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学科： 经谈判代表商定的经修订的案文：

- 《退出协定》中包括了《爱尔兰/北爱尔兰议定书》，并对《大不列颠联合王国退出协定》第 184 条“关于未来关系的谈判”和第 185 条“生效与适用”进行了相应的技术修改。来自欧盟和欧洲原子能共同体的北爱尔兰（“退出协议”）。

这些修订的文本是：

- 打算取代在 25.4.2019 的 OJ C144 I 中发布的最新版《取款协议》中包含的相应规定；
- 受法律修订。

来源：欧洲委员会，根据第 50 条 TEU 的规定，与英国进行谈判的特别工作组。

于 2019 年 10 月 17 日在 TF50 网站上发布

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## 爱尔兰/北爱尔兰议定书

### 联盟和联合王国

回顾爱尔兰和联合王国之间双边关系的历史渊源和持久性，

回顾联合王国退出联盟对爱尔兰岛构成了重大而独特的挑战，并重申和平进程的成就，利益和承诺将继续对爱尔兰的和平，稳定与和解至关重要，

确认有必要通过独特的解决办法解决爱尔兰岛上的独特情况，以确保联合王国有序地退出国际电联，

确认联合王国政府，爱尔兰政府和其他参与多党谈判的参与者（1998 年协议）于 1998 年 4 月 10 日签订的《耶稣受难节协定》同一日期的协议（“英爱尔兰协议”），包括其后的实施协议和安排，均应受到保护，

认识到北爱尔兰和爱尔兰之间的合作是 1998 年协议的核心部分，对于实现爱尔兰岛上的和解和关系正常化以及回顾北爱尔兰行政当局北爱尔兰的作用，职能和保障至关重要根据 1998 年协议规定的议会和南北部长级理事会（包括跨社群条款），

注意到联盟法为 1998 年协议的权利，保障和机会平等规定提供了支持框架，

承认北爱尔兰的爱尔兰公民凭借其联盟公民身份，将继续享受，行使并享有权利，机会和利益，本议定书应尊重并且不损害随之而来的权利，机会和身份根据英国爱尔兰协议“关于公民身份的第 1 条第 (vi) 款的规定的声明”附件 2 所定义的选择享有其爱尔兰公民身份的权利的北爱尔兰人民获得联盟公民身份，

强调为了确保民主合法性，应有一个程序确保北爱尔兰在民主同意下适用本议定书所规定的联盟法，

回顾联合王国对保护南北合作的承诺及其对避免硬边界的保证，包括任何有形的基础设施或相关的检查和控制措施，

指出本议定书中的任何内容均不能阻止联合王国确保从北爱尔兰到联合王国其他内部市场的货物不受限制地进入市场，

理解联盟和联合王国的共同目标，即根据适用的立法并考虑到各自的监管制度及其实施，尽可能避免对北爱尔兰的港口和机场进行管制，

回顾欧盟和联合王国的承诺，已反映在欧洲联盟和联合王国政府谈判人员关于第 50 条 TEU 的谈判第一阶段有关联合王国有序退出欧盟的谈判第一阶段进展情况中的联合报告 8 2017 年 12 月，

回顾国际电联和联合王国进行了一次测绘工作，表明南北合作在很大程度上取决于一个共同的欧盟法律和政策框架，

注意到因此，联合王国退出联盟对维持和发展北南合作提出了重大挑战，

忆及联合王国将继续致力于在整个政治，经济，安全，社会 and 农业背景以及合作框架，包括北南实施的持续开展中，继续保护和支持北南和东西方的持续合作身体，

确认需要执行本议定书，以便为继续进行南北合作，包括根据 1998 年协定作出可能的新安排，保持必要的条件，

回顾国际电联和联合王国对当前的多年期财务框架下的北南和平和 INTERREG 资助计划的承诺，以及对未来计划维持当前资助比例的承诺，

确认联合王国致力于促进从爱尔兰运往另一成员国或第三国，反之亦然货物的及时有效转运的有效承诺，

决定本议定书的适用应尽可能少地影响爱尔兰和北爱尔兰社区的日常生活，

强调其坚定的承诺，即在爱尔兰和北爱尔兰之间的边界不进行任何海关和监管检查或管制以及相关的有形基础设施，

回顾北爱尔兰是联合王国的海关领土的一部分，将从参加联合王国的独立贸易政策中受益，

谨记保持北爱尔兰在联合王国内部市场中不可或缺的地位的重要性，

铭记必须完全尊重爱尔兰根据联盟内部市场和关税同盟规则的权利和义务，

已达成以下规定，这些规定应作为提款协议的附件：

## 第一条目 标

1. 本议定书不影响 1998 年《协定》关于北爱尔兰的宪法地位和同意原则的规定，该规定规定，只有在其大多数人民同意的情况下，才能对这种状况作出任何改变。
2. 该议定书尊重联合王国的基本国家职能和领土完整。
3. 该《议定书》提出了必要的安排，以解决爱尔兰岛上的特殊情况，为继续进行南北合作保持必要条件，避免硬边界，并在所有方面保护《1998 年协定》。

## 第二条个人 权利

1. 联合王国应确保其退出国际联盟（包括在防止遭受侵害的领域）不会导致 1998 年《协定》题为权利，保障和机会平等的部分中规定的权利，保障或机会均等的减少。如本议定书附件 1 所列的欧盟法律规定所规定的歧视，则应通过专门的机制实施本款。
2. 联合王国应继续促进根据 1998 年协定设立的机构和机构的相关工作，包括北爱尔兰人权委员会，北爱尔兰平等委员会和北爱尔兰人权委员会代表联合委员会。爱尔兰和爱尔兰，坚持人权和平等标准。

## 第三条共同旅 行区

1. 联合王国和爱尔兰可以继续就其领土之间的人员流动（“共同旅行区”）做出安排，同时充分尊重联盟法赋予自然人的权利。
2. 联合王国应确保在不影响爱尔兰根据欧盟法律承担的义务的情况下，尤其是在联邦公民及其家人自由出入爱尔兰方面，可以继续适用公共旅行区及其相关的权利和特权。成员，无论其国籍如何。

#### 第 4 条 英国海关领土

北爱尔兰是英国海关地区的一部分。

因此，本议定书的任何规定均不得阻止联合王国将其与第三国缔结的任何协定的领土范围包括在北爱尔兰，但前提是这些协定不得损害本议定书的适用。

特别是，本议定书中的任何内容均不得阻止联合王国与第三国缔结协定，该协定授予在北爱尔兰生产的商品以与在联合王国其他地区生产的商品相同的条件优先进入该国的市场。

本议定书的任何规定均不得阻止联合王国将北爱尔兰包括在《1994 年关税与贸易总协定》所附的《减让表》的领土范围内。

#### 第 5 条 海关，货物运输

1. 尽管有第 3 款的规定，对于通过联合运输从联合王国另一部分运入北爱尔兰的货物，无需缴纳关税，除非该货物有随后被运入联盟的危险，无论是单独运输还是与另一种货物合并良好的后续处理。

与从联盟或联合王国另一部分以外直接运输到北爱尔兰的货物有关的关税，尽管有第 3 款的规定，仍应适用于联合王国，除非该货物有以下危险：随后被移入联盟，无论是单独进行还是作为其他后续流程的一部分。

根据理事会条例 1186/2009<sup>1</sup> 第 2 (1) 条 (c) 的规定，对于带入北爱尔兰的个人财产，联合王国的居民不应承担任何关税，并且应给予救济。来自英国的另一部分。

2. 出于第 1 款第一和第二小节的目的，除非确定该商品是从联盟以外带入北爱尔兰的货物，否则有随后被转移到联盟的风险：

(a) 在北爱尔兰将不受商业处理；和

(b) 符合联合委员会根据本款第四项确定的标准。

就本款而言，“加工”是指对商品进行的任何更改，以任何方式进行的商品转换或对商品进行除

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<sup>1</sup> 2009 年 11 月 16 日第 (EC) 1186/2009 号理事会条例，建立了共同体减免关税的制度 (OJ L 324, 10. 12. 2009, p. 23)。

目的是保持它们处于良好状态，或添加或粘贴标记，标签，密封或任何其他文档，以确保它们符合任何特定要求。

在过渡期结束之前，联合委员会应根据决定，确定考虑不属于第一项（a）点之内的处理条件，尤其要考虑到处理的性质，规模和结果。处理。

在过渡期结束之前，联合委员会应通过决定制定标准，以考虑从联盟外部带入北爱尔兰的商品不被随后转移到联盟的风险。联合委员会除其他外应考虑到：

- (a) 货物的最终目的地和用途；
- (b) 商品的性质和价值；
- (c) 运动的性质；和
- (d) 不申报继续前进到国际电联的激励措施，尤其是根据第 1 款应缴纳的关税产生的激励措施。

联合委员会可以随时修改根据本款通过的决定。

联合委员会在根据本款作出任何决定时，应考虑北爱尔兰的具体情况。

3. 第 952/2013 号条例（EU）第 5 条第（2）款所定义的法律应适用于联合王国并在联合王国境内适用于北爱尔兰（不包括联合王国领海）。但是，联合委员会应建立条件，包括从数量上来讲，是欧洲议会和理事会<sup>2</sup>法规（EU）1379/2013 附件 I 规定的某些渔业和水产养殖产品的条件悬挂联合王国国旗并在北爱尔兰注册港口的船只进入第 952/2013 号条例（EU）第 4 条所定义的联盟的海关领土，免税。
4. 在该议定书附件 2 所列条件下，本议定书附件 2 中所列的联盟法规规定也应适用于联合王国和在北爱尔兰联合王国。
5. TFEU 第 30 条和第 110 条适用于北爱尔兰并在英国适用。联盟和北爱尔兰之间应禁止对进出口进行数量限制。
6. 联合王国根据第 3 款征收的关税不退给国际电联。

在不违反第 10 条的情况下，联合王国尤其可以：

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<sup>2</sup> 欧洲议会和理事会于 2013 年 12 月 11 日发布的关于渔业和水产养殖产品市场共同组织的第（EU）1379/2013 号条例，修改了第（EC）1184/2006 和（EC）1224/2009 号条例并废除了理事会（EC）104/2000 号法规（OJ L 354，2013 年 12 月 28 日，第 1 页）。

- (a) 根据联盟法第 3 款对运入北爱尔兰的货物适用的规定征收的关税；
- (b) 规定在什么情况下可以免除运入北爱尔兰的货物所产生的海关债务；
- (c) 规定在哪些情况下应退还可以证明没有进入联盟的货物的关税；和
- (d) 补偿承诺以抵消第 3 款的影响。

欧盟委员会在根据第 10 条做出决定时，应当考虑北爱尔兰的情况。

7. 在第 3 款所指法律中规定的条件下，对于价值微不足道的托运货物，一个人向另一人发送的托运货物或旅客的个人行李中所载货物，无需支付任何关税。

## 第 6 条 保护英国内部市场

1. 本议定书的任何规定均不得阻止联合王国确保从北爱尔兰流向联合王国内部市场其他部分的货物不受限制地进入市场。本议定书适用的禁止或限制货物出口的联盟法规定，仅在联盟的任何国际义务严格要求的范围内，才适用于北爱尔兰与联合王国其他地区之间的贸易。联合王国应确保根据与联盟法律所规定的从联盟向第三国出口货物的禁止和限制有关的国际要求和承诺，提供充分的保护。
2. 考虑到北爱尔兰在联合王国内部市场中的重要地位，联盟和联合王国应根据适用的法律并考虑到北爱尔兰和联合王国的其他国家，尽最大努力促进北爱尔兰与联合王国其他地区之间的贸易。各自的监管制度及其实施。联合委员会应不断审查本款的适用情况，并应通过适当的建议，以尽可能避免对北爱尔兰的港口和机场进行管制。
3. 本协议的任何规定均不得阻止源自北爱尔兰的产品在英国投放市场时被视为来自英国的产品。
4. 本议定书的任何规定均不影响英国的法律，该法律规范北爱尔兰符合或受益于受其管辖的技术法规，评估，注册，证书，批准或授权的商品在英国其他地区的市场投放本议定书附件 2 中提到的联盟法的规定。



## 第 7 条

### 技术法规，评估，注册，证书，批准和授权

1. 在不损害本议定书附件 2 所提及的联盟法规定的前提下，在北爱尔兰向市场投放商品的合法性应受联合王国法律以及从联盟进口的商品的管辖，TFEU 第 34 条和第 36 条。
2. 如果本议定书适用的联盟法规定规定了成员国的缩写（包括缩写形式）的标记，标签，标签或任何其他方式的指示，则针对北爱尔兰的联合王国应表示为“英国（NI）”或“英国（北爱尔兰）”。如果本议定书适用的联邦法律规定以数字代码形式表示，则针对北爱尔兰的联合王国应以可区分的数字代码表示。
3. 通过减损本议定书第 13 条第 1 款和退出协议第 7 条，在一个成员国内认可由该成员国发布或执行的技术法规，评估，注册，证书，批准和授权在本议定书适用的联盟法规定中，另一成员国的主管机关或在另一成员国中建立的机构对成员国的提述不应被理解为包括北爱尔兰在技术法规，评估方面的联合王国，由英国当局或在英国设立的机构发布或执行的注册，证书，批准和授权。

第一项不适用于由联合王国主管当局签发或进行的北爱尔兰的场所，设施或处所的注册，证明，批准和授权，而该注册，证明，批准或授权可能需要对以下方面进行检查：地点，设施或处所。

第一小节不适用于本议定书适用的联盟法规定所要求的兽医证书或植物生殖材料的正式标签。

第一小段不影响在北爱尔兰根据本议定书适用的联盟法规定，由联合国主管当局签发或进行的评估，注册，证书，批准和授权的效力。王国或在英国设立的机构。经济经营者根据联合王国主管当局或英国设立的机构签发的评估，注册，证书，批准或授权，在本议定书附上的本议定书适用的欧盟法律规定所要求的任何合格标记，徽标或类似标志。英国应附有“UK (NI)”字样。

对于北爱尔兰，联合王国不得启动本议定书适用的联盟法规定所规定的异议，保障或仲裁程序，只要这些程序涉及技术法规，标准，评估，注册，证书，批准和由会员国主管当局或会员国设立的机构发布或执行的授权。

第一项不阻止北爱尔兰的合格人员测试和放行进口或在北爱尔兰制造的一批医药产品。

## 第八条增 值税和消费税

本议定书附件 3 中所列的有关货物的联盟法规定应适用于北爱尔兰并在英国适用。

对于北爱尔兰，联合王国当局应负责本议定书附件 3 所列规定的适用和执行，包括增值税和消费税的征收。在这些规定所规定的条件下，在北爱尔兰应税交易产生的收入不得汇给国际电联。

作为对第一款的克减，英国可根据本议定书附件 3 的规定，对在北爱尔兰适用的免税和减税产品应课税的货物供应。

联合委员会应定期讨论本条的执行情况，包括在第一款所指规定中规定的减少和豁免，并应酌情采取措施以适当实施。

联合委员会可考虑北爱尔兰在联合王国内部市场中的整体地位，审查本条的适用范围，并在必要时采取适当措施。

## 第九条 单电市场

本议定书附件 4 中所列的有关批发电力市场的联盟法规定，应在该附件规定的条件下，在北爱尔兰适用于联合王国或在英国适用。

## 第十条 国家援助

1. 本议定书附件 5 所列的联盟法规定应适用于联合王国，包括涉及影响北爱尔兰与农产品贸易的措施的支持北爱尔兰农产品生产和贸易的措施。受本议定书约束的联盟。
2. 尽管有第 1 款，但该款中提及的联盟法规定不适用于英国当局为支持北爱尔兰的农产品生产和贸易而采取的措施，直到确定的最高年度总支持水平，并规定确定的最低比例的免税支持符合《WTO 农业协议》附件 2 的规定。确定最高年度豁免总额

支持和最低百分比应遵循附件 6 规定的程序。

3. 如果欧洲委员会审查与英国当局有关可能构成第 1 款所述非法援助的措施的信息，则应确保定期向英国全面通报审查该措施的进展和结果。

### *第 11 条 南北合作的其他领域*

1. 根据第 5 条至第 10 条中的安排，并在充分遵守联盟法的前提下，应执行和实施本议定书，以保持继续进行南北合作的必要条件，包括在环境，健康，农业，运输，教育和旅游业，以及能源，电信，广播，内陆渔业，司法和安全，高等教育和体育领域。

在充分遵守联盟法的原则下，联合王国和爱尔兰可以继续爱尔兰岛上的北南合作的其他领域中，以《1998 年协定》的规定为基础做出新的安排。

2. 联合委员会应不断审查本议定书的执行和适用为南北合作保持必要条件的程度。联合委员会可以在这方面向电联和联合王国提出适当的建议，包括根据专门委员会的建议。

### *第十二条 实施，应用，监督和执行*

1. 在不影响第 4 款的前提下，联合王国当局应负责实施和适用本议定书适用于北爱尔兰的联合王国和在联合王国适用的联邦法律规定。
2. 在不影响本条第 4 款的前提下，联盟代表有权在联合王国当局与执行和适用本议定书适用的联盟法律规定有关的任何活动以及与之相关的活动中出席会议关于实施和适用第 5 条的规定，联合王国应要求提供与此类活动有关的所有相关信息。联合王国应为工会代表的这种存在提供便利，并应向他们提供所要求的信息。如果工会代表出于正当理由要求个别情况下联合王国当局采取控制措施，则联合王国当局应采取这些控制措施。

联盟和联合王国应就第 5 条的适用性交换信息

(1) (2) 每月一次。

3. 与行使第 2 款所述工会代表权利有关的实际工作安排，应由联合委员会根据专门委员会的建议确定。
4. 关于本条第 2 款第二项，第 5 条和第 7 至 10 条，电联的机构，机关，办公室和机构应与联合王国以及在该领土上居住或建立的自然人和法人有关英国的联邦拥有联盟法赋予他们的权力。特别是，欧洲联盟法院应具有条约在这方面规定的管辖权。TFEU 第 267 条的第二段和第三段在这方面应适用于英国。
5. 按照第 4 款通过的国际电联机构，机关，办公室和机构的法律，应在英国产生并在英国产生与在国际电联及其成员国内产生的法律效力相同的法律效力。
6. 代表或协助当事一方就行使第 4 款所指的国际电联的机构，机关，办公室和机构的权力而产生的行政程序时，授权在英国法院或法庭进行执业的律师在各方面均应被视为授权代表或协助与该行政程序有关的当事方的会员国法院或法庭执业的律师。
7. 在根据第 4 款提交欧洲联盟法院的案件中：
  - (a) 联合王国可以以与成员国相同的方式参加欧洲联盟法院的诉讼；
  - (b) 被授权在联合王国法院或法庭进行执业的律师可在此类诉讼中代表或协助当事方在欧洲联盟法院任职，并应在各方面被视为被授权在成员国法院或法庭进行执业的律师在欧洲联盟法院代表或协助当事方。

