced by 1 April 1993.
- (b) Article 11 shall not apply.

*Rabbit meat and farmed game meat*

34. **391 L 0495:** Council Directive 91/495/EEC of 27 November 1990 concerning public health problems affecting the production and placing on the market of rabbit meat and farmed game meat (OJ No L 268, 24.9.1991, p. 41).

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

- (a) For the purpose of Article 6(1) last subparagraph, Council Directive 77/96/EEC of 21 December 1976<sup>(6)</sup> on examination for Trichinae (*Trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine is relevant.
- (b) In Article 6(2) sixth indent, the reference to ‘Council Directive 74/577/EEC’ shall, in relation to the EFTA States, be replaced by ‘appropriate national legislation’.
- (c) Article 16 shall not apply.
- (d) Article 21 shall not apply.
- (e) In Annex I Chapter III(1)(l)(a) first indent, the following shall be added:  
AT, FI, NO, SE, CH, FL.
- (f) In Annex I Chapter III(1)(l)(a) third indent, the following shall be added:  
EFTA.

*Mutual assistance*

35. **389 L 0608:** Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters (OJ No L 351, 2.12.1989, p. 34).

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

The EFTA States will set up a similar system of cooperation which will work according to the provisions of this Directive and which will be coordinated with the EC system.

#### **1.4. Zootechnics**

##### *Bovine*

36. **377 L 0504:** Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species (OJ No L 206, 12.8.1977, p. 8), as amended by:
- **379 L 0268:** Council Directive 79/268/EEC of 5 March 1979 (OJ No L 62, 13.3.1979, p. 5),
- **385 L 0586:** Council Directive 85/586/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p. 44),
- **391 L 0174:** Council Directive 91/174/EEC of 25 March 1991 (OJ No L 85, 5.4.1991, p. 37).

##### *Porcine*

37. **388 L 0661:** Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species (OJ No L 382, 31.12.1988, p. 36).

##### *Sheep and goats*

38. **389 L 0361:** Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ No L 153, 6.6.1989, p. 30).

##### *Equidae*

39. **390 L 0427:** Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ No L 224, 18.8.1990, p. 55).
40. **390 L 0428:** Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein (OJ No L 224, 18.8.1990, p. 60).

##### *Pure-bred animals*

41. **391 L 0174:** Council Directive 91/174/EEC of 25 March 1991 laying down zootechnical and pedigree requirements for the marketing of pure-bred animals and amending Directives 77/504/EEC and 90/425/EEC (OJ No L 85, 5.4.1991, p. 37).

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

In Article 1, the words ‘covered by Annex II to the Treaty’ shall not apply.

#### *2. Application texts*

##### **2.1. Animal health**

42. **373 D 0053:** Commission Decision 73/53/EEC of 26 February 1973 concerning protective measures to be applied by the Member States, against swine vesicular disease (OJ No L 83, 30.3.1973, p. 43).
43. **385 D 0445:** Commission Decision 85/445/EEC of 31 July 1985 concerning certain animal health measures with regard to enzootic bovine leucosis (OJ No L 260, 2.10.1985, p. 18).
44. **389 D 0091:** Commission Decision 89/91/EEC of 16 January 1989 authorizing the Kingdom of Spain to apply additional health guarantees for the prevention of enzootic

- bovine leucosis in the case of bovine animals imported for breeding or production (OJ No L 32, 3.3.1989, p. 37).
45. **390 D 0552:** Commission Decision 90/552/EEC of 9 November 1990 determining the limits of the territory infected with African horse sickness (OJ No L 313, 13.11.1990, p. 38).
46. **390 D 0553:** Commission Decision 90/553/EEC of 9 November 1990 establishing the identification mark for equidae vaccinated against African horse sickness (OJ No L 313, 13.11.1990, p. 40).
47. **391 D 0093:** Commission Decision 91/93/EEC of 11 February 1991 determining the period of the year during which Portugal may dispatch certain equidae from the part of its territory considered to be infected with African horse sickness (OJ No L 50, 23.2.1991, p. 27).
48. **388 D 0397:** Commission Decision 88/397/EEC of 12 July 1988 coordinating rules laid down by Member States in application of Article 6 of Council Directive 85/511/EEC (OJ No L 189, 20.7.1988, p. 25).
49. **389 D 0531:** Council Decision 89/531/EEC of 25 September 1989 designating a reference laboratory for the identification of the foot-and-mouth disease virus and determining the functions of that laboratory (OJ No L 279, 28.9.1989, p. 32).
50. **391 D 0042:** Commission Decision 91/42/EEC of 8 January 1991 laying down the criteria to be applied when drawing up contingency plans for the control of foot-and-mouth disease, in application of Article 5 of Council Directive 90/423/EEC (OJ No L 23, 29.1.1991, p. 29).
51. **381 D 0859:** Council Decision 81/859/EEC of 19 October 1981 on the designation and operation of a liaison laboratory for classical swine fever (OJ No L 319, 7.11.1981, p. 20).
52. **387 D 0065:** Council Decision 87/65/EEC of 19 January 1987 extending the duration of the measure provided for in Decision 81/859/EEC on the designation and operation of a liaison laboratory for classical swine fever (OJ No L 34, 5.2.1987, p. 54).
53. **383 D 0138:** Commission Decision 83/138/EEC of 25 March 1983 concerning certain measures to prevent the spread of African swine fever (OJ No L 93, 13.4.1983, p. 17), as amended by:
- **383 D 0300:** Commission Decision 83/300/EEC of 8 June 1983 (OJ No L 160, 18.6.1983, p. 44),
- **384 D 0343:** Commission Decision 84/343/EEC of 18 June 1984 (OJ No L 180, 7.7.1984, p. 38).
54. **389 D 0021:** Council Decision 89/21/EEC of 14 December 1988 derogating from prohibitions relating to African swine fever for certain areas in Spain (OJ No L 9, 12.1.1989, p. 24), as amended by:
- **391 D 0112:** Commission Decision 91/112/EEC of 12 February 1991 (OJ No L 58, 5.3.1991, p. 29).
55. **390 D 0208:** Commission Decision 90/208/EEC of 18 April 1990 concerning certain protection measures relating to contagious bovine pleuropneumonia in Spain (OJ No L 108, 28.4.1990, p. 102).



56. **391 D 0052:** Commission Decision 91/52/EEC of 14 January 1991 concerning certain protection measures relating to contagious bovine pleuropneumonia in Portugal (OJ No L 34, 6.2.1991, p. 12).
57. **391 D 0056:** Commission Decision 91/56/EEC of 21 January 1991 concerning certain protection measures relating to contagious bovine pleuropneumonia in Italy (OJ No L 35, 7.2.1991, p. 29).
58. **389 D 0469:** Commission Decision 89/469/EEC of 28 July 1989 concerning certain protection measures relating to bovine spongiform encephalopathy in the United Kingdom (OJ No L 225, 3.8.1989, p. 51), as amended by:
- **390 D 0059:** Commission Decision 90/59/EEC of 7 February 1990 (OJ No L 41, 15.2.1990, p. 23),
- **390 D 0261:** Commission Decision 90/261/EEC of 8 June 1990 (OJ No L 146, 9.6.1990, p. 29).
59. **390 D 0200:** Commission Decision 90/200/EEC of 9 April 1990 concerning additional requirements for some tissues and organs with respect to bovine spongiform encephalopathy (BSE) (OJ No L 105, 25.4.1990, p. 24), as amended by:
- **390 D 0261:** Commission Decision 90/261/EEC of 8 June 1990 (OJ No L 146, 9.6.1990, p. 29).
60. **391 D 0237:** Commission Decision 91/237/EEC of 25 April 1991 concerning further protection measures relating to a new pig disease (OJ No L 106, 26.4.1991, p. 67), as amended by:
- **391 D 0332:** Commission Decision 91/332/EEC of 8 July 1991 (OJ No L 183, 9.7.1991, p. 15).
- 2.2. Public health**
61. **384 D 0371:** Commission Decision 84/371/EEC of 3 July 1984 establishing the characteristics of the special mark for fresh meat referred to in Article 5(a) of Directive 64/433/EEC (OJ No L 196, 26.7.1984, p. 46).
62. **385 D 0446:** Commission Decision 85/446/EEC of 18 September 1985 concerning the on-the-spot inspections to be carried out in respect of the intra-Community trade in fresh meat (OJ No L 260, 2.10.1985, p. 19), as amended by:
- **389 D 0136:** Commission Decision 89/136/EEC of 8 February 1989 (OJ No L 49, 21.2.1989, p. 36),
- **390 D 0011:** Commission Decision 90/11/EEC of 20 December 1989 (OJ No L 7, 10.1.1990, p. 12).
63. **390 D 0515:** Commission Decision 90/515/EEC of 26 September 1990 laying down the reference methods for detecting residues of heavy metals and arsenic (OJ No L 268, 18.10.1990, p. 33).
64. **387 D 0266:** Commission Decision 87/266/EEC of 8 May 1987 recognizing that the staff medical check-up scheme submitted by the Netherlands offers equivalent guarantees (OJ No L 126, 15.5.1987, p. 20).
65. **390 D 0514:** Commission Decision 90/514/EEC of 25 September 1990 recognizing that the staff medical check-up scheme submitted by Denmark offers equivalent guarantees (OJ No L 286, 18.10.1990, p. 29).



*Status: This is the original version (as it was originally adopted).*

66. **389 D 0610:** Commission Decision 89/610/EEC of 14 November 1989 laying down the reference methods and the list of national reference laboratories for detecting residues (OJ No L 351, 2.12.1989, p. 39).

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

In Annex II, the following shall be added concerning national reference laboratories:

Member State	Reference laboratory	residue groups
‘Austria:	Bundesanstalt für Tierseuchenbekämpfung, Mödling	all groups
Finland:	Valtion eläinlääketieteellinen laitos, Helsinki/Statens veterinär-medicinska anstalt, Helsingfors	all groups
	Valtion maitovalmisteiden tarkastuslaitos, Helsinki/Statens kontrollanstalt för mjölkprodukter, Helsingfors	group A III (a); group B II (c)
Norway:	Norges Veterinærhøyskole / Veterinærinstituttet, Oslo	group A I (b); group A III; group B I (a,f); group B II
	Hormonlaboratoriet, Aker Sykehus, Oslo	group A I (a,c); group A II
	Bavarian Animal Health Service, Grub	group B I (b)
Sweden:	Statens livsmedelverk, Uppsala	all groups
Switzerland/Liechtenstein:	Bundesamt für Veterinärwesen, Liebefeld	all groups’

67. **380 L 0879:** Commission Directive 80/879/EEC of 3 September 1980 on health marking of large packagings of fresh poultrymeat (OJ No L 251, 24.9.1980, p. 10).
68. **383 L 0201:** Commission Directive 83/201/EEC of 12 April 1983 establishing exceptions from Council Directive 77/99/EEC for certain products which contain other foodstuffs and only a small percentage of meat or meat product (OJ No L 112, 28.4.1983, p. 28), as amended by:
- **383 L 0577:** Commission Directive 83/577/EEC of 15 November 1983 (OJ No L 334, 29.11.1983, p. 21).
69. **387 D 0410:** Commission Decision 87/410/EEC of 14 July 1987 laying down the methods to be used for detecting residues of substances having a hormonal action and of substances having a thyrostatic action (OJ No L 223, 11.8.1987, p. 18).

70. **389 D 0153:** Commission Decision 89/153/EEC of 13 February 1989 concerning the correlation of samples taken for residue examination with animals and their farms' origin (OJ No L 59, 2.3.1989, p. 33).
71. **389 D 0358:** Commission Decision 89/358/EEC of 23 May 1989 laying down measures for the application of Article 8 of Council Directive 85/358/EEC (OJ No L 151, 3.6.1989, p. 39).
72. **389 D 0187:** Council Decision 89/187/EEC of 6 March 1989 determining the powers and conditions of operation of the Community reference laboratories provided for by Directive 86/469/EEC concerning the examination of animals and fresh meat for the presence of residues (OJ No L 66, 10.3.1989, p. 37).
73. **388 L 0299:** Council Directive 88/299/EEC of 17 May 1988 on trade in animals treated with certain substances having a hormonal action and their meat, as referred to in Article 7 of Directive 88/146/EEC (OJ No L 128, 21.5.1988, p. 36).

### 2.3. Mixed group

74. **389 L 0362:** Commission Directive 89/362/EEC of 26 May 1989 on general conditions of hygiene in milk production holdings (OJ No L 156, 8.6.1989, p. 30).
75. **389 L 0384:** Council Directive 89/384/EEC of 20 June 1989 establishing the detailed procedure for carrying out checks to ensure that the freezing point of untreated milk laid down in Annex A of Directive 85/397/EEC is complied with (OJ No L 181, 28.6.1989, p. 50).
76. **391 D 0180;** Commission Decision 91/180/EEC of 14 February 1991 laying down certain methods of analysis and testing of raw milk and heat-treated milk (OJ No L 93, 13.4.1991, p. 1).

### 2.4. Zootechnics

77. **384 D 0247:** Commission Decision 84/247/EEC of 27 April 1984 laying down the criteria for the recognition of breeders' organizations and associations which maintain or establish herd-books for pure-bred breeding animals of the bovine species (OJ No L 125, 12.5.1984, p. 58).
78. **384 D 0419:** Commission Decision 84/419/EEC of 19 July 1984 laying down the criteria for entering cattle in herd-books (OJ No L 237, 5.9.1984, p. 11).
79. **386 D 0130:** Commission Decision 86/130/EEC of 11 March 1986 laying down performance monitoring methods and methods for assessing cattle's genetic value for pure-bred breeding animals of the bovine species (OJ No L 101, 17.4.1986, p. 37).
80. **386 D 0404:** Commission Decision 86/404/EEC of 29 July 1986 laying down the specimen and the particulars to be shown on the pedigree certificate of pure-bred breeding animals of the bovine species (OJ No L 233, 20.8.1986, p. 19).
81. **387 L 0328:** Council Directive 87/328/EEC of 18 June 1987 on the acceptance for breeding purposes of pure-bred breeding animals of the bovine species (OJ No L 167, 26.6.1987, p. 54).
82. **388 D 0124:** Commission Decision 88/124/EEC of 21 January 1988 laying down the specimen pedigree certificates for the semen and embryos of pure-bred breeding animals of the bovine species and the particulars to be entered on those certificates (OJ No L 62, 8.3.1988, p. 32).

