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Legislation

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II

(Acts whose publication is not obligatory)

COUNCIL

AGREEMENT

between the Member States of the European Coal and Steel Community
and the Republic of Iceland

AGREEMENT

between the Member States of the European Coal and Steel Community and the
Swiss Confederation

ADDITIONAL AGREEMENT

concerning the validity, for the Principality of Liechtenstein, of the Agreement between
the Member States of the European Coal and Steel Community and the Swiss Con-
federation of 22 July 1972

AGREEMENT

between the Member States of the European Coal and Steel Community
and the European Coal and Steel Community, of the one part,
and the Republic of Austria, of the other part

AGREEMENT

between the Member States of the European Coal and Steel Community
and the European Coal and Steel Community, of the one part,
and the Portuguese Republic, of the other part

AGREEMENT

between the Member States of the European Coal and Steel Community
and the European Coal and Steel Community, of the one part,
and the Kingdom of Sweden, of the other part

AGREEMENT

**between the Member States of the European Coal and Steel Community
and the Republic of Iceland**

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being Member States of the European Coal and Steel Community,

of the one part, and

THE REPUBLIC OF ICELAND,

of the other part,

WHEREAS the European Economic Community and the Republic of Iceland are concluding an Agreement concerning the sectors covered by that Community,

PURSUING the same objectives and desiring to find appropriate solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

Imports into Iceland of products covered by the European Coal and Steel Community specified in the Annex and originating in the Member States of that Community shall be free of customs duties and charges having an effect equivalent to such duties and of quantitative restrictions and measures having equivalent effect under like conditions to those contained in Articles 19, 20, 21 and 22 and in Protocol No 3 to the Agreement between the European Economic Community and the Republic of Iceland signed this same day.

Article 2

In the event of difficulties or serious threat of difficulties as regards its balance of payments, Iceland may take the necessary safeguard measures.

Article 3

1. The provisions concerning customs duties on imports shall apply to customs duties of a fiscal nature.

Iceland may replace a customs duty of a fiscal nature or the fiscal element of a customs duty by an internal tax.

2. Iceland may retain customs duties of a fiscal nature on imports of products specified in Annex II to the Agreement between the European Economic Community and the Republic of Iceland signed this same day, under the conditions laid down in Article 5 (2) of that Agreement.

Article 4

Consultations shall be held between the Contracting Parties whenever one of them considers that implementation of the above provisions necessitates such consultations.

Article 5

Should production of a product covered by the European Coal and Steel Community be developed on Icelandic territory, the Contracting Parties shall, at the request of one of them, examine the new situation with a view to revision of the Agreement.

Article 6

Either Contracting Party may denounce the Agreement by notifying the other Contracting Party. The Agreement shall cease to be in force twelve months after the date of such notification.

Article 7

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

This Agreement will be approved by the Contracting Parties according to their own procedures.

It shall enter into force on 1 January 1973 provided that the Contracting Parties have notified each other before that date that the procedures necessary to this end have been completed.

In the event of application of Article 2 (3) of the Decision of the Council of the European Communities of 22 January 1972 concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community, this Agreement may take effect only for the States that have deposited the instruments specified in that paragraph.

After 1 January 1973, this Agreement shall enter into force on the first day of the second month following the notification referred to in paragraph 3. The final date for such notification shall be 30 November 1973.

The provisions applicable on 1 April 1973 shall be applied upon the entry into force of this Agreement if it enters into force after that date.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjueandre juli nitten hundre og syttito.

Gjört í Bruxelles, tuttugasta og annan dag júlímánaðar nítjánhundruð sjötiú og tvö.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmand.

På Kongeriget Danmarks vegne

E. G. Hansen

Für die Bundesrepublik Deutschland

Wissmann J. Hansen

Pour la République française

Champanne

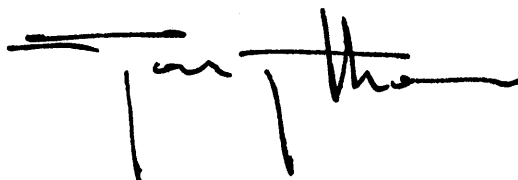
For Ireland

Sean Keen.

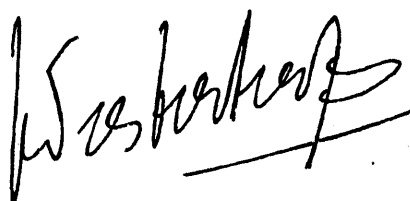
Per la Repubblica italiana

Medici

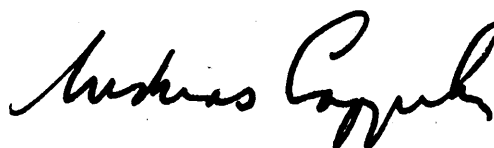
Pour le Grand-Duché de Luxembourg



Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



Fyrir hönd Lýðveldisins Íslands



ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature heading No	Description
26.01	Metallic ores and concentrates and roasted iron pyrites: A. Iron ores and concentrates and roasted iron pyrites: II. Other B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20 % or more by weight
26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel: A. Blast-furnace dust
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	Coke and semi-coke of coal, of lignite or of peat: A. Of coal: II. other B. Of lignite
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2 % by weight of carbon (high carbon ferro-manganese)
73.03	Waste and scrapmetal of iron or steel
73.05	Iron or steel powders; sponge iron or steel: B. Sponge iron or steel
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: (a) Hot-rolled or extruded

Brussels Nomenclature heading No	Description
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): (a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate (a) C. Clad, coated or otherwise surface-treated: III. Tinned: (a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): (a) Not further worked than clad: 1. Hot-rolled
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates: B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: (b) More than 1 mm but less than 3 mm (c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: (b) Tinned: 1. Tinplate 2. Other (c) Zinc-coated or lead-coated (d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: (a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14: A. High carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel, angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated):

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.15 (cont'd)	A. V. (d) 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) Not further worked than hot-rolled (b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm (c) Polished, clad, coated or otherwise surface-treated (d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) 'Electrical' sheets and plates (b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: (bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: (aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

FINAL ACT

The representatives of

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being Member States of the European Coal and Steel Community,

and of

THE REPUBLIC OF ICELAND,

assembled at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two,

for the signature of the Agreement between the Member States of the European Coal and Steel Community and the Republic of Iceland,

at the time of signature of this Agreement,

— have adopted the following declaration annexed to this Act:

Joint declaration by the Contracting Parties on a possible revision of the Agreement,

— and have taken note of the following declaration annexed to this Act:

Declaration by the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjueandre juli nitten hundre og syttito.

Gjört í Bruxelles, tuttugasta og annan dag júlímánaöar nítjánhundruð sjötíu og tvö.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmel.

På Kongeriget Danmarks vegne

E. G. Jensen

Für die Bundesrepublik Deutschland

Dieter Staudt

Pour la République française

Chenu

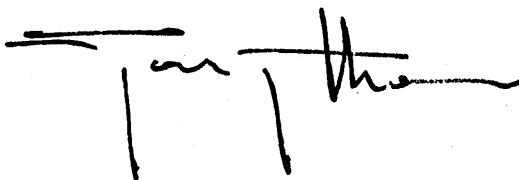
For Ireland

Seamus Keen.

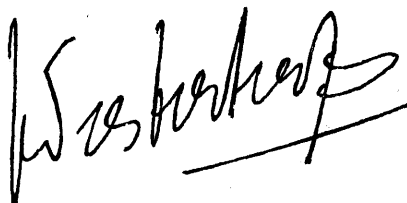
Per la Repubblica italiana

Medici

Pour le Grand-Duché de Luxembourg



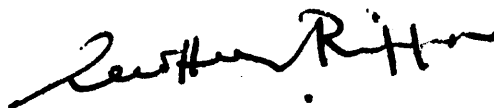
Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



Fyrir hönd Lýðveldisins Íslands



—

DECLARATIONS

Joint declaration by the Contracting Parties on a possible revision of the Agreement

The Contracting Parties declare that if the examination provided for in Article 5 of the Agreement leads them to revise the Agreement, they will draw on the provisions as a whole of the Agreement between the European Economic Community and the Republic of Iceland, particularly those designed to ensure that it functions properly.

As regards the products of Chapter 73 of the Brussels Nomenclature covered by the European Coal and Steel Community, a special safeguard clause will be provided for to enable the Member States of that Community to deal with any distortions or difficulties which might result from the absence in Iceland of the same regulation of prices as is imposed on Community undertakings.

Should Iceland impose on its producers rules similar to those contained in Article 60 of the Treaty establishing the European Coal and Steel Community, account being taken of those in Article 70 of that Treaty, in respect of their transactions on the Icelandic and Community markets, the Community will extend the application of the said rules to sales effected by its own producers on Icelandic territory. The special clause in favour of the Community could then be reciprocal. In this case, the Agreement would be open to accession on the part of the European Coal and Steel Community.

Declaration by the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin

The Agreement is also applicable to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary within three months of the entry into force of the Agreement.

AGREEMENT

between the Member States of the European Coal and Steel Community and the Swiss Confederation

THE KINGDOM OF BELGIUM

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being members of the European Coal and Steel Community, and

THE EUROPEAN COAL AND STEEL COMMUNITY,

of the one part, and

THE SWISS CONFEDERATION

of the other part,

WHEREAS the European Economic Community and the Swiss Confederation are concluding an Agreement concerning the sectors covered by that Community,

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

This Agreement shall apply to products covered by the European Coal and Steel Community which are specified in the Annex and originate in that Community or the Swiss Confederation.

Article 2

1. No new customs duty on imports shall be introduced in trade between the Community and Switzerland.

2. Customs duties on imports shall be progressively abolished in accordance with the following timetable:

- (a) on 1 April 1973 each duty shall be reduced to 80 % of the basic duty;
- (b) four further reductions of 20 % each shall be made on:

1 January 1974

1 January 1975

1 January 1976

1 July 1977.

Article 3

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

The Contracting Parties may replace a customs duty of a fiscal nature or the fiscal element of a customs duty by an internal tax.

2. Denmark, Ireland, Norway and the United Kingdom may retain until 1 January 1976 a customs duty of a fiscal nature or the fiscal element of a customs duty in the event of implementation of Article 38 of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

Article 4

1. The basic duty to which the successive reductions provided for in Article 2 are to be applied shall, for each product, be the duty actually applied on 1 January 1972.

2. The reduced duties calculated in accordance with Article 2 shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39 (5) of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, as regards the specific duties or the specific part of the mixed duties in the Irish Customs Tariff, Article 2 shall be applied, with rounding to the fourth decimal place.

Article 5

1. No new charge having an effect equivalent to a customs duty on imports shall be introduced in trade between the Community and Switzerland.
2. Charges having an effect equivalent to customs duties on imports introduced on or after 1 January 1972 in trade between the Community and Switzerland shall be abolished upon the entry into force of the Agreement.

Any charge having an effect equivalent to a customs duty on imports, the rate of which on 31 December 1972 is higher than that actually applied on

1 January 1972, shall be reduced to the latter rate upon the entry into force of the Agreement.

3. Charges having an effect equivalent to customs duties on imports shall be progressively abolished in accordance with the following timetable:

(a) by 1 January 1974 at the latest each charge shall be reduced to 60 % of the rate applied on 1 January 1972;

(b) three further reductions of 20 % each shall be made on:

1 January 1975

1 January 1976

1 July 1977.

Article 6

No customs duty on exports or charge having equivalent effect shall be introduced in trade between the Community and Switzerland.

Customs duties on exports and charges having equivalent effect shall be abolished not later than 1 January 1974.

Article 7

The provisions determining the rules of origin for the application of the Agreement between the European Economic Community and the Swiss Confederation signed this same day shall also be applicable to this Agreement.

Article 8

A Contracting Party which is considering the reduction of the effective level of its duties or charges having equivalent effect applicable to third countries benefiting from most-favoured-nation treatment, or which is considering the suspension of their application, shall, as far as may be practicable, notify the Joint Committee not less than thirty days before such reduction or suspension comes into effect. It shall take note of any representations by the other Contracting Party regarding any distortions which might result therefrom.

Article 9

1. No new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Switzerland.

2. Quantitative restrictions on imports shall be abolished on 1 January 1973 and any measures having an effect equivalent to quantitative restrictions on imports shall be abolished not later than 1 January 1975.

Article 10

From 1 July 1977 products originating in Switzerland may not enjoy more favourable treatment when imported into the Community than that applied by the Member States of the Community between themselves.

Article 11

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community or the powers and jurisdiction deriving therefrom.