*第十三条共同  
规定*

1. 就本议定书而言，在提款协议的适用条款中对联合王国的任何提及均应理解为是指联合王国或就北爱尔兰而言的联合王国（视情况而定）。

尽管有本协议的任何其他规定，但在提款协议和本协议的适用条款以及适用的欧盟法律的规定中，任何对法规（EU）952/2013 第 4 条定义的领土的引用根据本议定书到达北爱尔兰并在英国境内的英国，应理解为包括根据本条第 5（3）条适用的（EU）No 952/2013 的英国领土的一部分协议。

《退出协议》第三部分和第六部分的第一和第三标题应在不影响本议定书规定的前提下适用。

2. 尽管有《退出协议》第 4 条第 (4) 款和第 (5) 款，但本协议中提及联盟法或其概念或规定的规定在其实施和适用时应按照法院的相关判例法进行解释欧洲联盟。
3. 尽管有《退出协议》第 6 条第 1 款的规定，并且除非本协议另有规定，否则在本议定书中提及某联盟法时，该提法应理解是指该联盟经修正或替换的行为。
4. 如果联盟通过了属于本议定书范围之内的新法案，但既未修改也不替代本议定书附件中所列的联盟法案，则联盟应在联合委员会中通知联合王国已通过该法案。应联盟或联合王国的要求，联合委员会应在提出要求后的六周内就新通过的法案对本议定书的适当运作的影响交换意见。

联盟在联合委员会通知联合王国后，在合理可行的范围内，联合委员会应：

- (a) 通过一项决定，将新通过的法案添加到本议定书的相关附件中；要么
- (b) 如果无法达成将新近通过的法案加入本议定书相关附件的协议，则应检查所有其他可能性以维持本议定书的良好运作，并为此做出必要的决定。

如果联合委员会未在合理时间内做出第二项所指的决定，则联盟有权在通知联合王国后采取适当的补救措施。此类措施应在国际电联按照第一款通知联合王国后最早六个月生效，但无论如何都不得在国际电联实施新通过的法案之日前生效。

5. 通过减损本条第 1 款和退出协议第 7 条，除非欧盟认为联合王国或联合王国视情况视情况完全或部分准入北爱尔兰使联合王国能够履行其在本议定书下的义务的必要条件，包括在必要的情况下进行访问，因为本议定书第 15 条所指的工作组或任何其他实际手段无法便利获取有关信息，关于访问根据联盟法建立的任何网络，信息系统或数据库的方面，在本议定书适用的联盟法规定中对会员国和会员国主管当局的提及，不应理解为包括英国或就北爱尔兰而言，视情况而定。
6. 联合王国当局不得担任本议定书适用的欧盟法律所规定的风险评估，检查，批准和授权程序的领导机构。
7. 关于成员国或联合王国针对北爱尔兰采取的措施，TFEU 第 346 条和第 347 条应适用于本议定书。

8. 联盟与联合王国之间的任何后续协议均应表明其已取代的本议定书的部分。一旦联盟与联合王国之间的后续协议在撤回协议生效后开始适用，则本议定书应自该后续协议适用之日起，并按照该协议的规定载明其效力。该协议关于本议定书的全部或部分内容不适用或将不再适用（视情况而定）。

#### 第十四条专门委员会

根据《退出协议》第 165 条设立的与执行《爱尔兰/北爱尔兰议定书》有关的委员会（“专门委员会”）应：

- (a) 促进本议定书的实施和应用；
- (b) 审查根据《1998 年协定》设立的北南部长级理事会和北南执行机构有关本议定书的执行和适用的提案；
- (c) 审议北爱尔兰人权委员会，北爱尔兰平等委员会以及北爱尔兰和爱尔兰人权委员会代表联合委员会提请其注意的与本议定书第二条有关的任何事项；
- (d) 讨论联盟或联合王国提出的与本议定书有关并引起困难的任何问题；和
- (e) 就本议定书的运作向联合委员会提出建议。

#### 第十五条 联合协商工作组

- 1. 特此成立一个执行本议定书的联合协商工作组（“工作组”）。它应作为交流信息和相互协商的论坛。
- 2. 该工作组应由联盟和联合王国的代表组成，并应在专门委员会的监督下执行其职能，并向该专门委员会报告。工作组除有权通过第 6 段所述的其自己的议事规则外，无权做出具有约束力的决定。
- 3. 在工作组内：
  - (a) 联盟和联合王国应及时交换有关与本议定书附件所列的联盟行为有关的计划的，正在进行的和最终的相关实施措施的信息；

- (b) 联盟应将本议定书范围内的计划中的联盟行为通知联合王国，包括修改或替代本议定书附件所列联盟行为的联盟行为；
  - (c) 联盟应向联合王国提供其认为有关的所有信息，以使联合王国能够充分遵守《议定书》规定的义务；和
  - (d) 联合王国应根据本议定书附件中所列的国际电联向国际电联提供成员国必须相互提供或向国际电联的机构，机关，办事处或机构提供的所有信息。
- 4. 该工作组应由联盟和联合王国共同主持。
  - 5. 工作组每月至少召开一次会议，除非联盟和联合王国经双方同意另有决定。必要时，联盟和联合王国可在会议之间交换第 3 款 (c) 和 (d) 所述的信息。
  - 6. 工作组应在相互同意的情况下通过自己的议事规则。
  - 7. 国际电联应确保将联合王国在工作组中表达的所有观点以及联合王国在工作组中提供的所有信息（包括技术和科学数据）传达给国际电联的有关机构，机关，办公室和机构毫不迟延地。

#### 第十六条 保障措施

- 1. 如果本议定书的适用导致严重的经济，社会或环境困难，可能继续存在或转移贸易，则欧盟或联合王国可单方面采取适当的保障措施。此类保障措施的范围和期限应限于为纠正这种情况而必须采取的严格措施。优先考虑的措施应尽可能减少对本议定书的影响。
- 2. 如果联盟或联合王国（视情况而定）采取的保障措施，根据第 1 款在本议定书下的权利和义务之间造成不平衡，则联盟或联合王国（视情况而定）采取严格纠正不平衡所必需的比例均衡措施。优先考虑的措施应尽可能减少对本议定书的影响。
- 3. 根据第 1 款和第 2 款采取的保障和再平衡措施应受本议定书附件 7 规定的程序约束。

## 第十七条金融利益 的保护

联盟和联合王国应打击欺诈行为以及任何其他影响联盟的财务利益或联合王国的财务利益的非法活动。

## 第十八条 北爱尔兰的民主同意

1. 在初始阶段和任何后续阶段结束之前的两个月内，联合王国应提供在北爱尔兰民主同意继续实施第 5 至 10 条的机会。
2. 为了第 1 款的目的，联合王国应以符合 1998 年协定的方式在北爱尔兰寻求民主同意。表示民主同意的决定应严格按照联合王国在[日期]作出的单方面声明作出，包括关于北爱尔兰行政和议会的作用。
3. 联合王国应在第 5 款所指的有关期间结束之前将第 1 款所指程序的结果通知国际电联。
4. 如果已经按照第 2 款进行了第 1 款中提到的过程并且已经做出了决定，并且联合王国通知国际电联，第 1 款中提到的过程的结果并不是关于本条款的决定。该款所指的议定书应继续在北爱尔兰适用，然后，在相关规定终止后两年内，如果这些条款和本规定的其他规定依赖于这些条款的规定，则应停止适用在这种情况下，联合委员会应在考虑到《1998 年协定》当事方的义务的情况下，就必要措施向电联和联合王国提出建议。在这样做之前，联合委员会可以征求《1998 年协定》设立的机构的意见。
5. 就本条而言，初始期间是过渡期结束后的 4 年。如果在给定时期内根据北爱尔兰议会多数议员出席并参加表决而做出的决定，则下一个时期是该时期之后的四年，只要第 5 至 10 条继续适用。在给定时期内做出的决定得到跨社群支持的情况下，下一个时期是该时期之后的八年，只要第 5 至 10 条继续适用。
6. 就第 5 款而言，跨社区支持是指：
  - (a) 立法会议员中的大多数出席并参加表决，包括出席会议并参加表决的多数工会主义者和民族主义者的任命；要么



- (b) 出席会议并参加表决的立法会议员中的加权多数（60%），包括出席会议并参加表决的每个民族主义者和工会主义者的提名的至少 40%。

*第 19 条*

*附件*

附件 1 至 7 应构成本议定书的组成部分。

第 2 条第 (1) 款提及的联盟法规定

- 2004 年 12 月 13 日理事会指令 2004/113 / EC，在获取和提供商品和服务时实行男女平等待遇原则<sup>1</sup>
- 欧洲议会和理事会 2006 年 7 月 5 日第 2006/54 / EC 号指令，关于在就业和职业方面实施男女机会均等和待遇平等原则<sup>2</sup>
- 2000 年 6 月 29 日理事会指令 2000/43 / EC，实施种族或族裔平等待遇原则<sup>3</sup>
- 2000 年 11 月 27 日理事会指令 2000/78 / EC，建立就业和职业平等待遇的一般框架<sup>4</sup>
- 欧洲议会和理事会于 2010 年 7 月 7 日发布的指令 2010/41 / EU，适用于以自雇职业从事活动的男女平等待遇原则，并废除了理事会指令 86/613 / EEC<sup>5</sup>
- 1978 年 12 月 19 日理事会指令 79/7 / EEC，该指令关于在社会保障问题上逐步实施男女平等原则<sup>6</sup>

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<sup>1</sup> OJ L 373, 2004 年 12 月 21 日, 第 1 页。37。

<sup>2</sup> OJ L 204, 26. 7. 2006, p. 23。

<sup>3</sup> OJ L 180, 19. 7. 2000, 第 22

<sup>4</sup> OJ L 303, 2000 年 12 月 2 日, 第 1 页。16。

<sup>5</sup> OJ L 180, 15. 7. 2010, 第 1。

<sup>6</sup> OJ L 6, 10. 1. 1979, p. 24

第 5 条第 4 款提及的联盟法规定

1. 一般海关方面<sup>1</sup>

- 2013 年 10 月 9 日欧洲议会和理事会第 952/2013 号 (EU) 条例, 关于制定联盟海关法典<sup>2</sup>
- 理事会条例 1997 年 3 月 13 日第 (EC) 515/97 号, 关于成员国行政当局之间的互助以及后者与委员会之间的合作, 以确保正确实施海关和农业事务法<sup>3</sup>
- 2010 年 3 月 16 日理事会指令 2010/24 / EU, 关于为寻求与税收, 关税和其他措施有关的索赔提供互助<sup>4</sup>

2. 保护国际电联的财务利益

为了实施本节所列行为, 应考虑英国适当征收的北爱尔兰关税, 以保护联盟的财务利益。

- 欧洲议会和理事会 2013 年 9 月 11 日第 883/2013 号条例 (EU, Euratom), 涉及欧洲反欺诈办公室 (OLAF) 进行的调查, 并废除了欧洲议会第 1073/1999 号条例 (EC) 理事会和理事会条例 (Euratom) 第 1074/1999<sup>5</sup> 号
- 1995 年 12 月 18 日理事会条例 (EC, Euratom) 第 2988/95 号, 关于保护欧洲共同体的经济利益<sup>6</sup>

3. 贸易统计

- 欧洲议会和理事会于 2004 年 3 月 31 日颁布的 (EC) 第 638/2004 号条例, 关于与成员国之间的商品交易有关的共同体统计, 并废除了委员会的第 (EEC) 3330/91<sup>7</sup> 号条例
- 欧洲议会和理事会于 2009 年 5 月 6 日颁布的 (EC) 第 471/2009 号条例, 关于与非成员国进行对外贸易的共同体统计, 并废除了理事会第 1172/95<sup>8</sup> 号条例

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<sup>1</sup> 本附件中的标题和副标题仅是示意性的。

<sup>2</sup> OJ L 269, 2013 年 10 月 10 日, 第 1 页。1。

<sup>3</sup> OJ L 82, 22.3.1997, p. 1。

<sup>4</sup> OJ L 84, 31.3.2010, p. 1。

<sup>5</sup> OJ L 248, 18.9.2013, p. 1。

<sup>6</sup> OJ L 312, 1995 年 12 月

<sup>7</sup> 23 日, 第 1 页。1。

<sup>8</sup> OJ L 102, 7.4.2004, p.

#### 4. 一般贸易相关方面

- 欧洲议会和理事会 2012 年 10 月 25 日第 978/2012 号条例，适用广义关税优惠计划，并废除第 732/2008 号理事会条例<sup>9</sup>
- 2015 年 3 月 11 日欧洲议会和理事会实施细则 (EU) 2015/479，关于出口共同规则<sup>10</sup>
- 2015 年 6 月 9 日，欧洲议会和理事会 (EU) 2015/936 条例，关于从某些第三国进口纺织品的通用规则，但双边协定，协议或其他安排或欧盟其他具体进口规则未涵盖，<sup>11</sup>
- 欧洲议会和理事会于 2017 年 5 月 17 日颁布的 (EU) 2017/821 法规，规定了源于受冲突影响和高风险的锡，钽和钨，其矿石和黄金的联盟进口商的供应链尽职调查义务区域<sup>12</sup>
- 2009 年 11 月 30 日第 1215/2009 号理事会条例，针对参与或与欧盟稳定与联盟进程（西巴尔干地区）相关的国家和地区引入特殊贸易措施<sup>13</sup>
- 欧洲议会和理事会 2017 年 9 月 13 日 (EU) 2017/1566 实施细则，关于为乌克兰引入临时自主贸易措施以补充《联合协定》规定的贸易优惠<sup>14</sup>
- 与联盟，第三国之间的货物贸易有关的，由国际电联，或其代表的会员国或国际电联及其成员国共同签署的国际协定所产生的义务

#### 5. 贸易防御工具

- 欧洲议会和理事会 2016 年 6 月 8 日 (EU) 2016/1036 号实施细则，关于保护免受非欧盟成员国倾销进口商品的侵害<sup>15</sup>
- 欧洲议会和理事会 2016 年 6 月 8 日实施细则 (EU) 2016/1037，关于保护免受来自非欧盟成员国的进口商品的补贴<sup>16</sup>

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<sup>9</sup> OJ L 303, 2012 年 10 月 31 日, 第 11 页。1。

<sup>10</sup> OJ L 83, 2015 年 3 月 27 日, 第 2 页。34。

<sup>11</sup> OJ L 160, 2015 年 2 月 2 日, 第 3 页。1。

<sup>12</sup> OJ L 130, 2017 年 9 月 1 日, 第 1。

<sup>13</sup> OJ L 328, 2009 年 12 月 15 日, 第 1 页。1。

<sup>19</sup>  
<sup>4</sup> OJ L 254, 2017 年 9 月 30  
日, 第 1。

<sup>15</sup> OJ L 176, 2016 年 3 月 6

- 2015 年 3 月 11 日欧洲议会和理事会实施细则 (EU) 2015/478, 关于进口共同规则<sup>17</sup>
- 欧洲议会和理事会 2015 年 4 月 29 日 (EU) 2015/755 条例, 关于从某些第三国进口的共同规则<sup>18</sup>
- 欧洲议会和理事会于 2015 年 3 月 11 日发布的 (EU) 2015/476 实施细则, 关于欧盟在 WTO 争端解决机构就反倾销和反补贴事宜通过的报告后采取的措施<sup>19</sup>
- 欧洲议会和理事会 2015 年 3 月 11 日 (EU) 2015/477 条例, 关于欧盟可能针对反倾销或反补贴措施与保障措施联合影响采取的措施<sup>20</sup>

## 6. 双边保障条例

- 欧洲议会和理事会 2014 年 5 月 15 日第 654/2014 号实施细则 (EU), 涉及行使国际电联适用和执行国际贸易规则的权利, 并修改第 3286/94 号理事会实施细则, 共同商业政策领域的程序, 以确保国际贸易规则, 特别是在世界贸易组织的主持下确立的共同体权利的行使<sup>21</sup>
- 欧洲议会和理事会 2015 年 7 月 8 日实施细则 (EU) 2015/1145, 关于欧洲经济共同体与瑞士联邦之间的协定中规定的保障措施<sup>22</sup>
- 欧洲议会和理事会 2015 年 3 月 11 日 (EU) 2015/475 实施细则, 关于欧洲经济共同体与冰岛共和国之间的协定中规定的保障措施<sup>23</sup>

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<sup>20</sup> OJ L 83, 2015 年 3 月 27  
<sup>7</sup> 日, 第 2 页。16。  
<sup>18</sup> OJ L 123, 19.5.2015, 第  
<sup>19</sup> 13 页 33。  
<sup>20</sup> OJ L 83, 2015 年 3 月 27  
<sup>21</sup> 日, 第 2 页。6。  
<sup>22</sup> OJ L 83, 2015 年 3 月 27

- 欧洲议会和理事会 2015 年 6 月 9 日 (EU) 2015/938 实施细则，关于欧洲经济共同体与挪威王国之间的协定中规定的保障措施<sup>24</sup>
- 欧洲议会和理事会于 2014 年 3 月 11 日颁布的 (EU) 第 332/2014 号实施细则，其中涉及部分实施欧洲共同体与其成员国之间以及塞尔维亚共和国的《稳定与结社协议》的某些程序，的另一部分<sup>25</sup>
- 欧洲议会和理事会于 2015 年 4 月 29 日颁布的 (EU) 2015/752 实施细则，涉及部分实施欧洲共同体与其成员国和黑山共和国之间的稳定与结社协议的某些程序另一部分<sup>26</sup>
- 欧洲议会和欧盟理事会 2013 年 1 月 15 日第 19/2013 号 (EU) 条例，其中一方面实施了欧盟与成员国之间贸易协定的双边保障条款和香蕉稳定机制，另一方面哥伦比亚和秘鲁，另一部分<sup>27</sup>
- 欧洲议会和理事会于 2013 年 1 月 15 日通过的第 (EU) 20/2013 号实施细则，一方面实施了建立欧盟与其成员国之间的协会的协定的双边保障条款和香蕉稳定机制，而中美洲则相反<sup>28</sup>
- 欧洲议会和理事会于 2016 年 3 月 9 日发布的第 (EU) 2016/400 号实施细则，其中实施了欧盟与欧洲原子能共同体及其成员国之间的联合协议中规定的保障条款和反规避机制，一部分，而摩尔多瓦共和国另一部分<sup>29</sup>
- 欧洲议会和理事会于 2016 年 3 月 9 日发布的 (EU) 2016/401 法规，其中一部分实施了欧盟与欧洲原子能共同体及其成员国之间的联合协议中规定的反规避机制和佐治亚州的另一部分<sup>30</sup>
- 欧洲议会和理事会 2015 年 6 月 9 日 (EU) 2015/941 条例，关于部分实施欧洲共同体及其成员国与前南斯拉夫的马其顿共和国之间的稳定与结社协议的某些程序，另一部分<sup>31</sup>

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<sup>24</sup> OJ L 160, 2015 年 2 月 2 日, 第 3 页。57。

<sup>21</sup> OJ L 103, 5.4.2014, p.  
<sup>5</sup> 10。

<sup>26</sup> OJ L 123, 19.5.2015, 第  
<sup>27</sup> 13 页 16。

<sup>28</sup> OJ L 17, 19.1.2013, p.  
<sup>29</sup> 1。

<sup>30</sup> OJ L 17, 19.1.2013, p.