83. **389 D 0501:** Commission Decision 89/501/EEC of 18 July 1989 laying down the criteria for approval and supervision of breeders' associations and breeding organizations which establish or maintain herd-books for pure breeding pigs ([OJ No L 247, 23.8.1989, p. 19](#)).
84. **389 D 0502:** Commission Decision 89/502/EEC of 18 July 1989 laying down the criteria governing entry in herd-books for pure-bred breeding pigs ([OJ No L 247, 23.8.1989, p. 21](#)).
85. **389 D 0503:** Commission Decision 89/503/EEC of 18 July 1989 laying down the certificate of pure-bred breeding pigs, their semen, ova and embryos ([OJ No L 247, 23.8.1989, p. 22](#)).
86. **389 D 0504:** Commission Decision 89/504/EEC of 18 July 1989 laying down the criteria for approval and supervision of breeders' associations, breeding organizations and private undertakings which establish or maintain registers for hybrid breeding pigs ([OJ No L 247, 23.8.1989, p. 31](#)).
87. **389 D 0505:** Commission Decision 89/505/EEC of 18 July 1989 laying down the criteria governing entry in registers for hybrid breeding pigs ([OJ No L 247, 23.8.1989, p. 33](#)).
88. **389 D 0506:** Commission Decision 89/506/EEC of 18 July 1989 laying down the certificate of hybrid breeding pigs, their semen, ova and embryos ([OJ No L 247, 23.8.1989, p. 34](#)).
89. **389 D 0507:** Commission Decision 89/507/EEC of 18 July 1989 laying down methods for monitoring performance and assessing the genetic value of pure-bred and hybrid breeding pigs ([OJ No L 247, 23.8.1989, p. 43](#)).
90. **390 L 0118:** Council Directive 90/118/EEC of 5 March 1990 on the acceptance of pure-bred breeding pigs for breeding ([OJ No L 71, 17.3.1990, p. 34](#)).
91. **390 L 0119:** Council Directive 90/119/EEC of 5 March 1990 of hybrid breeding pigs for breeding ([OJ No L 71, 17.3.1990, p. 36](#)).
92. **390 D 0254:** Commission Decision 90/254/EEC of 10 May 1990 laying down the criteria for approval of breeders' organizations and associations which establish or maintain flock-books for pure-bred breeding sheep and goats ([OJ No L 145, 8.6.1990, p. 30](#)).
93. **390 D 0255:** Commission Decision 90/255/EEC of 10 May 1990 laying down the criteria governing entry in flock-books for pure-bred breeding sheep and goats ([OJ No L 145, 8.6.1990, p. 32](#)).
94. **390 D 0256:** Commission Decision 90/256/EEC of 10 May 1990 laying down methods for monitoring performance and assessing the genetic value of pure-bred breeding sheep and goats ([OJ No L 145, 8.6.1990, p. 35](#)).
95. **390 D 0257:** Commission Decision 90/257/EEC of 10 May 1990 laying down criteria for the acceptance for breeding purposes of pure-bred breeding sheep and goats and the use of their semen, ova or embryos ([OJ No L 145, 8.6.1990, p. 38](#)).
96. **390 D 0258:** Commission Decision 90/258/EEC of 10 May 1990 laying down the zootechnical certificates for pure-bred breeding sheep and goats, their semen, ova and embryos ([OJ No L 145, 8.6.1990, p. 39](#)).

3. *Acts of which the EFTA States and the EFTA Surveillance Authority shall take due account*

**3.1. Animal health**

97. **379 D 0837:** Commission Decision 79/837/EEC of 25 September 1979 laying down the methods of control for maintaining the officially brucellosis-free status of bovine herds in Denmark ([OJ No L 257, 12.10.1979, p. 46](#)).

98. **380 D 0775:** Commission Decision 80/775/EEC of 25 July 1980 laying down methods of control for maintaining the officially brucellosis-free status of bovine herds in certain regions of the Federal Republic of Germany ([OJ No L 224, 27.8.1980 p. 14](#)), as amended by:

— **389 D 0031:** Commission Decision 89/31/EEC of 21 December 1988 ([OJ No L 15, 19.1.1989, p. 20](#)),

— **390 D 0029:** Commission Decision 90/29/EEC of 10 January 1990 ([OJ No L 16, 20.1.1990, p. 34](#)).

99. **380 D 0984:** Commission Decision 80/984/EEC of 2 October 1980 laying down methods of control for maintaining the officially tuberculosis-free status of bovine herds in Denmark ([OJ No L 281, 25.10.1980, p. 31](#)).

100. **388 D 0267:** Commission Decision 88/267/EEC of 13 April 1988 laying down the interval between serological checks concerning brucellosis in certain regions of the United Kingdom ([OJ No L 107, 28.4.1988, p. 51](#)).

**3.2. Public health**

101. **388 D 0196:** Commission Decision 88/196/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by the United Kingdom ([OJ No L 94, 12.4.1988, p. 22](#)).

102. **388 D 0197:** Commission Decision 88/197/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by Denmark ([OJ No L 94, 12.4.1988, p. 23](#)).

103. **388 D 0198:** Commission Decision 88/198/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by the Federal Republic of Germany ([OJ No L 94, 12.4.1988, p. 24](#)).

104. **388 D 0199:** Commission Decision 88/199/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by Italy ([OJ No L 94, 12.4.1988, p. 25](#)).

105. **388 D 0200:** Commission Decision 88/200/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by Belgium ([OJ No L 94, 12.4.1988, p. 26](#)).

106. **388 D 0201:** Commission Decision 88/201/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by Spain ([OJ No L 94, 12.4.1988, p. 27](#)).

107. **388 D 0202:** Commission Decision 88/202/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by Ireland ([OJ No L 94, 12.4.1988, p. 28](#)).

108. **388 D 0203:** Commission Decision 88/203/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by France ([OJ No L 94, 12.4.1988, p. 29](#)).
109. **388 D 0204:** Commission Decision 88/204/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by Luxembourg ([OJ No L 94, 12.4.1988, p. 30](#)).
110. **388 D 0205:** Commission Decision 88/205/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by the Hellenic Republic ([OJ No L 94, 12.4.1988, p. 31](#)).
111. **388 D 0206:** Commission Decision 88/206/EEC of 18 February 1988 approving the plan relating to the examination for hormone residues submitted by the Netherlands ([OJ No L 94, 12.4.1988, p. 32](#)).
112. **388 D 0240:** Commission Decision 88/240/EEC of 14 March 1988 approving the plan relating to the examination for hormone residues submitted by Portugal ([OJ No L 105, 26.4.1988, p. 28](#)).
113. **389 D 0265:** Commission Decision 89/265/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Spain ([OJ No L 108, 19.4.1989, p. 20](#)).
114. **389 D 0266:** Commission Decision 89/266/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Denmark ([OJ No L 108, 19.4.1989, p. 21](#)).
115. **389 D 0267:** Commission Decision 89/267/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Italy ([OJ No L 108, 19.4.1989, p. 22](#)).
116. **389 D 0268:** Commission Decision 89/268/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by France ([OJ No L 108, 19.4.1989, p. 23](#)).
117. **389 D 0269:** Commission Decision 89/269/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Belgium ([OJ No L 108, 19.4.1989, p. 24](#)).
118. **389 D 0270:** Commission Decision 89/270/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by the Federal Republic of Germany ([OJ No L 108, 19.4.1989, p. 25](#)).
119. **389 D 0271:** Commission Decision 89/271/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Portugal ([OJ No L 108, 19.4.1989, p. 26](#)).
120. **389 D 0272:** Commission Decision 89/272/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Luxembourg ([OJ No L 108, 19.4.1989, p. 27](#)).
121. **389 D 0273:** Commission Decision 89/273/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by the Netherlands ([OJ No L 108, 19.4.1989, p. 28](#)).

122. **389 D 0274:** Commission Decision 89/274/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by the United Kingdom (OJ No L 108, 19.4.1989, p. 29).
123. **389 D 0275:** Commission Decision 89/275/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Greece (OJ No L 108, 19.4.1989, p. 30).
124. **389 D 0276:** Commission Decision 89/276/EEC of 30 March 1989 approving the plan relating to the examination for residues of substances other than those having a hormonal action submitted by Ireland (OJ No L 108, 19.4.1989, p. 31).
4. *Act of which the contracting parties shall take note*

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

125. **389 X 0214:** Commission Recommendation 89/214/EEC of 24 February 1989 on the rules to be followed for inspections carried out in fresh meat establishments approved for the purposes of intra-Community trade (OJ No L 87, 31.3.1989, p. 1).

## II. FEEDINGSTUFFS

1. Notwithstanding the provisions of the acts referred to in this Chapter, Switzerland and Liechtenstein shall introduce national legislation concerning pet food in accordance with these acts by the latest 1 January 1995. From 1 January 1993 Switzerland and Liechtenstein shall not prohibit the placing on the market of products which comply with the provisions of the acts.
2. Products of animal origin obtained from feedingstuffs in conformity with the provisions of the acts mentioned in this Annex shall not be submitted to any trade restrictions as a consequence of the arrangements laid down in this Chapter.

### ACTS REFERRED TO

#### *Additives*

1. **370 L 0524:** Council Directive 70/524/EEC of 23 November 1970 concerning additives in feeding stuffs (OJ No L 270, 14.12.1970, p. 1), as amended by:
  - **373 L 0103:** Council Directive 73/103/EEC of 28 April 1973 (OJ No L 124, 10.5.1973, p. 17),
  - **384 L 0587:** Council Directive 84/587/EEC of 30 June 1984 (OJ No L 319, 8.12.1984, p. 13),
  - **387 L 0153:** Council Directive 87/153/EEC of 16 February 1987 (OJ No L 64, 7.3.1987, p. 19),
  - **391 L 0248:** Commission Directive 91/248/EEC of 12 April 1991 (OJ No L 124, 18.5.1991, p. 1),
  - **391 L 0249:** Commission Directive 91/249/EEC of 19 April 1991 (OJ No L 124, 18.5.1991, p. 43),
  - **391 L 0336:** Commission Directive 91/336/EEC of 10 June 1991 (OJ No L 185, 11.7.1991, p. 31).

The EFTA States will take over the provisions of the Directive as from 1 January 1993 subject to the following conditions:

- the EFTA States may, with regard to growth promoters, maintain their national legislation. The Contracting Parties shall review the matter during 1995;



- the EFTA States may apply their national legislation related to other additives covered by Annex I until 31 December 1994.

Nevertheless,

- Finland may, with regard to antibiotics, maintain its national legislation. The Contracting Parties shall review the matter during 1995;
- Iceland may,
  - with regard to antibiotics, maintain its national legislation. The Contracting Parties shall review the matter during 1995;
  - with regard to antioxidants, aromatic and appetizing substances as well as colouring matters including pigments, apply its national legislation until 31 December 1995;
- Norway may,
  - with regard to antibiotics, coccidiostates and other medicinal substances, the preservatives sulphuric acid and chlorhydric acid as well as the trace element copper as growth promoter, maintain its national legislation. The Contracting Parties shall review the matter during 1995;
  - with regard to vitamins, provitamins and chemically well defined substances having a similar effect, apply its national legislation for a period expiring 31 December 1994. The Contracting Parties may agree to prolong this period;
- Sweden may, with regard to antibiotics, coccidiostates and other medicinal substances as well as the preservative formic acid, maintain its national legislation. The Contracting Parties shall review the matter during 1995.

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

For the application of Articles 4 and 5,

- by 1 January 1993, the EFTA States shall forward dossiers concerning additives authorized by EFTA States but not in the Community, established according to the guidelines provided for by Directive 87/153/EEC.

Dossiers and monographs, where appropriate, shall be forwarded at least in the English language. Furthermore, a short summary intended for publication, giving the basic information contained in dossiers and monographs, shall be forwarded in the English, French and German languages.

- before 1 January 1995, the national authorizations granted by EFTA States shall be decided on in accordance with the procedure laid down in Article 23. Until a decision has been adopted by the European Economic Community, the EFTA States may, for products marketed in their territory, maintain their national authorizations.

2. **387 L 0153:** Council Directive 87/153/EEC of 16 February 1987 fixing guidelines for the assessment of additives in animal nutrition ([OJ No L 64, 7.3.1987, p. 19](#)).

*Straight and compound feedingstuffs*

3. **377 L 0101:** Council Directive 77/101/EEC of 23 November 1976 on the marketing of straight feedingstuffs ([OJ No L 32, 3.2.1977, p. 1](#)), as amended by:
  - **379 L 0372:** Council Directive 79/372/EEC of 2 April 1979 ([OJ No L 86, 6.4.1979, p. 29](#)),
  - **379 L 0797:** First Commission Directive 79/797/EEC of 10 August 1979 ([OJ No L 239, 22.9.1979, p. 53](#)),
  - **380 L 0510:** Second Commission Directive 80/510/EEC of 2 May 1980 ([OJ No L 126, 21.5.1980, p. 12](#)),

- **382 L 0937:** Third Commission Directive 82/937/EEC of 21 December 1982 (OJ No L 383, 31.12.1982, p. 11),
- **386 L 0354:** Council Directive 86/354/EEC of 21 July 1986 (OJ No L 212, 2.8.1986, p. 27),
- **387 L 0234:** Commission Directive 87/234/EEC of 31 March 1987 (OJ No L 102, 14.4.1987, p. 31),
- **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48).

Notwithstanding the provisions of the Directive

- Sweden may maintain its national legislation concerning meat meal and other products made of high-risk material within the meaning of Article 3 of Council Directive 90/667/EEC. The Contracting Parties shall review the matter during 1995;
  - Switzerland and Liechtenstein may maintain their national legislation as to prohibition of peanuts until 31 December 1994.
4. **379 L 0373:** Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feeding-stuffs (OJ No L 86, 6.4.1979, p. 30), as amended by:
- **380 L 0509:** First Commission Directive 80/509/EEC of 2 May 1980 (OJ No L 126, 21.5.1980, p.9),
  - **380 L 0695:** Second Commission Directive 80/695/EEC of 27 June 1980 (OJ No L 188, 22.7.1980, p. 23),
  - **382 L 0957:** Third Commission Directive 82/957/EEC of 22 December 1982 (OJ No L 386, 31.12.1982, p. 42),
  - **386 L 0354:** Council Directive 86/354/EEC of 21 July 1986 (OJ No L 212, 2.8.1986, p. 27),
  - **387 L 0235:** Commission Directive 87/235/EEC of 31 March 1987 (OJ No L 102, 14.4.1987, p. 34),
  - **390 L 0044:** Council Directive 90/44/EEC of 22 January 1990 (OJ No L 27, 31.1.1990, p. 35).

Notwithstanding the provisions of the Directive

- Sweden may maintain its national legislation concerning meat meal and other products made of high-risk material within the meaning of Article 3 of Council Directive 90/667/EEC. The Contracting Parties shall review the matter during 1995;
  - Switzerland and Liechtenstein may maintain their national legislation as to prohibition of peanuts until 31 December 1994.
5. **380 L 0511:** Commission Directive 80/51 I/EEC of 2 May 1980 authorizing in certain cases, the marketing of compound feedingstuffs in unsealed packages or containers (OJ No L 126, 21.5.1980, p. 14).
6. **382 L 0475:** Commission Directive 82/475/EEC of 23 June 1982 laying down the categories of ingredients which may be used for the purposes of labelling compound feedingstuffs for pet animals (OJ No L 213, 21.7.1982, p. 27), as amended by:
- **391 L 0334:** Commission Directive 91/334/EEC of 6 June 1991 (OJ No L 184, 10.7.1991, p. 27),
  - **391 L 0336:** Commission Directive 91/336/EEC of 10 June 1991 (OJ No L 185, 17.7.1991, p. 31).