Article 12

The Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade, except in so far as they alter the trade arrangements provided for in the Agreement, in particular the provisions concerning rules of origin.

Article 13

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

Article 14

Payments relating to trade in goods and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Switzerland shall be free from any restrictions.

The Contracting Parties shall refrain from any exchange or administrative restriction on the grant, repayment or acceptance of short- and medium-term credits covering commercial transactions in which a resident participates.

Article 15

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit

justified on grounds of public morality, law and order or public security, the protection of life and health of humans, animals or plants, the protection of national treasures of artistic, historic or archaeological value, or the protection of industrial and commercial property. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 16

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

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in time of war or serious international tension.

Article 17

- 1. The Contracting Parties shall refrain from any measure likely to jeopardize the fulfilment of the objectives of the Agreement.
- 2. They shall take any general or specific measures required to fulfil their obligations under the Agreement.

If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

Article 18

- 1. The following are incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Community and Switzerland:

- (i) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction

or distortion of competition as regards the production of or trade in goods;

- (ii) abuse by one or more undertakings of a dominant position in the territories of the Contracting Parties as a whole or in a substantial part thereof;
- (iii) any public aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods.

2. Should a Contracting Party consider that a given practice is incompatible with this Article, it may take the appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

Article 19

If the offers made by Swiss undertakings are likely to be detrimental to the functioning of the Common Market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

Article 20

Where an increase in imports of a given product is or is likely to be seriously detrimental to any production activity carried on in the territory of one of the Contracting Parties and where this increase is due to:

- (i) the partial or total reduction in the importing Contracting Party, as provided for in the Agreement, of customs duties and charges having equivalent effect levied on the product in question; and
- (ii) the fact that the duties or charges having equivalent effect levied by the exporting Contracting Party on imports of raw materials or intermediate products used in the manufacture of the product in question are significantly lower than the corresponding duties or charges levied by the importing Contracting Party;

the Contracting Party concerned may take the appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

Article 21

If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the provisions of the

Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 23.

Article 22

If serious disturbances arise in any sector of the economy or if difficulties arise which could bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

Article 23

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Articles 20 and 22 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 17 to 22, before taking the measures provided for therein or, in cases to which paragraph 3(e) applies, as soon as possible, the Contracting Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

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

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

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

- (a) As regards Article 18, either Contracting Party may refer the matter to the Joint Committee if it considers that a given practice is incompatible with the proper functioning of the Agreement within the meaning of Article 18 (1).

The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to eliminate the practice objected to.

If the Contracting Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within three months of the matter being referred to it, the Contracting Party concerned may adopt any safeguard measures it considers necessary to deal with the serious difficulties resulting from the practices in question; in particular it may withdraw tariff concessions.

- (b) As regards Article 19, the Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where necessary, to consider appropriate measures.

If Switzerland fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee, the Member States may adopt the safeguard measures they consider necessary to avoid, or put an end to, any detriment to the functioning of the common market; in particular they may withdraw tariff concessions.

- (c) As regards Article 20, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee, which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Contracting Party has not taken a decision putting an end to the difficulties within thirty days of the matter being referred, the importing Contracting Party is authorized to levy a compensatory charge on the product imported.

The compensatory charge shall be calculated according to the incidence on the value of the goods in question of the tariff disparities in respect of the raw materials or intermediate products incorporated therein.

- (d) As regards Article 21, consultation in the Joint Committee shall take place before the Contracting Party concerned takes the appropriate measures.
- (e) Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 20, 21 and 22 and also in the case of export aids having a direct and immediate incidence on trade, apply

forthwith the precautionary measures strictly necessary to deal with the situation.

Article 24

Where one or more Member States of the Community or Switzerland is in difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. It shall inform the other Contracting Party forthwith.

Article 25

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement. These decisions shall be put into effect by the Contracting Parties in accordance with their own rules.

2. For the purpose of the proper implementation of the Agreement, the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt its own rules of procedure.

Article 26

1. The Joint Committee shall consist of representatives of the Contracting Parties.

2. The Joint Committee shall act by mutual agreement.

Article 27

1. Each Contracting Party shall preside in turn over the Joint Committee, in accordance with the arrangements to be laid down in its rules of procedure.

2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever special circumstances so require, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 28

The Annex to the Agreement shall form an integral part thereof.

Article 29

Either Contracting Party may denounce the Agreement by notifying the other Contracting Party. The Agreement shall cease to be in force twelve months after the date of such notification.

Article 30

The Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies upon the terms laid down in that Treaty and, on the other, to the territory of the Swiss Confederation.

Article 31

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

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

It shall enter into force on 1 January 1973, provided that the Contracting Parties have notified each other before that date that the procedures necessary to this end have been completed.

In the event of application of Article 2 (3) of the Decision of the Council of the European Communities of 22 January 1972 concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community, this Agreement may take effect only for the States that have deposited the instruments specified in that paragraph.

After 1 January 1973, this Agreement shall enter into force on the first day of the second month following the notification referred to in paragraph 3. The final date for such notification shall be 30 November 1973.

The provisions applicable on 1 April 1973 shall be applied upon the entry into force of this Agreement if it enters into force after that date.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjueandre juli nitten hundre og syttito.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmand.

På Kongeriget Danmarks vegne

E. G. Jensen

Für die Bundesrepublik Deutschland

Wissenschaftler S. H. H. H.

Pour la République française

S. H. H. H.

For Ireland

S. H. H. H.

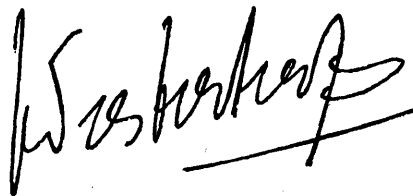
Per la Repubblica italiana

Medici

Pour le Grand-Duché de Luxembourg

T. H. H.

Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



Für die Schweizerische Eidgenossenschaft

Pour la Confédération suisse

Per la Confederazione svizzera



ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature heading No	Description
26.01	Metallic ores and concentrates and roasted iron pyrites: A. Iron ores and concentrates and roasted iron pyrites: II. Other B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20 % or more by weight
26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel: A. Blast-furnace dust
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	Coke and semi-coke of coal, of lignite or of peat: A. Of coal: II. Other B. Of lignite
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2 % by weight of carbon (high carbonferro-manganese)
73.03	Waste and scrap-metal of iron or steel
73.05	Iron or steel powders; sponge iron or steel: B. Sponge iron or steel
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining-drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: (a) Hot-rolled or extruded

Brussels Nomenclature heading No	Description
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): (a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate (a) C. Clad, coated or otherwise surface-treated: III. Tinned: (a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): (a) Not further worked than clad: 1. Hot-rolled
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: A. "Electrical" sheets and plates B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: (b) More than 1 mm but less than 3 mm (c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: (b) Tinned: 1. Tinplate 2. Other (c) Zinc-coated or lead-coated (d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: (a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14: A. High-carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.15 (cont'd)	III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining-drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) Not further worked than hot-rolled (b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm (c) Polished, clad, coated or otherwise surface-treated (d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining-drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) "Electrical" sheets and plates: (b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: (bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: (aa) Cut into shapes other than rectangular shapes, but not further worked

Brussels Nomenclature heading No	Description
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

FINAL ACT

The representatives of
THE KINGDOM OF BELGIUM,
THE KINGDOM OF DENMARK,
THE FEDERAL REPUBLIC OF GERMANY,
THE FRENCH REPUBLIC,
IRELAND,
THE ITALIAN REPUBLIC,
THE GRAND DUCHY OF LUXEMBOURG,
THE KINGDOM OF THE NETHERLANDS,
THE KINGDOM OF NORWAY, and
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
being members of the European Coal and Steel Community,
and of THE SWISS CONFEDERATION,

assembled at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two,

for the signature of the Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation,

at the time of signature of this Agreement, have taken note of the following declaration annexed to this Act:

Declaration by the Government of the Federal Republic of Germany concerning application of the Agreement to Berlin.

The abovementioned representatives
and the representative of the
PRINCIPALITY OF LIECHTENSTEIN,

have signed the Additional Agreement concerning the validity, for the Principality of Liechtenstein, of the Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation of 22 July 1972.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjueandre juli nitten hundre og syttito.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmel.

På Kongeriget Danmarks vegne

E. Petersen

Für die Bundesrepublik Deutschland

Hilmar St. Hahn

Pour la République française

Chammy

For Ireland

Seamus Keen.

Per la Repubblica italiana

Medici

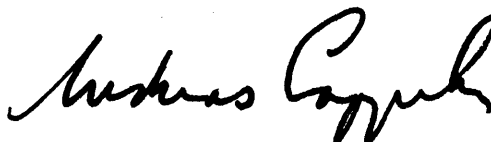
Pour le Grand-Duché de Luxembourg

T. Thum

Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



Für die Schweizerische Eidgenossenschaft

Pour la Confédération suisse

Per la Confederazione svizzera



DECLARATION

Declaration by the Government of the Federal Republic of Germany concerning application of the Agreement to Berlin

The Agreement is also applicable to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary within three months of the entry into force of the Agreement.

ADDITIONAL AGREEMENT

concerning the validity, for the Principality of Liechtenstein, of the Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation of 22 July 1972

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being members of the European Coal and Steel Community,

THE SWISS CONFEDERATION, and

THE PRINCIPALITY OF LIECHTENSTEIN,

WHEREAS by the Treaty of 29 March 1923 the Principality of Liechtenstein and Switzerland constitute a customs union and whereas that Treaty does not confer validity for the Principality of Liechtenstein on all the provisions of the Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation signed on 22 July 1972;

WHEREAS the Principality of Liechtenstein has expressed the desire that all the provisions of that Agreement should apply to it,

HAVE AGREED AS FOLLOWS:

Article 1

The Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation signed on 22 July 1972 shall likewise apply to the Principality of Liechtenstein.

Article 2

For the purpose of applying the Agreement referred to in Article 1 and without modifying its bilateral nature between the Member States of the Community and Switzerland, the Principality of Liechtenstein may cause its interests to be represented through a representative within the Swiss delegation to the Joint Committee.

Article 3

This additional Agreement will be approved by Switzerland, the Principality of Liechtenstein and the Member States of the Community in accordance with their own procedures. It shall enter into force at the same time as the Agreement referred to in Article 1 and shall continue to apply for so long as the Treaty of 29 March 1923 remains in force.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utfærdiget i Brussel, tjueandre juli nitten hundre og syttito.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Waelh.

På Kongeriget Danmarks vegne

E. G. Jensen

Für die Bundesrepublik Deutschland

Dieter St. Hain

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Per la Repubblica italiana

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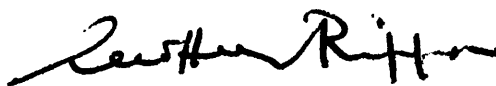
Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



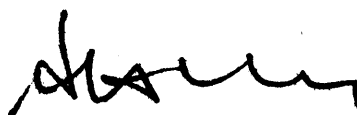
Für die Schweizerische Eidgenossenschaft

Pour la Confédération suisse

Per la Confederazione svizzera



Für das Fürstentum Liechtenstein



AGREEMENT

between the Member States of the European Coal and Steel Community
and the European Coal and Steel Community,

of the one part,

and the Republic of Austria,

of the other part

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being members of the European Coal and Steel Community, and

THE EUROPEAN COAL AND STEEL COMMUNITY,

of the one part, and

THE REPUBLIC OF AUSTRIA,

of the other part,

WHEREAS the European Economic Community and the Republic of Austria are concluding an Agreement concerning the sectors covered by that Community,

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

are specified in the Annex and originate in that Community or the Republic of Austria.

1. This Agreement shall apply to products covered by the European Coal and Steel Community which

2. The Agreement shall replace the Interim Agreement between the Member States of the Euro-

pean Coal and Steel Community and the Republic of Austria signed this same day.

Article 2

1. No new customs duty on imports shall be introduced in trade between the Community and Austria.

2. Without prejudice to the tariff reductions made under Article 2 (2) of the Interim Agreement between the Member States of the European Coal and Steel Community and the Republic of Austria signed this same day, customs duties on imports shall be progressively abolished in accordance with the following timetable:

(a) on 1 January 1974 each duty shall be reduced to 60 % of the basic duty;

(b) three further reductions of 20 % each shall be made on:

1 January 1975

1 January 1976

1 July 1977.

As regards trade between Ireland and Austria, an initial reduction shall be made on 1 April 1973 to reduce each customs duty on imports to 80 % of the basic duty.