- 欧洲议会和理事会于 2015 年 6 月 9 日颁布的 (EU) 2015/940 实施细则，其中涉及部分适用欧洲共同体与其成员国以及波斯尼亚和黑塞哥维那之间的《稳定与结社协议》的某些程序另一部分，以及该部分适用于一方面是欧洲共同体与另一方面是波斯尼亚和黑塞哥维那之间的关于贸易和与贸易有关的事项的临时协定<sup>32</sup>
- 欧洲议会和理事会 2015 年 6 月 9 日 (EU) 2015/939 条例，关于实施欧洲共同体与其成员国和阿尔巴尼亚共和国之间的稳定与结社协定的某些程序另一部分<sup>33</sup>
- 欧洲议会和理事会 2011 年 5 月 11 日第 511/2011 号实施细则，执行欧盟及其成员国与大韩民国之间的自由贸易协定的双边保障条款<sup>34</sup>
- 欧洲议会和理事会于 2017 年 2 月 15 日颁布的 (EU) 2017/355 实施细则，关于部分实施欧洲联盟与欧洲原子能共同体以及科索沃之间的稳定与结盟协议的某些程序另一部分的<sup>35</sup>
- 欧洲议会和理事会 2016 年 6 月 8 日第 (EU) 2016/1076 号条例，适用于源自某些国家的产品安排，这些国家是非洲，加勒比和太平洋 (ACP) 国家集团的一部分，或导致建立经济伙伴关系协议<sup>36</sup>

## 7. 其他

- 欧洲议会和理事会于 2006 年 5 月 17 日颁布的 (EC) 816/2006 号实施细则，关于与制造用于出口到有公共卫生问题的国家的药品有关的专利的强制许可<sup>37</sup>

## 8. 商品一般规定

- 欧洲议会和理事会于 2015 年 9 月 9 日发布的指令 (EU) 2015/1535，规定了在技术法规和信息服务规则<sup>38</sup>领域提供信息的程序<sup>38</sup>与信息服务规则有关
- 欧洲议会和理事会于 2012 年 10 月 25 日发布的关于欧盟标准化的 (EU) 第 1025/2012 号条例，修改了理事会指令 89/686 / EEC

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<sup>32</sup> OJ L 160, 2015 年 2 月 2 日, 第 3 页。69。

<sup>33</sup> OJ L 160, 2015 年 2 月 2 日, 第 3 页。62。

<sup>34</sup> OJ L 145, 2011 年 3 月 3 日, 第 1 页。19

\* 此名称不影响地位，并且符合联合国安理会第 1244 (1999) 号决议和国际法院关于科索沃独立宣言的意见。

<sup>35</sup> OJ L 57, 3.3.2017, 第

<sup>36</sup> 11 页 59。

<sup>37</sup> OJ L 185, 8.7.2016, 第

<sup>38</sup> 1 页 1。

和 93/15 / EEC 和指令 94/9 / EC, 94/25 / EC, 95/16 / EC, 97/23 / EC, 98/34 / EC, 2004/22 / EC, 2007/23 / EC, 欧洲议会和理事会的 2009/23 / EC 和 2009/105 / EC 并废除了欧洲议会和理事会的理事会第 87/95 / EEC 号决定和第 1673/2006 / EC 号决定<sup>39</sup>

- 欧洲议会和理事会于 2008 年 7 月 9 日颁布的第 765/2008 号法规 (EC), 规定了与产品营销和废止法规 (EEC) 339/93<sup>40</sup> 有关的认证和市场监管要求
- 欧洲议会和理事会于 2008 年 7 月 9 日发布的关于产品销售通用框架的第 768/2008 / EC 号决定, 并废除了理事会第 93/465 / EEC<sup>41</sup> 号决定
- 欧洲议会和理事会于 2008 年 7 月 9 日颁布的第 (EC) 764/2008 号条例, 规定了将某些国家技术规则应用于在另一成员国合法销售的产品的程序, 并废除了第 3052/95 / EC 号决定<sup>42</sup>
- 欧洲议会和理事会 2001 年 12 月 3 日关于通用产品安全的指令 2001/95 / EC<sup>43</sup>
- 理事会条例 1998 年 12 月 7 日第 (EC) 2679/98 号, 关于内部市场在成员国之间自由流通的职能<sup>44</sup>
- 1985 年 7 月 25 日理事会指令 85/374 / EEC, 该指令近似于成员国关于有缺陷产品的责任的法律, 法规和行政规定<sup>45</sup>

## 9. 机动车辆, 包括农林拖拉机

- 1970 年 2 月 6 日理事会指令 70/157 / EEC, 该指令近似于成员国有关机动车辆的允许声级和排气系统的法律<sup>46</sup>
- 欧洲议会和理事会于 2014 年 4 月 16 日颁布的 (EU) 第 540/2014 号条例, 关于机动车和替代消音系统的声级, 并修改指令 2007/46 / EC 和废止指令 70/157 / EEC<sup>47</sup>
- 欧洲议会和理事会于 2005 年 10 月 26 日发布的关于汽车在可重复使用性, 可回收性和可回收性方面的类型批准的指令 2005/64 / EC, 并修订了理事会指令 70/156 / EEC<sup>48</sup>

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<sup>39</sup> OJ L 316, 2012 年 11 月 14 日, 第 1 页。12

<sup>40</sup> OJ L 218, 2008 年 3 月 1 日, 第 1 页。30 岁

<sup>41</sup> OJ L 218, 2008 年 3 月 1 日, 第 1 页。82。

<sup>42</sup> OJ L 218, 2008 年 3 月 1 日, 第 1 页。21

<sup>43</sup> OJ L 11, 15.1.2002, p. 4。

<sup>44</sup> OJ L 337, 1998 年 12 月 12 日, 第 1 页。8。

<sup>45</sup> OJ L 210, 7.8.1985, p. 29。

<sup>46</sup> OJ L 42, 23.2.1970, p。

<sup>47</sup> 16。

<sup>48</sup> OJ L 158, 2014 年 2 月 7



- 欧洲议会和理事会于 2006 年 5 月 17 日发布的指令 2006/40 / EC，涉及机动车空调系统的排放，并修改了理事会指令 70/156 / EEC<sup>49</sup>
- 欧洲议会和理事会于 2007 年 6 月 20 日颁布的 (EC) 第 715/2007 号条例，关于轻型乘用车和商用车 (欧 5 和欧 6 排放) 的机动车类型批准以及获得汽车维修和保养的法规 (EC) 维修信息<sup>50</sup>
- 欧洲议会和理事会于 2007 年 9 月 5 日发布的指令 2007/46 / EC，该指令建立了批准机动车及其挂车以及用于此类车辆的系统，组件和单独技术单元的批准框架<sup>51</sup> )
- 欧洲议会和理事会于 2018 年 5 月 30 日颁布的 (EU) 2018/858 实施细则，涉及对机动车及其挂车以及用于此类车辆的系统，组件和独立技术单元的批准和市场监管) 715/2007 号和 (EC) 595/2009 号，并废除指令 2007/46 / EC<sup>52</sup>
- 欧洲议会和理事会于 2009 年 1 月 14 日颁布的第 78/2009 号条例，关于保护行人和其他弱势道路使用者的机动车类型批准，并修改了 2007/46 / EC 指令并废除了指令 2003/102 / EC 和 2005/66 / EC<sup>53</sup>
- 欧洲议会和理事会于 2009 年 7 月 13 日颁布的 (EC) 第 661/2009 号条例，关于机动车辆，其拖车和系统，组件以及拟议的单独技术单元的总安全性通过型式认可的要求<sup>54</sup>
- 欧洲议会和理事会于 2009 年 1 月 14 日发布的第 79/2009 号条例 (EC)，关于氢动力汽车的型号批准，并修改了指令 2007/46 / EC<sup>55</sup>
- 欧洲议会和理事会于 2009 年 6 月 18 日颁布的 (EC) 第 595/2009 号条例，关于重型车辆排放的机动车和发动机的型式批准 (欧盟 VI) 以及获得车辆维修和保养信息并修订 (EC) 715/2007 号和 2007/46 / EC 号指令，并废除 80/1269 / EEC，2005/55 / EC 和 2005/78 / EC<sup>56</sup> 号指令

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<sup>49</sup> OJ L 161, 14.6.2006, 第 12

<sup>50</sup> OJ L 171, 2007 年 2 月 2 日, 第 3 页。1。

<sup>51</sup> OJ L 263, 9.10.2007, p. 1。

<sup>52</sup> OJ L 151, 2018 年 4 月 1 日, 第 1。

<sup>53</sup> OJ L 35, 4.2.2009, p. 1。

<sup>54</sup> OJ L 200, 2009 年 1 月 3 日, 第 11 页。1。

<sup>55</sup> OJ L 35, 4.2.2009, p.

<sup>56</sup> 32。

- 欧洲议会和理事会 2013 年 1 月 15 日第 168/2013 号实施细则，关于两轮或三轮车辆和四轮车的批准和市场监督<sup>57</sup>
- 欧洲议会和理事会于 2015 年 4 月 29 日发布的 (EU) 2015/758 法规，涉及基于 112 服务和修订指令 2007/46 / EC<sup>58</sup> 的 eCall 车载系统的型式批准要求
- 欧洲议会和理事会于 2009 年 4 月 23 日发布的 (EC) 第 443/2009 号法规，确定了新乘用车的排放性能标准，作为欧共体减少轻型车辆二氧化碳排放的综合方法的一部分<sup>59</sup>
- 欧洲议会和理事会于 2011 年 5 月 11 日颁布的 (EU) No 510/2011 法规，确定了新型轻型商用车的排放性能标准，这是欧盟减少轻型车辆二氧化碳排放的综合方法的一部分<sup>60</sup>
- 2013 年 2 月 5 日欧洲议会和理事会第 167/2013 号实施细则 (EU403)，关于农业和林业车辆的批准和市场监督<sup>61</sup>

## 10. 起重和机械搬运设备

- 1973 年 11 月 19 日理事会指令 73/361 / EEC，该指令近似于成员国有关钢丝绳，链条和吊钩的认证和标记的法律，法规和行政规定<sup>62</sup>
- 欧洲议会和理事会 2014 年 2 月 26 日指令 2014/33 / EU，关于协调与升降机和升降机安全组件有关的成员国法律<sup>63</sup>

## 11. 燃气用具

- 1992 年 5 月 21 日理事会指令 92/42 / EEC，该指令针对以液体或气体燃料燃烧的新型热水锅炉的效率要求<sup>64</sup>
- 欧洲议会和理事会于 2016 年 3 月 9 日发布的 (EU) 2016/426 条例，关于燃烧气体燃料和废除指令 2009/142 / EC<sup>65</sup>

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<sup>57</sup> OJ L 60, 2013 年 2 月 2 日, 第 1 页。52。

<sup>58</sup> OJ L 123, 19. 5. 2015, 第 13 页 77。

<sup>59</sup> OJ L 140, 2009 年 5 月 5. 6 页。1。

<sup>60</sup> OJ L 145, 2011 年 3 月 3 日, 第 1 页。1。

<sup>61</sup> OJ L 60, 2013 年 2 月 2 日, 第 1 页。1。

<sup>62</sup> OJ L 335, 5. 12. 1973, 第 6 页。51。

<sup>25</sup>  
<sup>3</sup> OJ L 96, 2014 年 3 月 29  
日, 第 1 页。251。

<sup>64</sup> OJ L 167, 22.6.1992, p。

## 12. 压力容器

- 1975 年 5 月 20 日理事会指令 75/324 / EEC，该指令与各成员国有关气雾剂分配器的法律近似<sup>66</sup>
- 欧洲议会和理事会于 2010 年 6 月 16 日发布的关于可移动压力设备和废止理事会指令 76/767 / EEC，84/525 / EEC，84/526 / EEC，84/527 / EEC 的指令 2010/35 / EU 1999/36 / EC<sup>67</sup>
- 欧洲议会和理事会 2014 年 5 月 15 日第 2014/68 / EU 号指令，关于统一成员国有在压力设备市场上销售的法律<sup>68</sup>
- 欧洲议会和理事会 2014 年 2 月 26 日第 2014/29 / EU 号指令，关于统一成员国在简易压力容器市场上出售的法律<sup>69</sup>

## 13. 测量仪器

- 欧洲议会和理事会于 2009 年 4 月 23 日发布的指令 2009/34 / EC，涉及计量仪器和计量控制方法的共同规定<sup>70</sup>
- 1974 年 12 月 19 日理事会指令 75/107 / EEC，该指令近似于成员国有关用作量杯的瓶子的法律<sup>71</sup>
- 1976 年 1 月 20 日理事会指令 76/211 / EEC，该指令近似于成员国有关按重量或体积包装某些预包装产品的法律<sup>72</sup>
- 1979 年 12 月 20 日理事会指令 80/181 / EEC，该指令近似于成员国与计量单位有关的法律，并且废除了指令 71/354 / EEC<sup>73</sup>
- 欧洲议会和理事会于 2007 年 9 月 5 日发布的指令 2007/45 / EC，规定了预包装产品的名义数量规则，废除了理事会指令 75/106 / EEC 和 80/232 / EEC，并修改了理事会指令 76/211 / EEC<sup>74</sup>
- 欧洲议会和理事会 2011 年 3 月 9 日指令 2011/17 / EU，废止理事会指令 71/317 / EEC，71/347 / EEC，71/349 / EEC，74/148 / EEC，75/33 / EEC，关于度量的 76/765 / EEC，76/766 / EEC 和 86/217 / EEC<sup>75</sup>

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<sup>66</sup> OJ L 147, 9.6.1975, p. 40

<sup>67</sup> OJ L 165, 30.6.2010, p. 1。

<sup>68</sup> OJ L 189, 2014 年 2 月 27 日，第 164。

<sup>69</sup> OJ L 96, 2014 年 3 月 29 日，第 1 页。45。

<sup>70</sup> OJ L 106, 2009 年 2 月 2 日，第 3 页。7。

<sup>71</sup> OJ L 42, 15.2.1975, p. 14。

<sup>72</sup> OJ L 46, 21.2.1976, p. 1。

<sup>26</sup> OJ L 39, 15.2.1980, p.

<sup>3</sup> 40

<sup>74</sup> OJ L 247, 2007 年 2 月 2

- 欧洲议会和理事会 2014 年 2 月 26 日第 2014/31 / EU 号指令，关于统一成员国有关在市场上出售非自动衡器的法律<sup>76</sup>
- 欧洲议会和理事会 2014 年 2 月 26 日第 2014/32 / EU 号指令，关于统一成员国有关在市场上销售测量仪器的法律<sup>77</sup>

#### 14. 建筑产品，机械，索道，个人防护设备

- 欧洲议会和理事会 2011 年 3 月 9 日第 305/2011 号 (EU) 条例，规定了建筑产品销售的统一条件，并废除了理事会指令 89/106 / EEC<sup>78</sup>
- 欧洲议会和理事会于 2016 年 3 月 9 日发布的 (EU) 2016/425 法规，关于个人防护设备并废除理事会指令 89/686 / EEC<sup>79</sup>
- 欧洲议会和理事会于 2016 年 3 月 9 日发布的 (EU) 2016/424 实施细则，关于缆车的安装和废止指令 2000/9 / EC<sup>80</sup>
- 欧洲议会和理事会于 2006 年 5 月 17 日发布的关于机械的指令 2006/42 / EC，并修改了指令 95/16 / EC<sup>81</sup>
- 欧洲议会和理事会于 2016 年 9 月 14 日颁布的 (EU) 2016/1628 法规，该法规对气态和颗粒污染物排放限值以及非道路移动机械的内燃机的型式批准的要求进行了修订，1024/2012 和 (EU) No 167/2013，以及修改和废除指令 97/68 / EC<sup>82</sup>
- 欧洲议会和理事会于 2000 年 5 月 8 日发布的指令 2000/14 / EC，该指令近似于成员国有关在户外使用的设备在环境中的噪声发射的法律<sup>83</sup>

#### 15. 电气和无线电设备

- 欧洲议会和理事会 2014 年 2 月 26 日关于协调成员国有关电磁兼容性的法律的第 2014/30 / EU 号指令<sup>84</sup>

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<sup>76</sup> OJ L 96, 2014 年 3 月 29 日，第 1 页。107。

<sup>77</sup> OJ L 96, 2014 年 3 月 29

<sup>78</sup> 日，第 1 页。149。

<sup>79</sup> OJ L 88, 2011 年 4 月 4

<sup>80</sup> 日，第 1 页。5，

<sup>81</sup> OJ L 81, 2016 年 3 月 31

<sup>82</sup> 日，第 51。

<sup>83</sup> OJ L 81, 2016 年 3 月 31

<sup>84</sup> 日，第 1。

- 欧洲议会和理事会 2014 年 2 月 26 日第 2014/34 / EU 号指令，关于协调成员国法规中关于潜在爆炸性环境中使用的设备和保护系统的法律<sup>85</sup>
- 欧洲议会和理事会 2014 年 2 月 26 日第 2014/35 / EU 号指令，关于协调成员国法律，有关在一定电压范围内使用的电气设备在市场上可获得<sup>86</sup>
- 欧洲议会和理事会 2014 年 4 月 16 日第 2014/53 / EU 号指令，关于统一成员国有关在无线电设备市场上出售和废止指令 1999/5 / EC<sup>87</sup>的法律

#### 16. 纺织品，鞋类

- 欧洲议会和理事会于 2011 年 9 月 27 日颁布的 (EU) No 1007/2011，关于纺织品纤维名称以及纺织品纤维成分的相关标签和标记，并废除了理事会第 73/44 / EEC 号指令和第 96/73 号指令/ EC 和 2008/121 / EC，欧洲议会和理事会<sup>88</sup>
- 欧洲议会和理事会于 1994 年 3 月 23 日发布的 94/11 / EC 指令，该指令近似于成员国的法律，法规和行政规定，涉及标记用于销售给消费者的鞋类主要成分中使用的材料<sup>89</sup>

#### 17. 化妆品，玩具

- 2009 年 11 月 30 日，欧洲议会和理事会第 (EC) 1223/2009 号条例，关于化妆品<sup>90</sup>
- 2009 年 6 月 18 日欧洲议会和理事会关于玩具安全的指令 2009/48 / EC<sup>91</sup>

#### 18. 休闲工艺品

- 欧洲议会和理事会 2013 年 11 月 20 日关于休闲艇和私人船只的指令 2013/53 / EU，并废除指令 94/25 / EC<sup>92</sup>

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<sup>85</sup> OJ L 96, 2014 年 3 月 29

<sup>86</sup> 日，第 1 页。309。

<sup>87</sup> OJ L 96, 2014 年 3 月 29

<sup>88</sup> 日，第 1 页。357。

<sup>89</sup> OJ L 153, 2014 年 2 月 2

<sup>90</sup> 日，第 3 页。62。

<sup>91</sup> OJ L 272, 2011 年 10 月 18

<sup>92</sup> 日，第 11 页。1。

## 19. 炸药和烟火制品

- 欧洲议会和理事会 2014 年 2 月 26 日第 2014/28 / EU 号指令，关于协调成员国有关在市场上销售和监督民用炸药的法律<sup>93</sup>
- 欧洲议会和理事会 2013 年 6 月 12 日第 2013/29 / EU 号指令，关于统一成员国有关在烟火制品市场上销售的法律<sup>94</sup>
- 2013 年 1 月 15 日，欧洲议会和理事会第 98/2013 号条例（EU）关于炸药前体的销售和使用<sup>95</sup>

## 20. 药品

- 欧洲议会和理事会 2004 年 3 月 31 日第 (EC) 726/2004 号实施细则，规定了用于人用和兽用药品授权和监督的共同程序，并建立了欧洲药品管理局<sup>96</sup>

该条例第二条第二项和第四十八条第二项对共同体的提法不应被理解为包括英国在内的北爱尔兰。

- 欧洲议会和理事会于 2001 年 11 月 6 日发布的指令 2001/83 / EC，关于与人类使用的药品有关的共同体法规<sup>97</sup>

该指令第 8 条第 2 款和第 16b 条第 1 款中对共同体的引用以及该指令第 104 条第 3 款第二项中对联盟的引用不应被理解为包括英国在内，北爱尔兰，但联合王国对北爱尔兰的授权除外。

在英国授权的有关北爱尔兰的药品不得视为联盟中的参考药品。

- 欧洲议会和理事会于 2006 年 12 月 12 日发布的关于儿科用药品的第 (EC) 1901/2006 号法规，并修改了第 (EEC) 1768/92 号法规，第 2001/20 / EC 号指令，第 2001/83 / EC 号指令和法规 (EC) 726/2004<sup>98</sup>，第 36 条除外
- 欧洲议会和理事会 1999 年 12 月 16 日第 141/2000 号条例，关于孤儿药<sup>99</sup>

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<sup>93</sup> OJ L 96, 2014 年 3 月 29

<sup>94</sup> 日，第 1 页。1。

<sup>95</sup> OJ L 178, 2013 年 6 月 2

<sup>96</sup> 日，第 27。

<sup>97</sup> OJ L 39, 9.2.2013, p. 1。

<sup>98</sup> OJ L 136, 30.4.2004, p.