7. **386 L 0174:** Commission Directive 86/174/EEC of 9 April 1986 fixing the method of calculation for the energy value of compound poultryfeed (OJ No L 130, 6.5.1986, p. 53).
8. **391 L 0357:** Commission Directive 91/357/EEC of 13 June 1991 laying down the categories of ingredients which may be used for the purpose of labelling compound feedingstuffs for animals other than pet animals (OJ No L 193, 17.7.1991, p. 34).

*Bioproteins and similar*

9. **382 L 0471:** Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition (OJ No L 213, 21.7.1982, p. 8), as amended by:
  - **385 L 0509:** Second Commission Directive 85/509/EEC of 6 November 1985 (OJ No L 314, 23.11.1985, p. 25),
  - **386 L 0530:** Commission Directive 86/530/EEC of 28 October 1986 (OJ No L 312, 7.11.1986, p. 39),
  - **388 L 0485:** Commission Directive 88/485/EEC of 26 July 1988 (OJ No L 239, 30.8.1988, p. 36),
  - **389 L 0520:** Commission Directive 89/520/EEC of 6 September 1989 (OJ No L 270, 19.9.1989, p. 13),
  - **390 L 0439:** Commission Directive 90/439/EEC of 24 July 1990 (OJ No L 227, 21.8.1990, p. 33).

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

For the application of the Directive,

- by 1 January 1993, the EFTA States shall forward dossiers concerning products falling within the groups of micro-organisms referred to in items 1.1 and 1.2 of the Annex, authorized by EFTA States but not in the Community, established according to the guidelines provided for by Directive 83/228/EEC.

Dossiers shall be forwarded at least in the English language. Furthermore, a short summary intended for publication, giving the basic information contained in dossiers, shall be forwarded in the English, French and German languages.

- before 1 January 1995, the national authorizations granted by EFTA States shall be decided on in accordance with the procedure laid down in Article 13, Until a decision has been adopted by the European Economic Community, the EFTA States may, for products marketed in their territory, maintain their national authorizations.

10. **383 L 0228:** Council Directive 83/228/EEC of 18 April 1983 on the fixing of guidelines for the assessment of certain products used in animal nutrition (OJ No L 126, 13.5.1983, p. 23).
11. **385 D 0382:** Commission Decision 85/382/EEC of 10 July 1985 prohibiting the use in feedingstuffs of protein products obtained from *Candida* yeasts cultivated on n-alkanes (OJ No L 217, 14.8.1985, p. 27).

*Methods of analysis and control*

12. **370 L 0373:** Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs (OJ No L 170, 3.8.1970, p. 2), as amended by:
  - **372 L 0275:** Council Directive 72/275/EEC of 20 July 1972 (OJ No L 171, 29.7.1972, p. 39).

13. **371 L 0250:** First Commission Directive 71/250/EEC of 15 June 1971 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 155, 12.7.1971, p. 13), as amended by:
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32).
14. **371 L 0393:** Second Commission Directive 71/393/EEC of 18 November 1971 establishing Community methods of analysis for the official control for feedingstuffs (OJ No L 279, 20.12.1971, p. 7), as amended by:
  - **373 L 0047:** Commission Directive 73/47/EEC of 5 December 1972 (OJ No L 83, 30.3.1973, p. 35),
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32),
  - **384 L 0004:** Commission Directive 84/4/EEC of 20 December 1983 (OJ No L 15, 18.1.1984, p. 28).
15. **372 L 0199:** Third Commission Directive 72/199/EEC of 27 April 1972 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 123, 29.5.1972, p. 6), as amended by:
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32),
  - **384 L 0004:** Commission Directive 84/4/EEC of 20 December 1983 (OJ No L 15, 18.1.1984, p. 28).
16. **373 L 0046:** Fourth Commission Directive 73/46/EEC of 5 December 1972 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 83, 30.3.1973, p. 21), as amended by:
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32).
17. **374 L 0203:** Fifth Commission Directive 74/203/EEC of 25 March 1974 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 108, 22.4.1974, p. 7), as amended by:
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32).
18. **375 L 0084:** Sixth Commission Directive 75/84/EEC of 20 December 1974 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 32, 5.2.1975, p. 26), as amended by:
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32).
19. **376 L 0371:** First Commission Directive 76/371/EEC of 1 March 1976 establishing Community methods of sampling for the official control of feedingstuffs (OJ No L 102, 15.4.1976, p. 1).
20. **376 L 0372:** Seventh Commission Directive 76/372/EEC of 1 March 1976 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 102, 15.4.1976, p. 8), as amended by:
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32).

21. **378 L 0633:** Eighth Commission Directive 78/633/EEC of 15 June 1978 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 206, 29.7.1978, p. 43), as amended by:
  - **381 L 0680:** Commission Directive 81/680/EEC of 30 July 1981 (OJ No L 246, 29.8.1981, p. 32),
  - **384 L 0004:** Commission Directive 84/4/EEC of 20 December 1983 (OJ No L 15, 18.1.1984, p. 28).
22. **381 L 0715:** Ninth Commission Directive 81/715/EEC of 31 July 1981 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 257, 10.9.1981, p. 38).
23. **384 L 0425:** Tenth Commission Directive 84/425/EEC of 25 July 1984 establishing Community methods of analysis for the official control of feedingstuffs (OJ No L 238, 6.9.1984, p. 34).

*Undesirable substances and products*

24. **374 L 0063:** Council Directive 74/63/EEC of 17 December 1973 on undesirable substances and products in animal nutrition (OJ No L 38, 11.2.1974, p. 31), as amended by:
  - **376 L 0934:** Commission Directive 76/934/EEC of 1 December 1976 (OJ No L 364, 31.12.1976, p. 20),
  - **380 L 0502:** Council Directive 80/502/EEC of 6 May 1980 (OJ No L 124, 20.5.1980, p. 17),
  - **383 L 0381:** Third Commission Directive 83/381/EEC of 28 July 1983 (OJ No L 222, 13.8.1983, p. 31),
  - **386 L 0299:** Fourth Commission Directive 86/299/EEC of 3 June 1986 (OJ No L 189, 11.7.1986, p. 40),
  - **386 L 0354:** Council Directive 86/354/EEC of 21 July 1986 (OJ No L 212, 2.8.1986, p. 27),
  - **387 L 0238:** Commission Directive 87/238/EEC of 1 April 1987 (OJ No L 110, 25.4.1987, p. 25),
  - **387 L 0519:** Council Directive 87/519/EEC of 19 October 1987 (OJ No L 304, 27.10.1987, p. 38),
  - **391 L 0126:** Commission Directive 91/126/EEC of 13 February 1991 (OJ No L 60, 7.3.1991, p. 16),
  - **391 L 0132:** Council Directive 91/132/EEC of 4 March 1991 (OJ No L 66, 13.3.1991, p. 16).

Notwithstanding the provisions of the Directive, with regard to aflatoxin, Sweden may maintain its national legislation. The Contracting Parties shall review the matter during 1995.

### III. PHYTOSANITARY MATTERS

The provisions relating to third-country relations and border controls in the acts referred to in this Chapter are not applicable.

#### SEEDS ACTS REFERRED TO

##### *1. Basic texts*

1. **366 L 0400:** Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed (OJ No 125, 11.7.1966, p. 2290/66), as amended by:

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*Status: This is the original version (as it was originally adopted).*

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- **369 L 0061:** Council Directive 69/61/EEC of 18 February 1969 (OJ No L 48, 26.2.1969, p. 4),
  - **371 L 0162:** Council Directive 71/162/EEC of 30 March 1971 (OJ No L 87, 17.4.1971, p. 24),
  - **372 L 0274:** Council Directive 72/274/EEC of 20 July 1972 (OJ No L 171, 29.7.1972, p. 37),
  - **372 L 0418:** Council Directive 72/418/EEC of 6 December 1972 (OJ No L 287, 26.12.1972, p. 22),
  - **373 L 0438:** Council Directive 73/438/EEC of 11 December 1973 (OJ No L 356, 27.12.1973, p. 79),
  - **375 L 0444:** Council Directive 75/444/EEC of 26 June 1975 (OJ No L 196, 26.7.1975, p. 6),
  - **376 L 0331:** First Commission Directive 76/331/EEC of 29 March 1976 (OJ No L 83, 30.3.1976, p. 34),
  - **378 L 0055:** Council Directive 78/55/EEC of 19 December 1977 (OJ No L 16, 20.1.1978, p. 23),
  - **378 L 0692:** Council Directive 78/692/EEC of 25 July 1978 (OJ No L 236, 26.8.1978, p. 13),
  - **387 L 0120:** Commission Directive 87/120/EEC of 14 January 1987 (OJ No L 49, 18.2.1987, p. 39),
  - **388 L 0095:** Commission Directive 88/95/EEC of 8 January 1988 (OJ No L 56, 2.3.1988, p. 42),
  - **388 L 0332:** Council Directive 88/332/EEC of 13 June 1988 (OJ No L 151, 17.6.1988, p. 82),
  - **388 L 0380:** Council Directive 88/380/EEC of 13 June 1988 (OJ No L 187, 16.7.1988, p. 31),
  - **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48).
2. **366 L 0401:** Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (OJ No 125, 11.7.1966, p. 2298/66), 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. 76),
  - **378 L 0055:** Council Directive 78/55/EEC of 19 December 1977 (OJ No L 16, 20.1.1978, p. 23),
  - **378 L 0386:** First Commission Directive 78/386/EEC of 18 April 1978 (OJ No L 113, 25.4.1978, p. 1),
  - **378 L 0692:** Council Directive 78/692/EEC of 25 July 1978 (OJ No L 236, 26.8.1978, p. 13),
  - **378 L 1020:** Council Directive 78/1020/EEC of 5 December 1978 (OJ No L 350, 14.12.1978, p. 27),
  - **379 L 0641:** Commission Directive 79/641/EEC of 27 June 1979 (OJ No L 183, 19.7.1979, p. 13),
  - **379 L 0692:** Council Directive 79/692/EEC of 24 July 1979 (OJ No L 205, 13.8.1979, p. 1),
  - **380 L 0754:** Commission Directive 80/754/EEC of 17 July 1980 (OJ No L 207, 9.8.1980, p. 36),

- **381 L 0126:** Commission Directive 81/126/EEC of 16 February 1981 (OJ No L 67, 12.3.1981, p. 36),
- **382 L 0287:** Commission Directive 82/287/EEC of 13 April 1982 (OJ No L 131, 13.5.1982, p. 24),
- **385 L 0038:** Commission Directive 85/38/EEC of 14 December 1984 (OJ No L 16, 19.1.1985, p. 41),
- **385 D 0370:** Commission Decision 85/370/EEC of 8 July 1985 (OJ No L 209, 6.8.1985, p. 41),
- **386 D 0153:** Commission Decision 86/153/EEC of 25 March 1986 (OJ No L 115, 3.5.1986, p. 26),
- **386 L 0155:** Council Directive 86/155/EEC of 22 April 1986 (OJ No L 118, 7.5.1986, p. 23),
- **387 L 0120:** Commission Directive 87/120/EEC of 14 January 1987 (OJ No L 49, 18.2.1987, p. 39),
- **387 L 0480:** Commission Directive 87/480/EEC of 9 September 1987 (OJ No L 273, 26.9.1987, p. 43),
- **388 L 0332:** Council Directive 88/332/EEC of 13 June 1988 (OJ No L 151, 17.6.1988, p. 82),
- **388 L 0380:** Council Directive 88/380/EEC of 13 June 1988 (OJ No L 187, 16.7.1988, p. 31),
- **389 L 0100:** Commission Directive 89/100/EEC of 20 January 1989 (OJ No L 38, 10.2.1989, p. 36),
- **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48).

**Notwithstanding the provisions of the Directive:**

- (a) Finland may permit, for a period expiring 31 December 1996, unless otherwise agreed by the Contracting Parties, the marketing on its territory of
    - seeds nationally produced which do not meet the requirements of the European Economic Community in respect of germination;
    - seeds of any species of the category ‘commercial seed’ (‘kauppasiemen’/‘handelsutsäde’) as defined in the existing Finnish legislation.
  - (b) Norway may permit, for a period expiring 31 December 1996, unless otherwise agreed by the Contracting Parties, the marketing on its territory of seeds nationally produced which do not meet the requirements of the European Economic Community in respect of germination.
3. **366 L 0402:** Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ No 125, 11.7.1966, p. 2309/66), as amended by:
- **369 L 0060:** Council Directive 69/60/EEC of 18 February 1969 (OJ No L 48, 26.2.1969, p. 1),
  - **371 L 0162:** Council Directive 71/162/EEC of 30 March 1971 (OJ No L 87, 17.4.1971, p. 24),
  - **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. 76),
  - **372 L 0274:** Council Directive 72/274/EEC of 20 July 1972 (OJ No L 171, 29.7.1972, p. 37),

- **372 L 0418:** Council Directive 72/418/EEC of 6 December 1972 (OJ No L 287, 26.12.1972, p. 22),
- **373 L 0438:** Council Directive 73/438/EEC of 11 December 1973 (OJ No L 356, 27.12.1973, p. 79),
- **375 L 0444:** Council Directive 75/444/EEC of 26 June 1975 (OJ No L 196, 26.7.1975, p. 6),
- **378 L 0055:** Council Directive 78/55/EEC of 19 December 1977 (OJ No L 16, 20.1.1978, p. 23),
- **378 L 0387:** First Commission Directive 78/387/EEC of 18 April 1978 (OJ No L 113, 25.4.1978, p. 13),
- **378 L 0692:** Council Directive 78/692/EEC of 25 July 1978 (OJ No L 236, 26.8.1978, p. 13),
- **378 L 1020:** Council Directive 78/1020/EEC of 5 December 1978 (OJ No L 350, 14.12.1978, p. 27),
- **379 L 0641:** Commission Directive 79/641/EEC of 27 June 1979 (OJ No L 183, 19.7.1979, p. 13),
- **379 L 0692:** Council Directive 79/692/EEC of 24 July 1979 (OJ No L 205, 13.8.1979, p. 1),
- **381 L 0126:** Commission Directive 81/126/EEC of 16 February 1981 (OJ No L 67, 12.3.1981, p. 36),
- **386 D 0153:** Commission Decision 86/153/EEC of 25 March 1986 (OJ No L 115, 3.5.1986, p. 26),
- **386 L 0155:** Council Directive 86/155/EEC of 22 April 1986 (OJ No L 118, 7.5.1986, p. 23),
- **386 L 0320:** Commission Directive 86/320/EEC of 20 June 1986 (OJ No L 200, 23.7.1986, p. 38),
- **387 L 0120:** Commission Directive 87/120/EEC of 14 January 1987 (OJ No L 49, 18.2.1987, p. 39),
- **388 L 0332:** Council Directive 88/332/EEC of 13 June 1988 (OJ No L 151, 17.6.1988, p. 82),
- **388 L 0380:** Council Directive 88/380/EEC of 13 June 1988 (OJ No L 187, 16.7.1988, p. 31),
- **388 L 0506:** Commission Directive 88/506/EEC of 13 September 1988 (OJ No L 274, 6.10.1988, p. 44),
- **389 D 0101:** Commission Decision 89/101/EEC of 20 January 1989 (OJ No L 38, 10.2.1989, p. 37),
- **389 L 0002:** Commission Directive 89/2/EEC of 15 December 1988 (OJ No L 5, 7.1.1989, p. 31),
- **390 L 0623:** Commission Directive 90/623/EEC of 7 November 1990 (OJ No L 333, 30.11.1990, p. 65),
- **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48).

