

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 16 November 2004

on the conclusion of an Agreement between the European Community and the Government of the People's Republic of China on cooperation and mutual administrative assistance in customs matters

(2004/889/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 read in conjunction with Article 300(2), subparagraph (1), first sentence, thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In April 1993 the Council adopted a Decision authorising the Commission to negotiate a customs cooperation agreement on behalf of the Community with Canada, Hong Kong, Japan, Korea and the United States which was extended in May 1997 with regard to the ASEAN countries and China.
- (2) The Agreement between the European Community and the Government of the People's Republic of China on cooperation and mutual administrative assistance in customs matters should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Community and the Government of the People's Republic of China on cooperation and mutual administrative assistance in customs matters is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

Article 2

The Commission, assisted by representatives of the Member States, shall represent the Community on the Joint Customs Cooperation Committee set up under Article 21 of the Agreement.

Article 3

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community, thereby expressing the consent of the Community to be bound.

Article 4

The President of the Council shall effect the notification provided for in Article 22 of the Agreement on behalf of the Community⁽¹⁾.

Done at Brussels, 16 November 2004.

For the Council

The President

G. ZALM

⁽¹⁾ The date of the entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.