<sup>99</sup> 1。

- 欧洲议会和理事会于 2007 年 11 月 13 日颁布的 (EC) 第 1394/2007 号实施细则，涉及高级治疗药物和修订指令 2001/83 / EC 和第 (EC) 726/2004<sup>100</sup>号实施细则
- 欧洲议会和理事会于 2001 年 11 月 6 日发布的指令 2001/82 / EC，有关兽药的可共同体法规<sup>101</sup>

除北爱尔兰联合王国的授权外，该指令第 12 条第 2 款和第 74 条第二款提到的共同体不应被理解为包括联合王国。

在英国授权的有关北爱尔兰的兽药不应视为联盟中的参考药。

- 2009 年 5 月 6 日，欧洲议会和理事会第 470/2009 号条例 (EC) 规定了建立动物源性食品中药理活性物质残留限量的欧盟程序，废除了理事会第 2377/90 号条例 (EEC) 并修改了欧洲议会和理事会的指令 2001/82 / EC 和欧洲议会和理事会的第 726/2004 号法规<sup>102</sup>
- 欧洲议会和理事会 2001 年 4 月 4 日第 2001/20 / EC 号指令第 13 条，关于在临床试验中实施良好临床实践与成员国法律，法规和行政规定相近似用于人类的药用产品<sup>103</sup>
- 2014 年 4 月 16 日，欧洲议会和理事会第 536/2014 号条例 (EU) 第九章，关于人用药品的临床试验，并废除第 2001/20 / EC<sup>104</sup>号指令
- 欧洲议会和理事会于 2009 年 4 月 23 日发布指令 2009/35 / EC，关于可添加到药品中的色素<sup>105</sup>
- 欧洲议会和理事会于 2016 年 5 月 11 日发布的第 (EU) 2016/793 号实施细则，以避免某些主要药物的贸易转移到欧盟<sup>106</sup>

## 21. 医疗设备

- 1993 年 6 月 14 日理事会指令 93/42 / EEC<sup>107</sup>

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<sup>100</sup> OJ L 324, 2007 年 12 月 10 日，第 121。

<sup>101</sup> OJ L 311, 2001 年 11 月

<sup>102</sup> 28 日，第 1 页。1。

<sup>103</sup> OJ L 152, 2009 年 6 月 16

<sup>104</sup> 日，第 3 页。11。

<sup>105</sup> OJ L 121, 1.5.2001, p。

<sup>106</sup> 34。

<sup>107</sup> OJ L 158, 2014 年 2 月 7

- 欧洲议会和理事会于 1998 年 10 月 27 日发布的关于体外诊断医疗器械的指令 98/79 / EC<sup>108</sup>
- 1990 年 6 月 20 日理事会指令 90/385 / EEC，该指令近似于成员国有关有源植入式医疗设备的法律<sup>109</sup>
- 欧洲议会和理事会于 2017 年 4 月 5 日颁布的关于医疗器械的规定 (EU) 2017/745，对指令 2001/83 / EC，条例 (EC) 178/2002 和条例 (EC) 1223/2009 进行了修订，并废除了理事会指令 90/385 / EEC 和 93/42 / EEC<sup>110</sup>
- 欧洲议会和理事会于 2017 年 4 月 5 日颁布的 (EU) 2017/746 法规，关于体外诊断医疗器械并废除第 98/79 / EC 号指令和第 2010/227 / EU<sup>111</sup>号委员会决定

## 22. 人类起源的物质

- 欧洲议会和理事会于 2003 年 1 月 27 日颁布的第 2002/98 / EC 号指令，为人类血液和血液成分的收集，测试，加工，存储和分配设定了质量和安全标准，并修改了第 2001/83 / EC 号指令 (<sup>112</sup>
- 欧洲议会和理事会 2004 年 3 月 31 日第 2004/23 / EC 号指令，关于设定人体组织和细胞的捐赠，采购，测试，加工，保存，存储和分配的质量和和安全标准<sup>113</sup>
- 欧洲议会和理事会于 2010 年 7 月 7 日发布的关于要移植的人体器官的质量和安全的指令 2010/53 / EU<sup>114</sup>

## 23. 化工及相关

- 欧洲议会和理事会 2003 年 10 月 13 日第 2003/2003 号条例，关于肥料<sup>115</sup>
- 欧洲议会和理事会于 2004 年 2 月 11 日发布的第 2004/10 / EC 号指令，涉及统一有关应用良好实验室规范的原则和对化学物质测试的应用进行验证的法律，法规和行政规定<sup>116</sup>
- 欧洲议会和理事会于 2004 年 2 月 11 日发布的关于检查和验证良好实验室规范 (GLP) 的指令 2004/9 / EC<sup>117</sup>

<sup>108</sup> OJ L 331, 1998 年 12 月 7 日, 第 1 页。1。

<sup>109</sup> OJ L 189, 20. 7. 1990, 第 2 页。17。

<sup>110</sup> OJ L 117, 5. 5. 2017, 第 1 页 1。

<sup>111</sup> OJ L 117, 5. 5. 2017, 第 1 页 176。

<sup>112</sup> OJ L 33, 8.2.2003, p。

<sup>113</sup> 30 岁

<sup>114</sup> OJ L 102, 7.4.2004, p。

<sup>115</sup> 48。

<sup>116</sup> OJ L 207, 2010 年 6 月

<sup>117</sup> 6.8 页。14。



- 欧洲议会和理事会 2011 年 6 月 8 日指令 2011/65 / EU，关于限制在电气和电子设备中使用某些有害物质<sup>118</sup>
- 2004 年 3 月 31 日欧洲议会和理事会第 648/2004 号条例 (EC)<sup>119</sup>
- 2004 年 4 月 29 日，欧洲议会和理事会第 850/2004 号条例 (EC)，关于持久性有机污染物和修订指令 79/117 / EEC<sup>120</sup>
- 2012 年 7 月 4 日欧洲议会和理事会第 649/2012 号条例 (EU) 关于危险化学品的进出口<sup>121</sup>
- 欧洲议会和理事会于 2017 年 5 月 17 日发布的关于汞的实施细则 (EU) 2017/852，并废除实施细则 (EC) No 1102/2008)<sup>122</sup>
- 欧洲议会和理事会于 2006 年 9 月 6 日发布的关于电池和蓄电池和废电池和蓄电池的指令 2006/66 / EC 和废除指令 91/157 / EEC<sup>123</sup>
- 欧洲议会和理事会于 2006 年 12 月 18 日颁布的关于化学品注册，评估，授权和限制 (REACH) 的第 (EC) 1907/2006 号条例，建立了欧洲化学品管理局，修改了第 1999/45 / EC 号指令，并废除了理事会条例 (EEC) 第 793/93 号和委员会条例 (EC) 第 1488/94 号，以及理事会指令 76/769 / EEC 和委员会指令 91/155 / EEC, 93/67 / EEC, 93/105 / EC 和 2000/21 / EC<sup>124</sup>
- 欧洲议会和理事会于 2008 年 12 月 16 日颁布的关于物质和混合物的分类，标签和包装，修订和废止 67/548 / EEC 和 1999/45 / EC 指令以及修订法规的 (EC) No 1272/2008 (EC) 1907/2006<sup>125</sup>
- 2004 年 2 月 11 日欧洲议会和理事会第 273/2004 号实施细则<sup>126</sup>

## 24. 杀虫剂

- 2009 年 10 月 21 日，欧洲议会和理事会第 (EC) 1107/2009 号条例，关于将植物保护产品投放市场并废除理事会指令 79/117 / EEC 和 91/414 / EEC<sup>127</sup>

<sup>118</sup> OJ L 174, 1.7.2011, p. 88.

<sup>119</sup> OJ L 104, 8.4.2004, p. 1.

<sup>120</sup> OJ L 158, 30.4.2004, p. 7.

<sup>121</sup> OJ L 201, 27.7.2012, 第 60

<sup>122</sup> OJ L 137, 24.5.2017, p. 1.

<sup>123</sup> OJ L 266, 26.9.2006, p.

<sup>124</sup> 1.

<sup>125</sup> OJ L 396, 2006 年 12 月

<sup>126</sup> 30 日，第 1 页。1.

<sup>127</sup> OJ L 353, 31.12.2008,

- 欧洲议会和理事会于 2005 年 2 月 23 日发布的第 (EC) 396/2005 号条例，关于植物和动物来源的食品和饲料中或农药上的农药最高残留量以及修订理事会指令 91/414 / EEC<sup>128</sup>

该法规第 43 条中对成员国的提述不应被理解为包括英国在内的北爱尔兰。

- 欧洲议会和理事会 2012 年 5 月 22 日第 528/2012 号实施细则 (EU608) 关于在市场上出售和使用杀菌产品<sup>129</sup>

该法规第 3 条第 3 款，第 15 条第 1 款和第 28 条第 4 款提到的会员国以及该法规第 75 条第 1 款的 (g) 点不应理解为包括英国在内的北爱尔兰。

## 25. 浪费

- 欧洲议会和理事会 2006 年 6 月 14 日第 (EC) 1013/2006 号条例，关于废物运输<sup>130</sup>
- 欧洲议会和理事会关于包装和包装废物的指令 94/62 / EC (1994 年 12 月 20 日)<sup>131</sup>
- 欧洲议会和理事会于 2013 年 11 月 20 日发布的 (EU) No 1257/2013 法规，涉及船舶回收和修正法规 (EC) No 1013/2006 和指令 2009/16 / EC<sup>132</sup>
- 2006 年 11 月 20 日理事会指令 2006/117 / Euratom，有关放射性废物和乏燃料运输的监督和控制<sup>133</sup>

## 26. 环境，能源效率

- 欧洲议会和理事会 2014 年 10 月 22 日第 (EU) 1143/2014 号条例，关于防止和管理外来入侵物种的引进和传播<sup>134</sup>
- 2007 年 6 月 11 日理事会条例 (EC) 第 708/2007 号，关于在水产养殖中使用外来物种和当地物种<sup>135</sup>
- 2009 年 11 月 25 日，欧洲议会和理事会第 (EC) No 66/2010 号条例，关于欧盟生态标签<sup>136</sup>

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<sup>128</sup> OJ L 70, 16.3.2005, p.

<sup>129</sup> 1。

<sup>130</sup> OJ L 167, 27.6.2012, p.

<sup>131</sup> 1。

<sup>132</sup> OJ L 190, 2006 年 1 月 1

<sup>133</sup> 日，第 1 页。1。

<sup>134</sup> OJ L 365, 1994 年 12 月 31

<sup>135</sup> 日，第 2 页。10。

<sup>136</sup> OJ L 330, 2013 年 12 月 10

- 欧洲议会和理事会于 1998 年 10 月 13 日颁布的关于汽油和柴油质量的指令 98/70 / EC，并修改了委员会指令 93/12 / EEC<sup>137</sup>
- 2015 年 4 月 20 日的理事会指令 (EU) 2015/652，根据欧洲议会和理事会关于汽油和柴油质量的指令 98/70 / EC 规定了计算方法和报告要求<sup>138</sup>
- 欧洲议会和理事会于 2004 年 4 月 21 日发布的第 2004/42 / EC 号指令，该指令针对在某些油漆，清漆和车辆修补漆产品中使用有机溶剂而限制挥发性有机化合物的排放，并修订了第 1999/13 / EC<sup>139</sup>
- 2010 年 10 月 20 日欧洲议会和理事会第 995/2010 号 (EU) 条例，规定了将木材和木材产品投放市场的经营者的义务<sup>140</sup>
- 2005 年 12 月 20 日第 2173/2005 号理事会实施细则，关于建立向欧洲共同体进口木材的 FLEGT 许可计划<sup>141</sup>
- 欧洲议会和理事会 2014 年 4 月 16 日第 517/2014 号条例，关于氟化温室气体和废除第 842/2006 号条例<sup>142</sup>
- 2009 年 9 月 16 日欧洲议会和理事会第 (EC) 1005/2009 号条例，关于消耗臭氧层的物质<sup>143</sup>
- 欧洲议会和理事会于 2017 年 5 月 17 日颁布的关于汞的法规 (EU) 2017/852，并废除了法规 (EC) No 1102/2008<sup>144</sup>
- 理事会条例 1996 年 12 月 9 日第 (EC) 338/97 号，关于通过规范野生动植物的贸易来保护野生动植物<sup>145</sup>
- 1991 年 11 月 4 日的欧洲理事会第 3254/91 号法规 (EEC) 禁止在共同体中使用捕腿器，以及将某些生于兽类和制成品的兽皮和制成品引入共同体，这些兽类和制成品源自那些通过捕腿器或不符合国际人道捕获标准的捕获方法<sup>146</sup>
- 2009 年 9 月 16 日欧洲议会和理事会第 (EC) 1007/2009 号条例，关于密封产品贸易<sup>147</sup>

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<sup>137</sup> OJ L 350, 1998 年 12 月 28 日, 第 2 页。58。

<sup>138</sup> OJ L 107, 2015 年 2 月 25 日, 第 3 页。26

<sup>139</sup> OJ L 143, 2004 年 3 月 3  
<sup>140</sup> 日, 第 1 页。87。

<sup>141</sup> OJ L 295, 2010 年 11 月 12  
<sup>142</sup> 日, 第 1 页。23。

<sup>143</sup> OJ L 347, 2005 年 12 月 30  
<sup>144</sup> 日, 第 2 页。1。

<sup>145</sup> OJ L 150, 2014 年 2 月 2  
<sup>146</sup> 日, 第 3 页。195。

<sup>147</sup> OJ L 286, 2009 年 10 月 31

- 欧洲议会和理事会于 2007 年 12 月 11 日颁布的第 (EC) 1523/2007 号条例，禁止将猫狗毛皮以及含有这种毛皮的产品投放市场以及从该社区进口或从该社区进口或出口<sup>148</sup>
- 1983 年 3 月 28 日理事会指令 83/129 / EEC，关于将某些海豹幼崽及其衍生产品进口到成员国的做法<sup>149</sup>
- 欧洲议会和理事会于 2008 年 1 月 15 日颁布的 (EC) 第 106/2008 号条例，关于办公设备的共同体能源效率标签计划<sup>150</sup>
- 2009 年 11 月 25 日，欧洲议会和理事会 (EC) 第 1222/2009 号实施细则，关于轮胎标签上的燃油效率和其他基本参数<sup>151</sup>
- 欧洲议会和理事会于 2009 年 10 月 21 日发布的指令 2009/125 / EC 建立了确定与能源相关的产品的生态设计要求的框架<sup>152</sup>
- 欧洲议会和理事会 2017 年 7 月 4 日第 (EU) 2017/1369 号条例，为能源标签和废止指令 2010/30 / EU<sup>153</sup>设定了框架

## 27. 船用设备

- 欧洲议会和理事会 2014 年 7 月 23 日关于船用设备和废除理事会指令 96/98 / EC<sup>154</sup>的指令 2014/90 / EU

## 28. 铁路交通

- 欧洲议会和理事会于 2016 年 5 月 11 日发布的关于欧盟内部铁路系统互操作性的指令 (EU) 2016/797<sup>155</sup>，涉及投放市场的条件和技术规范，并投入使用与铁路产品的自由流通有关

## 29. 食物-一般

- 欧洲议会和理事会 2002 年 1 月 28 日第 178/2002 号实施细则，规定了食品法的一般原则和要求，建立了欧洲食品安全局，并规定了食品安全事务程序<sup>156</sup>

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<sup>148</sup> OJ L 343, 27.12.2007, p.