**Notwithstanding the provisions of the Directive:**

- (a) Finland may permit, for a period expiring 31 December 1996, unless otherwise agreed by the Contracting Parties, the marketing on its territory of
  - seeds of the species oats, barley, wheat and rye, which do not meet the requirements of this Directive in respect of the



- maximum number of generations of seed of the category ‘certified seed’ (‘valiossiemen’/‘elitutsäde’);
  - seeds nationally produced which do not meet the requirements of the European Economic Community in respect of germination;
  - seeds of any species of the category ‘commercial seed’ (‘kauppasiemen’/‘handelsutsäde’) as defined in the existing Finnish legislation.
- (b) Norway may permit, for a period expiring 31 December 1996, unless otherwise agreed by the Contracting Parties, the marketing on its territory of seeds nationally produced which do not meet the requirements of the European Economic Community in respect of germination.
4. **369 L 0208:** Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants (OJ No L 169, 10.7.1969, p. 3), as amended by:
- **371 L 0162:** Council Directive 71/162/EEC of 30 March 1971 (OJ No L 87, 17.4.1971, p. 24),
  - **372 L 0274:** Council Directive 72/274/EEC of 20 July 1972 (OJ No L 171, 29.7.1972, p. 37),
  - **372 L 0418:** Council Directive 72/418/EEC of 6 December 1972 (OJ No L 287, 26.12.1972, p. 22),
  - **373 L 0438:** Council Directive 73/438/EEC of 11 December 1973 (OJ No L 356, 27.12.1973, P. 79),
  - **375 L 0444:** Council Directive 75/444/EEC of 26 June 1975 (OJ No L 196, 26.7.1975, p. 6),
  - **378 L 0055:** Council Directive 78/55/EEC of 19 December 1977 (OJ No L 16, 20.1.1978, p. 23),
  - **378 L 0388:** First Commission Directive 78/388/EEC of 18 April 1978 (OJ No L 113, 25.4.1978, p. 20),
  - **378 L 0692:** Council Directive 78/692/EEC of 25 July 1978 (OJ No L 236, 26.8.1978, p. 13),
  - **378 L 1020:** Council Directive 78/1020/EEC of 5 December 1978 (OJ No L 350, 14.12.1978, p. 27),
  - **379 L 0641:** Commission Directive 79/641/EEC of 27 June 1979 (OJ No L 183, 19.7.1979, p. 13),
  - **380 L 0304:** Commission Directive 80/304/EEC of 25 February 1980 (OJ No L 68, 14.3.1980, P. 33),
  - **381 L 0126:** Commission Directive 81/126/EEC of 16 February 1981 (OJ No L 67, 12.3.1981, p. 36),
  - **382 L 0287:** Commission Directive 82/287/EEC of 13 April 1982 (OJ No L 131, 13.5.1982, p. 24),
  - **382 L 0727:** Council Directive 82/727/EEC of 25 October 1982 (OJ No L 310, 6.11.1982, p. 21),
  - **382 L 0859:** Commission Directive 82/859/EEC of 2 December 1982 (OJ No L 357, 18.12.1982, P. 31),
  - **386 L 0155:** Council Directive 86/155/EEC of 22 April 1986 (OJ No L 118, 7.5.1986, p. 23),
  - **387 L 0120:** Commission Directive 87/120/EEC of 14 January 1987 (OJ No L 49, 18.2.1987, p. 39),

- **387 L 0480:** Commission Directive 87/480/EEC of 9 September 1987 (OJ No L 273, 26.9.1987, p. 43),
  - **388 L 0332:** Council Directive 88/332/EEC of 13 June 1988 (OJ No L 151, 17.6.1988, p. 82),
  - **388 L 0380:** Council Directive 88/380/EEC of 13 June 1988 (OJ No L 187, 16.7.1988, p. 31),
  - **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48).
5. **370 L 0457:** Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species (OJ No L 225, 12.10.1970, p. 1), as amended by:
- **372 L 0418:** Council Directive 72/418/EEC of 6 December 1972 (OJ No L 287, 26.12.1972, p. 22),
  - **373 L 0438:** Council Directive 73/438/EEC of 11 December 1973 (OJ No L 356, 27.12.1973, p. 79),
  - **376 D 0687:** Commission Decision 76/687/EEC of 30 June 1976 (OJ No L 235, 26.8.1976, p. 21),
  - **378 D 0122:** Commission Decision 78/122/EEC of 28 December 1977 (OJ No L 41, 11.2.1978, p. 34),
  - **379 D 0095:** Commission Decision 79/95/EEC of 29 December 1978 (OJ No L 22, 31.1.1979, p. 21),
  - **379 L 0692:** Council Directive 79/692/EEC of 24 July 1979 (OJ No L 205, 13.8.1979, p. 1),
  - **379 L 0967:** Council Directive 79/967/EEC of 12 November 1979 (OJ No L 293, 20.11.1979, p. 16),
  - **381 D 0436:** Commission Decision 81/436/EEC of 8 May 1981 (OJ No L 167, 24.6.1981, p. 29),
  - **381 D 0888:** Commission Decision 81/888/EEC of 19 October 1981 (OJ No L 324, 12.11.1981, p. 28),
  - **382 D 0041:** Commission Decision 82/41/EEC of 29 December 1981 (OJ No L 16, 22.1.1982, p. 50),
  - **383 D 0297:** Commission Decision 83/297/EEC of 6 June 1983 (OJ No L 157, 15.6.1983, p. 35),
  - **386 L 0155:** Council Directive 86/155/EEC of 22 April 1986 (OJ No L 118, 7.5.1986, p. 23),
  - **388 L 0380:** Council Directive 88/380/EEC of 13 June 1988 (OJ No L 187, 16.7.1988, p. 31),
  - **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48).

**Notwithstanding the provisions of the Directive:**

- The Contracting Parties shall from the entry into force of the Agreement jointly elaborate a common catalogue of varieties comprising also EFTA States' varieties fulfilling the requirements of the Act. They shall aim at completing such a common catalogue by 31 December 1995;
  - until the entry into force of the jointly elaborated catalogue the EFTA States shall continue to apply national catalogues of varieties.
6. **370 L 0458:** Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed (OJ No L 225, 12.10.1970, p. 7), as amended by;



- **371 L 0162:** Council Directive 71/162/EEC of 30 March 1971 (OJ No L 87, 17.4.1971, p. 24),
- **372 L 0274:** Council Directive 72/274/EEC of 20 July 1972 (OJ No L 171, 29.7.1972, p. 37),
- **372 L 0418:** Council Directive 72/418/EEC of 6 December 1972 (OJ No L 287, 26.12.1972, p. 22),
- **373 L 0438:** Council Directive 73/438/EEC of 11 December 1973 (OJ No L 356, 27.12.1973, p. 79),
- **376 L 0307:** Council Directive 76/307/EEC of 15 March 1976 (OJ No L 72, 18.3.1976, p. 16),
- **378 L 0055:** Council Directive 78/55/EEC of 19 December 1977 (OJ No L 16, 20.1.1978, p. 23),
- **378 L 0692:** Council Directive 78/692/EEC of 25 July 1978 (OJ No L 236, 26.8.1978, p. 13),
- **379 D 0355:** Commission Decision 79/355/EEC of 20 March 1979 (OJ No L 84, 4.4.1979, p. 23),
- **379 L 0641:** Commission Directive 79/641/EEC of 27 June 1979 (OJ No L 183, 19.7.1979, p. 13),
- **379 L 0692:** Council Directive 79/692/EEC of 24 July 1979 (OJ No L 205, 13.8.1979, p. 1),
- **379 L 0967:** Council Directive 79/967/EEC of 12 November 1979 (OJ No L 293, 20.11.1979, p. 16),
- **381 D 0436:** Commission Decision 81/436/EEC of 8 May 1981 (OJ No L 167, 24.6.1981, p. 29),
- **381 D 0888:** Commission Decision 81/888/EEC of 19 October 1981 (OJ No L 324, 12.11.1981, P. 28),
- **387 L 0120:** Commission Directive 87/120/EEC of 14 January 1987 (OJ No L 49, 18.2.1987, P. 39),
- **387 L 0481:** Commission Directive 87/481/EEC of 9 September 1987 (OJ No L 273, 26.9.1987, p. 45),
- **388 L 0332:** Council Directive 88/332/EEC of 13 June 1988 (OJ No L 151, 17.6.1988, p. 82),
- **388 L 0380:** Council Directive 88/380/EEC of 13 June 1988 (OJ No L 187, 16.7.1988, p. 31),
- **390 L 0654:** Council Directive 90/654/EEC of 4 December 1990 (OJ No L 353, 17.12.1990, p. 48).
- 7. **372 L 0168:** Commission Directive 72/168/EEC of 14 April 1972 on determining the characteristics and minimum conditions for inspecting vegetable varieties (OJ No L 103, 2.5.1972, p. 6).
- 8. **372 L 0180:** Commission Directive 72/180/EEC of 14 April 1972 determining the characteristics and minimum conditions for examining agricultural varieties (OJ No L 108, 8.5.1972, p. 8).
- 9. **374 L 0268:** Commission Directive 74/268/EEC of 2 May 1974 laying down special conditions concerning the presence of *Avena fatua* in fodder plant and cereal seed (OJ No L 141, 24.5.1974, p. 19), as amended by:
  - **378 L 0511:** Commission Directive 78/511/EEC of 24 May 1978 (OJ No L 157, 15.6.1978, p. 34).

2. *Application texts*

10. **375 L 0502:** Commission Directive 75/502/EEC of 25 July 1975 limiting the marketing of seed of smooth-talk meadowgrass (*Poa pratensis* L) to seed which has been officially certified ‘basic seed’ or ‘certified seed’ (OJ No L 228, 29.8.1975, p. 23).
11. **380 D 0755:** Commission Decision 80/755/EEC of 17 July 1980 authorizing the indelible printing of prescribed information on packages of cereal seed (OJ No L 207, 9.8.1980, p. 37), as amended by:  
 — **381 D 0109:** Commission Decision 81/109/EEC of 10 February 1981 (OJ No L 64, 11.3.1981, p. 13).
12. **381 D 0675:** Commission Decision 81/675/EEC of 28 July 1981 establishing that particular sealing systems are ‘non-reusable systems’ within the meaning of Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC (OJ No L 246, 29.8.1981, p. 26), as amended by:  
 — **386 D 0563:** Commission Decision 86/563/EEC of 12 November 1986 (OJ No L 327, 22.12.1986, p. 50).
13. **386 L 0109:** Commission Directive 86/109/EEC of 27 February 1986 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as ‘basic seed’ or ‘certified seed’ (OJ No L 93, 8.4.1986, p. 21), as amended by:  
 — **389 L 0424:** Commission Directive 89/424/EEC of 30 June 1989 (OJ No L 196, 12.7.1989, p. 50),  
 — **391 L 0376:** Commission Directive 91/376/EEC of 25 June 1991 (OJ No L 203, 26.7.1991, p. 108).
14. **387 D 0309:** Commission Decision 87/309/EEC of 2 June 1987 authorizing the indelible printing of prescribed information on packages of seed of certain fodder plant species (OJ No L 155, 16.6.1987, p. 26), as amended by:  
 — **388 D 0493:** Commission Decision 88/493/EEC of 8 September 1988 (OJ No L 261, 21.9.1988, p. 27).
15. **389 L 0014:** Commission Directive 89/14/EEC of 15 December 1988 determining the groups of varieties of spinach beet and beetroot referred to crop isolation conditions of Annex I to Council Directive 70/458/EEC on the marketing of vegetable seed (OJ No L 8, 11.1.1989, p. 9).
16. **389 D 0374:** Commission Decision 89/374/EEC of 2 June 1989 on the organization of a temporary experiment under Council Directive 66/402/EEC on the marketing of cereal seed, in order to establish the conditions to be satisfied by the crop and the seed of hybrids of rye (OJ No L 166, 16.6.1989, p. 66).
17. **389 D 0540:** Commission Decision 89/540/EEC of 22 September 1989 on the organization of a temporary experiment on the marketing of seeds and propagating material (OJ No L 286, 4.10.1989, p. 24).
18. **390 D 0639:** Commission Decision 90/639/EEC of 12 November 1990 determining the names to be borne by the varieties derived from the varieties of vegetable species listed in Decision 89/7/EEC (OJ No L 348, 12.12.1990, p. 1).
3. *Acts of which the EFTA States and the EFTA Surveillance Authority shall take due account*

19. **370 D 0047:** Décision de la Commission 70/47/CEE du 22 décembre 1969, dispensant la République française d'appliquer, à certaines espèces, les directives du Conseil, du 14 juin 1966, concernant la commercialisation des semences de plantes fourragères et de céréales (OJ No L 13, 19.1.1970, p. 26), as amended by:
  - **380 D 0301:** Commission Decision 80/301/EEC of 25 February 1980 (OJ No L 68, 14.3.1980, p. 30).
20. **373 D 0083:** Council Decision 73/83/EEC of 26 March 1973 on the equivalence of field inspections carried out on seed producing crops in Denmark, Ireland and the United Kingdom (OJ No L 106, 20.4.1973, p. 9), as amended by:
  - **374 D0350:** Council Decision 74/350/EEC of 27 June 1974 (OJ No L 191, 15.7.1974, p. 27).
21. **373 D 0188:** Commission Decision 73/188/EEC of 4 June 1973 exempting the United Kingdom of Great Britain and Northern Ireland from applying to certain species the Council Directive of 29 September 1970 concerning the marketing of vegetable seed (OJ No L 194, 16.7.1973, p. 16).
22. **374 D 0005:** Commission Decision 74/5/EEC of 6 December 1973 exempting the Kingdom of Denmark from applying to certain species the Council Directive of 14 June 1966 concerning the marketing of cereal seed (OJ No L 12, 15.1.1974, p. 13).
23. **374 D 0269:** Commission Decision 74/269/EEC of 2 May 1974 authorizing certain Member States to make provisions which are more strict concerning the presence of *Avena fatua* in fodder plant and cereal seed (OJ No L 141, 24.5.1974, p. 20), as amended by:
  - **378 D 0512:** Commission Decision 78/512/EEC of 24 May 1978 (OJ No L 157, 15.6.1978, p. 35).
24. **374 D 0358:** Commission Decision 74/358/EEC of 13 June 1974 exempting Ireland from applying to certain species the Council Directive of 29 September 1970 on the marketing of vegetable seed (OJ No L 196, 19.7.1974, p. 15), as amended by:
  - **390 D 0209:** Commission Decision 90/209/EEC of 19 April 1990 (OJ No L 108, 28.4.1990, p. 104).
25. **374 D 0360:** Commission Decision 74/360/EEC of 13 June 1974 exempting the United Kingdom from applying to certain species the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants (OJ No L 196, 19.7.1974, p. 18).
26. **374 D 0361:** Commission Decision 74/361/EEC of 13 June 1974 exempting the United Kingdom from applying to certain species the Council Directive of 14 June 1966 on the marketing of cereal seed (OJ No L 196, 19.7.1974, p. 19).
27. **374 D 0362:** Commission Decision 74/362/EEC of 13 June 1974 exempting the United Kingdom from applying to certain species the Council Directive of 14 June 1966 on the marketing of fodder plant seed (OJ No L 196, 19.7.1974, p. 20).
28. **374 D 0366:** Commission Decision 74/366/EEC of 13 June 1974 provisionally authorizing the French Republic to prohibit the marketing, in France, of dwarf french bean seed of the variety 'Sim' (OJ No L 196, 19.7.1974, p. 24).
29. **374 D 0367:** Commission Decision 74/367/EEC of 13 June 1974 provisionally authorizing the French Republic to prohibit the marketing, in France, of dwarf french bean seed of the variety 'Dustor' (OJ No L 196, 19.7.1974, p. 25).