Article 3

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

The Contracting Parties may replace a customs duty of a fiscal nature or the fiscal element of a customs duty by an internal tax.

2. Denmark, Ireland, Norway and the United Kingdom may retain until 1 January 1976 a customs duty of a fiscal nature or the fiscal element of a customs duty in the event of implementation of Article 38 of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

Article 4

1. The basic duty to which the successive reductions provided for in Article 2 and in Protocol

No 1 are to be applied shall, for each product, be the duty actually applied on 1 January 1972.

2. The reduced duties calculated in accordance with Article 2 and Protocol No 1 shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39 (5) of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, as regards the specific duties or the specific part of the mixed duties in the Irish Customs Tariff, Article 2 and Protocol No 1 shall be applied, with rounding to the fourth decimal place.

Article 5

1. No new charge having an effect equivalent to a customs duty on imports shall be introduced in trade between the Community and Austria.

2. Charges having an effect equivalent to customs duties on imports introduced on or after 1 January 1972 in trade between the Community and Austria shall be abolished upon the entry into force of the Agreement.

Any charge having an effect equivalent to a customs duty on imports, the rate of which on 31 December 1972 is higher than that actually applied on 1 January 1972, shall be reduced to the latter rate upon the entry into force of the Agreement.

3. Without prejudice to the reductions made under Article 2 (2) of the Interim Agreement between the Member States of the European Coal and Steel Community and the Republic of Austria signed this same day, charges having an effect equivalent to customs duties on imports shall be progressively abolished in accordance with the following timetable:

(a) by 1 January 1974 at the latest each charge shall be reduced to 60 % of the rate applied on 1 January 1972;

(b) three further reductions of 20 % each shall be made on:

1 January 1975

1 January 1976

1 July 1977.

As regards trade between Ireland and Austria, an initial reduction shall be made on 1 April 1973 to reduce each charge having an effect equivalent to a customs duty on imports to 80 % of the basic duty.

Article 6

No customs duty on exports or charge having equivalent effect shall be introduced in trade between the Community and Austria.

Customs duties on exports and charges having equivalent effect shall be abolished not later than 1 January 1974.

Article 7

Protocol No 1 lays down the tariff treatment and arrangements applicable to certain products.

Article 8

The provisions determining the rules of origin for the application of the Agreement between the European Economic Community and the Republic of Austria signed this same day shall also be applicable to this Agreement.

Article 9

A Contracting Party which is considering the reduction of the effective level of its duties or charges having equivalent effect applicable to third countries benefiting from most-favoured-nation treatment, or which is considering the suspension of their application, shall, as far as may be practicable, notify the Joint Committee not less than thirty days before such reduction or suspension comes into effect. It shall take note of any representations by the other Contracting Party regarding any distortions which might result therefrom.

Article 10

1. No new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Austria.
2. Quantitative restrictions on imports shall be abolished on 1 January 1973 and any measures having an effect equivalent to quantitative restrictions on imports shall be abolished not later than 1 January 1975.

Article 11

From 1 July 1977 products originating in Austria may not enjoy more favourable treatment when imported into the Community than that applied by the Member States of the Community between themselves.

Article 12

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel

Community or the powers and jurisdiction deriving therefrom.

Article 13

The Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade, except in so far as they alter the trade arrangements provided for in the Agreement, in particular the provisions concerning the rules of origin.

Article 14

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

Article 15

Payments relating to trade in goods and the transfer of such payments to the Member States of the Community in which the creditor is resident or to Austria shall be free from any restrictions.

The Contracting Parties shall refrain from any exchange or administrative restriction on the grant, repayment or acceptance of short- and medium-term credits covering commercial transactions in which a resident participates.

Article 16

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, law and order or public security, the protection of life and health of humans, animals or plants, the protection of national treasures of artistic, historic or archaeological value, or the protection of industrial and commercial property. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 17

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

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in time of war or serious international tension.

Article 18

- 1. The Contracting Parties shall refrain from any measure likely to jeopardize the fulfilment of the objectives of the Agreement.
- 2. They shall take any general or specific measures required to fulfil their obligations under the Agreement.

If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 19

- 1. The following are incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Community and Austria:
 - (i) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition as regards the production of or trade in goods;
 - (ii) abuse by one or more undertakings of a dominant position in the territories of the Contracting Parties as a whole or in a substantial part thereof;
 - (iii) any public aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods.

- 2. Should a Contracting Party consider that a given practice is incompatible with this Article, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 20

- 1. The Community shall extend, for products of Chapter 73 of the Brussels Nomenclature covered by the Agreement, the application of Article 60 of the Treaty establishing the European Coal and Steel Community and of the implementing decisions thereto to sales of undertakings falling within its jurisdiction to the territory of Austria, while ensuring to this end adequate transparency of freight rates for deliveries to the territory of Austria.

- 2. In the matter of prices, Austria shall ensure for deliveries of products of Chapter 73 of the Brussels Nomenclature covered by this Agreement, by undertakings subject to its jurisdiction, both in the territory of Austria and to the Common Market:

- (a) observance of the prohibition on unfair competition
- (b) observance of the principle of non-discrimination
- (c) disclosure of prices ex the chosen basing point and of conditions of sale
- (d) observance of the rules on alignment,

while ensuring to this end adequate transparency of freight rates.

Austria shall take the measures required continually to achieve the same effects as those produced by the implementing decisions taken by the Community in this matter.

As regards deliveries to the Common Market, Austria shall also ensure observance of other decisions by the Community prohibiting alignment on quotations from certain third countries, having regard to the transitional provisions concerning the accession of Denmark and Norway to the Community.

As regards deliveries to the Irish market, Austria shall furthermore ensure observance of the transitional provisions applying to the accession of Ireland to the Community and limiting the possibilities of alignment on this market.

The Community has provided Austria with a list of decisions implementing Article 60 and *ad hoc*

decisions concerning the prohibition on alignment and with the text of the transitional provisions concerning the Danish, Irish and Norwegian markets. It will also inform Austria immediately if any change in the decisions referred to above is adopted.

3. If the offers made by Austrian undertakings are detrimental or liable to be so to the proper functioning of the Community market or if the offers made by Community undertakings are detrimental or liable to be so to the proper functioning of the Austrian market and if any such detriment is attributable to differential application of the rules established under paragraphs 1 and 2 or to breach of those rules by the undertakings in question, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 21

Where an increase in imports of a given product is or is likely to be seriously detrimental to any production activity carried on in the territory of one of the Contracting Parties and where this increase is due to:

- (i) the partial or total reduction in the importing Contracting Party, as provided for in the Agreement, of customs duties and charges having equivalent effect levied on the product in question; and
- (ii) the fact that the duties or charges having equivalent effect levied by the exporting Contracting Party on imports of raw materials or intermediate products used in the manufacture of the product in question are significantly lower than the corresponding duties or charges levied by the importing Contracting Party;

the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 22

If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the provisions of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 24.

Article 23

If serious disturbances arise in any sector of the economy or if difficulties arise which could bring

about serious deterioration in the economic situation of a region, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 24

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Articles 21 and 23 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 18 to 23, before taking the measures provided for therein or, in cases to which paragraph 3(e) applies, as soon as possible, the Contracting Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

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

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

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

- (a) As regards Article 19, either Contracting Party may refer the matter to the Joint Committee if it considers that a given practice is incompatible with the proper functioning of the Agreement within the meaning of Article 19(1).

The Contracting Parties shall provide the joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to eliminate the practice objected to.

If the Contracting Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within three months of the matter being referred to it, the Contracting Party concerned may adopt any safeguard measures it considers necessary to deal with the serious difficulties resulting from the practices in question; in particular it may withdraw tariff concessions.

- (b) As regards Article 20, the Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to consider an appropriate sanction for the practice in question.

In the absence of agreement within the Joint Committee or, according to the case, if no satisfactory sanction is imposed on the undertaking at fault, the Contracting Party concerned may take the measures it considers necessary to deal both with the difficulties resulting from differences in application or from infringement and with the risk of distortion of competition. These measures may in particular take the form of withdrawal of tariff concessions and release of the undertakings concerned from the commitment to comply with price rules in their dealings on the other Contracting Party's market.

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within that Committee, particularly with a view to their abolition as soon as circumstances permit.

In urgent cases, the Contracting Party concerned may make a direct request to the other Contracting Party:

- (i) to put an immediate stop to the practice objected to,
- (ii) to take steps to impose a sanction on the undertaking at fault.

If the Contracting Party concerned does not consider that the matter has been settled satisfactorily, it may initiate the procedure provided for within the Joint Committee.

- (c) As regards Article 21, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee, which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Contracting Party has not taken a decision putting an end to the difficulties within thirty days of the matter being referred, the importing Contracting Party is authorized to levy a compensatory charge on the product imported.

The compensatory charge shall be calculated according to the incidence on the value of the goods in question of the tariff disparities in respect of the raw materials or intermediate products incorporated therein.

- (d) As regards Article 22, consultation in the Joint Committee shall take place before the Contracting Party concerned takes the appropriate measures.

- (e) Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 21, 22 and 23 and also in the case of export aids having a direct and immediate incidence on trade, apply forthwith the precautionary measures strictly necessary to deal with the situation.

Article 25

Where one or more Member States of the Community or Austria is in difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. It shall inform the other Contracting Party forthwith.

Article 26

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement. These decisions shall be put into effect by the Contracting Parties in accordance with their own rules.

2. For the purpose of the proper implementation of the Agreement, the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt its own rules of procedure.

Article 27

1. The Joint Committee shall consist of representatives of the Contracting Parties.

2. The Joint Committee shall act by mutual agreement.

Article 28

1. Each Contracting Party shall preside in turn over the Joint Committee, in accordance with the arrangements to be laid down in its rules of procedure.

2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever special circumstances so require, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 29

1. Where a Contracting Party considers that it would be useful in the interest of the economies of the Contracting Parties to develop the relations established by the Agreement by extending them to fields not covered thereby, it shall submit a reasoned request to the other Contracting Party.

The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations.

2. The agreements resulting from the negotiations referred to in paragraph 1 will be subject to ratification or approval by the Contracting Parties in accordance with their own procedures.

Article 30

The Annex and the Protocols to the Agreement shall form an integral part thereof.

Article 31

Either Contracting Party may denounce the Agreement by notifying the other Contracting Party. The

Agreement shall cease to be in force twelve months after the date of such notification.

Article 32

The Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies upon the terms laid down in that Treaty and, on the other, to the territory of the Republic of Austria.

Article 33

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

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

It shall enter into force on 1 January 1973, provided that the Contracting Parties have notified each other before that date that the procedures necessary to this end have been completed.

In the event of application of Article 2(3) of the Decision of the Council of the European Communities of 22 January 1972 concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community, this Agreement may take effect only for the States that have deposited the instruments specified in that paragraph.

After 1 January 1973, this Agreement shall enter into force on the first day of the second month following the notification referred to in paragraph 3. The final date for such notification shall be 30 November 1973.

The provisions applicable on 1 April 1973 shall be applied upon the entry into force of this Agreement if it enters into force after that date.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utfærdiget i Brussel, tjueandre juli nitten hundre og syttito.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmand.

På Kongeriget Danmarks vegne

E. G. Hansen

Für die Bundesrepublik Deutschland

Dieter St. Hahn

Pour la République française

Schumann

For Ireland

Seán Keen.