<sup>149</sup> 1。

<sup>150</sup> OJ L 91, 9.4.1983, p. 30

<sup>151</sup> 岁

<sup>152</sup> OJ L 39, 2008 年 2 月 13

<sup>153</sup> 日, 第 1 页。1。

<sup>154</sup> OJ L 342, 2009 年 12 月 22

<sup>155</sup> 日, 第 3 页。46。

<sup>156</sup> OJ L 285, 2009 年 10 月 31

该法规第 29 条第 (1) 款第二项中提到的会员国，不应理解为包括英国在内的北爱尔兰。

- 欧洲议会和理事会 2011 年 10 月 25 日第 (EU) 1169/2011 号条例，关于向消费者提供食品信息，修改了欧洲议会第 1924/2006 号和第 1925/2006 号条例并废除了委员会指令 87/250 / EEC，委员会指令 90/496 / EEC，委员会指令 1999/10 / EC，欧洲议会和理事会指令 2000/13 / EC，委员会指令 2002 / 67 / EC 和 2008/5 / EC 以及委员会法规 (EC) 第 608/2004<sup>157</sup>
- 欧洲议会和理事会于 2006 年 12 月 20 日发布的 (EC) 1924/2006 条例，关于食品的营养和健康要求<sup>158</sup>

### 30. 食品-卫生

- 2004 年 4 月 29 日欧洲议会和理事会第 853/2004 号条例 (EC) 规定了动物源性食品的特定卫生规则<sup>159</sup>
- 2004 年 4 月 29 日欧洲议会和理事会第 852/2004 号实施细则，关于食品卫生<sup>160</sup>
- 1988 年 12 月 21 日理事会指令 89/108 / EEC，该指令近似于成员国与人类食用速冻食品有关的法律<sup>161</sup>

### 31. 食品-成分，痕量，残留物，销售标准

- 欧洲议会和理事会于 2008 年 12 月 16 日发布的 (EC) 第 1331/2008 号条例，建立了食品添加剂，食品酶和食品调味料的通用授权程序<sup>162</sup>

该法规第 3 条第 (1) 款中提到的会员国不应理解为包括英国在内的北爱尔兰。

- 欧洲议会和理事会于 2008 年 12 月 16 日颁布的关于食品酶的第 (EC) 1332/2008 号条例，并修改了第 83/417 / EEC 号理事会指令，第 1493/1999 号理事会条例，第 2000/13 / EC 号指令，理事会指令 2001/112 / EC 和法规 (EC) 258/97<sup>163</sup>

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<sup>157</sup> OJ L 304, 2011 年 11 月 22 日, 第 2 页。18 岁

<sup>158</sup> OJ L 404, 2006 年 12 月

<sup>159</sup> 30 日, 第 1 页。9。

<sup>160</sup> OJ L 139, 30.4.2004, p。

<sup>161</sup> 55。

<sup>162</sup> OJ L 139, 30.4.2004, p。

<sup>163</sup> 1。

- 欧洲议会和理事会于 2008 年 12 月 16 日颁布的第 (EC) 1333/2008 号法规，关于食品添加剂<sup>164</sup>
- 欧洲议会和理事会于 2008 年 12 月 16 日颁布的 (EC) 第 1334/2008 号条例，关于在食品中和食品上使用的调味剂和某些具有调味特性的食品成分，并修订了委员会条例 (EEC) 第 1601/91 号，实施细则 (EC ) 2232/96 和 (EC) 110/2008 和指令 2000/13 / EC<sup>165</sup>
- 欧洲议会和理事会于 2002 年 6 月 10 日发布的指令 2002/46 / EC，该指令与成员国有关食品补充剂的法律近似<sup>166</sup>
- 欧洲议会和理事会于 2006 年 12 月 20 日颁布的 (EC) 第 1925/2006 号条例，关于在食品中添加维生素和矿物质以及某些其他物质<sup>167</sup>
- 欧洲议会和理事会 2003 年 11 月 10 日第 (EC) 2065/2003 号条例，关于在食品中或食品中使用或打算使用的烟用调味剂<sup>168</sup>

该法规第 7 条第 (2) 款中对成员国的提及不应理解为包括英国在内的北爱尔兰。

- 1993 年 2 月 8 日理事会法规 (EEC) 第 315/93 号，规定了食品污染物共同体程序<sup>169</sup>
- 2015 年 11 月 25 日，欧洲议会和理事会关于新食品的 (EU) 2015/2283 条例，对欧洲议会和理事会第 1169/2011 号条例 (EU) 进行了修订，并废除了第 258/97 号条例 (EC) 欧洲议会，理事会和委员会条例 (EC) 1852/2001<sup>170</sup>
- 欧洲议会和理事会于 2013 年 6 月 12 日颁布的第 (EU) 609/2013 号条例，关于婴儿食品，特殊医学用途的食品以及控制体重的总饮食替代和废止理事会指令 92/52 / EEC，委员会指令 96/8 / EC，1999/21 / EC，2006/125 / EC 和 2006/141 / EC，欧洲议会及理事会的指令 2009/39 / EC 和委员会法规 (EC) 第 41 号/ 2009 和 (EC) 953/2009<sup>171</sup>
- 欧洲议会和理事会 1999 年 2 月 22 日关于咖啡提取物和菊苣提取物的指令 1999/4 / EC<sup>172</sup>

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<sup>164</sup> OJ L 354, 2008 年 12 月 31 日，第 3 页。16。

<sup>165</sup> OJ L 354, 2008 年 12 月 31 日，第 3 页。34。

<sup>166</sup> OJ L 183, 第 12.7.2002

<sup>167</sup> 页。51。

<sup>168</sup> OJ L 404, 2006 年 12 月 30

<sup>169</sup> 日，第 1 页。26

<sup>170</sup> OJ L 309, 2003 年 11 月 26

<sup>171</sup> 日，第 3 页。1。

<sup>172</sup> OJ L 37, 13.2.1993, p。

- 欧洲议会和理事会于 2000 年 6 月 23 日发布的指令 2000/36 / EC，涉及可食用的可可和巧克力产品<sup>173</sup>
- 2001 年 12 月 20 日理事会指令 2001/110 / EC 关于蜂蜜<sup>174</sup>
- 2001 年 12 月 20 日理事会指令 2001/111 / EC，涉及某些供人类食用的糖<sup>175</sup>
- 2011 年 6 月 7 日第 543/2011 号委员会实施条例 (EU) 为水果和蔬菜以及加工后的水果和蔬菜领域的理事会条例 (EC) 第 1234/2007 制定了详细规则<sup>176</sup>
- 2008 年 12 月 18 日第 (EC) 1295/2008 号委员会条例，关于从第三国进口啤酒花<sup>177</sup>
- 2007 年 11 月 23 日第 (EC) 1375/2007 号委员会条例，关于从美利坚合众国从玉米制造淀粉中进口残留物<sup>178</sup>
- 2001 年 12 月 20 日理事会指令 2001/112 / EC，涉及果汁和某些拟供人类消费的类似产品<sup>179</sup>
- 2001 年 12 月 20 日理事会指令 2001/113 / EC，涉及供人类食用的果酱，果冻，果酱和甜栗子泥<sup>180</sup>
- 2001 年 12 月 20 日理事会指令 2001/114 / EC，涉及某些供人食用的部分或全部脱水的腌制乳<sup>181</sup>
- 欧洲议会和理事会于 2015 年 11 月 25 日发布的 (EU) 2015/2203 指令，该指令近似于成员国与拟供人类食用的酪蛋白和酪蛋白酸盐有关的法律，并废除了理事会指令 83/417 / EEC<sup>182</sup>
- 2013 年 12 月 17 日，欧洲议会和理事会第 1306/2013 号条例 (EU) 第 V 章第四章，关于共同农业政策的融资，管理和监督，并废除了理事会第 352/78 号条例 (EEC)，(EC) 165/94，(EC) 2799/98，(EC) 814/2000，(EC) 1290/2005 和 (EC) 485/2008<sup>183</sup>

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<sup>173</sup> OJ L 197, 3.8.2000, p. 19

<sup>174</sup> OJ L 10, 2002 年 1 月 12 日, 第 1 页。47。

<sup>175</sup> OJ L 10, 2002 年 1 月 12 日, 第 1 页。53。

<sup>176</sup> OJ L 157, 2011 年 5 月 1

<sup>177</sup> 日, 第 1 页。1。

<sup>178</sup> OJ L 340, 2008 年 12 月 19

<sup>179</sup> 日, 第 1 页。45。

<sup>180</sup> OJ L 307 24.11.2007, p.

<sup>181</sup> 5,

<sup>182</sup> OJ L 10, 2002 年 1 月 12

<sup>183</sup> 日, 第 1 页。58。

- 2013 年 12 月 17 日，欧洲议会和理事会第 1308/2013 号条例 (EU) 第二部分第二章第一章第一节第 1 节，建立农产品市场的共同组织并废除理事会条例 (EEC) 922/72，(EEC) 234/79，(EC) 1037/2001 和 (EC) 1234/2007<sup>184</sup>

### 32. 食品接触材料

- 欧洲议会和理事会于 2004 年 10 月 27 日颁布的 (EC) 第 1935/2004 号条例，涉及与食品接触并废除指令 80/590 / EEC 和 89/109 / EEC<sup>185</sup> 的材料和物品

该法规第 9 条第 (1) 款中对成员国的提及不应理解为包括英国在内的北爱尔兰。

- 1984 年 10 月 15 日理事会指令 84/500 / EEC，该指令近似于成员国与拟与食品接触的陶瓷制品有关的法律<sup>186</sup>

### 33. 食物-其他

- 欧洲议会和理事会于 1999 年 2 月 22 日发布的指令 1999/2 / EC，该指令近似于成员国有关经电离辐射处理的食品 and 食品成分的法律<sup>187</sup>
- 欧洲议会和理事会 1999 年 2 月 22 日指令 1999/3 / EC，关于建立经电离辐射处理的食品 and 食品成分共同体清单<sup>188</sup>
- 欧洲议会和理事会于 2009 年 4 月 23 日发布的第 2009/32 / EC 号指令，该指令近似于成员国在食品 and 食品配料生产中所使用的萃取溶剂的法律<sup>189</sup>
- 欧洲议会和理事会 2009 年 6 月 18 日关于天然矿泉水的开发和销售的指令 2009/54 / EC<sup>190</sup>
- 2007 年 6 月 28 日理事会条例 (EC) 第 834/2007 号，关于有机产品的生产和标签以及废除条例 (EEC) 第 2092/91 号<sup>191</sup>

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<sup>184</sup> OJ L 347, 2013 年 12 月 20  
<sup>185</sup> 日，第 3 页。671。  
<sup>186</sup> OJ L 338, 2004 年 11 月 13  
<sup>187</sup> 日，第 1 页。4。  
<sup>188</sup> OJ L 277, 1984 年 10 月 20  
<sup>189</sup> 日，第 1 页。12  
<sup>190</sup> OJ L 66, 13.3.1999, p。  
<sup>191</sup> 16。



- 欧洲议会和理事会于 2018 年 5 月 30 日颁布的 (EU) 2018/848 条例，关于有机生产和有机产品标签，并废除理事会条例 (EC) 834/2007<sup>192</sup>
- 2016 年 1 月 15 日的理事会条例 (Euratom) 2016/52，规定了核事故或任何其他放射性紧急情况食品后食品和饲料的放射性污染的最大允许水平，并废除了 3954/87 号条例 (Euratom) 和委员会条例 (Euratom) 944/89 和 (Euratom) 770/90<sup>193</sup>
- 切尔诺贝利核电站事故后的 2008 年 7 月 15 日理事会法规 (EC) 第 733/2008 号，关于进口第三国农产品的条件<sup>194</sup>

#### 34. 饲料-产品与卫生

- 欧洲议会和理事会于 2009 年 7 月 13 日颁布的关于饲料投放和使用的第 (EC) 767/2009 号条例，修改了欧洲议会和理事会第 1831/2003 号条例 (EC)，并废除了理事会第 79 / 373 / EEC，委员会指令 80/511 / EEC，理事会指令 82/471 / EEC，83/228 / EEC，93/74 / EEC，93/113 / EC 和 96/25 / EC 和委员会决定 2004/217 / EC<sup>195</sup>
- 欧洲议会和理事会 2002 年 5 月 7 日关于动物饲料中有害物质的指令 2002/32 / EC<sup>196</sup>
- 欧洲议会和理事会 2003 年 9 月 22 日第 1831/2003 号实施细则，关于动物营养用添加剂<sup>197</sup>

该条例附件二第 6 点对国家参考实验室的提述不应被理解为对北爱尔兰适用于联合王国。这不应阻止位于成员国的国家参考实验室履行其在北爱尔兰的国家参考实验室的职能。未经这些主管当局事先同意，北爱尔兰主管当局与成员国的国家参考实验室之间为此目的交换的信息和材料，不得由国家参考实验室进一步披露。

- 1990 年 3 月 26 日理事会指令 90/167 / EEC，规定了在社区中管理加药饲料的制备，投放市场和使用的条件<sup>198</sup>
- 欧洲议会和理事会 2005 年 1 月 12 日第 (EC) 183/2005 号条例，规定了饲料卫生要求<sup>199</sup>

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<sup>192</sup> OJ L 150, 2018 年 4 月 1 日, 第 1。

<sup>193</sup> OJ L 13, 2016 年 1 月 20

<sup>194</sup> 日, 第 2。

<sup>195</sup> OJ L 201, 2008 年 7 月 30

<sup>196</sup> 日, 第 1 页。1。

<sup>197</sup> OJ L 229, 1.9.2009, p。

<sup>198</sup> 1。

### 35. 转基因生物

- 欧洲议会和理事会于 2003 年 9 月 22 日通过的第 (EC) 1829/2003 号法规，关于转基因食品和饲料<sup>200</sup>，但第 32 条第二款除外

这不应阻止位于成员国的国家参考实验室履行其在北爱尔兰的国家参考实验室的职能。未经这些主管当局事先同意，北爱尔兰主管当局与成员国的国家参考实验室之间为此目的交换的信息和材料，不得由国家参考实验室进一步披露。

该法规第 10 条第 1 款和第 22 条第 1 款提到的会员国不应被理解为包括英国在内的北爱尔兰。

- 欧洲议会和理事会于 2003 年 9 月 22 日颁布的 (EC) 第 1830/2003 号条例，涉及转基因生物的可追溯性和标签以及转基因生物生产的食品和饲料产品的可追溯性，并修改了指令 2001/18 / EC<sup>201</sup>
- 欧洲议会和理事会 2003 年 7 月 15 日第 (EC) 1946/2003 号条例，关于转基因生物的越境转移<sup>202</sup>
- 欧洲议会和理事会 2001 年 3 月 12 日指令 2001/18 / EC 的 C 部分，关于有意向环境中释放转基因生物并废除理事会指令 90/220 / EEC<sup>203</sup>

### 36. 活体动物，生发产品和动物来源的产品

本节所列行为中对国家参考实验室的引用不应视为包括英国的参考实验室。这不应阻止位于成员国的国家参考实验室履行其在北爱尔兰的国家参考实验室的职能。未经这些主管当局事先同意，北爱尔兰主管当局与成员国的国家参考实验室之间为此目的交换的信息和材料，不得由国家参考实验室进一步披露。

- 欧洲议会和理事会于 2016 年 3 月 9 日颁布的第 (EU) 2016/429 号实施细则，涉及传染性动物疾病以及在动物健康领域的某些行为的修正和废止（“动物健康法”）<sup>204</sup>

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<sup>199</sup> OJ L 35, 8.2.2005, p. 1。

<sup>200</sup> OJ L 268, 18.10.2003, p.

<sup>201</sup> 1。

<sup>202</sup> OJ L 268, 18.10.2003, p.

<sup>203</sup> 24

<sup>204</sup> OJ L 287, 5.11.2003, p.

- 1964 年 6 月 26 日理事会指令 64/432 / EEC，该指令涉及影响牛和猪社区内部贸易的动物健康问题<sup>205</sup>
- 理事会指令 1991 年 1 月 28 日第 91/68 / EEC 号，关于管理绵羊和山羊动物共同体内贸易的动物健康条件<sup>206</sup>
- 理事会指令 2009 年 11 月 30 日关于动物健康状况的第 2009/156 / EC 号指令，关于动物从第三国的迁移和进口<sup>207</sup>
- 2009 年 11 月 30 日理事会指令 2009/158 / EC，关于管理禽类和孵化蛋在社区内贸易以及从第三国进口的动物健康状况<sup>208</sup>
- 1992 年 7 月 13 日的理事会指令 92/65 / EEC 规定了动物健康要求，该要求规范了动物，精液，卵子和胚胎的贸易以及向该共同体的进口和进口，这些动物，精液，卵和胚胎不受附录 A 所指的特定共同体规则所规定的动物健康要求的约束（ I）指令 90/425 / EEC<sup>209</sup>
- 1988 年 6 月 14 日理事会指令 88/407 / EEC，其中规定了适用于共同体内贸易和进口牛种家畜精液的动物健康要求<sup>210</sup>
- 理事会指令 1989 年 9 月 25 日第 89/556 / EEC 号，关于动物健康条件，该共同体关于共同体内部贸易和从第三国进口牛种家畜胚胎的动物健康条件<sup>211</sup>
- 1990 年 6 月 26 日理事会指令 90/429 / EEC，其中规定了适用于社区内买卖猪种家畜精液的动物健康要求<sup>212</sup>
- 1992 年 12 月 17 日的理事会第 92/118 / EEC 号指令，规定了动物健康和公共卫生要求，这些要求对不受产品要求的附件 A（I）中特定的共同体规则所规定的产品的贸易和向共同体的进口进行管制。指令 89/662 / EEC 以及关于病原体的指令 90/425 / EEC<sup>213</sup>
- 2006 年 10 月 24 日理事会指令 2006/88 / EC，有关水产养殖动物及其产品的动物健康要求，以及水生动物某些疾病的预防和控制<sup>214</sup>

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<sup>205</sup> OJ 121, 1964 年 9 月 29 日，第 1 页。1977 年。

<sup>206</sup> OJ L 46, 1991 年 2 月 19 日，第 19

<sup>207</sup> OJ L 192, 2010 年 3 月 2 日，第 3 页。1。

<sup>208</sup> OJ L 343, 22. 12. 2009, p. 74。

<sup>209</sup> OJ L 268, 14.9.1992, p。

<sup>210</sup> 54。

<sup>211</sup> OJ L 194, 1988 年 2 月 27

<sup>212</sup> 日，第 10。

<sup>213</sup> OJ L 302, 1989 年 10 月 19

<sup>214</sup> 日，第 1 页。1。

- 2004 年 4 月 26 日的理事会指令 2004/68 / EC 规定了某些有蹄类动物的进口和通过共同体的动物健康规则，修改了 90/426 / EEC 和 92/65 / EEC 号指令，并废除了第 72/462 号指令/ EEC<sup>215</sup>
- 2002 年 12 月 16 日理事会指令 2002/99 / EC，规定了动物卫生规则，规定了人类食用动物源性产品的生产，加工，分销和引入<sup>216</sup>
- 欧洲议会和理事会 2013 年 6 月 12 日第 576/2013 号条例，关于宠物的非商业性活动和废除第 998/2003 号法规 (EC)<sup>217</sup>
- 欧洲议会和理事会于 2009 年 10 月 21 日发布的 (EC) No 1069/2009 法规，针对非人类食用的动物副产品和衍生产品制定了健康法规，并废除了第 1774/2002 号 EC (EC) 副产品法规)<sup>218</sup>

### 37. 动物疾病控制，人畜共患病控制

本节所列行为中对国家参考实验室的引用不应视为包括英国的参考实验室。这不应阻止位于成员国的国家参考实验室履行其在北爱尔兰的国家参考实验室的职能。未经这些主管当局事先同意，北爱尔兰主管当局与成员国的国家参考实验室之间为此目的交换的信息和材料，不得由国家参考实验室进一步披露。

- 欧洲议会和理事会 2001 年 5 月 22 日第 (EC) 999/2001 号条例，制定了预防，控制和消除某些传染性海绵状脑病的规则<sup>219</sup>
- 1977 年 5 月 17 日理事会指令 77/391 / EEC，引入了共同体措施以消除牛的布鲁氏菌病，结核病和白血球病<sup>220</sup>
- 理事会指令 1977 年 12 月 13 日第 78/52 / EEC 号，为加快消除牛布鲁氏菌病，结核病和地方性白血病的国家计划制定了共同体标准<sup>221</sup>
- 2003 年 9 月 29 日理事会指令 2003/85 / EC，关于控制口蹄疫的社区措施，废除了指令 85/511 / EEC 和 89/531 / EEC 和 91/665 / EEC 号决定，并修改了指令 92/46 / EEC<sup>222</sup>

<sup>215</sup> OJ L 139, 30.4.2004, p. 321.