30. **374 D 0491:** Commission Decision 74/491/EEC of 17 September 1974 exempting the Kingdom of Denmark from applying to certain species the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants ([OJ No L 267, 3.10.1974, p. 18](#)).
31. **374 D 0531:** Commission Decision 74/531/EEC of 16 October 1974 authorizing the Kingdom of the Netherlands to adopt more stringent provisions concerning the presence of *Avena fatua* in cereal seed ([OJ No L 299, 7.11.1974, p. 13](#)).
32. **374 D 0532:** Commission Decision 74/532/EEC of 16 October 1974 exempting Ireland from applying to certain species the Council Directives of 14 June 1966 on the marketing of fodder plant seed and of cereal seed and the Council Directive of 30 June 1969 on the marketing of seed of oil and fibre plants ([OJ No L 299, 7.11.1974, p. 14](#)).
33. **375 D 0577:** Commission Decision 75/577/EEC of 30 June 1975 authorizing the Republic of France to restrict the marketing of seeds and seedlings of certain varieties of agricultural plant species ([OJ No L 253, 30.9.1975, p. 41](#)).
34. **375 D 0578:** Commission Decision 75/578/EEC of 30 June 1975 authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed of certain varieties of agricultural plant species ([OJ No L 253, 30.9.1975, p. 45](#)), as amended by:
  - **378 D 0285:** Commission Decision 78/285/EEC of 22 February 1978 ([OJ No L 74, 16.3.1978, p. 29](#)).
35. **375 D 0752:** Commission Decision 75/752/EEC of 20 November 1975 exempting the United Kingdom from applying Council Directive 70/458/EEC to certain vegetable species ([OJ No L 319, 10.12.1975, p. 12](#)).
36. **376 D 0219:** Commission Decision 76/219/EEC of 30 December 1975 authorizing the French Republic to restrict the marketing of seed or propagating material of certain varieties of agricultural plant species ([OJ No L 46, 21.2.1976, p. 30](#)).
37. **376 D 0221:** Commission Decision 76/221/EEC of 30 December 1975 authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed or propagating material of certain varieties of agricultural plant species ([OJ No L 46, 21.2.1976, p. 33](#)).
38. **376 D 0687:** Commission Decision 76/687/EEC of 30 June 1976 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species ([OJ No L 235, 26.8.1976, p. 21](#)), as amended by:
  - **378 D 0615:** Commission Decision 78/615/EEC of 23 June 1978 ([OJ No L 198, 22.7.1978, p. 12](#)).
39. **376 D 0688:** Commission Decision 76/688/EEC of 30 June 1976 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species ([OJ No L 235, 26.8.1976, p. 24](#)).
40. **376 D 0689:** Commission Decision 76/689/EEC of 30 June 1976 authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed of certain varieties of agricultural plant species ([OJ No L 235, 26.8.1976, p. 27](#)).
41. **376 D 0690:** Commission Decision 76/690/EEC of 30 June 1976 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species ([OJ No L 235, 26.8.1976, p. 29](#)).

42. **377 D 0147:** Commission Decision 77/147/EEC of 29 December 1976 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 47, 18.2.1977, p. 66).
43. **377 D 0149:** Commission Decision 77/149/EEC of 29 December 1976 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 47, 18.2.1977, p. 70).
44. **377 D 0150:** Commission Decision 77/150/EEC of 29 December 1976 authorizing the French Republic to restrict the marketing of a variety of cereals (OJ No L 47, 18.2.1977, p. 72).
45. **377 D 0282:** Commission Decision 77/282/EEC of 30 March 1977 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 95, 19.4.1977, p. 21).
46. **377 D 0283:** Commission Decision 77/283/EEC of 30 March 1977 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 95, 19.4.1977, p. 23).
47. **377 D 0406:** Commission Decision 77/406/EEC of 1 June 1977 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 148, 16.6.1977, p. 25).
48. **378 D 0124:** Commission Decision 78/124/EEC of 28 December 1977 authorizing the Grand Duchy of Luxembourg to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 41, 11.2.1978, p. 38).
49. **378 D 0126:** Commission Decision 78/126/EEC of 28 December 1977 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 41, 11.2.1978, p. 41).
50. **378 D 0127:** Commission Decision 78/127/EEC of 28 December 1977 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 41, 11.2.1978, p. 43).
51. **378 D 0347:** Commission Decision 78/347/EEC of 30 March 1978 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 99, 12.4.1978, p. 26).
52. **378 D 0348:** Commission Decision 78/348/EEC of 30 March 1978 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 99, 12.4.78, p. 28).
53. **378 D 0349:** Commission Decision 78/349/EEC of 30 March 1978 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 99, 12.4.1978, p. 30).
54. **379 D 0092:** Commission Decision 79/92/EEC of 29 December 1978 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 22, 31.1.1979, p.14).
55. **379 D 0093:** Commission Decision 79/93/EEC of 29 December 1978 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 22, 31.1.1979, p. 17).



56. **379 D 0094:** Commission Decision 79/94/EEC of 29 December 1978 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 22, 31.1.1979, p. 19).
57. **379 D 0348:** Commission Decision 79/348/EEC of 14 March 1979 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 84, 4.4.1979, p. 12).
58. **379 D 0355:** Commission Decision 79/355/EEC of 20 March 1979 exempting the Kingdom of Denmark from applying to certain species Council Directive 70/458/EEC on the marketing of vegetable seed (OJ No L 84, 4.4.1979, p. 23).
59. **380 D 0128:** Commission Decision 80/128/EEC of 28 December 1979 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 29, 6.2.1980, p. 35).
60. **380 D 0446:** Commission Decision 80/446/EEC of 31 March 1980 authorizing the United Kingdom to restrict the marketing of seed of a variety of an agricultural plant species (OJ No L 110, 29.4.1980, p. 23).
61. **380 D 0512:** Commission Decision 80/512/EEC of 2 May 1980 authorizing the Kingdom of Denmark, the Federal Republic of Germany, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom not to apply the conditions laid down in Council Directive 66/401/EEC on the marketing of fodder plant seed, as regards the weight of the sample for determination of seed of *Cuscuta* (OJ No L 126, 21.5.1980, p. 15).
62. **380 D 1359:** Commission Decision 80/1359/EEC of 30 December 1980 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 384, 31.12.1980, p. 42).
63. **380 D 1360:** Commission Decision 80/1360/EEC of 30 December 1980 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 384, 31.12.1980, p. 44).
64. **380 D 1361:** Commission Decision 80/1361/EEC of 30 December 1980 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 384, 31.12.1980, p. 46).
65. **381 D 0277:** Commission Decision 81/277/EEC of 31 March 1981 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 123, 7.5.1981, p. 32).
66. **381 D 0436:** Commission Decision 81/436/EEC of 8 May 1981 authorizing the United Kingdom to extend the time limit for acceptances of certain varieties of species of agricultural plants and vegetables (OJ No L 167, 24.6.1981, p. 29).
67. **382 D 0041:** Commission Decision 82/41/EEC of 29 December 1981 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 16, 22.1.1982, p. 50).
68. **382 D 0947:** Commission Decision 82/947/EEC of 30 December 1982 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 383, 31.12.1982, p. 23), as amended by:  
— **388 D 0625:** Commission Decision 88/625/EEC of 8 December 1988 (OJ No L 347, 16.12.1988, p. 74).

69. **382 D 0948:** Commission Decision 82/948/EEC of 30 December 1982 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 383, 31.12.1982, p. 25).
70. **382 D 0949:** Commission Decision 82/949/EEC of 30 December 1982 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 383, 31.12.1982, p. 27).
71. **384 D 0019:** Commission Decision 84/19/EEC of 22 December 1983 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 18, 21.1.1984, p. 43).
72. **384 D 0020:** Commission Decision 84/20/EEC of 22 December 1983 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 18, 21.1.1984, p. 45).
73. **384 D 0023:** Commission Decision 84/23/EEC of 22 December 1983 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 20, 25.1.1984, p. 19).
74. **385 D 0370:** Commission Decision 85/370/EEC of 8 July 1985 authorizing the Netherlands to assess the satisfaction of the varietal purity standards laid down in Annex II to Council Directive 66/401/EEC for seed of apomictic uniclinal varieties of *Poa pratensis*, also on the basis of the results of seed and seedling testing (OJ No L 209, 6.8.1985, p. 41).
75. **385 D 0623:** Commission Decision 85/623/EEC of 16 December 1985 authorizing the French Republic to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 379, 31.12.1985, p. 18).
76. **385 D 0624:** Commission Decision 85/624/EEC of 16 December 1985 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 379, 31.12.1985, p. 20).
77. **386 D 0153:** Commission Decision 86/153/EEC of 25 March 1986 exempting Greece from applying to certain species Council Directives 66/401/EEC, 66/402/EEC and 69/208/EEC on the marketing of fodder plant seed, cereal seed and the seed of oil and fibre plants respectively (OJ No L 115, 3.5.1986, p. 26).
78. **387 D 0110:** Commission Decision 87/110/EEC of 22 December 1986 authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 48, 17.2.1987, p. 27).
79. **387 D 0111:** Commission Decision 87/111/EEC of 22 December 1986 authorizing the United Kingdom to restrict the marketing of seed of certain varieties of agricultural plant species (OJ No L 48, 17.2.1987, p. 29).
80. **387 D 0448:** Commission Decision 87/448/EEC of 31 July 1987 authorizing the United Kingdom to restrict the marketing of seed of a variety of an agricultural plant species (OJ No L 240, 22.8.1987, p. 39).
81. **389 D 0078:** Commission Decision 89/78/EEC of 29 December 1988 liberalizing trade in seeds of certain agricultural plant species between Portugal and other Member States (OJ No L 30, 1.2.1989, p. 75).

82. **389 D 0101:** Commission Decision 89/101/EEC of 20 January 1989 releasing Belgium, Denmark, Germany, Spain, Ireland, Luxembourg and the United Kingdom from the obligation to apply to certain species Council Directives 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC on the marketing of fodder plant seed, cereal seed, seed of oil and fibre plants and vegetable seed respectively ([OJ No L 38, 10.2.1989, p. 37](#)).
83. **389 D 0421:** Commission Decision 89/421/EEC of 22 June 1989 authorizing the Hellenic Republic to restrict the marketing of seed of certain varieties of an agricultural plant species ([OJ No L 193, 8.7.1989, p. 41](#)).
84. **389 D 0422:** Commission Decision 89/422/EEC of 23 June 1989 authorizing the Federal Republic of Germany to restrict the marketing of seed of a variety of an agricultural plant species and amending Decision 89/77/EEC ([OJ No L 193, 8.7.1989, p. 43](#)).
85. **390 D 0057:** Commission Decision 90/57/EEC of 24 January 1990 liberalizing trade in seeds of certain agricultural plant species between Portugal and other Member States ([OJ No L 40, 14.2.1990, p. 13](#)).
86. **390 D 0209:** Commission Decision 90/209/EEC of 19 April 1990 releasing the Member States from the obligation to apply to certain species the provisions of Council Directive 70/458/EEC on the marketing of vegetable seed amending Decisions 73/122/EEC and 74/358/EEC and repealing Decision 74/363/EEC ([OJ No L 108, 28.4.1990, p. 104](#)).
87. **391 D 0037:** Commission Decision 91/37/EEC of 20 December 1990 authorizing the Federal Republic of Germany and the Hellenic Republic to restrict the marketing of seed of certain varieties of agricultural plant species and amending certain Decisions authorizing the Federal Republic of Germany to restrict the marketing of seed of certain varieties of agricultural plant species ([OJ No L 18, 24.1.1991, p. 19](#)).



## 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](#)),

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*Status: This is the original version (as it was originally adopted).*

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- **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 I 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”/“typgodkännande” in Finnish law,
  - “gerðarviðurkenning” in Icelandic law,
  - “Typengenehmigung” in Liechtensteiner law,
  - “typgodkjenning” in Norwegian law,
  - “typgodkännande” 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 No 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 17 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. 12), 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),
  - **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



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*Status: This is the original version (as it was originally adopted).*

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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
IS	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:
- **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 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       |
| IS | 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 compartments 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 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”/“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.
- (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”/“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.
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),
  - **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),
  - **382 L 0890:** Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31.12.1982, p. 45),



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- **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,
  - “typgodkjenning” 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. **3 77 L 0311:** Council Directive 77/31 I/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:

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- 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](#))<sup>(7)</sup>.
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](#)).
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. 1), 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 metro-logical 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 kilogram medium accuracy rectangular bar weights and 1 gram to 10 kilogram 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 hehtolitraino’	(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 No L 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 to 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 to 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 to 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 volume 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, as last amended;

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

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### Liquids

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1.
  - (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 subheading Nos 2205 A and B/HS subheading Nos 2204 10, 2204 21 and 2204 29 and liqueur wines (CCT subheading No ex 2205 C/HS heading No ex 2204); grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol (CCT heading No 2204/HS subheading No 2204 30)
  - (b) “Yellow” wines entitled to use the following designations of origin: “Côtes du Jura”, “Arbois”, “L’Etoile” and “Château-Chalon”
  - (c) Other non-sparkling fermented beverages, for example, cider, perry and mead (CCT subheading No 2207 B II/HS subheading No 2206 00)

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a OJ No 311, 1.12.1975, p. 40.