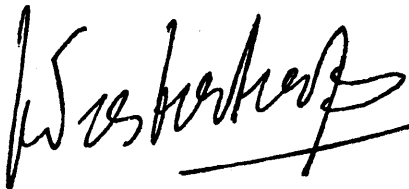
Per la Repubblica italiana

Medici

Pour le Grand-Duché de Luxembourg

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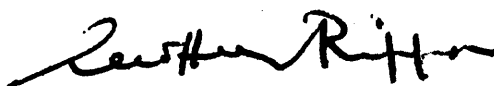
Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



På Kommissionen for De europæiske Fællesskabers vegne

Im Namen der Kommission der Europäischen Gemeinschaften

In the name of the Commission of the European Communities

Au nom de la Commission des Communautés européennes

A nome della Commissione delle Comunità europee

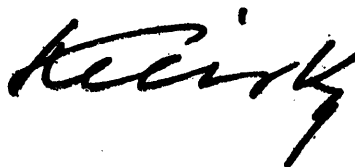
Namens de Commissie der Europese Gemeenschappen

For Kommissjonen for De Europeiske Fellesskap



E. P. W. Munkin

Für die Republik Österreich



ANNEX**List of products referred to in Article 1 of the Agreement**

Brussels Nomenclature heading No	Description
26.01	Metallic ores and concentrates and roasted iron pyrites: A. Iron ores and concentrates and roasted iron pyrites: II. Other B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20 % or more by weight
26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel: A. Blast-furnace dust
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	Coke and semi-coke of coal, of lignite or of peat: A. Of coal: II. Other B. Of lignite
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2 % by weight of carbon (high carbonferro-manganese)
73.03	Waste and scrap-metal of iron or steel
73.05	Iron or steel powders; sponge iron or steel: B. Sponge iron or steel
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining-drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: (a) Hot-rolled or extruded

Brussels Nomenclature heading No	Description
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): (a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate (a) C. Clad, coated or otherwise surface-treated: III. Tinned: (a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): (a) Not further worked than clad: 1. Hot-rolled
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: A. "Electrical" sheets and plates B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: (b) More than 1 mm but less than 3 mm (c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: (b) Tinned: 1. Tinplate 2. Other (c) Zinc-coated or lead-coated (d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: (a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14: A. High-carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.15 (cont'd)	III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining-drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) Not further worked than hot-rolled (b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm (c) Polished, clad, coated or otherwise surface-treated (d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining-drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) "Electrical" sheets and plates: (b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: (bb) Less than 3 mm 3. Polished, clad, coated or other-wise surface-treated 4. Otherwise shaped or worked: (aa) Cut into shapes other than rectangular shapes, but not further worked

Brussels Nomenclature heading No	Description
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

PROTOCOL No 1

concerning the treatment applicable to certain products

SECTION A

Treatment applicable to imports into the Community of certain products originating in Austria

Article 1

1. Without prejudice to the tariff reductions made under Article 1 of the Protocol to the Interim Agreement between the Member States of the European Coal and Steel Community and the Republic of Austria, signed this same day, customs duties on imports into the Community as originally constituted and into Ireland of the products specified in paragraph 2 shall be progressively reduced to the following levels in accordance with the following timetable:

Timetable	Percentage of basic duties applicable
1 January 1974	90
1 January 1975	85
1 January 1976	75
1 January 1977	60
1 January 1978	40
1 January 1979	20
1 January 1980	0

On 1 April 1973 Ireland shall reduce its customs duties on imports to 95 % of the basic duties applicable.

2. The products referred to in paragraph 1 are the following:

Common Customs Tariff heading No	Description
ex 73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14, except products covered by the EEC Treaty

Article 2

Imports to which the tariff treatment provided for in Article 1 applies shall be subjected to annual indicative ceilings above which the customs duties applicable in respect of third countries may be re-introduced in accordance with the following provisions:

(a) Taking into account that the Community and its Member States have the right to suspend application of ceilings for certain products, the ceilings for 1973 are shown in Annex C to Protocol No 1 to the Agreement between the European Economic Community and the Republic of Austria signed this same day. From 1 January 1974 the level of the ceilings shall be raised annually by 5 %.

For products covered by this Protocol but not included in that Annex, the Community and its Member States reserve the right to introduce ceilings of which the levels will be equal to the average amount of imports into the Community over the last four years for which statistics are available, increased by 5 %; for the following years the levels of these ceilings shall be raised annually by 5 %.

(b) Should, for two successive years, imports of a product subject to a ceiling be less than 90 % of the level fixed, the Community and its Member States shall suspend the application of this ceiling.

(c) In the event of short-term economic difficulties, the Community and its Member States reserve the right, after consultation within the Joint Committee, to maintain for a year the level fixed for the preceding year.

(d) On 1 December each year the Community and its Member States shall notify the Joint Committee of the list of products subject to ceilings in the following year and of the levels of the ceilings.

(e) Notwithstanding Article 2 of the Agreement and Article 1 of this Protocol, when a ceiling fixed for imports of a product covered by this Protocol is reached, Common Customs Tariff duties on imports of the product in question may be re-imposed until the end of the calendar year.

In this event, prior to 1 July 1977:

(i) Denmark, Norway and the United Kingdom shall reimpose customs duties as follows:

Years	Percentage of Common Customs Tariff duties applicable
1973	0
1974	40
1975	60
1976	80

(ii) Ireland shall reimpose customs duties applicable to third countries.

The customs duties specified in Article 1 of this Protocol shall be reimposed on 1 January of the following year.

- (f) After 1 July 1977 the Contracting Parties shall examine within the Joint Committee the possibility of revising the percentage by which the levels of ceilings are raised, having regard to the trend of consumption and imports in the Community and to experience gained in applying this Article.
- (g) The ceilings shall be abolished at the end of the tariff dismantling period provided for in Article 1 of this Protocol.

SECTION B

Treatment applicable to imports into Austria of certain products originating in the Community

Article 3

1. Without prejudice to the tariff reductions made under Article 2 of the Protocol to the Interim Agreement between the Member States of the European Coal and Steel Community and the Republic of Austria, signed this same day, customs duties on products originating in the Community as originally constituted and in Ireland imported into Austria, these products being specified in paragraph 2, shall be progressively reduced to the following levels in accordance with the following timetable:

Timetable	Percentage of basic duties applicable
1 April 1973	90
1 January 1974	80
1 January 1975	70
1 January 1976	70
1 January 1977	60
1 January 1978	40
1 January 1979	20
1 January 1980	0

2. The products referred to in paragraph 1 are the following:

Austrian Customs Tariff heading No	Description
ex 73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14, excluding products covered by the EEC Treaty

Article 4

Imports to which the tariff treatment provided for in Article 3 applies shall be subjected to annual indicative ceilings above which the customs duties applicable in respect of third countries may be re-introduced in accordance with the following provisions:

- (a) Taking into account Austria's right to suspend application of ceilings for certain products, the ceilings for 1973 are shown in Annex G to Protocol No 1 to the Agreement between the European Economic Community and the Republic of Austria signed this same day. From 1 January 1974 the level of the ceilings shall be raised annually by 5 %.

For products covered by this Protocol but not included in that Annex, Austria reserves the right to introduce ceilings of which the levels will be equal to the average amount of imports into Austria over the last four years for which statistics are available, increased by 5 %; for the following years, the levels of these ceilings shall be raised annually by 5 %.

- (b) Should, for two successive years, imports of a product subject to a ceiling be less than 90 % of the level fixed, Austria shall suspend the application of this ceiling.
- (c) In the event of short-term economic difficulties, Austria reserves the right, after consultation with the Joint Committee, or maintain for a year the level fixed for the preceding year.
- (d) Each year Austria shall notify the Joint Committee of the list of products subject to ceilings and of the levels of the ceilings.
- (e) Notwithstanding Article 2 of the Agreement and Article 3 of this Protocol, when a ceiling fixed for imports of a product covered by this Protocol is reached, Austrian Customs Tariff duties on imports of the product in question may be re-imposed until the end of the calendar year.

In this event, prior to 1 July 1977, Austria shall reimpose customs duties for Denmark, Norway and the United Kingdom as follows:

Years	Percentage of Austrian Customs Tariff duties applicable
1973	0
1974	40
1975	60
1976	80

The customs duties specified in Article 3 of this Protocol shall be reimposed on 1 January of the following year.

levels of ceilings are raised, having regard to the trend of consumption and imports in Austria and to experience gained in applying this Article.

(f) After 1 July 1977 the Contracting Parties shall examine within the Joint Committee the possibility of revising the percentage by which the

(g) The ceilings shall be abolished at the end of the tariff dismantling period provided for in Article 3 of this Protocol.

PROTOCOL No 2

concerning quantitative restrictions which Austria may retain

1. Notwithstanding Article 10 of the Agreement, Austria may retain quantitative restrictions on the products below:

Austrian Customs Tariff heading No	Description
27.02	Lignite, whether or not agglomerated

2. The quantitative restrictions which Austria may retain in accordance with paragraph 1 of this Protocol shall be applied in such a way as to make it possible, as regards the products listed in paragraph 1, for Community exporters to compete with other suppliers on fair and equal terms for a reasonable share of the Austrian market, account being taken of the normal development of trade.

FINAL ACT

The representatives of

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being members of the European Coal and Steel Community,

of THE EUROPEAN COAL AND STEEL COMMUNITY,

and of THE REPUBLIC OF AUSTRIA,

assembled at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two,

for the signature of the Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community, of the one part, and the Republic of Austria, of the other part,

at the time of signature of this Agreement,

— have adopted the following declaration annexed to this Act:

Interpretative declaration concerning the meaning of the expression "Contracting Parties" appearing in the Agreement,

— and have taken note of the declarations listed below and annexed to this Act:

1. Declaration by the European Coal and Steel Community concerning Article 19(1) of the Agreement,
2. Declaration by the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjueandre juli nitten hundre og syttito.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmand.

På Kongeriget Danmarks vegne

E. G. Hansen

Für die Bundesrepublik Deutschland

Wolfgang Stauder

Pour la République française

Champan

For Ireland

Seán Keen.

Per la Repubblica italiana

Medici

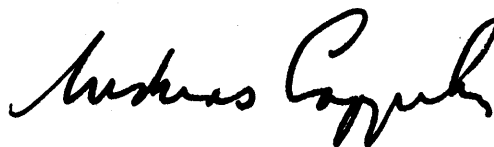
Pour le Grand-Duché de Luxembourg

T. Thun

Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



På Kommissionen for De europæiske Fællesskabers vegne

Im Namen der Kommission der Europäischen Gemeinschaften

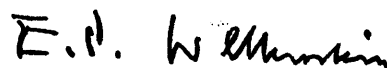
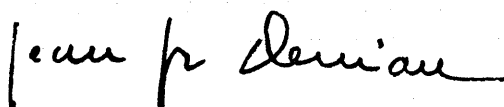
In the name of the Commission of the European Communities

Au nom de la Commission des Communautés européennes

A nome della Commissione delle Comunità europee

Namens de Commissie der Europese Gemeenschappen

For Kommissjonen for De Europeiske Fellesskap



Für die Republik Österreich



DECLARATIONS**Interpretative declaration concerning the meaning of the expression 'Contracting Parties' appearing in the Agreement**

The Contracting Parties agree to interpret the Agreement in the sense that the expression 'Contracting Parties' appearing in the said Agreement means, on the one hand, the Community and the Member States, or solely the Member States or the Community and, on the other hand, Austria. The meaning to be given in each case to this expression will be deduced from the provisions in question of the Agreement and from the corresponding provisions of the Treaty establishing the European Coal and Steel Community.

Declaration by the European Coal and Steel Community concerning Article 19(1) of the Agreement

The European Coal and Steel Community declares that in the context of the autonomous implementation of Article 19(1) of the Agreement it will assess any practices contrary to this Article on the basis of criteria arising from the application of the rules of Articles 4(c), 65, and 66(7) of the Treaty establishing the European Coal and Steel Community.

Declaration by the Government of the Federal Republic of Germany concerning application of the Agreement to Berlin

The Agreement is also applicable to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary within three months of the entry into force of the Agreement.

AGREEMENT

**between the Member States of the European Coal and Steel Community
and the European Coal and Steel Community,**

of the one part,

and the Portuguese Republic

of the other part

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being Member States of the European Coal and Steel Community, and

THE EUROPEAN COAL AND STEEL COMMUNITY,

of the one part, and

THE PORTUGUESE REPUBLIC,

of the other part,

WHEREAS the European Economic Community and the Portuguese Republic are concluding an Agreement concerning the sectors covered by that Community,

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

This Agreement shall apply to products covered by the European Coal and Steel Community which are specified in the Annex and originate in that Community or the Portuguese Republic.

Article 2

1. No new customs duty on imports shall be introduced in trade between the Community and Portugal.

2. Customs duties on imports shall be progressively abolished in accordance with the following timetable:

- (a) on 1 April 1973 each duty shall be reduced to 80 % of the basic duty;
- (b) four further reductions of 20 % each shall be made on:

1 January 1974
1 January 1975
1 January 1976
1 July 1977.

Article 3

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

The Contracting Parties may replace a customs duty of a fiscal nature or the fiscal element of a customs duty by an internal tax.

2. Denmark, Ireland, Norway and the United Kingdom may retain until 1 January 1976 a customs duty of a fiscal nature or the fiscal element of a customs duty in the event of implementation of Article 38 of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

Article 4

1. The basic duty to which the successive reductions provided for in Article 2 are to be applied shall, for each product, be the duty actually applied on 1 January 1972.

2. The reduced duties calculated in accordance with Article 2 shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39 (5) of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, as regards the specific duties or the specific part of the mixed duties in the Irish Customs Tariff, Article 2 shall be applied, with rounding to the fourth decimal place.