<sup>216</sup> OJ L 18, 2003 年 1 月 23 日, 第 1 页。11。

<sup>217</sup> OJ L 178, 2013 年 6 月 2

<sup>218</sup> 日, 第 1。

<sup>219</sup> OJ L 300, 2009 年 11 月

<sup>220</sup> 14 日, 第 1 页。1。

<sup>221</sup> OJ L 147, 2001 年 3 月 3

<sup>222</sup> 日, 第 1 页。1。

- 2005 年 12 月 20 日理事会指令 2005/94 / EC，关于控制禽流感的社区措施并废除指令 92/40 / EEC<sup>223</sup>
- 2001 年 10 月 23 日理事会指令 2001/89 / EC，关于控制经典猪瘟的社区措施<sup>224</sup>
- 1992 年 4 月 29 日理事会指令 92/35 / EEC 制定了防治非洲马病的控制规则和措施<sup>225</sup>
- 2002 年 6 月 27 日的理事会指令 2002/60 / EC 规定了控制非洲猪瘟的具体规定，并修改了关于 Teschen 病和非洲猪瘟的指令 92/119 / EEC<sup>226</sup>
- 欧洲议会和理事会 2003 年 11 月 17 日第 (EC) 2160/2003 号条例，关于控制沙门氏菌和其他特定的食源性人畜共患病制剂<sup>227</sup>
- 1992 年 7 月 14 日理事会指令 92/66 / EEC，引入了控制新城疫的社区措施<sup>228</sup>
- 1992 年 12 月 17 日理事会指令 92/119 / EEC，引入了共同体用于控制某些动物疾病的措施以及与猪水泡病有关的具体措施<sup>229</sup>
- 欧洲议会和理事会于 2003 年 11 月 17 日发布的关于监视人畜共患病和人畜共患病的指令的第 2003/99 / EC 号指令，修改了理事会第 90/424 / EEC 号决定，并废除了理事会第 92/117 / EEC 号指令<sup>230</sup>
- 2000 年 11 月 20 日理事会指令 2000/75 / EC 制定了控制和消除蓝舌病的具体规定<sup>231</sup>

### 38. 动物识别

- 理事会 2003 年 12 月 17 日第 21/2004 号条例 (EC) 建立了用于识别绵羊和山羊动物的识别和注册系统，并对第 1782/2003 号条例 (EC) 以及第 92/102 / EEC 号和第 64/432 / EEC 号指令进行了修正 (<sup>232</sup>)
- 欧洲议会和理事会 2000 年 7 月 17 日第 (EC) 1760/2000 号条例，建立了牛类动物的识别和注册以及牛肉和牛肉产品标签的制度，并废除了理事会第 (EC) 820 / 97<sup>233</sup>

<sup>223</sup> OJ L 10, 14.1.2006, p. 16.

<sup>224</sup> OJ L 316, 2001 年 12 月 1 日, 第 1 页。5,

<sup>225</sup> OJ L 157, 10.6.1992, p. 19

<sup>226</sup> OJ L 192, 2002 年 7 月 20 日, 第 1 页。27。

<sup>227</sup> OJ L 325, 2003 年 12 月 12 日, 第 1 页。1。

<sup>228</sup> OJ L 260, 5.9.1992, p. 1。

<sup>229</sup> OJ L 62, 15.3.1993, p.

<sup>230</sup> 69。

<sup>231</sup> OJ L 325, 2003 年 12 月 12

<sup>232</sup> 日, 第 1 页。31。

<sup>233</sup> OJ L 327, 2000 年 12 月 22

- 2008 年 7 月 15 日理事会指令 2008/71 / EC，关于猪的识别和注册<sup>234</sup>
39. 动物繁殖
- 2016 年 6 月 8 日欧洲议会和理事会 (EU) 2016/1012 条例 (EU) 第 37 条和第 64 (3) 条，关于纯种繁殖动物联盟的繁殖，贸易和加入的动物技术和家谱条件种猪及其生殖产品，并修改法规 (EU) 652/2014，理事会指令 89/608 / EEC 和 90/425 / EEC，并废除了动物育种领域的某些法案 ( “动物育种法规” )<sup>235</sup>
40. 动物福利
- 2004 年 12 月 22 日理事会条例 (EC) 第 1/2005 号，关于在运输和相关操作中保护动物以及修订第 64/432 / EEC 号和第 93/119 / EC 号指令以及第 (EC) 1255/97<sup>236</sup> 号条例
  - 2009 年 9 月 24 日理事会法规 (EC) 1099/2009，关于在杀戮时保护动物<sup>237</sup>
41. 植物健康
- 理事会指令 2000 年 5 月 8 日第 2000/29 / EC 号，关于采取保护措施，以防止对植物或植物产品有害的生物体进入共同体，并防止其在共同体内扩散<sup>238</sup>
  - 2016 年 10 月 26 日欧洲理事会欧洲议会关于保护植物害虫的保护措施的条例 (EU) 2016/2031，修订了条例 (EU) No 228/2013， (EU) No 652/2014 和 (EU) No 1143 / 2014 年欧洲议会和理事会指令，并废止理事会指令 69/464 / EEC，74/647 / EEC，93/85 / EEC，98/57 / EC，2000/29 / EC，2006/91 / EC 和 2007 / 33 / EC<sup>239</sup>
42. 植物生殖材料
- 1966 年 6 月 14 日理事会指令 66/402 / EEC，关于谷物种子的销售<sup>240</sup>
  - 1968 年 4 月 9 日理事会指令 68/193 / EEC，该指令涉及用于葡萄藤无性繁殖的材料的销售<sup>241</sup>
  - 1999 年 12 月 22 日理事会指令 1999/105 / EC，有关森林生殖材料的销售<sup>242</sup>

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<sup>234</sup> OJ L 213, 8.8.2008, p.  
<sup>235</sup> 31.  
<sup>236</sup> OJ L 171, 2016 年 2 月 9  
<sup>237</sup> 日, 第 66。  
<sup>238</sup> OJ L 3, 5.1.2005, p. 1。  
<sup>239</sup> OJ L 303, 2009 年 11 月  
<sup>240</sup> 18 日, 第 1 页。1。  
<sup>241</sup> OJ L 169, 第 10.7.2000

- 2002 年 6 月 13 日理事会指令 2002/53 / EC，关于农业植物品种的通用目录 <sup>243</sup>
- 2002 年 6 月 13 日理事会指令 2002/54 / EC，有关甜菜种子的销售 <sup>244</sup>
- 2002 年 6 月 13 日理事会指令 2002/55 / EC，有关蔬菜种子的销售 <sup>245</sup>
- 2002 年 6 月 13 日理事会指令 2002/56 / EC，关于种薯的销售 <sup>246</sup>
- 2002 年 6 月 13 日理事会指令 2002/57 / EC，涉及油和纤维植物种子的销售 <sup>247</sup>
- 2008 年 9 月 29 日理事会指令 2008/90 / EC，该指令关于水果植物繁殖材料和用于水果生产的水果植物的销售 <sup>248</sup>

#### 43. 官方检查，兽医检查

本节所列行为中对国家参考实验室的引用不应视为包括英国的参考实验室。这不应阻止位于成员国的国家参考实验室履行其在北爱尔兰的国家参考实验室的职能。未经这些主管当局事先同意，北爱尔兰主管当局与成员国的国家参考实验室之间为此目的交换的信息和材料，不得由国家参考实验室进一步披露。

- 欧洲议会和理事会于 2017 年 3 月 15 日颁布的 (EU) 2017/625 号法规，旨在确保食品和饲料法，动物健康与福利，植物健康和植物保护产品的实施的官方管制和其他官方活动，修订 (EC) 999/2001 号，(EC) 396/2005 号，(EC) 1069/2009 号，(EC) 1107/2009 号，(EU) 1151/2012 号，(EU) 652/2014 号法规，欧洲议会和理事会 (EU) 2016/429 和 (EU) 2016/2031，理事会法规 (EC) 第 1/2005 号和 (EC) 第 1099/2009 号以及理事会指令 98/58 / EC，1999 / 74 / EC，2007/43 / EC，2008/119 / EC 和 2008/120 / EC，以及废除欧洲议会和理事会 (EC) 854/2004 号和 (EC) 882/2004 号条例指令 89/608 / EEC，89/662 / EEC，90/425 / EEC，91/496 / EEC，96/23 / EC，96/93 / EC 和 97/78 / EC 以及理事会第 92/438 / EEC 号决定 (官方控制法规) <sup>249</sup>
- 欧洲议会和理事会于 2004 年 4 月 29 日发布的 (EC) 第 882/2004 号条例，关于为确保对饲料和食品法，动物健康和动物福利规则的遵守而进行的官方控制 <sup>250</sup>

<sup>242</sup> OJ L 11, 15.1.2000, p.

<sup>243</sup> 17。

<sup>244</sup> OJ L 193, 2002 年 7 月 20

<sup>245</sup> 日，第 1。

<sup>246</sup> OJ L 193, 2002 年 7 月 20

<sup>247</sup> 日，第 12

<sup>248</sup> OJ L 193, 2002 年 7 月 20

<sup>249</sup> 日，第 33。

<sup>250</sup> OJ L 193, 2002 年 7 月 20

- 2004 年 4 月 29 日欧洲议会和理事会第 854/2004 号 (EC) 条例，针对组织人类食用动物源性产品的官方管制制定了具体规则<sup>251</sup>
- 1991 年 7 月 15 日第 91/496 / EEC 号理事会指令，制定了关于组织从第三国进入共同体的动物的兽医检查的原则，并修订了 89/662 / EEC，90/425 / EEC 和 90/675 / EEC 指令<sup>252</sup>
- 1997 年 12 月 18 日理事会指令 97/78 / EC，规定了对从第三国进入共同体的产品进行兽医检查的组织原则<sup>253</sup>
- 1990 年 6 月 26 日理事会指令 90/425 / EEC，该指令涉及为某些内部动物和产品在共同体内贸易而进行的兽医和动物技术检查，以期完成内部市场<sup>254</sup>
- 理事会指令 1989 年 12 月 11 日第 89/662 / EEC 号，关于共同体内贸易中的兽医检查，以期完成内部市场<sup>255</sup>

#### 44. 卫生与植物检疫-其他

- 理事会 1996 年 4 月 29 日第 96/22 / EC 号指令，关于禁止在畜牧业中使用某些具有荷尔蒙或甲状腺抑制作用的物质和  $\beta$  激动剂，并废除第 81/602 / EEC，88/146 / EEC 和 88 号指令/ 299 / EEC<sup>256</sup>
- 1996 年 4 月 29 日理事会指令 96/23 / EC，有关监控活体动物和动物产品中某些物质及其残留物的措施，并废除了指令 85/358 / EEC 和 86/469 / EEC 以及第 89/187 / EEC 和 91 /号决定 664 / EEC<sup>257</sup>

#### 45. 知识产权

- 欧洲议会和理事会于 2008 年 1 月 15 日颁布的第 (EC) 110/2008 号条例，关于烈性酒的地理标志的定义，描述，介绍，标签和保护，并废除了理事会第 1576/89 号条例 (EEC)<sup>258</sup>
- 欧洲议会和理事会 2012 年 11 月 21 日第 (EU) 1151/2012 号条例，关于农产品和食品的质量计划<sup>259</sup>
- 2014 年 2 月 26 日，欧洲议会和理事会 (EU) 第 251/2014 号条例，关于定义，描述，介绍，标签和

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<sup>251</sup> OJ L 139, 30.4.2004, p.

<sup>252</sup> 206。

<sup>253</sup> OJ L 268, 1991 年 2 月 4

<sup>254</sup> 日，第 1 页。56。

<sup>255</sup> OJ L 24, 1998 年 1 月 30

<sup>256</sup> 日，第 2 页。9。

<sup>257</sup> OJ L 224, 18.8.1990, 第 2

<sup>258</sup> 页。29。

<sup>259</sup> OJ L 395, 1989 年 12 月 30



保护加香酒产品的地理标志并废除理事会条例 (EEC) 第 1601/91 号<sup>260</sup>

- 欧洲议会和理事会于 2013 年 12 月 17 日发布的第 1308/2013 号条例 (EU) 第二部分第二章第一章的第 2 节和第 3 节，建立了农产品市场的共同组织并废除了理事会条例 (EEC) ) 922/72 号，(欧洲经济共同体) 234/79 号，(EC) 1037/2001 号和 (EC) 1234/2007 号<sup>261</sup>
- 欧洲议会和欧盟理事会 2013 年 6 月 12 日第 608/2013 号实施细则，关于海关执法知识产权和废除第 1383/2003 号理事会实施细则<sup>262</sup>

#### 46. 渔业和水产养殖

- 1985 年 12 月 23 日的委员会法规 (EEC) 第 3703/85 号，规定了对某些新鲜或冷藏鱼实施通用销售标准的详细规则<sup>263</sup>
- 理事会条例 (EEC) 1989 年 6 月 21 日第 2136/89 号，规定了沙丁鱼皮的通用营销标准以及沙丁鱼和沙丁鱼型产品的商品说明<sup>264</sup>
- 1992 年 6 月 9 日的理事会法规 (EEC) 第 1536/92 号，规定了金枪鱼和鱼皮的通用销售标准<sup>265</sup>
- 理事会条例 1996 年 11 月 26 日第 2406/96 号，规定了某些渔业产品的通用销售标准<sup>266</sup>
- 理事会条例 1998 年 3 月 30 日第 (EC) 850/98 号，关于通过有关保护海洋生物少年的技术措施来保护渔业资源<sup>267</sup>，涉及与海洋生物最小尺寸有关的规定
- 2009 年 11 月 20 日第 (EC) 1224/2009 号理事会条例，建立社区控制系统以确保遵守共同渔业政策规则，并对第 (EC) 847/96 号条例，(EC) 第 2371/2002 号条例进行修订，) 811/2004 号，(EC) 768/2005 号，(EC) 2115/2005 号，(EC) 2166/2005 号，(EC) 388/2006 号，(EC) 509/2007 号，(EC) 号 676/2007，(EC) No 1098/2007，(EC) No 1300/2008，(EC) No 1342/2008 和废除 (EEC) No 2847/93，(EC) No 1627/94 和 (EC) No 1966/2006<sup>268</sup> 的规定，涉及与营销标准有关的规定

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<sup>260</sup> OJ L 84, 2014 年 3 月 20 日，第 1 页。14。

<sup>261</sup> OJ L 347, 2013 年 12 月 20 日，第 3 页。671。

<sup>262</sup> OJ L 181, 2013 年 2 月 9 日，第 3 页。15

<sup>263</sup> OJ L 351, 1985 年 12 月 28

<sup>264</sup> 日，第 1 页。63。

<sup>265</sup> OJ L 212, 1989 年 2 月 2

<sup>266</sup> 日，第 1 页。79。

<sup>267</sup> OJ L 163, 17.6.1992, p。

<sup>268</sup> 1。

- 欧洲议会和理事会于 2013 年 12 月 11 日发布的关于渔业和水产养殖产品市场共同组织的第 (EU) 1379/2013 号条例，修改了第 (EC) 1184/2006 和 (EC) 1224/2009 号条例并就涉及营销标准和消费者信息的规定废除理事会 (EC) 第 104/2000<sup>269</sup> 号条例
- 欧洲议会和理事会于 2013 年 12 月 11 日颁布的关于共同渔业政策的 (EU) No 1380/2013，修改理事会 (EC) No 1954/2003 和 (EC) No 1224/2009 的规定，并废除理事会的规定 (EC ) 第 2371/2002 号和 (EC) 第 639/2004 号以及理事会第 2004/585 / EC<sup>270</sup> 号决定，涉及与渔业和水产养殖产品销售标准有关的规定
- 2008 年 9 月 29 日第 (EC) 1005/2008 号理事会条例，建立社区体系以预防，制止和消除非法，未报告和不管制捕鱼，并修改 (EEC) 第 2847/93 号， (EC) 第 1936/2001 号和 (EC ) 第 601/2004 号和废除 (EC) 第 1093/94 号和 (EC) 第 1447/1999 号<sup>271</sup>
- 2001 年 5 月 22 日第 (EC) 1035/2001 号理事会实施细则，关于 *Dissostichus spp.*<sup>272</sup> 的捕获文件计划
- 欧洲议会和理事会 2010 年 7 月 7 日第 640/2010 号条例，关于建立蓝鳍金枪鱼金枪鱼捕捞文件计划，并修订第 1984/2003 号理事会条例<sup>273</sup>
- 2007 年 9 月 18 日第 (EC) 1100/2007 号理事会条例，关于建立欧洲鳗鱼库存回收措施<sup>274</sup>

#### 47. 其他

- 欧洲议会和理事会 2013 年 12 月 17 日第 (EU) 1308/2013 号条例的第三部分，建立农产品市场的共同组织并废除理事会 (EEC) 922/72 号 (EEC) 234 号/ 79， (EC) No 1037/2001 和 (EC) No 1234/2007<sup>275</sup>，但第六章除外
- 1995 年 12 月 20 日第 (EC) 2964/95 号理事会实施细则，关于在共同体内输入和输出原油进行注册<sup>276</sup>
- 2004 年 12 月 6 日理事会法规 (EC) 2182/2004，类似于类似于欧元硬币的奖章和代币<sup>277</sup>

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<sup>269</sup> OJ L 354, 2013 年 12 月 28 日, 第 3 页。1。  
<sup>270</sup> OJ L 354, 2013 年 12 月 28 日, 第 3 页。22  
<sup>271</sup> OJ L 286, 2008 年 10 月 29 日, 第 3 页。1。