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*Status: This is the original version (as it was originally adopted).*

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- (d) Vermouths and other wines of fresh grapes flavoured with aromatic extracts (CCT heading No 2206/HS heading No 2205); liqueur wines (CCT subheading No ex 2205 C/HS heading No ex 2204)
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- 2.
- (a) — Sparkling wines (CCT subheading No 2205 A/HS subheading No 2204 10)  
 — Wine other than that referred to in subheading No 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 No 2205 B/HS subheading Nos ex 2204 21 and ex 2204 29)
- (b) Other fermented sparkling beverages, for example, cider, perry and mead (CCT subheading No 2207 B 1/HS heading No 2206 00)
- 
- 3.
- (a) Beer made from malt (CCT heading No 2203/HS heading No 2203 00), excluding acid beers
- (b) Acid beers, gueuze
- 
4. Spirits (other than those of CCT heading No 2208/HS heading No 2207); liqueurs and other spirituous beverages; compound alcoholic preparations (known as “concentrated extracts”) for the manufacture of beverages (CCT heading No 2209/HS heading No 2208)
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5. Vinegar and substitutes for vinegar (CCT heading No 2210/HS heading No 2209 00)
- 
6. Olive oils (CCT subheading No 1507 A/HS subheading Nos 1509 10 and 1509 90, and HS heading No 1510), other edible oils (CCT subheading No 1507 D II/HS heading Nos 1507 and 1508, and 1511 to 1517)
- 
7. — Milk, fresh, not concentrated or sweetened (CCT heading No ex 0401/HS heading No 04.01), excluding yoghurt, kephir, curdled milk, whey and other fermented or acidified milk  
 — Milk-based beverages (CCT subheading No 2202 B/HS subheading Nos ex 0403 10 and ex 0403 90)
- 
- 8.
- (a) Waters, including spa waters and aerated waters (CCT heading No 2201/HS heading No 22.01)
- (b) Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages not containing milk or milkfats, (CCT subheading No 22.02 A/HS heading No 2202) excluding fruit and vegetable juices falling within CCT heading No 2207/HS heading No 2209 and concentrates
- (c) Beverages labelled as alcohol-free aperitifs
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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 No 2007 B/HS heading No 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)<sup>a</sup>.

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a OJ No 311, 1.12.1975, p. 40.

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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 76/21 I/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 7 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 No 0405 00), **margarine emulsified or non-animal and vegetable fats, low fat spreads**  
125 - 250 - 500 - 1 000 - 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 No ex 0404 E I c/HS subheading No 0406 10)  
62.5 - 125 - 250 - 500 - 1 000 - 2 000 - 5 000
    - 1.3. **Table and cooking salt** (CCT subheading No 2501 A/HS heading No 2501)  
125 - 250 - 500 - 750 - 1 000 - 1 500 - 5 000
    - 1.4. **Impalpable sugars, red or brown sugars, candy 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<sup>(8)</sup> - 5 000 - 10 000
- 1.5.2. *Pasta products* (CCT heading No 1903/HS heading No 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 No 1006)  
125 - 250 - 500 - 1 000 - 2 000 - 2 500 - 5 000
- 1.5.4. *Prepared foods obtained similar to the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)* (CCT heading No 1905/HS heading No 1904)  
250 - 375 - 500 - 750 - 1 000 - 1 500 - 2 000
- 1.6. **Dried vegetables** (CCT heading No 0705/HS heading Nos 0712 to 0713),<sup>(9)</sup> dried fruits (CCT heading Nos or subheading Nos ex 0801, 0803 B, 0804 B, 0812/HS heading Nos 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;
- (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 No 3209 A II/HS heading Nos 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 No 3405); stain removers, starches and dyes for household use (CCT subheading Nos 3812 A and 3209 C/HS subheading Nos 3809 10 and ex 3212 90), household insecticides (CCT heading No ex 3811/HS subheading No 3808 10), descalers (CCT heading No ex 3402/HS heading Nos ex 3401, ex 3402), household deodorizers (CCT subheading No 3306 B/HS subheading Nos 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 subheading Nos 3306 A and B/HS heading Nos 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 subheading Nos 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 No 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 No 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 No 3402) and hypochlorite preparations (excluding the products referred to in point 6) (quantity in ml)  
125 - 250 - 500 - 750 - 1 000 - 1 250<sup>(10)</sup> - 1 500 - 2 000 - 3 000 - 4 000 - 5 000 - 6 000 - 7 000-10 000.

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 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 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 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 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 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 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 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 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 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 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 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 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 C 311, 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),



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- **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
  - ny 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 trivinyll 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 authorized 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, 4.12.1968, p. 24),
  - **370 L 0358:** Council Directive 70/358/EEC of 13 July 1970 (OJ No L 157, 18.7.1970, p. 36),
  - **1 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),
  - **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 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),
  - **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).
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 authorized 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 authorized 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 authorized 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 74/41 I/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),

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- **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, “nidurseydd nymjólk” in Iceland, “kermajauhe/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:

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*Status: This is the original version (as it was originally adopted).*

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## Annex I

## List of products referred to in Article 1

<b>HS heading or subheading No</b>	<b>CCT heading No</b>	<b>Description</b>
ex 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 IJ	Leeks and other alliaceous 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

**a** Chilled fruit is treated in the same way as fresh fruit.

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*Status: This is the original version (as it was originally adopted).*

ex 0801, ex 0803, ex 0804	ex 0801	Dates, bananas, coconuts, Brazil nuts, cashew nuts <sup>a</sup> , avocados, mangoes, guavas and mangosteens, fresh, shelled or peeled
ex 0805	ex 0802	Citrus fruit, fresh <sup>a</sup>
ex 0804	ex 0803	Figs, fresh <sup>a</sup>
ex 0806	ex 0804	Grapes, fresh <sup>a</sup>
ex 0802	ex 0805	Nuts, other than those falling within heading No 08.01, fresh <sup>a</sup> , shelled or peeled
0808	0806	Apples, pears and quinces, fresh <sup>a</sup>
0809	0807	Stone fruit, fresh <sup>a</sup>
ex 0810, 0807 20	0808	Berries, fresh <sup>a</sup>
ex 0810, 0807 10	0809	Other fruit, fresh <sup>a</sup>
ex 0811	ex 0810	Fruit, uncooked, preserved by freezing, not containing added sugar <sup>a</sup>

<sup>a</sup> 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 “geislao, meohändlao meo 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 Article 9a.2:
  - in Finnish “viimeinen käyttöajankohta”,
  - 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 heading 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 puree (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:

‘LUTE’	(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 82/71 I/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 or subheading NoCCT heading NoDescriptionex 1001ex 1001Wheat10021002Rye10031003Barley10041004Oatsex 1005ex 1005Maizeex 1006ex 1006Paddy riceex 1007ex 1007Buckwheat, 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 NoCCT heading NoDescription0201,0202,0203,0204,0205,0206ex 0201Meat and edible offals of horses, asses, mules and hinnies, bovine animals, swine, sheep and goats, fresh, chilled or frozenex 02070202Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen0207 31,ex 0207 39,0207 50,ex 0210 900203Poultry liver, fresh, chilled, frozen, salted or in brine0208 10,ex 0208 90ex 0204Other meat and edible meat offals, fresh, chilled or frozen, of domestic pigeons, domestic rabbits and game0209ex 0205Pig fat and poultry fat, fresh, chilled, frozen, salted, in brine, dried or smoked02100206Meat and edible meat offals (except poultry liver), salted, in brine, dried or smokedex 0401,ex 0403,ex 04040401Milk and cream, fresh, not concentrated or sweetenedex 0401,0402,ex 0403,ex 04040402Milk and cream, preserved, concentrated or sweetened04050403Butter04060404Cheese and curdex

- 0407,ex 0408ex 0405Birds' 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 nutrition1601,ex 1902 201601Sausages and the like, of meat, meat offals or animal bloodex 0210 90,1602,1902 201602Other prepared or preserved meat or meat offal
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. 14](#)).
- 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. 14](#)).
- 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 authorization has 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 seventh 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 seventh 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:



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*Status: This is the original version (as it was originally adopted).*

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- 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),
  - **3 91 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 No 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, TELECOMMUNICATIONS 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.

Sarkiniementie 3  
SF-00210 Helsinki  
STRI (Iceland)  
Staðlaráð Islands  
Keldnaholti  
IS-112 Reykjavík  
SNV (Liechtenstein)  
Schweizerische Normen-Vereinigung  
Kirchenweg 4  
Postfach  
CH-8032 Zurich  
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 Zurich  
SEK (Switzerland)  
Schweizerisches Elektrotechnisches Komitee  
Postfach  
CH-8034 Zurich;

- (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 requests 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**

##### **ACT 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**

##### **ACT 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**

#### **ACT 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**

#### **ACT 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)<sup>(41)</sup>.

### **XXVII. SPIRIT DRINKS**

Contracting Parties shall authorize 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 ‘Spritlög’ 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% volume 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.	Brandy	Wachauer Weinbrand Weinbrand Dürnstein
6.	Grape marc spirit	Balzner Marc Baselbieter Marc Benderer Marc Eschner Marc

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		<p>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</p>
7.	Fruit spirit	<p>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 Pflümliwasser Urschwyzerkirsch Wachauer Marillenbrand William du Valais/Walliser Williams Zuger Kirsch</p>
9.	Gentian spirit	<p>Gentiane du Jura</p>
11.	Juniper flavoured spirit drinks	<p>Genièvre du Jura</p>
12.	Caraway flavoured spirit drinks	<p>Islenskt Brennivín/Icelandic Aquavit Norsk Aquavit/Norsk Akvavit/ Norwegian Aquavit Svensk Aquavit/ Svensk Akvavit/Swedish Aquavit</p>
14.	Liqueur	<p>Bernbieter Griottes Liqueur Bernbieter Kirschen Liqueur Genépi du Valais Grossglockner Alpenbitter Mariazeller Magenlikör Mariazeller Jagasaftl Puchheimer Bitter</p>

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		Puchheimer Schlossgeist Steinfelder Magenbitter Wachauer Marillenlikör
15.	Spirit drinks	Bernbieter Cherry Brandy Liqueur Bernbieter Kräuterbitter Eau-de-vie d'herbes du Jura Gotthard 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	Islenskt 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 1 200 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 l(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 1 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 judgment 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) No 1893/79 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 4152/88 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)<sup>(12)</sup>.
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.
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.

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### Appendix 1

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

<b>EFTA State</b>	<b>Entity</b>	<b>Grid</b>
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 Centralschweizerische Kraftwerke L'Energie Ouest-Suisse SA Elektrizitätsgesellschaft Laufenburg Nordostschweizerische Kraftwerke AG	Interconnection grids

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## 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.

<b>EFTA State</b>	<b>Entity</b>	<b>Grid</b>
Austria	ÖMV Aktiengesellschaft	High pressure gas grid
Finland	Neste Oy	High pressure gas grid
Liechtenstein	Liechtensteinische Gasversorgung	High pressure gas grid
Sweden	Swedegas AB High pressure gas grid Sydgas AB	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 coordination 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 18 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 1 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 l(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 l(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 l(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 l(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 l(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 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

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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

Articles 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

Articles 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

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- (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 I 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) 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

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

Article 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

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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

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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 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 (EEC) No 1408/71 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), Reykjavik
2. Félagsmálaráðherra (Minister of Social Affairs), Reykjavik
3. Fjármálaráðherra (Minister of Finance), Reykjavik

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



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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

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)

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- (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), Reykjavik
  - 2. For unemployment benefits  
Tryggingastofnun ríkisins, Atvinnuleysistryggingasjóður (the State Social Security Institute, Unemployment Insurance Fund), Reykjavik
  - 3. For family benefits

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- (a) Family benefits with the exception of children's and supplementary children's benefits:  
Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavik
- (b) Children's and supplementary children's benefits:  
Ríkisskattstjóri (the Director of Internal Revenue), Reykjavik

## 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 arbeidskontorer 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 trygdekontorer 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

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- 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

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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



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- 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

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

Ríkisskattstjóri (the Director of Internal Revenue), Reykjavik

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 arbeidskontorer og trygdekontorer 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

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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

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- (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 ríkisins (the State Social Security Institute), Reykjavik
  - 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

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 delle 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 delle 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:  
Sedlabanki Íslands (the Central Bank of Iceland), Reykjavik
- 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 the 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 self-insurance 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



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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

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- (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 - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki
2. For the purpose of applying:
- (a) Articles 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 - Pensionsskyddscentralen (Central Pension Security Institute)
- (b) Articles 36(1), second sentence, 36(2) and 90(2) of the implementing Regulation:
- Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), Helsinki
  - Eläketurvakeskus - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki as the institution of the place of residence
3. For the purpose of applying Articles 37b and 38(1), 70(1), 82(2), 86(2) of the implementing Regulation:
- Kansaneläkelaitos - Folkpensionsanstalten (Social Insurance Institution), Helsinki with its local offices

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*Status: This is the original version (as it was originally adopted).*

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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:

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Eläketurvakeskus - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki

(c) Accidents at work, occupational diseases:

Tapaturmavakuutuslaitosten Liitto -  
Olyckfallsförsäkringsanstalternas 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), Reykjavik

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)

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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(l)(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(l)(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

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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:

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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 delle 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:

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Bundesamt für Sozialversicherung, Bern - Office fédéral des assurances sociales, Berne - Ufficio federale delle 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 Ausgleichkasse - Caisse cantonale de compensation - Cassa cantonale di compensazione (Cantonal Compensation Fund) of the canton of residence
  - (b) Persons residing outside Switzerland:
 

Kantonale Ausgleichkasse - 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 Articles 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 dependent 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), Reykjavik.

*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 - Pensionsskyddscentralen (Central Pension Security Institute), Helsinki.

*Iceland*

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavik.