Article 5

1. No new charge having an effect equivalent to a customs duty on imports shall be introduced in trade between the Community and Portugal.

2. Charges having an effect equivalent to customs duties on imports introduced on or after 1 January 1972 in trade between the Community and Portugal shall be abolished upon the entry into force of the Agreement.

Any charge having an effect equivalent to a customs duty on imports, the rate of which on 31 December 1972 is higher than that actually applied on 1 January 1972, shall be reduced to the latter rate upon the entry into force of the Agreement.

3. Charges having an effect equivalent to customs duties on imports shall be progressively abolished in accordance with the following timetable:

- (a) by 1 January 1974 at the latest each charge shall be reduced to 60 % of the rate applied on 1 January 1972;
- (b) three further reductions of 20 % each shall be made on:

1 January 1975
1 January 1976
1 July 1977.

Article 6

No customs duty on exports or charge having equivalent effect shall be introduced in trade between the Community and Portugal.

Customs duties on exports and charges having equivalent effect shall be abolished not later than 1 January 1974.

Article 7

Protocols Nos 1 and 2 lay down the special treatment applicable to imports of certain products into Portugal.

Article 8

The provisions determining the rules of origin for the application of the Agreement between the European Economic Community and the Portuguese Republic signed this same day shall also be applicable to this Agreement.

Article 9

A Contracting Party which is considering the reduction of the effective level of its duties or charges having equivalent effect applicable to third countries benefiting from most-favoured-nation treatment, or which is considering the suspension of their application, shall, as far as may be practicable,

notify the Joint Committee not less than thirty days before such reduction or suspension comes into effect. It shall take note of any representations by the other Contracting Party regarding any distortions which might result therefrom.

Article 10

1. No new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Portugal.

2. Quantitative restrictions on imports shall be abolished on 1. January 1973 and any measures having an effect equivalent to quantitative restrictions on imports shall be abolished not later than 1 January 1975.

Article 11

From 1 July 1977 products originating in Portugal may not enjoy more favourable treatment when imported into the Community than that applied by the Member States of the Community between themselves.

Article 12

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community or the powers and jurisdiction deriving therefrom.

Article 13

The Agreement shall not preclude the maintenance or establishment of customs unions, free-trade areas or arrangements for frontier trade, except in so far as they alter the trade arrangements provided for in the Agreement, in particular the provisions concerning rules of origin.

Article 14

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

Article 15

Payments relating to trade in goods and the transfer of such payments to the Member State of the

Community in which the creditor is resident or to Portugal shall be free from any restrictions.

Article 16

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, law and order or public security, the protection of life and health of humans, animals or plants, the protection of national treasures of artistic, historic or archaeological value, or the protection of industrial and commercial property. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 17

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

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in time of war or serious international tension.

Article 18

1. The Contracting Parties shall refrain from any measure likely to jeopardize the fulfilment of the objectives of the Agreement.

2. They shall take any general or specific measures required to fulfil the obligations under the Agreement.

If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 19

1. The following are incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Community and Portugal:

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

2. Should a Contracting Party consider that a given practice is incompatible with this Article, it may take the appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 20

1. The Community shall extend, for products of Chapter 73 of the Brussels Nomenclature covered by the Agreement, the application of Article 60 of the Treaty establishing the European Coal and Steel Community and of the implementing decisions thereto to sales of undertakings falling within its jurisdiction to the territory of Portugal, while ensuring to this end adequate transparency of freight rates for deliveries to the territory of Portugal.

2. In the matter of prices, Portugal shall ensure for deliveries, of products of Chapter 73 of the Brussels Nomenclature covered by this Agreement, by undertakings subject to its jurisdiction, both in the territory of Portugal and to the Common Market:

- (a) Observance of the prohibition on unfair competition,
- (b) Observance of the principle of non-discrimination,
- (c) Disclosure of prices ex the chosen basing point and of conditions of sale,
- (d) Observance of the rules on alignment,

while ensuring to this end adequate transparency of freight rates.

Portugal shall take the measures required continually to achieve the same effects as those produced by the implementing decisions taken by the Community in this matter.

As regards deliveries to the Common Market, Portugal shall also ensure observance of other decisions by the Community prohibiting alignment on quotations from certain third countries, having regard to the transitional provisions concerning the accession of Denmark and Norway to the Community.

As regards deliveries to the Irish market, Portugal shall furthermore ensure observance of the transitional provisions applying to the accession of Ireland to the Community and limiting the possibilities of alignment on this market.

The Community has provided Portugal with a list of decisions implementing Article 60 and *ad hoc* decisions concerning the prohibition on alignment and with the text of the transitional provisions concerning the Danish, Irish and Norwegian markets. It will also inform Portugal immediately if any change in the decisions referred to above is adopted.

3. If the offers made by Portuguese undertakings are detrimental or liable to be so to the proper functioning of the Community market or if the offers made by Community undertakings are detrimental or liable to be so to the proper functioning of the Portuguese market and if any such detriment is attributable to differential application of the rules established under paragraphs 1 and 2 or to breach of those rules by the undertakings in question, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 21

Where an increase in imports of a given product is or is likely to be seriously detrimental to any production activity carried on in the territory of one of the Contracting Parties and where this increase is due to:

- (i) the partial or total reduction in the importing Contracting Party, as provided for in the Agreement, of customs duties and charges having equivalent effect levied on the product in question; and
- (ii) the fact that the duties or charges having equivalent effect levied by the exporting Contracting Party on imports of raw materials or intermediate products used in the manufacture of the product in question are significantly lower than the corresponding duties or charges levied by the importing Contracting Party;

the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 22

If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the provisions of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 24.

Article 23

If serious disturbances arise in any sector of the economy or if difficulties arise which could bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 24

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Articles 21 and 23 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 18 to 23, before taking the measures provided for therein or, in cases to which paragraph 3(e) applies, as soon as possible, the Contracting Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

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

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

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

(a) As regards Article 19, either Contracting Party may refer the matter to the Joint Committee if it

considers that a given practice is incompatible with the proper functioning of the Agreement within the meaning of Article 19(1).

The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to eliminate the practice objected to.

If the Contracting Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within three months of the matter being referred to it, the Contracting Party concerned may adopt any safeguard measures it considers necessary to deal with the serious difficulties resulting from the practices in question; in particular it may withdraw tariff concessions.

(b) As regards Article 20, the Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to consider an appropriate sanction for the practice in question.

In the absence of agreement within the Joint Committee or, according to the case, if no satisfactory sanction is imposed on the undertaking at fault, the Contracting Party concerned may take the measures it considers necessary to deal both with the difficulties resulting from differences in application or from infringement and with the risk of distortion of competition. These measures may in particular take the form of withdrawal of tariff concessions and release of the undertakings concerned from the commitment to comply with price rules in their dealings on the other Contracting Party's market.

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within that Committee, particularly with a view to their abolition as soon as circumstances permit.

In urgent cases, the Contracting Party concerned may make a direct request to the other contracting Party:

- (i) to put an immediate stop to the practice objected to,
- (ii) to take steps to impose a sanction on the undertaking at fault.

If the Contracting Party concerned does not consider that the matter has been settled satisfactorily, it may initiate the procedure provided for within the Joint Committee.

- (c) As regards Article 21, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee, which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Contracting Party has not taken a decision putting an end to the difficulties within thirty days of the matter being referred, the importing Contracting Party is authorized to levy a compensatory charge on the product imported.

The compensatory charge shall be calculated according to the incidence on the value of the goods in question of the tariff disparities in respect of the raw materials or intermediate products incorporated therein.

- (d) As regards Article 22, consultation in the Joint Committee shall take place before the Contracting Party concerned takes the appropriate measures.
- (e) Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 21, 22 and 23 and also in the case of export aids having a direct and immediate incidence on trade, apply forthwith the precautionary measures strictly necessary to deal with the situation.

Article 25

Where one or more Member States of the Community or Portugal is in difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. It shall inform the other Contracting Party forthwith.

Article 26

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement. These decisions shall be put into effect by the Contracting Parties in accordance with their own rules.
2. For the purpose of the proper implementation of the Agreement the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.
3. The Joint Committee shall adopt its own rules of procedure.

Article 27

1. The Joint Committee shall consist of representatives of the Contracting Parties.
2. The Joint Committee shall act by mutual agreement.

Article 28

1. Each Contracting Party shall preside in turn over the Joint Committee, in accordance with the arrangements to be laid down in its rules of procedure.
 2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.
- The Joint Committee shall, in addition, meet whenever special circumstances so require, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.
3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 29

1. Where a Contracting Party considers that it would be useful in the common interest of the Contracting Parties to develop the relations established by the Agreement by extending them to fields not covered thereby, it shall submit a reasoned request to the other Contracting Party.

The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations. These recommendations may, where appropriate, aim at the attainment of a concerted harmonization, provided that the autonomy of decision of the Contracting Parties is not impaired.

2. The agreements resulting from the negotiations referred to in paragraph 1 will be subject to ratification or approval by the Contracting Parties in accordance with their own procedures.

Article 30

The Annex and the Protocol to the Agreement shall form an integral part thereof.

Article 31

Any Contracting Party may denounce the Agreement by notifying the other Contracting Party. The Agreement shall cease to be in force twelve months after the date of such notification.

Article 32

The Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies upon the terms laid down in that Treaty and, on the other, to the European territory of the Portuguese Republic.

Article 33

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

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

It shall enter into force on 1 January 1973 provided that the Contracting Parties have notified each other

before that date that the procedures necessary to this end have been completed.

In the event of application of Article 2 (3) of the Decision of the Council of the European Communities of 22 January 1972 concerning the Accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community, this Agreement may take effect only for the States that have deposited the instruments specified in that paragraph.

After 1 January 1973, this Agreement shall enter into force on the first day of the second month following the notification referred to in paragraph 3. The final date for such notification shall be 30 November 1973.

The provisions applicable on 1 April 1973 shall be applied upon the entry into force of this Agreement if it enters into force after that date.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utfærdiget i Brussel, tjueandre juli nitten hundre og syttito.

Feito em Bruxelas, aos vinte e dois de Julho de mil novecentos e setenta e dois.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmel.

På Kongeriget Danmarks vegne

E. G. Jensen

Für die Bundesrepublik Deutschland

Dieter Staudt

Pour la République française

Champan

For Ireland

Seamus Keen.

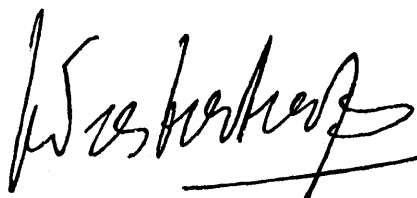
Per la Repubblica italiana

Medici

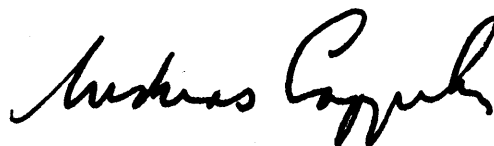
Pour le Grand-Duché de Luxembourg

T. Thum

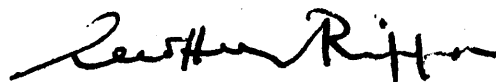
Voor het Koninkrijk der Nederlanden



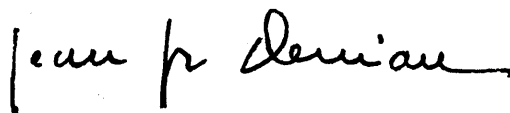
For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



På Kommissionen for De europæiske Fællesskabers vegne
Im Namen der Kommission der Europäischen Gemeinschaften
In the name of the Commission of the European Communities
Au nom de la Commission des Communautés européennes
A nome della Commissione delle Comunità Europee
Namens de Commissie der Europese Gemeenschappen
For Kommissjonen for De Europeiske Fellesskap



E. P. Wellmer

Pela República Portuguesa



ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature heading No	Description
26.01	Metallic ores and concentrates and roasted iron pyrites: A. Iron ores and concentrates and roasted iron pyrites: II. Other B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20 % or more by weight
26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel: A. Blast-furnace dust
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	Coke and semi-coke of coal, of lignite or of peat: A. Of coal: II. Other B. Of lignite
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2 % by weight of carbon (high carbon ferro-manganese)
73.03	Waste and scrapmetal of iron or steel
73.05	Iron or steel powders; sponge iron or steel: B. Sponge iron or steel
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: (a) Hot-rolled or extruded

Brussels Nomenclature heading No	Description
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): (a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate (a) C. Clad, coated or otherwise surface-treated: III. Tinned: (a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): (a) Not further worked than clad: 1. Hot-rolled
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates: B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: (b) More than 1 mm but less than 3 mm (c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: (b) Tinned: 1. Tinplate 2. Other (c) Zinc-coated or lead-coated (d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: (a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14: A. High carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated):

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.15 (cont'd)	1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) Not further worked than hot-rolled (b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm (c) Polished, clad, coated or otherwise surface-treated (d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) 'Electrical' sheets and plates (b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: (bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: (aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

PROTOCOL No 1

Concerning the Tariff treatment applicable by Portugal to certain products

Article 1

1. Notwithstanding Article 2 of the Agreement, customs duties on imports into Portugal of products originating in the Community as originally constituted and in Ireland, specified in the annexed list, shall be progressively abolished in the proportions and in accordance with the timetable given below:

Timetable	Rates of reduction — percentage
1 April 1973	20
1 January 1974	30
1 January 1975	50
1 January 1976	60
1 July 1977	80
1 January 1980	100

2. For products originating in Denmark, Norway and the United Kingdom, and specified in this same list, customs duties on imports into Portugal shall be progressively abolished in the proportions and in accordance with the timetable given below:

Timetable	Rates of reduction — percentage
1 January 1973	60
1 January 1974	60
1 January 1975	70
1 July 1977	80
1 January 1980	100

3. From 1 July 1977, the most advantageous treatment resulting from the reductions made, in accordance with this Article, to the basic duties referred to in Article 4 of the Agreement, shall be applied by Portugal without discrimination to all the Member States of the Community.