<sup>272</sup> OJ L 145, 2001 年 3 月 3  
<sup>273</sup> 日, 第 1 页。1。  
<sup>274</sup> OJ L 194, 24.7.2010, p。  
<sup>275</sup> 1。  
<sup>276</sup> OJ L 248, 22.9.2007, p。  
<sup>277</sup> 17。

- 欧洲议会和理事会 2005 年 10 月 26 日第 (EC) 1889/2005 号条例，关于控制进出共同体的现金<sup>278</sup>
- 欧洲议会和理事会于 2014 年 4 月 3 日发布的 2014/40 / EU 指令，该指令近似于成员国在烟草，相关产品的生产，展示和销售方面的法律，法规和行政规定，并废除了指令 2001 / 37 / EC<sup>279</sup>
- 理事会条例 2008 年 12 月 18 日第 (EC) 116/2009 号，关于文化产品的出口<sup>280</sup>
- 欧洲议会和理事会 2014 年 5 月 15 日第 2014/60 / EU 号指令，关于归还非法从成员国领土移走的文物和修订法规 (EU) No 1024/2012<sup>281</sup>
- 1969 年 12 月 15 日理事会指令 69/493 / EEC，该指令与成员国有关水晶玻璃的法律近似<sup>282</sup>
- 2009 年 5 月 5 日第 428/2009 号理事会条例，建立共同体制度，以控制两用物品的出口，转移，代理和中转<sup>283</sup>
- 1991 年 6 月 18 日理事会指令 91/477 / EEC，关于控制武器的获取和拥有<sup>284</sup>
- 欧洲议会和理事会 2012 年 3 月 14 日第 (EU) 258/2012 号实施细则，实施联合国打击非法制造和贩运枪支及其零部件和弹药的补充议定书第十条，以补充《联合国公约》打击跨国有组织犯罪（联合国枪支议定书），并为枪支及其零部件和弹药建立出口授权以及进口和过境措施<sup>285</sup>
- 欧洲议会和理事会于 2009 年 5 月 6 日发布的指令 2009/43 / EC 简化了共同体内与国防相关的产品的转让条款和条件<sup>286</sup>
- 2005 年 6 月 27 日理事会条例 (EC) 第 1236/2005 号，其中涉及某些可用于死刑，酷刑或其他残忍，不人道或有辱人格的待遇或处罚的商品贸易<sup>287</sup>

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<sup>278</sup> OJ L 309, 2005 年 11 月 25 日, 第 2 页。9。

<sup>279</sup> OJ L 127, 2014 年 9 月 29 日, 第 1。

<sup>280</sup> OJ L 39, 2009 年 2 月 10 日, 第 1 页。1。

<sup>281</sup> OJ L 159, 2014 年 2 月 2 日, 第 3 页。1。

<sup>282</sup> OJ L 326, 1969 年 12 月 29 日, 第 1 页。36。

<sup>283</sup> OJ L 134, 29.5.2009, p. 1。

<sup>284</sup> OJ L 256, 1991 年 1 月 1 日, 第 51。

<sup>285</sup> OJ L 94, 2012 年 3 月 30 日, 第 1 页。1。

<sup>286</sup> OJ L 146, 2009 年 6 月 10 日, 第 1 页。1。

- 2002 年 12 月 20 日第 (EC) 2368/2002 号理事会实施细则，针对国际毛坯钻石贸易实施金伯利进程证书制度<sup>288</sup>
  - 根据 TFEU 第 215 条而生效的限制性措施，只要这些措施与联盟与第三国之间的货物贸易有关
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## 第 8 条所述的联盟法规定

### 1. 增值税<sup>1</sup>

- 2006 年 11 月 28 日理事会指令 2006/112 / EC，关于共同增值税制度<sup>2</sup>
- 2008 年 2 月 12 日的理事会指令 2008/9 / EC 规定了 2006/112 / EC 指令中针对未在退款成员国中建立但在另一成员国中建立的应纳税人的增值税退还的详细规则<sup>3</sup>
- 2010 年 10 月 7 日理事会条例 (EU) 第 904/2010 号，关于增值税领域的行政合作和打击欺诈<sup>4</sup>
- 2010 年 3 月 16 日理事会指令 2010/24 / EU，关于为寻求与税收，关税和其他措施有关的索赔提供互助<sup>5</sup>
- 1986 年 11 月 17 日理事会第 13 号指令 86/560 / EEC，关于统一成员国与流转税有关的法律-将增值税退还给不在共同体领土内建立的应税人员的安排<sup>6</sup>
- 2007 年 12 月 20 日理事会指令 2007/74 / EC，关于免征从第三国旅行的人进口的商品的增值税和消费税<sup>7</sup>
- 2009 年 10 月 19 日理事会指令 2009/132 / EC，确定指令 2006/112 / EC 第 143 (b) 和 (c) 条的范围，涉及某些商品最终进口免征增值税<sup>8</sup>
- 2006 年 10 月 5 日理事会指令 2006/79 / EC，关于免征从第三国进口的非商业性小货物货物的进口税<sup>9</sup>
- 欧盟与挪威王国之间关于行政合作，打击欺诈和追回增值税领域索偿要求的协议所产生的义务<sup>10</sup>

<sup>1</sup> 本附件中的标题和副标题仅是示意性的。

<sup>2</sup> OJ L 347, 2006 年 12 月 11 日, 第 1 页。1。

<sup>3</sup> OJ L 44, 2008 年 2 月 20 日, 第 1 页。23。

<sup>4</sup> OJ L 268, 2010 年 10 月 12 日, 第 1 页。1。

<sup>5</sup> OJ L 84, 31.3.2010, p. 1。

<sup>6</sup> OJ L 326, 1986 年 11 月 21。40

<sup>7</sup> OJ L 346, 2007 年 12 月 29 日, 第 3 页。6。

<sup>8</sup> OJ L 292, 2009 年 11 月 10 日, 第 1 页。5,

<sup>9</sup> OJ L 286, 2006 年 10 月 17 日, 第 1 页。15

<sup>10</sup> OJ L 195, 2018 年 1 月

- 一方面是欧洲共同体与其成员国之间的合作协议产生的义务，另一方面是瑞士联邦制产生的为打击欺诈和任何其他非法活动而损害其经济利益的义务<sup>11</sup>

## 2. 消费税

- 2008 年 12 月 16 日理事会指令 2008/118 / EC，关于消费税和废除指令 92/12 / EEC<sup>12</sup> 的一般安排
- 2012 年 5 月 2 日理事会条例 (EU) 第 389/2012 号，关于消费税领域的行政合作和废除条例 (EC) 第 2073/2004 号<sup>13</sup>
- 2010 年 3 月 16 日理事会指令 2010/24 / EU，关于为寻求与税收，关税和其他措施有关的索赔提供互助<sup>14</sup>
- 1992 年 10 月 19 日理事会指令 92/83 / EEC，关于统一酒精和酒精饮料消费税的结构<sup>15</sup>
- 1992 年 10 月 19 日理事会指令 92/84 / EEC，该指令近似于酒精和酒精饮料的消费税税率<sup>16</sup>
- 2011 年 6 月 21 日理事会指令 2011/64 / EU，关于对制成烟草征收消费税的结构和税率<sup>17</sup>
- 2003 年 10 月 27 日理事会指令 2003/96 / EC 调整了能源产品和电力税的共同体框架<sup>18</sup>
- 1995 年 11 月 27 日理事会指令 95/60 / EC，有关瓦斯油和煤油的财务标记<sup>19</sup>
- 欧洲议会和理事会 2003 年 6 月 16 日第 1152/2003 / EC 号决定，关于将应税产品的移动和监视计算机化<sup>20</sup>
- 2007 年 12 月 20 日理事会指令 2007/74 / EC，关于免征从第三国旅行的人进口的商品的增值税和消费税<sup>21</sup>
- 2006 年 10 月 5 日理事会指令 2006/79 / EC，关于免征从第三国进口的非商业性小货物货物的进口税<sup>22</sup>

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<sup>11</sup> OJ L 46, 2009 年 2 月 17 日, 第 2 页。8。

<sup>12</sup> OJ L 9, 14.1.2009, p. 12

<sup>13</sup> OJ L 121, 8.5.2012, 第 1。

<sup>14</sup> OJ L 84, 31.3.2010, p. 1。

<sup>15</sup> OJ L 316, 1992 年 10 月 31 日, 第 3 页。21

<sup>16</sup> OJ L 316, 1992 年 10 月 31 日, 第 3 页。29。

<sup>17</sup> OJ L 176, 5.7.2011, p. 24

<sup>18</sup> OJ L 283, 31.10.2003, p. 51。

<sup>19</sup> OJ L 291, 1995 年 12 月 6 日, 第 1 页。46。

<sup>20</sup> OJ L 162, 1.7.2003, p. 5,

<sup>21</sup> OJ L 346, 2007 年 12 月 29

<sup>22</sup> 日, 第 3 页。6。

第 9 条所述的联盟法规定

以下法律应适用于北爱尔兰并在英国适用，适用于发电，输电，配电和供电，批发电力交易或电力跨界交换。

与零售市场和消费者保护有关的规定不适用。在本附件所列法案中提及另一联盟法案的规定时，除非该规定不适用于英国和北爱尔兰，否则该规定不适用于该规定，除非该规定是针对批发电力市场的规定这适用于爱尔兰，对于爱尔兰和北爱尔兰的单一批发电力市场的联合运营是必不可少的。

- 欧洲议会和理事会 2009 年 7 月 13 日指令 2009/72 / EC，有关电力内部市场的通用规则并废除指令 2003/54 / EC<sup>1</sup>
- 欧洲议会和理事会于 2009 年 7 月 13 日颁布的 (EC) 714/2009 号条例，关于跨境用电交流的网络接入条件和废除条例 (EC) 第 1228/2003 号<sup>2</sup>
- 欧洲议会和理事会 2009 年 7 月 13 日第 713/2009 号实施细则，关于建立能源调节器合作机构<sup>3</sup>
- 欧洲议会和理事会于 2006 年 1 月 18 日发布的第 2005/89 / EC 号指令，关于保护电力供应和基础设施投资的安全<sup>4</sup>
- 欧洲议会和理事会 2011 年 10 月 25 日第 (EU) 1227/2011 号条例，关于批发能源市场的完整性和透明度<sup>5</sup>
- 欧洲议会和理事会 2010 年 11 月 24 日指令 2010/75 / EU，关于工业排放（综合污染预防和控制）<sup>6</sup>
- 欧洲议会和理事会于 2003 年 10 月 13 日发布的指令 2003/87 / EC，建立了欧盟内部的温室气体排放配额交易系统，并修改了理事会指令 96/61 / EC<sup>7</sup>

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<sup>1</sup> OJ L 211, 14.8.2009, 第 55。

<sup>2</sup> OJ L 211, 14.8.2009, 第 15

<sup>3</sup> OJ L 211, 14.8.2009, 第 1。

<sup>4</sup> OJ L 33, 4.2.2006, p. 22

<sup>5</sup> OJ L 326, 2011 年 12 月 8 日, 第 2 页。1。

<sup>6</sup> OJ L 334, 2010 年 12 月 17

<sup>7</sup> 日, 第 1 页。17。

第 10 条第 1 款提及的联盟法  
规定

1. TFEU<sup>1</sup> 中的国家援助规则

- TFEU 第 107、108 和 109 条
- TFEU 第 106 条，涉及国家援助
- TFEU 第 93 条

2. 指援助概念的行为

- 关于国家援助概念的委员会通知<sup>2</sup>
- 委员会关于将欧盟国家援助规则适用于为提供具有一般经济利益的服务而给予的赔偿的适用的来函<sup>3</sup>
- 关于将《欧盟条约》第 87 条和第 88 条适用于担保形式的国家援助的委员会通知<sup>4</sup>

3. 集体豁免条例

3.1 加强监管

- 2015 年 7 月 13 日理事会指令 (EU) 2015/1588，关于将《欧洲联盟功能条约》第 107 和 108 条适用于某些类别的水平国家援助<sup>5</sup>

3.2 一般集体豁免条例

- 2014 年 6 月 17 日的 (EU) 第 651/2014 号欧盟委员会实施细则，在实施条约的第 107 条和第 108 条时，声明了与内部市场兼容的某些类别的援助<sup>6</sup>

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<sup>1</sup> 本附件中的标题和副标题仅是示意性的。

<sup>2</sup> OJ C 262, 2016 年 9 月 19 日, 第 1。

<sup>3</sup> OJ C 8, 2012 年 1 月 1 日, 第 4。

<sup>4</sup> OJ C 155, 2008 年 6 月 2 日, 第 1 页。10。

<sup>5</sup> OJ L 248, 2015 年 4 月 2

<sup>6</sup> 日, 第 3 页。1。



### 3.3 部门集体豁免条例

- 2014 年 6 月 25 日第 (EU) 702/2014 号欧盟委员会条例，在适用《欧洲联盟运作条约》第 107 和 108 条的情况下，向农业和林业部门以及与内部市场相适应的农村地区提供某些类别的援助<sup>7</sup>
- 2014 年 12 月 16 日的 (EU) 第 1388/2014 号欧盟委员会条例，针对适用于国际市场的《条约》第 107 条和第 108 条，向从事与国内市场相适应的渔业和水产养殖产品的生产，加工和销售的企业提供了某些类别的援助欧盟的职能<sup>8</sup>
- 欧洲议会和理事会于 2007 年 10 月 23 日发布的 (EC) 第 1370/2007 号条例，关于铁路和公路公共客运服务，并废除了第 1191/69 和 1107/70<sup>9</sup>号理事会条例
- 委员会关于铁路和公路公共客运服务的法规 (EC) 第 1370/2007 号的解释性说明的来文<sup>10</sup>
- 2011 年 12 月 20 日委员会决定，关于将《欧洲联盟的职能运作条约》第 106 条第 (2) 款以公共服务补偿的形式适用于授予某些受委托经营一般经济利益的企业的国家援助<sup>11</sup>

### 3.4 最低援助规定

- 2013 年 12 月 18 日第 (EU) 1407/2013 号委员会实施细则，关于实施《欧洲联盟以最低限度的援助发挥作用的条约》第 107 条和第 108 条<sup>12</sup>
- 2012 年 4 月 25 日第 (EU) 360/2012 号委员会实施细则，关于实施《欧洲联盟功能条约》第 107 条和第 108 条，以尽量减少向提供一般经济利益服务的企业提供的援助<sup>13</sup>

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<sup>7</sup> OJ L 193, 1.7.2014, p. 1。

<sup>8</sup> OJ L 369, 2014 年 12 月 24 日，第 2 页。37。

<sup>9</sup> OJ L 315, 2007 年 12 月 3 日，第 1。

<sup>10</sup> OJ C 92, 2014 年 3 月 29 日，第 2 页。1。

<sup>11</sup> OJ L 7, 2012 年 1 月 11 日，第 1 页。3。

<sup>12</sup> OJ L 352, 2013 年 12 月

<sup>13</sup> 24 日，第 3 页。1。

- 2013 年 12 月 18 日第 (EU) 1408/2013 号委员会实施细则，关于实施《欧洲联盟的职能以减少对农业部门的援助的条约》第 107 条和第 108 条<sup>14</sup>
- 2014 年 6 月 27 日第 (EU) 717/2014 号委员会实施细则，关于实施《欧洲联盟功能条约》对渔业和水产养殖部门的最小限度援助<sup>15</sup>

#### 4. 程序规则

- 2015 年 7 月 13 日的 (EU) 2015/1589 理事会条例，为实施《欧洲联盟功能条约》第 108 条规定了详细规则<sup>16</sup>
- 2004 年 4 月 21 日第 794/2004 号委员会条例，执行第 659/1999 号理事会条例，为实施 EC 条约第 93 条规定了详细规则<sup>17</sup>
- 委员会的通知-为了有效执行委员会的命令，要求成员国收回非法和不相容的国家援助<sup>18</sup>
- 关于确定评估非法国家援助的适用规则的委员会通知<sup>19</sup>
- 关于国家法院执行国家援助法的委员会通知<sup>20</sup>
- 委员会关于修订参考和贴现率设置方法的来信<sup>21</sup>
- 委员会的来文-实施国家援助控制程序的最佳实践守则<sup>22</sup>
- 2003 年 12 月 1 日委员会关于国家保密的专业保密决定的 C (2003) 4582 号通讯<sup>23</sup>

<sup>14</sup> OJ L 352, 2013 年 12 月 24 日, 第 3 页。9。

<sup>15</sup> OJ L 190, 28.6.2014, 第 45。

<sup>16</sup> OJ L 248, 2015 年 4 月 2 日, 第 3 页。9。

<sup>17</sup> OJ L 140, 2004 年 3 月 3 日, 第 1 页。1。

<sup>18</sup> OJ C 272, 2007 年 11 月 15 日, 第 1 页。4。

<sup>19</sup> OJ C 119, 22.5.2002, 第 22

<sup>20</sup> OJ C 85, 9.4.2009, p. 1。

<sup>21</sup> OJ C 14, 19.1.2008, p. 6。

<sup>22</sup> OJ C 253, 2018 年 9 月 19 日, 第 14。

## 5. 相容性规则

### 5.1 欧洲共同利益的重要项目

- 委员会的来文-分析与国家援助与内部市场的兼容性的标准，以促进执行具有欧洲共同利益的重要项目<sup>24</sup>

### 5.2 农业援助

- 欧洲联盟《2014年至2020年农业，林业和农村地区国家援助指南》<sup>25</sup>

### 5.3 渔业和水产养殖援助

- 委员会的来文-渔业和水产养殖业国家援助审查指南<sup>26</sup>

### 5.4 区域援助

- 2014-2020年区域国家援助指南<sup>27</sup>

### 5.5 研究开发与创新援助

- 委员会的来信-国家研究与开发和创新援助框架<sup>28</sup>

### 5.6 风险资本援助

- 欧盟委员会的来信-关于促进风险融资投资的国家援助指南<sup>29</sup>

### 5.7 救援和重组援助

- 欧盟委员会的来信-救助和重组困难非金融企业的国家援助指南<sup>30</sup>

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<sup>24</sup> OJ C 188, 2014年6月2日, 第4。

<sup>25</sup> OJ C 204, 2014年1月1.7页。1。

<sup>26</sup> OJ C 217, 2.7.2015, p. 1。

<sup>27</sup> OJ C 209, 2013年3月2日, 第1页。1。

<sup>28</sup> OJ C 198, 2014年2月2日, 第3页。1。

<sup>29</sup> OJ C 19, 2014年1月22日, 第2页。4。

## 5.8 训练辅助

- 委员会的来文-分析国家援助对培训的适应性的标准，但须另行通知<sup>31</sup>

## 5.9 就业援助

- 委员会的来文-分析受弱势和残疾工人雇用的国家援助的兼容性标准，需另行通知<sup>32</sup>

## 5.10 应对经济和金融危机的临时规则

- 委员会关于自 2013 年 8 月 1 日起适用国家援助规则以支持在金融危机背景下有利于银行的措施的函件<sup>33</sup>
- 委员会关于共同体银行业减值资产的处理的函件<sup>34</sup>
- 委员会根据国家援助规则就当前危机中金融业恢复生存能力和评估重组措施的沟通<sup>35</sup>