*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 prostheses, 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(l)(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(l)(a), 14a(l)(a), 14b(l) 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(l)(a) and 14b(l) 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(l)(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(l)(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 (EEC) Nos 1408/71 and 574/72 (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 ([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 I(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):

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<i>in Austria:</i>	“Rechtsanwalt”,
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<i>in Finland:</i>	“Asianajaja/Advokat”,
<i>in Iceland:</i>	“Lögmadr”,
<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:*

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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 skurdælækningar,
Liechtenstein:	Chirurgie,
Norway:	generell kirurgi,
Sweden:	allmän kirurgi,
Switzerland:	Chirurgie/chirurgie/chirurgia;

— *neurological surgery:*

Austria:	Neurochirurgie,
Finland:	neurokirurgia/neurokirurgi,
Iceland:	taugaskurdælækningar,

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Liechtenstein:	Neurochirurgie,
Norway:	nevrokirurgi,
Sweden:	neurokirurgi,
Switzerland:	Neurochirurgie/neurochirurgie/ neurochirurgia;
— <i>obstetrics and gynaecology:</i>	
Austria:	Frauenheilkunde und Geburtshilfe,
Finland:	naistentaudit ja synnytykset/ kivinnosjukdomar och förlossningar
Iceland:	kvenlækningar,
Liechtenstein:	Gynäkologie und Geburtshilfe,
Norway:	fødselshjelp og kvinnesykdommer,
Sweden:	kivinnosjukdomar och förlossningar (gynekologi och obstetrik),
Switzerland:	Gynäkologie und Geburtshilfe/ gynécologie et obstétrique/ ginecologia e ostetricia;
— <i>venerai (internal) medicine:</i>	
Austria:	Innere Medizin,
Finland:	sisätaudit/inremedicin,
Iceland:	lyflækningar,
Liechtenstein:	Innere Medizin,
Norway:	indremedisin,
Sweden:	allmän internmedicin,
Switzerland:	Innere Medizin/médecine interne/ medicina interna;
— <i>ophthalmology:</i>	
Austria:	Augenheilkunde,
Finland:	silmätaudit/ögonsjukdomar,
Iceland:	augnlækningar,
Liechtenstein:	Augenheilkunde,
Norway:	øyesykdommer,
Sweden:	ögonsjukdomar (oftalmologi),
Switzerland:	Ophthalmologie/ophtalmologie/ oftalmologia;
— <i>otorhinolaryngology:</i>	

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*Status: This is the original version (as it was originally adopted).*

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Austria:	Hals-, Nasen- und Ohrenkrankheiten,
Finland:	korva-, nenä- ja kurkkutaudit/öron-, näs- och strupsjukdomar,
Iceland:	háls-, nef- og eyrnalækningar,
Liechtenstein:	Hals-, Nasen- und Ohrenkrankheiten,
Norway:	øre-nese-halssykdommer,
Sweden:	öron-, näs- och halssjukdomar (oto- rhino-laryngologi),
Switzerland:	Oto-Rhino-Laryngologie/oto-rhino- laryngologie/otorinolaringoiatria;

— *paediatrics:*

Austria:	Kinderheilkunde,
Finland:	lastentaudit/barnsjukdomar,
Iceland:	barnalækningar,
Liechtenstein:	Kinderheilkunde,
Norway:	barnesykdommer,
Sweden:	barnaålderns invärtes sjukdomar (pediatrik),
Switzerland:	Pädiatrie/pédiatrie/pediatria;

— *respiratory medicine:*

Austria:	Lungenkrankheiten,
Finland:	keuhkosairaudet/lungsjukdomar,
Iceland:	lungnalækningar,
Liechtenstein:	Lungenkrankheiten,
Norway:	lungesykdommer,
Sweden:	lungsjukdomar (pneumonologi),
Switzerland:	Lungenkrankheiten/maladies des poumons/malattie polmonari;

— *urology:*

Austria:	Urologie,
Finland:	urologia/urologi,
Iceland:	þvagfæraskurdækningar,
Liechtenstein:	Urologie,

*Status: This is the original version (as it was originally adopted).*

Norway;	urologi,
Sweden:	urologisk kirurgi,
Switzerland:	Urologie/urologie/urologia;
— <i>orthopaedics:</i>	
Austria:	Orthopädie und orthopädische Chirurgie,
Finland:	ortopedia ja traumatologia/ortopedi och traumatologi,
Iceland:	bæklunarskurdækningar,
Liechtenstein:	Orthopädische Chirurgie,
Norway:	ortopedisk kirurgi,
Sweden:	ortopedisk kirurgi,
Switzerland:	Orthopädische Chirurgie/chirurgie orthopédique/chirurgia, ortopedica;
— <i>pathological anatomy:</i>	
Austria:	Pathologie,
Finland:	patologia/patologi,
Iceland:	líffærameinafræði,
Liechtenstein:	Pathologie,
Norway:	patologi,
Sweden:	klinisk patologi,
Switzerland:	Pathologie/pathologie/patologia;
— <i>neurology:</i>	
Austria:	Neurologie,
Finland:	neurologia/neurologi,
Iceland:	taugalækningar,
Liechtenstein:	Neurologie,
Norway:	nevrologi,
Sweden:	nervsjukdomar (neurologi),
Switzerland:	Neurologie/neurologie/neurologia;
— <i>psychiatry:</i>	
Austria:	Psychiatrie,
Finland:	psykiatria/psykiatri,
Iceland:	gedlækningar,

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*Status: This is the original version (as it was originally adopted).*

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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;
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— *biological haematology:*

Finland:	hematologiset laboratoriotutkimukset/ hematologiska laboratorieundersökningar;
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— *microbiology - bacteriology:*

Austria:	Hygiene und Mikrobiologie,
Finland:	kliininen mikrobiologia/klinisk mikrobiologi,
Iceland:	syklafræði,
Norway:	medisinsk mikrobiologi,
Sweden:	klinisk bakteriologi;

— *biological chemistry:*

Austria:	Medizinisch-chemische Labordiagnostik,
Finland:	kliininen 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:*



*Status: This is the original version (as it was originally adopted).*

Austria:	Plastische Chirurgie,
Finland:	plastiikkakirurgia/plastikkirurgi,
Iceland:	lytalækningar,
Norway:	plastikkirurgi,
Sweden:	plastikkirurgi,
Switzerland:	Plastische und Wiederherstellungschirurgie/ chirurgie plastique et reconstructive/chirurgia plastica e ricostruttiva;
— <i>thoracic surgery:</i>	
Finland:	thorax- ja verisuonikirurgia/thorax- och kärlkirurgi,
Iceland:	brjóstholsskurdækningar,
Norway:	thoraxkirurgi,
Sweden:	thoraxkirurgi;
— <i>paediatric surgery:</i>	
Finland:	lastenkirurgia/barnkirurgi,
Iceland:	barnaskurdækningar,
Norway:	barnekirurgi,
Sweden:	barnkirurgi,
Switzerland:	Kinderchirurgie/chirurgie infantile/ chirurgia infantile;
— <i>vascular surgery:</i>	
Iceland:	ædaskurdækningar,
Norway:	karkirurgi;
— <i>cardiology:</i>	
Finland:	kardiologia/kardiologi,
Iceland:	hjartalækningar,
Norway:	hjertesykdommer,
Sweden:	hjärtsjukdomar;
— <i>gastro-enterology:</i>	
Finland:	gastroenterologia/gastroenterologi,
Iceland:	meltingarlækningar,

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*Status: This is the original version (as it was originally adopted).*

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Norway:	fordøyelsesykdommer,
Sweden:	matsmältningsorganens medicinska sjukdomar (medicinsk gastroenterologi);
— <i>rheumatology:</i>	
Finland:	reumatologia/reumatologi,
Iceland:	gigtlækningar,
Liechtenstein:	Rheumatologie,
Norway:	revmatologi,
Sweden:	reumatiska sjukdomar;
— <i>general haematology:</i>	
Finland:	kliininen hematologia/klinisk hematologi,
Iceland:	blóðmeinafræði,
Norway:	blodsykdommer,
Sweden:	hematologi;
— <i>endocrinology:</i>	
Finland:	endokrinologia/endokrinologi,
Iceland:	efnaskipta- og innkirtlalækningar,
Norway:	endokrinologi,
Sweden:	endokrina sjukdomar;
— <i>physiotherapy:</i>	
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;
— <i>dermato-venereology:</i>	
Austria:	Haut- und Geschlechtskrankheiten,

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Finland:	iho- ja sukupuolitaudit/hud- och könssjukdomar,
Iceland:	húd- og kynsjúkdómalækningar,
Liechtenstein:	Dermatologie und Venereologie,
Norway:	hud- hudsykdommer og veneriske sykdommer,
Sweden:	hudsjukdomar och veneriska sjukdomar (dermatologi och venerologi),
Switzerland:	Dermatologie und Venereologie/ dermatologie et vénéréologie/ dermatologia e venereologia;
— <i>radiology:</i>	
Austria:	Radiologie,
Iceland:	geislalækningar,
Norway:	radiologi;
— <i>diagnostic radiology:</i>	
Austria:	Radiologie- Diagnostik,
Finland:	radiologia/radiologi,
Liechtenstein:	Medizinische Radiologie,
Sweden:	röntgendiagnostik,
Switzerland:	Medizinische Radiologie - Radiodiagnostik/radiologie médicale - radiodiagnostic/ radiologia medica - radiodiagnostica;
— <i>radiotherapy:</i>	
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;
— <i>tropical medicine:</i>	

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*Status: This is the original version (as it was originally adopted).*

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Switzerland:	Tropenkrankheiten/maladies tropicales/malattie tropicali;
— <i>child psychiatry:</i>	
Finland:	lasten psykiatria/barnpsykiatri,
Iceland:	barnagedlækningar,
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;
— <i>geriatrics:</i>	
Finland:	geriatria/geriatri,
Iceland:	öldrunarlækningar,
Liechtenstein:	Geriatric,
Norway:	geriatri,
Sweden:	långvårdsmedicin;
— <i>renal diseases:</i>	
Finland:	nefrologia/nefrologi,
Iceland:	nyrnalækningar,
Norway:	nyresykdommer,
Sweden:	medicinska njursjukdomar (nefrologi);
— <i>communicable diseases:</i>	
Finland:	infektiosairaudet/infektionssjukdomar,
Iceland:	smitsjúkdómar,
Norway:	infeksjonssykdommer,
Sweden:	infektionssjukdomar;
— <i>community medicine:</i>	
Austria:	Sozialmedizin,

*Status: This is the original version (as it was originally adopted).*

Finland:	terveydenhuolto/hälsövård,
Iceland:	félagslækningar,
Liechtenstein:	Prävention und Gesundheitswesen,
Norway:	samfunnsmedisin,
Switzerland:	Prävention und Gesundheitswesen/ prévention et santé publique/ prevenzione e sanità pubblica;
— <i>pharmacology:</i>	
Finland:	kliininen farmakologia/klinisk farmakologi,
Iceland:	lyfjafræði,
Norway:	klinisk farmakologi,
Sweden:	klinisk farmakologi;
— <i>occupational medicine:</i>	
Austria:	Arbeitsmedizin,
Finland:	työterveyshuolto/företagshälsövård,
Iceland:	atvinnulækningar,
Norway:	yrkesmedisin,
Sweden:	yrkesmedicin;
— <i>allergology:</i>	
Finland:	allergologia/allergologi,
Iceland:	ofnæmislækningar,
Sweden:	internmedicinsk allergologi;
— <i>gastro-enterological surgery:</i>	
Finland:	gastroenterologia/gastroenterologi,
Norway:	gastroenterologisk kirurgi;
— <i>nuclear medicine:</i>	
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-facciale;

5. **375 L 0363:** Council Directive 75/363/EEC of 16 June 1975 concerning the coordination 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 Directive 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 recognized by the government;

- (n) *in Finland:*

diploma of “sairaanhoitaja/sjukskötare” or “terveydenhoitaja/hälsovårdare” 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:*  
“diplomierte 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 coordination 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 ikkjeveortopedi” (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 or dental and oral 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

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*Status: This is the original version (as it was originally adopted).*

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practitioner specializing in oral surgery) issued by the National Board of Health and Welfare.;

- (d) The following shall be inserted:

*Article 19b*

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 coordination 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 federate 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 coordination 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:*

ljósmódir,

*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:*

“kättilö/barnmorska” or “erikoissairaanhoidaja, naistentaudit ja äitiyshuolto/specialsjukskötare, kvinnosjukdomar och mödravård” (diploma of midwifery) awarded by a school of nursing;

(o) *in Iceland:*

“próf frá Ljósmædraskóla 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:*

“diplomierte 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 coordination 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 coordination 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:*

“todistus 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 pharmaciens/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 (Zivjltechnikergesetz, 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 - arktekt),
    - 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:*



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- 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 fédérées, 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 qualifications in architecture which are the object of mutual recognition by the Member States 89/C 205/06 (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:

	<i>Self-employed</i>	<i>Paid employees</i>
<i>‘In Austria:</i>	Handelsagent	Handlungsreisender
<i>In Finland:</i>	Kauppa-agentti	Myyntimies
	Kauppaedustaja	
	Handelsagent	Fösäljare
	Handelsrepresentant	
<i>In Iceland:</i>	smásali	sölumaður
	heildsali	
	umboðssali	
	farandsali	
<i>In Liechtenstein:</i>	Handelsvertreter	Handelsreisender
<i>In Norway:</i>	Handelsagent Kommissjonær Grossist	Handelsagent Selger Representant
<i>In Sweden:</i>	Handelsagent	Handelsresande

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	Mäklare	
	Kommissionär	
<i>In Switzerland:</i>	Agent agent agente	Handelsreisender 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:*

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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 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) (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 coordination of the laws of the Member States relating to self-employed commercial agents (OJ No L 382, 31.12.1986, 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

Wager

*Finland:*

- A. Huolitsija  
Speditör  
Laivanselvittäjä  
Skeppsmäklare
- B. Matkanjärjestäjä  
Researrangör  
Matkanvälittäjä  
Reseagent
- C. —
- D. Autonselvittäjä/Bilmäklare

*Iceland:*

- A. Skipamidlari
- B. Ferdaskrifstofa
- C. Flutningamidstöð
- D. Bifreidaskodun

*Liechtenstein:*

- A. Spediteur, Warentransportvermittler
- B. Reisebürounternehmer
- C. Lagerhalter
- D. Fahrzeugsachverständiger, Wager

*Norway:*

- A. Speditør  
Skipsmegler
- B. Reisebyrå
- C. Oppbevaring
- D. Bilinspektør

*Sweden:*

- A. Speditör  
Skeppsmäklare

- B. Resebyrå
- C. Magasinerings  
Lagring  
Förvaring
- D. Bilinspektör  
Bilprovare  
Bilbesiktningsman

*Switzerland:*

- A. Spediteur,  
Expéditeur  
Spedizioniere  
Zolldeklarant  
Déclarant de douane  
Dichiarante 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,
- Leigumidlarar.

*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:

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- **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 cooperatives 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, 1.7.1975, 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 C 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**

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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 Treat’ 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 1 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 1 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 Islands,
  - (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 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 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/ÅÅÑ 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

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*Status: This is the original version (as it was originally adopted).*

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in Norway:

— Forsikringsmegler

in Sweden:

— Försäkringsmäklare

in Switzerland:

— Versicherungsmakler

— Courtier en assurances

— Mediatore iassicurazione

— 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:

— Vátryggingasölumaður

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 ríkisins”;
  - 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:** 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)(l) 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(l)(a) and 13(l)(b). With regard to the involvement of experts from the EFTA States in the tasks described in Article 13(l)(c) and 13(l)(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 85/61 I/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 85/61 I/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 O707(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 91/288/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 1 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 No 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;

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- 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 1 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/Viafiers 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:
  - **172 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 L002, 1.1.1973, p. 19](#)),
  - **179 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](#)),
  - **185 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. 23](#)),
  - **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:

RAIL – Main networks

See sectoral adaptation II.

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 Lokalbahnen

*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



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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 Neuchâtelaises
28. Chemins de fer Électriques Veveysans
29. Chemin de fer Montreux-Oberland 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

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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;

## 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*

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1.
  1. Þjóðvegir
  2. Sýsluvegir
  3. Þjóðvegir í pöttbýli
  4. Gotur sveitarfélaga
- Liechtenstein*
  1. Landesstrassen
  2. Gemeindestrassen
- Norway*
  1. Riksveger
  2. Fylkesveger
  3. Kommunale vegur
- 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:
  - **172 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](#)),
  - **185 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:

- **172 B:** Act concerning the conditions of accession and the adjustments to the Treaties (OJ No L 73, 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 2, 1.1.1973, p. 19),
- **179 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),
- **185 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 54, 25.2.1978, p. 15).