Article 2

Notwithstanding Article 2 of the Agreement and Article 1 of this Protocol, and insofar as its industrialization and development necessitate protective measures, Portugal may until 31 December 1979 introduce, increase or reimpose *ad valorem* customs duties in accordance with the conditions and limits laid down in Article 6 of Protocol No 1 of the Agreement between the European Economic Community and the Portuguese Republic, signed this same day.

ANNEX

List concerning products imported into Portugal and subject to the duties of the Portuguese Customs Tariff, reduced in the proportions and in accordance with the timetables laid down in Article 1

Portuguese Customs Tariff heading No	Description
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal:
04	Coal processed: Not specified
27.02	Lignite, whether or not agglomerated:
01	Lignite, unprocessed
	Lignite, processed:
03	Agglomerates: Weighing not more than 1 kg
04	Not specified
73.09	Universal plates of iron or steel:
01	not exceeding 300 mm in width, and 60 mm or less in thickness
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:
01	Wire rod in coils
ex 03	Solid twisted bars and rods for use in concrete or reinforced-cement structures, not further worked than hot-rolled or extruded
ex 04	Solid round bars and rods of a diameter not exceeding 170 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 05	Solid square bars and rods not exceeding 170 mm in side, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 06	Solid rectangular bars and rods of a width not exceeding 300 mm and a thickness not exceeding 60 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 07	Other solid bars and rods the cross-section of which can be inscribed in a circle of a diameter of 170 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:
ex 02	Twisted angles, shapes and sections for use in concrete or reinforced-cement structures, not further worked than hot-rolled or extruded
ex 03	Angles with equal or unequal limbs, with a limb width not exceeding 200 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 04	T sections of a height not exceeding 180 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 05	I and H sections of a height not exceeding 340 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded

Portuguese Customs Tariff heading No	Description
73.11 (cont'd)	
ex 06	U sections of a height not exceeding 320 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 07	Other angles, shapes and sections, of a weight not exceeding 15 kg per metre, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled:
ex 01	Hoop and strip, tinned (tinplate); hoop and strip, not further worked than clad, hot-rolled
ex 03	Hoop and strip, not further worked than hot-rolled; hoop and strip, not further worked than cold-rolled, in coils, for the manufacture of tinplate
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled:
ex 01	Sheets and plates, tinned, zinc-coated, lead-coated and those coated with other metals by any process, excluding silvered, gilded and platinum-plated sheets and plates; sheets and plates, cut into shapes other than rectangular shapes, but not further worked, coated with other metals by any process, excluding silvered, gilded and platinum-plated sheets and plates
ex 02	Sheets and plates, printed, varnished, painted or coated with plastic materials and sheets and plates of a similar kind, cut into shapes other than rectangular shapes, but not further worked
ex 03	'Electrical' sheets and plates; other sheets and plates, cold-rolled, either not further worked than rolled and of a thickness of less than 3 mm, not further worked than burnished, polished or glazed, artificially oxidized, lacquered, parkerized, etc. or cut into shapes other than rectangular shapes, but not further worked
04	Sheets and plates, hot-rolled, of a thickness not exceeding 3 mm, not further worked than rolled, or coated or otherwise surface-coated, not specified, or cut into shapes other than rectangular shapes, but not further worked, not specified
05	Sheets and plates, hot-rolled, of a thickness exceeding 3 mm, not further worked than rolled, or coated or otherwise surface-coated, not specified, or cut into shapes other than rectangular shapes, but not further worked, not specified
73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14:
ex 02	High carbon steel and products referred to in subparagraph (b) of the Note: ingots, excluding forged ingots
09	High carbon steel and products referred to in subparagraph (b) of the Note: universal plates, of a width not exceeding 300 mm and a thickness of 60 mm or less
ex 11	Products referred to in subparagraph (a) of the Note: wire in coils, including wire rod, not further worked than hot-rolled or extruded
ex 12	High carbon steel and products referred to in subparagraph (b) of the Note: wire in coils, including wire rod, not further worked than hot-rolled or extruded
ex 15	High carbon steel and products referred to in subparagraph (b) of the Note: twisted bars and rods for use in concrete or reinforced-cement structures, not further worked than hot-rolled or extruded
ex 17	High carbon steel and products referred to in subparagraph (b) of the Note: round bars and rods of a diameter not exceeding 170 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 19	High carbon steel and products referred to in subparagraph (b) of the Note: square bars and rods not exceeding 170 mm in side, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 21	High carbon steel and products referred to in subparagraph (b) of the Note: rectangular bars and rods of a width not exceeding 300 mm and a thickness of 60 mm or less, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded

Portuguese Customs Tariff heading No	Description
73.15 (cont'd)	
ex 23	High carbon steel and products referred to in subparagraph (b) of the Note: other bars and rods the cross section of which can be inscribed in a circle of a diameter of 170 mm or less, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 27	High carbon steel and products referred to in subparagraph (b) of the Note: twisted angles, shapes and sections for use in concrete or reinforced-cement structures, not further worked than hot-rolled or extruded
ex 29	High carbon steel and products referred to in subparagraph (b) of the Note: angles with equal or unequal limbs, of a limb width not exceeding 200 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 31	High carbon steel and products referred to in subparagraph (b) of the Note: T sections of a height not exceeding 180 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 33	High carbon steel and products referred to in subparagraph (b) of the Note: I and H sections of a height not exceeding 340 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 35	High carbon steel and products referred to in subparagraph (b) of the Note: U sections of a height not exceeding 320 mm, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 37	High carbon steel and products referred to in subparagraph (b) of the Note: other angles, shapes and sections, of a weight not exceeding 15 kg per metre, either not further worked than hot-rolled or extruded or not further worked than clad, hot-rolled or extruded
ex 45	High carbon steel and products referred to in subparagraph (b) of the Note: hoop and strip, not further worked than hot-rolled or extruded
ex 46	Products referred to in subparagraph (a) of the Note: sheets and plates, clad with other metals by any process, including those shaped or worked, cut into shapes other than rectangular shapes, but not further worked
ex 47	High carbon steel and products referred to in subparagraph (b) of the Note: sheets and plates, clad with other metals by any process, including those shaped or worked, cut into shapes other than rectangular shapes, but not further worked
ex 48	Products referred to in subparagraph (a) of the Note: sheets and plates, printed, varnished, painted, enamelled or coated with plastic materials, including those shaped or worked, cut into shapes other than rectangular shapes, but not further worked
ex 49	High carbon steel and products referred to in subparagraph (b) of the Note: sheets and plates, printed, varnished, painted, enamelled or coated with plastic materials, including those shaped or worked, cut into shapes other than rectangular shapes, but not further worked
ex 51	High carbon steel and products referred to in subparagraph (b) of the Note: 'electrical' sheets and plates; other sheets and plates, cold-rolled, of a thickness of less than 3 mm, either not further worked than rolled or polished, including those otherwise shaped or worked, cut into shapes other than rectangular shapes, but not further worked
ex 52	High carbon steel and products referred to in subparagraph (b) of the Note: sheets and plates, hot-rolled, of a thickness not exceeding 3 mm, either not further worked than rolled or polished, including those otherwise shaped or worked, cut into shapes other than rectangular shapes, but not further worked

Portuguese Customs Tariff heading No	Description
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fishplates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:
ex 01	Rails, new or used, excluding those that are current-conducting, with parts of non-ferrous metal; check-rails
ex 02	Sleepers; fish plates and sole-plates, rolled

NOTE

For the purpose of applying duty rates, alloy steels shall be deemed to be divided into two categories:

(a) alloy steels containing by weight one or more of the following elements in the proportions given below:

- 2 % or more of silicon
- 2 % or more of manganese
- 2 % or more of chromium
- 2 % or more of nickel
- 0.3 % or more of molybdenum
- 0.3 % or more of vanadium
- 0.5 % or more of tungsten
- 0.5 % or more of cobalt
- 0.3 % or more of aluminium or
- 1 % or more of copper; and

(b) other alloy steels.

Alloy steels (No 73.15), for which categories have been indicated, are the same as those referred to in Note 1 (d) of Chapter 73 of the Common Customs Tariff.

PROTOCOL No 2

concerning the removal of certain quantitative restrictions in force in Portugal

Notwithstanding Article 10 of the Agreement, for products originating in the Community and specified in the list annexed to this Protocol, Portugal shall open, upon the entry into force of the Agreement, annual quotas for which the initial level and timetable of increases are indicated in that list. Imports into Portugal of these products will be free from restriction from 1 July 1977.

Where, for two consecutive years, imports into Portugal of the products originating in the Community and specified in the said list are less than the quotas opened, imports of these products shall be free from restriction.

ANNEX

Portuguese Customs Tariff heading No	Description	Annual quotas laid down for the period from 1 January 1973 to 1 July 1977 (in metric tons)				
		1973	1974	1975	1976	1977
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:					
03	Twisted bars and rods for use in concrete or reinforced-cement structures					
ex 04	Round bars and rods for use in concrete, of a diameter not exceeding 170 mm					
ex 05	Square bars and rods for use in concrete, not exceeding 170 mm in side	500	600	750	900	550
ex 06	Rectangular bars and rods for use in concrete, of a width not exceeding 300 mm and a thickness of 60 mm or less					
ex 07	Other bars and rods for use in concrete, the cross-section of which can be inscribed in a circle of a diameter of 170 mm or less					
ex 08	Not specified, for use in concrete					
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled:					
ex 01	Clad with other metals by any process: galvanized	4 000	4 440	4 840	5 320	2 930

FINAL ACT

The representatives of

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY, and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being Member States of the European Coal and Steel Community,

OF THE EUROPEAN COAL AND STEEL COMMUNITY

and of

THE PORTUGUESE REPUBLIC,

assembled at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two,

for the signature of the Agreement between the Member States of the European Coal and Steel Community, and the European Coal and Steel Community, of the one part, and the Portuguese Republic, of the other part,

at the time of signature of this Agreement,

— have adopted the following declaration annexed to this Act:

Interpretative declaration concerning the meaning of the expression 'Contracting Parties' appearing in the Agreement,

— and have taken note of the declarations listed below and annexed to this Act:

1. Declaration by the European Coal and Steel Community concerning Article 19 (1) of the Agreement.
2. Declaration by the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjueandre juli nitten hundre og syttito.

Feito em Bruxelas, aos vinte e dois de Julho de mil novecentos e setenta e dois.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Wauters.

På Kongeriget Danmarks vegne

E. G. Jensen

Für die Bundesrepublik Deutschland

Wolfgang Schäfer

Pour la République française

Champan

For Ireland

Sean Keen.