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 I(2)(c) shall not apply.

Modalities for association of EFTA States in accordance with Article 112 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 0011:** 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 52, 16.8.1960, p. 1121/60) as amended and supplemented by;
  - **172 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. 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)<sup>(13)</sup>.
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).<sup>(14)</sup>
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).<sup>(14)</sup>
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)<sup>(14)</sup>.

(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:
  - **172 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. 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).

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 5, 9.1.1979, p. 33](#)),

— **382 L 0003:** Council Directive No 82/3/EEC of 21 December 1981 ([OJ No L 5, 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](#)),

— **185 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:
- Moottoriajoneuvovero/ 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 harmonization 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 2, 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 98, 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 37, 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 I, 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 0143:** 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 47, 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 roadworthiness 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 standardization 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:
  - **172 B:** Act concerning the Conditions of Accession and the Adjustments to the Treaties (OJ No L 73, 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 harmonization*

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 harmonization 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:
- **172 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 84, 28.3.1974, p. 8),
- **377 L 0158:** Council Directive No 77/158/EEC of 14 February 1977 (OJ No L 48, 19.2.1977, p. 30),
- **378 L 0175:** Council Directive No 78/175/EEC of 20 February 1978 (OJ No L 54, 25.2.1978, p. 18),
- **380 L 0049:** Council Directive No 80/49/EEC of 20 December 1979 (OJ No L 18, 24.1.1980, p. 23),
- **382 L 0050:** Council Directive No 82/50/EEC of 19 January 1982 (OJ No L 27 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 67, 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 67, 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 2278:** Commission Regulation (EEC) 2778/72 of 20 December 1972 (OJ No L 292, 29.12.1972, p. 22),
  - **179 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),
  - **185 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 I, 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, 19.11.1974, 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 harmonization of rules governing financial relations between such undertakings and States (OJ No L 152, 12.6.1975, p.3), as amended by:
- **179 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),
  - **185 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 0418:** 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:
- **185 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 normalization of the accounts of railway undertakings (OJ No L 156, 28.6.1969, p. 8), as amended by:
- **172 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 73, 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 2, 1.1.1973, p. 19),
  - **179 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),
  - **185 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:
- **179 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),
  - **185 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:
- **179 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),

- **185 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:
- **185 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 harmonization*

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~~ **Zone 2**

I

*Sweden*

Trollhätte kanal and Göta älv

Lake Vänern

Södertälje kanal

Lake Mälaren

Falsterbokanal

Sotenkanalen

~~CHAPTER~~ **Zone 3**

II

*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 4

III

*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 21, 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:
- **185 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](#))<sup>(15)</sup>.



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](#))<sup>(16)</sup>.
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](#))<sup>(17)</sup>.
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](#)).

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 33, 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 33, 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](#)).<sup>(18)</sup>
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](#)).<sup>(18)</sup>

*(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 36, 8.2.1991, p. 1](#)).

*(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 harmonization 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 18, 24.1.1980, p. 24).

(vi) *Social harmonization*

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 36, 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 50, 22.7.1961, p. 975/61).

72. **485 Y 1231(01):** Resolution 85/C 348/01 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 5, 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 1 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*

1. **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 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:

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*Status: This is the original version (as it was originally adopted).*

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- (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.;
  - (h) 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’;

(b) 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 1 9/65/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 points (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 cooperative 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 cooperation 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 telecommunications 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 29 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 1 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 coordination 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 Landes-kammern;
  - in Finland, the Kaupparekisteri, Handelsregistret;
  - in Iceland, the Firmaskrá;

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*Status: This is the original version (as it was originally adopted).*

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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(l)(b) of the Treaty’ shall be replaced by reference to ‘Article 123 of the EEA Agreement’;
- (c) In Article 5(l)(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 SDRs’;
- (e) in Article 5(l)(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’;
- (h) Article 21 shall be supplemented as follows:
- in Austria, the Firmenbuch, the Gewerberegister, the der Landeskamern,
  - in Finland, the Kaupparekisteri, the Handelsregistret,
  - in Iceland, the Firmaskrá,
  - in Liechtenstein, the Gewerberegister,
  - in Norway, the Foretaksregisteret,
  - in Sweden, the Aktiebolagsregistret, the Handelsregistret,
  - in Switzerland, the Handelsregister, the Registre du Commerce, the Registro di Commercio;
- (i) in Article 29(l)(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 17 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 coordination 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’.<sup>(19)</sup>
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).<sup>(20)</sup>

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.
- 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 1

### 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 urn skipan opinberra framkvæmda,  
Lyfjaverslun ríkisins (The State Pharmaceuticals Import Company),  
Samgönguráðuneytið (Ministry of Communications),  
Póst- og síamálastofnunin (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 of 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 Centre).
- 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 of 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, equipment and goods for the customs guard))
5. Bundesministerium für Umwelt, Jugend und Familie Amtswirtschaftsstelle (Federal Ministry of Environment, Youth and Family Procurement Office)
6. Bundesministerium für wirtschaftliche Angelegenheiten Abteilung Präsidium 1 (Federal Ministry of Economic Affairs Division Präsidium 1)
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 electronical data-processing machines (hardware))
- (c) Division II/3 (procurement of technical appliances and equipment 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 of 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 of 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))

#### **FINLANDIST 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, Lantmäteristyrelsen (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, Sjöfärstyrelsen (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. april 1988.

**LIECHTENSTEIN** CENTRAL PURCHASING ENTITIES EQUIVALENT TO THOSE COVERED BY THE GATT AGREEMENT ON GOVERNMENT PROCUREMENT

1. Regierung des Fürstentums Liechtenstein
2. Liechtensteinische Post-, Telefon- und Telegrafienbetriebe (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. Forsvarets 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** 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

Instituto 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

Instituto 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 urn opinber innkaup 18. mars 1987 and Reglugerð 14. apríl 1988,  
Lyfjaverslun ríkisins (The State Pharmaceuticals Import Company),  
Samgönguráðuneytið (Ministry of Communications),  
Póst- og síamálastofnunin (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 of 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 (Reykjavík Purchasing Centre).
- 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 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 vesija viemärlaitoksista* (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 *Elektrizitätswirtschaftsgesetze* 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. 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. I, jf. kap. V* (LOV 1917-12-14 16, kap. I), 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 rörledningar*.

## 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 authorization 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 authorization 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 huvudmannaskap 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 *Kraft-fahrliniengesetz 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 Anlag 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 huvudmannaskap 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) ið huvudmannaskap för viss kollektiv persontrafik* and *Lag (1988:263) om yrkestrafik*.

## SWITZERLAND

*Schweizerische Post-, Tele/on- und Telegrafbetriebe (PTT)*.

Territorial administrative bodies and enterprises providing tramway 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 Trolleybusunternehmungen*.

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 *Postverkehrs-gesetz 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

—

#### 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 satamajärjestyksistä 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

—

## 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 Hafen-, 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 *Teletöimintalaki (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, 27.1.1987, p. 36](#)).

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

- (a) in Article I(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 I(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 amendments or replacements are to be adopted 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 program 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. 12), as amended by:
  - **379 L 0640:** Council Directive 79/640/EEC of 21 June 1979 (OJ No L 183, 19.7.1979, p. 11),
  - **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. 108),
  - **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. 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

Erytinen turvamerkintä - Sérstök öryggisskilti - Spesiell sikkerhetsskiltning - Särskilda säkerhetsskyltar

1. Kieltoimerkit - Bannskilti - Forbudsskilt - Förbudsskyltar
  - (a) Tupakointi kielletty  
Reykingar bannaðar  
Røyking forbudt  
Rökning förbjuden
  - (b) Tupakointi ja avotulen teko kielletty  
Reykingar og opinn eldur bannaður

- Ild, åpen 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 slokningsmiddel
- Förbud mot släckning med vatten
- (e) Juomakelvotonta vettä
- Ekki drykkjarhæft
- Ikke drikkevann
- Ej dricksvatten
- 2. Varoitusmerkit - Við vörunarskilti - Fareskilt - Varnings skyltar
- (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  
Flutningataeki  
Forsiktig, truckkjøring  
Arbetsfordon i rörelse
  - (h) Vaarallinen jännite  
Hættuleg rafspenna  
Forsiktig, farlig spenning  
Farlig spänning
  - (i) Yleinen varoitusmerkki  
Hætta  
Alminnelíg advarsel, forsiktig, fare  
Varning
  - (j) Lasersäteilyä  
Leysigeislar  
Forsiktig, laserstråling  
Laserstrålning
3. Käskymerkit - Boðskilti - Påbudsskilt - Påbudsskyltar
- (a) Silmiensuojaimien käyttöpakko  
Notið augnhlífur  
Påbudt med øyevern  
Skyddsglasögon
  - (b) Suojakypärän käyttöpakko  
Notið Öryggishjálma

- Påbudt med vernehjelm
  - Skyddshjälms
  - (c) Kuulonsuojainten käyttöpakko
  - Notið heyrnarhlífar
  - Påbudt med hørselsvern
  - Hørselskydd
  - (d) Hengityksensuojainten käyttöpakko
  - Notið öndunargrímur
  - Påbudt med åndedrettsvern
  - Andningskydd
  - (e) Suojajalkineiden käyttöpakko
  - Notið öryggisskó
  - Påbudt med vernesko
  - Skyddsskor
  - (f) Suojakäsineiden käyttöpakko
  - Notið hlífðarhanska
  - Påbudt med vernehansker
  - Skyddshandskar
4. Hätätilanteisiin tarkoitettut merkit - Neyðarskilti - Redningskilt - Räddningsskyltar
- (a) Ensiapu
  - Skyndihjálp
  - Førstehjelp
  - Första hjälpen
  - (c) tai
  - eða
  - eller
  - eller
  - (d) Poistumistie
  - Leið að neyðarútgangi
  - Retningsangivelse til nødutgang
  - Nödutgång i denna riktning

- (e) Poistumistie (asetetaan uloskäynnin yläpuolelle)  
 Neyðarútgangur (setjist yfir neyðarútganginn)  
 Nødutgang (plasseres over utgången)  
 Nödutgång (placeras ovanför utgången).
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 the 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, 29.7.1991, 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),
  - **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).
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).
  - **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. 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:

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- (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

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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	171	102	68	51	-40	-60	-70	-40	-60	-70
Finland	90	54	36	27	-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	81	65	48	-20	-40	-20	-40
Finland	19	15	11	-20	-40	-20	-40
Sweden	31	25	19	-20	-40	-20	-40
Switzerland	4	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 85, 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).

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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, pp. 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:

ÍSLENSK	duft	duftkennt	fast	lúmkennt	seigfljóta	þinnfljóta	dröki	loftkennt
NORSK	pulverformet	støtformet	fast	pastaformet	viskøst	slamformet	flytende	gassformet
SUOMEK	kaulhemäin	puhlymäin	kiinteä	tahnama	seinappi	liuotmäin	nestemäin	kaasumainen
SVENSK	pulverformigt	stoft	fast	pastöst	visköst	slamformigt	flyttande	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 No L 194, 25.7.1975, 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/C 273/01) 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 1 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 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.
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 coordinated annual surveys of investment in industry (OJ No 131, 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, pp. 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 coordinated 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 coordinated 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 coordinated 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 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 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, 26.6.1978, 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, 3.8.1989, 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 the 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

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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 the 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 1(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 federate svizzere
BLS	:	Bern-Lotschberg-Simplon;

- (b) in Annex II, the following is added after the entries for the 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

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- 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 six 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 six 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 six 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

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	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 Jungholz and Mittelberg;

the entries 024, 025, 028, 030, 032, 036 and 038 after 'Other European countries..' are replaced by '041 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 aoila;
Norway:	— Foredling innenlands (aktiv);
Sweden:	— Industrirestitution;

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Switzerland:	— Aktiver Eigen-/Lohnveredelungsverkehr
	— Traffic de perfectionnement actif à facon/commercial
	— Regime economico di perfezionamento activo a cottimo;

(b) the following is added to Article 2:

Austria:	— Passiver Veredelungsverkehr;
Finland:	— Tullinalennusmenettely/ Tullnedsättningsförfarandet;
Iceland:	— Vinnsla erlendis fyrir innlendan aoila;
Norway:	— Foredling utenlands (passiv);
Sweden:	— Återinförsel efter annan bearbetning än reparation;
Switzerland:	— Passiver Eigen-/Lohnveredelungsverkehr
	— 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

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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 six 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:

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- **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, pp. 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
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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’:

(1) 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.
C03:	Optional for Iceland.
C.04:	Optional for Austria, Finland, Iceland, Norway and Sweden.
E:	Optional for Austria, Finland, Iceland, Norway, Sweden and Switzerland,

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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 ensure that sample sizes are such that the breakdown of the data other than regional is obtained on a representative basis;
- (h) 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.

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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. 1](#)).

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 the 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 <sup>a</sup>	
	Quantity	Price	Quantity	Price
For human consumption: Cods (CDZ) fresh whole				

<sup>a</sup> 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 1 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 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, 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:*



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- 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.<sup>3</sup>
- 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/EEG 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, kommandittselskap;
- (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 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](#)),
  - **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 Kommanditaktiengesell

schaft;

(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](#)).

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- (1) OJ No L 233, 19.8.1981, p. 32.
- (2) OJ No L 224, 18.8.1990, p. 42.
- (3) OJ No L 209, 17.8.1977, p. 1.
- (4) OJ No L 26, 31.1.1977, p. 67.
- (5) OJ No L 33, 8.2.1979, p. 1.
- (6) OJ No L 26, 31.1.1977, p. 67.
- (7) Listed here for information purposes only; for application see Annex IV on energy.
- (8) Not valid for oatmeal and oatflakes.
- (9) Excluding potatoes and dehydrated vegetables.’;
- (10) For hypochlorites only.’.
- (11) Listed here for information purposes only; for application see Annex IV on energy.
- (12) Listed here for information purposes only; for application see Annex XXI on statistics.
- (13) Listed here for purposes of information only. For application, see Annex XIV.
- (14) Listed here for purposes of information only. For application, see Protocol 21.
- (15) Listed here for purposes of information only. For application, see Annex XIV.
- (16) Listed here for purposes of information only. For application, see Protocol 21.
- (17) Listed here for purposes of information only. For application, see Annex XIV.
- (18) Listed here for purposes of information only. For application, see Protocol 21.
- (19) Examples: Case 61/65 Vaassen v Beambtenfonds Mijnbedrijf [1966] ECR 261; [1966] CMLR 508; Case 36/73 Nederlandse Spoorwegen v Minister van Verkeer en Waterstaat [1973] ECR 1299; [1974] 2 CMLR 148; Case 246/80 Broekmeulen v Huisarts Registratie Commissie [1981] ECR 2311; [1982] 1 CMLR 91.
- (20) 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’.