Per la Repubblica italiana

Medici

Pour le Grand-Duché de Luxembourg

T. Thun

Voor het Koninkrijk der Nederlanden

Weskerhof

For Kongeriket Norge

Arthur Cooper

For the United Kingdom of Great Britain and Northern Ireland

Leslie Riffon

På Kommissionen for De europæiske Fællesskabers vegne
Im Namen der Kommission der Europäischen Gemeinschaften
In the name of the Commission of the European Communities
Au nom de la Commission des Communautés européennes
A nome della Commissione delle Comunità Europee
Namens de Commissie der Europese Gemeenschappen
For Kommissjonen for De Europeiske Fellesskap

Team p. Service

E. P. W. Weinstein

Pela República Portuguesa

Prin Patricia

DECLARATIONS

Interpretative declaration concerning the meaning of the expression 'Contracting Parties' appearing in the Agreement

The Contracting Parties agree to interpret the Agreement in the sense that the expression 'Contracting Parties' appearing in the said Agreement means, on the one hand, the Community and the Member States, or solely the Member States or the Community and, on the other hand, Portugal. The meaning to be given in each case to this expression will be deduced from the provisions in question of the Agreement and from the corresponding provisions of the Treaty establishing the European Coal and Steel Community.

Declaration by the European Coal and Steel Community concerning Article 19 (1) of the Agreement

The European Coal and Steel Community declares that in the context of the autonomous implementation of Article 19 (1) of the Agreement it will assess any practices contrary to this Article on the basis of criteria arising from the application of the rules of Articles 4 (c), 65 and 66 (7) of the Treaty establishing the European Coal and Steel Community.

Declaration by the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin

The Agreement is also applicable to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary within three months of the entry into force of the Agreement.

AGREEMENT

between the Member States of the European Coal and Steel Community
and the European Coal and Steel Community,

of the one part,

and the Kingdom of Sweden,

of the other part

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE KINGDOM OF NORWAY and

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being members of the European Coal and Steel Community, and

THE EUROPEAN COAL AND STEEL COMMUNITY,

of the one part, and

THE KINGDOM OF SWEDEN,

of the other part,

WHEREAS the European Economic Community and the Kingdom of Sweden are concluding an Agreement concerning the sectors covered by that Community,

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements,

TO CONCLUDE THIS AGREEMENT:

Article 1

This Agreement shall apply to products covered by the European Coal and Steel Community which are specified in the Annex and originate in that Community or the Kingdom of Sweden.

Article 2

1. No new customs duty on imports shall be introduced in trade between the Community and Sweden.

2. Customs duties on imports shall be progressively abolished in accordance with the following timetable:

(a) on 1 April 1973 each duty shall be reduced to 80 % of the basic duty;

(b) four further reductions of 20 % each shall be made on:

1 January 1974

1 January 1975

1 January 1976

1 July 1977.

Article 3

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

The Contracting Parties may replace a customs duty of a fiscal nature or the fiscal element of a customs duty by an internal tax.

2. Denmark, Ireland, Norway and the United Kingdom may retain until 1 January 1976 a customs duty of a fiscal nature or the fiscal element of a customs duty in the event of implementation of Article 38 of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

Article 4

1. The basic duty to which the successive reductions provided for in Article 2 and the Protocol are to be applied shall, for each product, be the duty actually applied on 1 January 1972.

2. The reduced duties calculated in accordance with Article 2 and the Protocol shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39(5) of the 'Act concerning the Conditions of Accession and the Adjustments to the Treaties' drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, as regards the specific duties or the specific part of the mixed duties in the Irish Customs Tariff, Article 2 and the Protocol shall be applied, with rounding to the fourth decimal place.

Article 5

1. No new charge having an effect equivalent to a customs duty on imports shall be introduced in trade between the Community and Sweden.

2. Charges having an effect equivalent to customs duties on imports introduced on or after 1 January 1972 in trade between the Community and Sweden shall be abolished upon the entry into force of the Agreement.

Any charge having an effect equivalent to a customs duty on imports, the rate of which on 31 December 1972 is higher than that actually applied on 1 January 1972, shall be reduced to the latter rate upon the entry into force of the Agreement.

3. Charges having an effect equivalent to customs duties on imports shall be progressively abolished in accordance with the following timetable:

(a) by 1 January 1974 at the latest each charge shall be reduced to 60 % of the rate applied on 1 January 1972;

(b) three further reductions of 20 % each shall be made on:

1 January 1975

1 January 1976

1 July 1977.

Article 6

No customs duty on exports or charge having equivalent effect shall be introduced in trade between the Community and Sweden.

Customs duties on exports and charges having equivalent effect shall be abolished not later than 1 January 1974.

Article 7

The Protocol lays down the tariff treatment and arrangements applicable to certain products.

Article 8

The provisions determining the rules of origin for the application of the Agreement between the European Economic Community and the Kingdom of Sweden signed this same day shall also be applicable to this Agreement.

Article 9

A Contracting Party which is considering the reduction of the effective level of its duties or charges having equivalent effect applicable to third countries benefiting from most-favoured-nation treatment, or which is considering the suspension of their application, shall, as far as may be practicable, notify the Joint Committee not less than thirty days before such reduction or suspension comes into effect. It shall take note of any representations by the other Contracting Party regarding any distortions which might result therefrom.

Article 10

1. No new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Sweden.

2. Quantitative restrictions on imports shall be abolished on 1 January 1973 and any measures having an effect equivalent to quantitative restrictions on imports shall be abolished not later than 1 January 1975.

Article 11

From 1 July 1977 products originating in Sweden may not enjoy more favourable treatment when imported into the Community than that applied by the Member States of the Community between themselves.

Article 12

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community or the powers and jurisdiction deriving therefrom.

Article 13

The Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade, except in so far as they alter the trade arrangements provided for in the Agreement, in particular the provisions concerning rules of origin.

Article 14

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

Article 15

Payments relating to trade in goods and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Sweden shall be free from any restrictions.

The Contracting Parties shall refrain from any exchange or administrative restriction on the grant, repayment or acceptance of short- and medium-term credits covering commercial transactions in which a resident participates.

Article 16

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, law and order or public security, the protection of life and health of humans, animals or plants, the protection of national treasures of artistic, historic or archaeological value, or the protection of industrial and commercial property. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 17

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

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in time of war or serious international tension.

Article 18

1. The Contracting Parties shall refrain from any measure likely to jeopardize the fulfilment of the objectives of the Agreement.

2. They shall take any general or specific measures required to fulfil their obligations under the Agreement.

If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 19

1. The following are incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Community and Sweden:

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

2. Should a Contracting Party consider that a given practice is incompatible with this Article, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 20

1. The Community shall extend, for products of Chapter 73 of the Brussels Nomenclature covered by the Agreement, the application of Article 60 of the Treaty establishing the European Coal and Steel Community and of the implementing decisions thereto to sales of undertakings falling within its jurisdiction to the territory of Sweden, while ensuring to this end adequate transparency of freight rates for deliveries to the territory of Sweden.

2. In the matter of prices, Sweden shall ensure for deliveries of products of Chapter 73 of the Brussels Nomenclature covered by this Agreement, by undertakings subject to its jurisdiction, both in the territory of Sweden and to the Common Market:

- (a) observance of the prohibition on unfair competition
- (b) observance of the principle of non-discrimination
- (c) disclosure of prices ex the chosen basing point and of conditions of sale
- (d) observance of the rules on alignment,

while ensuring to this end adequate transparency of freight rates.

Sweden shall take the measures required continually to achieve the same effects as those produced by the implementing decisions taken by the Community in this matter.

As regards deliveries to the Common Market, Sweden shall also ensure observance of decisions by the

Community prohibiting alignment on quotations from certain third countries, having regard to the transitional provisions concerning the accession of Denmark and Norway to the Community.

As regards deliveries to the Irish market, Sweden shall furthermore ensure observance of the transitional provisions applying to the accession of Ireland to the Community and limiting the possibilities of alignment on this market.

The Community has provided Sweden with a list of decisions implementing Article 60 and *ad hoc* decisions concerning the prohibition alignment and with the text of the transitional provisions concerning the Danish, Irish and Norwegian markets. It will also inform Sweden immediately if any change in the decisions referred to above is adopted.

3. If the offers made by Swedish undertakings are detrimental or liable to be so to the proper functioning of the Community market or if the offers made by Community undertakings are detrimental or liable to be so to the proper functioning of the Swedish market and if any such detriment is attributable to differential application of the rules established under paragraphs 1 and 2 or to breach of those rules by the undertakings in question, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 21

Where an increase in imports of a given product is or is likely to be seriously detrimental to any production activity carried on in the territory of one of the Contracting Parties and where this increase is due to:

- (i) the partial or total reduction in the importing Contracting Party, as provided for in the Agreement, of customs duties and charges having equivalent effect levied on the product in question; and
- (ii) the fact that the duties or charges having equivalent effect levied by the exporting Contracting Party on imports of raw materials or intermediate products used in the manufacture of the product in question are significantly lower than the corresponding duties or charges levied by the importing Contracting Party;

the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 22

If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the provisions of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 24.

Article 23

If serious disturbances arise in any sector of the economy or if difficulties arise which could bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 24.

Article 24

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Articles 21 and 23 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 18 to 23, before taking the measures provided for therein or, in cases to which paragraph 3(e) applies, as soon as possible, the Contracting Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

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

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

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

(a) As regards Article 19, either Contracting Party may refer the matter to the Joint Committee if it considers that a given practice is incompatible with the proper functioning of the Agreement within the meaning of Article 19(1).

The Contracting Parties shall provide the Joint Committee with all relevant information and

shall give it the assistance it requires in order to examine the case and, where appropriate, to eliminate the practice objected to.

If the Contracting Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within three months of the matter being referred to it, the Contracting Party concerned may adopt any safeguard measures it considers necessary to deal with the serious difficulties resulting from the practice in question; in particular it may withdraw tariff concessions.

(b) As regards Article 20, the Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to consider an appropriate sanction for the practice in question.

In the absence of agreement within the Joint Committee or, according to the case, if no satisfactory sanction is imposed on the undertaking at fault, the Contracting Party concerned may take the measures it considers necessary to deal both with the difficulties resulting from differences in application or from infringement and with the risk of distortion of competition. These measures may in particular take the form of withdrawal of tariff concessions and release of the undertakings concerned from the commitment to comply with price rules in their dealings on the other Contracting Party's market.

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within that Committee, particularly with a view to their abolition as soon as circumstances permit.

In urgent cases, the Contracting Party concerned may make a direct request to the other Contracting Party:

(i) to put an immediate stop to the practice objected to,

(ii) to take steps to impose a sanction on the undertaking at fault.

If the Contracting Party concerned does not consider that the matter has been settled satisfactorily, it may initiate the procedure provided for within the Joint Committee.

- (c) As regards Article 21, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee, which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Contracting Party has not taken a decision putting an end to the difficulties within thirty days of the matter being referred, the importing Contracting Party is authorized to levy a compensatory charge on the product imported.

The compensatory charge shall be calculated according to the incidence on the value of the goods in question of the tariff disparities in respect of the raw materials or intermediate products incorporated therein.

- (d) As regards Article 22, consultation in the Joint Committee shall take place before the Contracting Party concerned takes the appropriate measures.
- (e) Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 21, 22 and 23 and also in the case of export aids having a direct and immediate incidence on trade, apply forthwith the precautionary measures strictly necessary to deal with the situation.

Article 25

Where one or more Member States of the Community or Sweden is in difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. It shall inform the other Contracting Party forthwith.

Article 26

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement. These decisions shall be put into effect by the Contracting Parties in accordance with their own rules.
2. For the purpose of the proper implementation of the Agreement, the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.
3. The Joint Committee shall adopt its own rules of procedure.

Article 27

1. The Joint Committee shall consist of representatives of the Contracting Parties.
2. The Joint Committee shall act by mutual agreement.

Article 28

1. Each Contracting Party shall preside in turn over the Joint Committee, in accordance with the arrangements to be laid down in its rules of procedure.
2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever special circumstances so require, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 29

1. Where a Contracting Party considers that it would be useful in the common interest of the Contracting Parties to develop the relations established by the Agreement by extending them to fields not covered thereby, it shall submit a reasoned request to the other Contracting Party.

The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations. These recommendations may, where appropriate, aim at the attainment of a concerted harmonization, provided that the autonomy of decision of the Contracting Parties is not impaired.

2. The agreements resulting from the negotiations referred to in paragraph 1 will be subject to ratification or approval by the Contracting Parties in accordance with their own procedures.

Article 30

The Annex and the Protocol to the Agreement shall form an integral part thereof.

Article 31

Either Contracting Party may denounce the Agreement by notifying the other Contracting Party. The Agreement shall cease to be in force twelve months after the date of such notification.

Article 32

The Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies upon the terms laid down in that Treaty and, on the other, to the territory of the Kingdom of Sweden.

Article 33

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

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

It shall enter into force on 1 January 1973, provided that the Contracting Parties have notified each other before that date that the procedures necessary to this end have been completed.

In the event of application of Article 2(3) of the Decision of the Council of the European Communities of 22 January 1972 concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community, this Agreement may take effect only for the States that have deposited the instruments specified in that paragraph.

After 1 January 1973, this Agreement shall enter into force on the first day of the second month following the notification referred to in paragraph 3. The final date for such notification shall be 30 November 1973.

The provisions applicable on 1 April 1973 shall be applied upon the entry into force of this Agreement if it enters into force after that date.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utferdiget i Brussel, tjueandre juli nitten hundre og syttito.

Som skedde i Bryssel den tjugoandra juli nittonhundrasjuttiotvå.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Harmand.

På Kongeriget Danmarks vegne

E. G. Jensen

Für die Bundesrepublik Deutschland

Dieter Staudt

Pour la République française

Ch. L. Schumann

For Ireland

Seamus Kirby

Per la Repubblica italiana

Medici

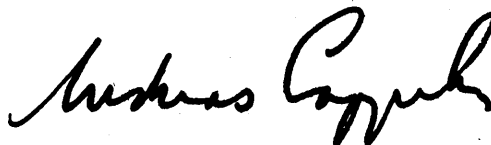
Pour le Grand-Duché de Luxembourg

T. J. Thum

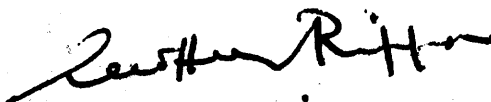
Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



På Kommissionen for De europæiske Fællesskabers vegne

Im Namen der Kommission der Europäischen Gemeinschaften

In the name of the Commission of the European Communities

Au nom de la Commission des Communautés européennes

A nome della Commissione delle Comunità europee

Namens de Commissie der Europese Gemeenschappen

For Kommissjonen for De Europeiske Fellesskap



E. P. W. Munkin

För Konungariket Sverige



ANNEX

List of products referred to in Article 1 of the Agreement

Brussels Nomenclature heading No	Description
26.01	Metallic ores and concentrates and roasted iron pyrites: A. Iron ores and concentrates and roasted iron pyrites: II. Other B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20 % or more by weight
26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel: A. Blast-furnace dust
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal
27.02	Lignite, whether or not agglomerated
27.04	Coke and semi-coke of coal, of lignite or of peat: A. Of coal: II. Other B. Of lignite
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2 % by weight of carbon (high carbonferro- manganese)
73.03	Waste and scrap-metal of iron or steel
73.05	Iron or steel powders; sponge iron or steel: B. Sponge iron or steel
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): I. Rolled
73.08	Iron or steel coils for re-rolling
73.09	Universal plates of iron or steel
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining-drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad: (a) Hot-rolled or extruded

Brussels Nomenclature heading No	Description
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): (a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled: I. In coils for the manufacture of tinplate ^(a) C. Clad, coated or otherwise surface-treated: III. Tinned: (a) Tinplate V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): (a) Not further worked than clad: 1. Hot-rolled
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: A. "Electrical" sheets and plates B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: (b) More than 1 mm but less than 3 mm (c) 1 mm or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: (b) Tinned: 1. Tinplate 2. Other (c) Zinc-coated or lead-coated (d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed) V. Otherwise shaped or worked: (a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other
73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14: A. High-carbon steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No	Description
73.15 (cont'd)	III. Coils for re-rolling VI. Universal plates V. Bars and rods (including wire rod) and hollow mining-drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded IV. Universal plates (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) Not further worked than hot-rolled (b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm (c) Polished, clad, coated or otherwise surface-treated (d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other III. Coils for re-rolling IV. Universal plates V. Bars and rods (including wire rod) and hollow mining-drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) "Electrical" sheets and plates: (b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-rolled, of a thickness of: (bb) Less than 3 mm 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: (aa) Cut into shapes other than rectangular shapes, but not further worked

Brussels Nomenclature heading No	Description
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

PROTOCOL

concerning the treatment applicable to certain products

SECTION A

Treatment applicable to imports into the Community of certain products originating in Sweden

Article 1

1. Customs duties on imports into the Community as originally constituted and into Ireland of the products specified in paragraph 2 shall be progressively reduced to the following levels in accordance with the following timetable:

Timetable	Percentage of basic duties applicable
1 April 1973	95
1 January 1974	90
1 January 1975	85
1 January 1976	75
1 January 1977	60
1 January 1978	40
1 January 1979	20
1 January 1980	0

2. The products referred to in paragraph 1 are the following:

Common Customs Tariff heading No	Description
ex 73.15	Alloy steel and high carbon steel in the forms mentioned in headings Nos 73.06 to 73.14, excluding products covered by the EEC Treaty

Article 2

Imports to which the tariff treatment provided for in Article 1 applies shall be subjected to annual indicative ceilings above which the customs duties applicable in respect of third countries may be reintroduced in accordance with the following provisions:

(a) Taking into account that the Community and its Member States have the right to suspend application of ceilings for certain products, the ceilings fixed for 1973 are shown in Annex C of Protocol

No 1 of the Agreement between the European Economic Community and the Kingdom of Sweden signed this same day. These ceilings, the levels of which are common for the products of heading No 73.15 shown in the aforementioned Annex C and this Protocol, are calculated on the assumption that the Community as originally constituted and Ireland shall make the first tariff reduction on 1 April 1973. For 1974 the levels of the ceilings shall correspond to those of 1973 readjusted on an annual basis for the Community and raised by 5 %. From 1 January 1975 the levels of these ceilings shall be raised annually by 5 %.

For products covered by this Protocol, the Community and its Member States reserve the right to introduce ceilings of which the levels will be equal to the average amounts of imports into the Community over the last four years for which statistics are available, increased by 5 %; for the following years, the levels of these ceilings shall be raised annually by 5 %.

(b) Should, for two successive years, imports of a product subject to a ceiling be less than 90 % of the level fixed, the Community and its Member States shall suspend the application of this ceiling.

(c) In the event of short-term economic difficulties, the Community and its Member States reserve the right, after consultation within the Joint Committee, to maintain for a year the level fixed for the preceding year.

(d) On 1 December each year the Community and its Member States shall notify the Joint Committee of the list of products subject to ceilings in the following year and of the levels of the ceilings.

(e) Notwithstanding Article 2 of the Agreement and Article 1 of this Protocol, when a ceiling fixed for imports of a product covered by this Protocol is reached, Common Customs Tariff duties on imports of the product in question may be re-imposed until the end of the calendar year.

In this event, prior to 1 July 1977:

- (i) Denmark, Norway and the United Kingdom shall reimpose customs duties as follows:

Years	Percentage of Common Customs Tariff duties applicable
1973	0
1974	40
1975	60
1976	80

- (ii) Ireland shall reimpose customs duties applicable to third countries.

The customs duties specified in Article 1 of this Protocol shall be reimposed on 1 January of the following year.

- (f) After 1 July 1977 the Contracting Parties shall examine within the Joint Committee the possibility of revising the percentage by which the levels of ceilings are raised, having regard to the trend of consumption and imports in the Community and to experience gained in applying this Article.
- (g) The ceilings shall be abolished at the end of the tariff dismantling period provided for in Article 1 of this Protocol.

SECTION B

Treatment applicable to imports into Sweden of certain products originating in the Community

Article 3

1. Customs duties on imports into Sweden of the products specified in paragraph 2 shall be progressively reduced to the following levels and in accordance with the following timetable:

Timetable	Percentage of basic duties applicable
1 April 1973	95
1 January 1974	90
1 January 1975	85
1 January 1976	75
1 January 1977	60
1 January 1978	40
1 January 1979	20
1 January 1980	0

2. The products referred to in paragraph 1 are the following:

Swedish Customs Tariff heading No	Description
ex 73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled, excluding products covered by the EEC Treaty: — other than those clad with aluminium, lead or tin
ex 73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled, excluding products covered by the EEC Treaty: — other than those clad with aluminium, lead or tin — clad with zinc: — of a thickness of less than 3 mm — other: — of a thickness of less than 3 mm, but of at least 0.9 mm
ex 73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14, excluding products covered by the EEC Treaty

Article 4

For products covered by Section B of this Protocol, with the exception of those falling within Tariff headings Nos 73.12 and 73.13, Sweden reserves the right, in the event of it becoming absolutely necessary at a later stage and following consultations within the Joint Committee, to introduce indicative ceilings as defined in Section A of this Protocol, the methods applied to which will be the same as those mentioned therein. For imports exceeding the ceilings, customs duties not exceeding those applicable in respect of third countries may be re-introduced.

FINAL ACT

The representatives of
THE KINGDOM OF BELGIUM,
THE KINGDOM OF DENMARK,
THE FEDERAL REPUBLIC OF GERMANY,
THE FRENCH REPUBLIC,
IRELAND,
THE ITALIAN REPUBLIC,
THE GRAND DUCHY OF LUXEMBOURG,
THE KINGDOM OF THE NETHERLANDS,
THE KINGDOM OF NORWAY, and
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
being members of the European Coal and Steel Community
of THE EUROPEAN COAL AND STEEL COMMUNITY
and of THE KINGDOM OF SWEDEN

assembled at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two,

for the signature of the Agreement between the Member States of the European Coal and Steel Community and the European Coal and Steel Community, of the one part, and the Kingdom of Sweden, of the other part,

at the time of signature of this Agreement,

— have adopted the following declaration annexed to this Act:

Interpretative declaration concerning the meaning of the expression "Contracting Parties" appearing in the Agreement

— and have taken note of the declarations listed below and annexed to this Act:

1. Declaration by the European Coal and Steel Community concerning Article 19(1) of the Agreement.
2. Declaration by the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin.

Udfærdiget i Bruxelles, den toogtyvende juli nitten hundrede og tooghalvfjerds.

Geschehen zu Brüssel am zweiundzwanzigsten Juli neunzehnhundertzweiundsiebzig.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

Fait à Bruxelles, le vingt-deux juillet mil neuf cent soixante-douze.

Fatto a Bruxelles, il ventidue luglio millenovecentosettantadue.

Gedaan te Brussel, de tweeëntwintigste juli negentienhonderdtweeënzeventig.

Utfærdiget i Brussel, tjueandre juli nitten hundre og syttito.

Som skedde i Bryssel den tjugoandra juli nittonhundrasjuttiotvå.

Pour le Royaume de Belgique

Voor het Koninkrijk België

L. Wauters.

På Kongeriget Danmarks vegne

E. G. Hansen

Für die Bundesrepublik Deutschland

Dieter Staudt

Pour la République française

Champan

For Ireland

Sean Keen.

Per la Repubblica italiana

Medici

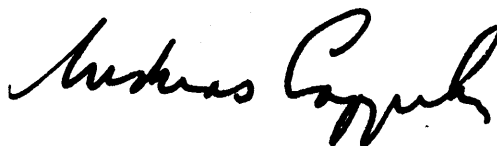
Pour le Grand-Duché de Luxembourg

T. Thum

Voor het Koninkrijk der Nederlanden



For Kongeriket Norge



For the United Kingdom of Great Britain and Northern Ireland



På Kommissionen for De europæiske Fællesskabers vegne

Im Namen der Kommission der Europäischen Gemeinschaften

In the name of the Commission of the European Communities

Au nom de la Commission des Communautés européennes

A nome della Commissione delle Comunità europee

Namens de Commissie der Europese Gemeenschappen

For Kommisjonen for De Europeiske Fellesskap



För Konungariket Sverige



DECLARATIONS**Interpretative declaration concerning the meaning of the expression "Contracting Parties" appearing in the Agreement**

The Contracting Parties agree to interpret the Agreement in the sense that the expression 'Contracting Parties' appearing in the said Agreement means, on the one hand, the Community and the Member States, or solely the Member States or the Community and, on the other hand, Sweden. The meaning to be given in each case to this expression will be deduced from the provisions in question of the Agreement and from the corresponding provisions of the Treaty establishing the European Coal and Steel Community.

Declaration by the European Coal and Steel Community concerning Article 19(1) of the Agreement

The European Coal and Steel Community declares that in the context of the autonomous implementation of Article 19(1) of the Agreement it will assess any practices contrary to this Article on the basis of criteria arising from the application of the rules of Articles 4(c), 65, and 66(7) of the Treaty establishing the European Coal and Steel Community.

Declaration by the Government of the Federal Republic of Germany concerning the application of the Agreement to Berlin

The Agreement is also applicable to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary within three months of the entry into force of the Agreement.