## 5.11 出口信用保险

- 委员会就适用《欧洲联盟职能条约》第 107 条和第 108 条适用于短期出口信贷保险向成员国发送的函件<sup>36</sup>

## 5.12 能源与环境 5.12.1 环境与能

### 源

- 欧盟委员会的来信-《2014-2020 年国家环境保护和能源援助指南》<sup>37</sup>
- 委员会的来文-2012 年后温室气体排放配额交易计划中的某些国家援助措施指南<sup>38</sup>

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<sup>31</sup> OJ C 188, 2009 年 1 月 1 日, 第 1 页。1。

<sup>32</sup> OJ C 188, 2009 年 1 月 1 日, 第 1 页。6。

<sup>33</sup> OJ C 216, 2013 年 7 月 3 日, 第 1 页。1。

<sup>34</sup> OJ C 72, 2009 年 3 月 26 日, 第 2 页。1。

<sup>35</sup> OJ C 195, 2009 年 8 月 19 日, 第 1 页。9。

<sup>36</sup> OJ C 392, 2012 年 12 月 19 日, 第 3 页。1。

<sup>37</sup> OJ C 200, 2014 年 2 月 2 日, 第 3 页。1。

<sup>38</sup> OJ C 158, 5.6.2012,

### 5.12.2 电力（搁浅费用）

- 有关与滞留费用相关的国家援助分析方法的委员会通讯<sup>39</sup>

### 5.12.3 煤

- 2010 年 12 月 10 日理事会决定，关于为关闭无竞争能力的煤矿提供国家援助<sup>40</sup>

## 5.13 基础工业和制造业（钢铁）

- 委员会就 ECSC 条约期满导致的竞争案件处理的某些方面的来文<sup>41</sup>

## 5.14 邮政服务

- 委员会关于将竞争规则应用于邮政部门以及评估与邮政有关的某些国家措施的通知<sup>42</sup>

## 5.15 视听，广播和宽带 5.15.1 视听制作

- 电影和其他视听作品国家援助委员会的来文<sup>43</sup>

### 5.15.2 广播

- 委员会关于将国家援助规则应用于公共服务广播的来文<sup>44</sup>

### 5.15.3 宽带网络

- 委员会的来文-与快速部署宽带网络有关的国家援助规则的应用指南<sup>45</sup>

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<sup>39</sup> [http://ec.europa.eu/competition/state\\_aid/legislation/stranded\\_costs\\_en.pdf](http://ec.europa.eu/competition/state_aid/legislation/stranded_costs_en.pdf)

<sup>40</sup> OJ L 336, 2010 年 12 月 21 日, 第 2 页。24

<sup>41</sup> OJ C 152, 2002 年 6 月 26 日, 第 5,

<sup>42</sup> OJ C 39, 6.2.1998, p. 2。

<sup>43</sup> OJ C 332, 2013 年 11 月

<sup>44</sup> 15 日, 第 1 页。1。

<sup>45</sup> OJ C 257, 2009 年 10 月

## 5.16 运输和基础设施

- 委员会的来文-铁路企业国家援助社区准则<sup>46</sup>
- 国家对海上运输的援助的准则<sup>47</sup>
- 委员会的来文，提供了关于国家援助的指导，以补充共同体为启动海洋高速公路而提供的资金<sup>48</sup>
- 委员会的来文，提供了对船舶管理公司的国家援助指南<sup>49</sup>
- 委员会的来文-国家对机场和航空公司的援助指南<sup>50</sup>

## 5.17 具有一般经济意义的服务（SGEI）

- 委员会的来文-以公共服务补偿形式提供的欧盟国家援助框架<sup>51</sup>

## 6. 会员国与公共事业之间财务关系的透明度

- 2006 年 11 月 16 日委员会指令 2006/111 / EC，关于成员国与公共事业之间财务关系的透明度以及某些事业内部的财务透明度<sup>52</sup>

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<sup>46</sup> OJ C 184, 22. 7. 2008, p. 13

<sup>47</sup> OJ C 13, 2004 年 1 月 17. 3。

<sup>48</sup> OJ C 317, 2008 年 12 月 12 日, 第 1 页。10。

<sup>49</sup> OJ C 132, 2009 年 6 月 1 日, 第 1 页。6。

<sup>50</sup> OJ C 99, 2014 年 4 月 4 日, 第 1 页。3。

<sup>51</sup> OJ C 8, 2012 年 1 月 1 日, 第 15

<sup>52</sup> OJ L 318, 17. 11. 2006, p. 17。

### 第 10 条第 2 款提及的程序

联合委员会应根据可获得的最新信息，确定第 10 条第（2）款所指的初始最大免税总体年度支持水平和初始最小百分比。最初的最大免税总体年度支持水平应根据联合王国未来农业支持计划的设计以及当前 2014-2014 年 MFF 下共同农业政策在北爱尔兰的总支出总额的年均平均值来告知。2020 年。最初的最低百分比应通过联合王国的农业支持计划的设计以及联盟的共同农业政策下的总支出与《世界贸易组织农业协定》附件 2 的规定相符的百分比来确定。通知有关期间。

联合委员会应调整联合王国农业支持计划的设计所告知的第一段所指的支持水平和百分比，以适应未来每两年一次根据联盟《共同农业政策》可获得的支持总量的任何变化。财务框架。

如果联合委员会未能按照第一款确定最初的支持水平和百分比，或者未能按照第二款来调整支持水平和百分比，则在过渡期结束之前或在一年之内在未来的多年期财务框架（视情况而定）生效之前，应暂停执行第 10 条第 2 款，直到联合委员会确定或调整支持水平和百分比。

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第 16 条第 3 款提及的程序

1. 如果联盟或联合王国考虑根据本议定书第 16 条第 (1) 款采取保障措施，则应立即通过联合委员会通知联盟或联合王国（视情况而定），并提供相关信息。
  2. 联盟和联合王国应立即在联合委员会中进行磋商，以期找到普遍接受的解决方案。
  3. 联盟或联合王国（视情况而定）可能直到第 1 点的通知之日起 1 个月后才采取保障措施，除非在州限制期满之前已经完成了第 2 点的协商程序。如果需要立即采取行动的特殊情况不包括事先审查，则欧盟或联合王国（视情况而定）可以立即采取为纠正这种情况而严格必要的保护措施。
  4. 联盟或联合王国视情况而定，应立即将采取的措施通知联合委员会，并提供所有相关信息。
  5. 采取的保障措施应自通过之日起每三个月在联合委员会进行磋商，以期在设想的失效日期之前予以废除，或限制其适用范围。联盟或联合王国视情况而定，可随时要求联合委员会审查此类措施。
  6. 第 1 至第 5 点应作必要的变通，适用于本议定书第 16 条第 2 款所指的平衡措施。
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在谈判人员一级商定的《爱尔兰/北爱尔兰议定书》修订之后，对《退出协议》进行了技术调整

*第 184 条*  
关于未来关系的谈判

欧盟和联合王国应本着诚意并充分遵守各自的法律命令，尽最大努力，采取必要步骤，迅速谈判 10 月 [XX 日] 政治宣言中提及的有关其未来关系的协定 2019 年，并执行批准或缔结这些协定的有关程序，以确保从过渡时期结束起尽可能适用这些协定。

第 185 条  
生效与适用

[...]

《爱尔兰/北爱尔兰议定书》自过渡时期结束起适用，但该议定书的下列规定自本协定生效之日起适用：

- 第 1 条；
- 第 5 条第 2 款的第三，第四和第六项；
- 第 5 条第 (3) 款第二句；
- 第 10 条第 2 款的最后一句；
- 第 12 条第 3 款；
- 第 13 条第 8 款；
- 第十四条；
- 第 15 (1) 至 (4) 和 (6) 条；
- 第十九条；
- 附件 6 第一段。 [...]

17 October 2019

TF50 (2019) 64 – Commission to EU 27

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**Subject:** Revised texts agreed at negotiators' level for:

- The **Protocol on Ireland/Northern Ireland** included in the Withdrawal Agreement and the consequential technical adaptations to **Article 184 “Negotiations on the future relationship”** and **Article 185 “Entry into force and application”** of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (“Withdrawal Agreement”).

These revised texts are:

- Intended to **replace the corresponding provisions included in the last version of the Withdrawal Agreement published in OJ C144 I of 25.4.2019;**
- Subject to legal revision.

**Origin:** European Commission, Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 TEU.

**Published on the TF50 website on 17 October 2019**

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## **PROTOCOL ON IRELAND/NORTHERN IRELAND**

The Union and the United Kingdom,

HAVING REGARD to the historic ties and enduring nature of the bilateral relationship between Ireland and the United Kingdom,

RECALLING that the United Kingdom's withdrawal from the Union presents a significant and unique challenge to the island of Ireland, and reaffirming that the achievements, benefits and commitments of the peace process will remain of paramount importance to peace, stability and reconciliation there,

RECOGNISING that it is necessary to address the unique circumstances on the island of Ireland through a unique solution in order to ensure the orderly withdrawal of the United Kingdom from the Union,

AFFIRMING that the Good Friday or Belfast Agreement of 10 April 1998 between the Government of the United Kingdom, the Government of Ireland and the other participants in the multi-party negotiations (the '1998 Agreement'), which is annexed to the British-Irish Agreement of the same date (the 'British-Irish Agreement'), including its subsequent implementation agreements and arrangements, should be protected in all its parts,

RECOGNISING that cooperation between Northern Ireland and Ireland is a central part of the 1998 Agreement and is essential for achieving reconciliation and the normalisation of relationships on the island of Ireland, and recalling the roles, functions and safeguards of the Northern Ireland Executive, the Northern Ireland Assembly and the North-South Ministerial Council (including cross-community provisions), as set out in the 1998 Agreement,

NOTING that Union law has provided a supporting framework for the provisions on Rights, Safeguards and Equality of Opportunity of the 1998 Agreement,

RECOGNISING that Irish citizens in Northern Ireland, by virtue of their Union citizenship, will continue to enjoy, exercise and have access to rights, opportunities and benefits, and that this Protocol should respect and be without prejudice to the rights, opportunities and identity that come with citizenship of the Union for the people of Northern Ireland who choose to assert their right to Irish citizenship, as defined in Annex 2 of the British-Irish Agreement 'Declaration on the Provisions of Paragraph (vi) of Article 1 in Relation to Citizenship',

EMPHASISING that in order to ensure democratic legitimacy, there should be a process to ensure democratic consent in Northern Ireland to the application of Union law under this Protocol,

RECALLING the commitment of the United Kingdom to protect North-South cooperation and its guarantee of avoiding a hard border, including any physical infrastructure or related checks and controls,

NOTING that nothing in this Protocol prevents the United Kingdom from ensuring unfettered market access for goods moving from Northern Ireland to the rest of the United Kingdom's internal market,

UNDERLINING the Union's and the United Kingdom's shared aim of avoiding controls at the ports and airports of Northern Ireland, to the extent possible in accordance with applicable legislation and taking into account their respective regulatory regimes as well as the implementation thereof,

RECALLING the commitments of the Union and the United Kingdom reflected in the Joint Report from the negotiators of the European Union and the United Kingdom Government on progress during phase 1 of negotiations under Article 50 TEU on the United Kingdom's orderly withdrawal from the European Union of 8 December 2017,

RECALLING that the Union and the United Kingdom have carried out a mapping exercise which shows that North-South cooperation relies to a significant extent on a common Union legal and policy framework,

NOTING that therefore the United Kingdom's withdrawal from the Union gives rise to substantial challenges to the maintenance and development of North-South cooperation,

RECALLING that the United Kingdom remains committed to protecting and supporting continued North-South and East-West cooperation across the full range of political, economic, security, societal and agricultural contexts and frameworks for cooperation, including the continued operation of the North-South implementation bodies,

ACKNOWLEDGING the need for this Protocol to be implemented so as to maintain the necessary conditions for continued North-South cooperation, including for possible new arrangements in accordance with the 1998 Agreement,

RECALLING the Union's and the United Kingdom's commitments to the North South PEACE and INTERREG funding programmes under the current multi-annual financial framework and to the maintaining of the current funding proportions for the future programme,

AFFIRMING the commitment of the United Kingdom to facilitate the efficient and timely transit through its territory of goods moving from Ireland to another Member State or to a third country, and vice versa,

DETERMINED that the application of this Protocol should impact as little as possible on the everyday life of communities in both Ireland and Northern Ireland,

UNDERLINING their firm commitment to no customs and regulatory checks or controls and related physical infrastructure at the border between Ireland and Northern Ireland,

RECALLING that Northern Ireland is part of the customs territory of the United Kingdom and will benefit from participation in the United Kingdom's independent trade policy,

HAVING REGARD to the importance of maintaining the integral place of Northern Ireland in the United Kingdom's internal market,

MINDFUL that the rights and obligations of Ireland under the rules of the Union's internal market and customs union must be fully respected,

HAVE AGREED UPON the following provisions, which shall be annexed to the Withdrawal Agreement:

*Article 1*  
*Objectives*

1. This Protocol is without prejudice to the provisions of the 1998 Agreement in respect of the constitutional status of Northern Ireland and the principle of consent, which provides that any change in that status can only be made with the consent of a majority of its people.
2. This Protocol respects the essential State functions and territorial integrity of the United Kingdom.
3. This Protocol sets out arrangements necessary to address the unique circumstances on the island of Ireland, to maintain the necessary conditions for continued North-South cooperation, to avoid a hard border and to protect the 1998 Agreement in all its dimensions.

*Article 2*  
*Rights of individuals*

1. The United Kingdom shall ensure that no diminution of rights, safeguards or equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity results from its withdrawal from the Union, including in the area of protection against discrimination, as enshrined in the provisions of Union law listed in Annex 1 to this Protocol, and shall implement this paragraph through dedicated mechanisms.
2. The United Kingdom shall continue to facilitate the related work of the institutions and bodies set up pursuant to the 1998 Agreement, including the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland and the Joint Committee of representatives of the Human Rights Commissions of Northern Ireland and Ireland, in upholding human rights and equality standards.

*Article 3*  
*Common Travel Area*

1. The United Kingdom and Ireland may continue to make arrangements between themselves relating to the movement of persons between their territories (the 'Common Travel Area'), while fully respecting the rights of natural persons conferred by Union law.
2. The United Kingdom shall ensure that the Common Travel Area and the rights and privileges associated therewith can continue to apply without affecting the obligations of Ireland under Union law, in particular with respect to free movement to, from and within Ireland for Union citizens and their family members, irrespective of their nationality.

*Article 4*  
*Customs territory of the United Kingdom*

Northern Ireland is part of the customs territory of the United Kingdom.

Accordingly, nothing in this Protocol shall prevent the United Kingdom from including Northern Ireland in the territorial scope of any agreements it may conclude with third countries, provided that those agreements do not prejudice the application of this Protocol.

In particular, nothing in this Protocol shall prevent the United Kingdom from concluding agreements with a third country that grant goods produced in Northern Ireland preferential access to that country's market on the same terms as goods produced in other parts of the United Kingdom.

Nothing in this Protocol shall prevent the United Kingdom from including Northern Ireland in the territorial scope of its Schedules of Concessions annexed to the General Agreement on Tariffs and Trade 1994.

*Article 5*  
*Customs, movement of goods*

1. No customs duties shall be payable for a good brought into Northern Ireland from another part of the United Kingdom by direct transport, notwithstanding paragraph 3, unless that good is at risk of subsequently being moved into the Union, whether by itself or forming part of another good following processing.

The customs duties in respect of a good being moved by direct transport to Northern Ireland other than from the Union or from another part of the United Kingdom shall be the duties applicable in the United Kingdom, notwithstanding paragraph 3, unless that good is at risk of subsequently being moved into the Union, whether by itself or forming part of another good following processing.

No duties shall be payable by, as relief shall be granted to, residents of the United Kingdom for personal property, as defined in point (c) of Article 2(1) of Council Regulation 1186/2009<sup>1</sup>, brought into Northern Ireland from another part of the United Kingdom.

2. For the purposes of the first and second subparagraph of paragraph 1, a good brought into Northern Ireland from outside the Union shall be considered to be at risk of subsequently being moved into the Union unless it is established that that good:
  - (a) will not be subject to commercial processing in Northern Ireland; and
  - (b) fulfils the criteria established by the Joint Committee in accordance with the fourth subparagraph of this paragraph.

For the purposes of this paragraph, 'processing' means any alteration of goods, any transformation of goods in any way, or any subjecting of goods to operations other than for

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<sup>1</sup> Council Regulation (EC) No 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty (OJ L 324, 10.12.2009, p. 23).

the purpose of preserving them in good condition or for adding or affixing marks, labels, seals or any other documentation to ensure compliance with any specific requirements.

Before the end of the transition period, the Joint Committee shall by decision establish the conditions under which processing is to be considered not to fall within point (a) of the first subparagraph, taking into account in particular the nature, scale and result of the processing.

Before the end of the transition period, the Joint Committee shall by decision establish the criteria for considering that a good brought into Northern Ireland from outside the Union is not at risk of subsequently being moved into the Union. The Joint Committee shall take into consideration, *inter alia*:

- (a) the final destination and use of the good;
- (b) the nature and value of the good;
- (c) the nature of the movement; and
- (d) the incentive for undeclared onward-movement into the Union, in particular incentives resulting from the duties payable pursuant to paragraph 1.

The Joint Committee may amend at any time its decisions adopted pursuant to this paragraph.

In taking any decision pursuant to this paragraph, the Joint Committee shall have regard to the specific circumstances in Northern Ireland.

3. Legislation as defined in point (2) of Article 5 of Regulation (EU) No 952/2013 shall apply to and in the United Kingdom in respect of Northern Ireland (not including the territorial waters of the United Kingdom). However, the Joint Committee shall establish the conditions, including in quantitative terms, under which certain fishery and aquaculture products, as set out in Annex I to Regulation (EU) 1379/2013 of the European Parliament and of the Council<sup>2</sup>, brought into the customs territory of the Union defined in Article 4 of Regulation (EU) No 952/2013 by vessels flying the flag of the United Kingdom and having their port of registration in Northern Ireland are exempted from duties.
4. The provisions of Union law listed in Annex 2 to this Protocol shall also apply, under the conditions set out in that Annex, to and in the United Kingdom in respect of Northern Ireland.
5. Articles 30 and 110 TFEU shall apply to and in the United Kingdom in respect of Northern Ireland. Quantitative restrictions on exports and imports shall be prohibited between the Union and Northern Ireland.
6. Customs duties levied by the United Kingdom in accordance with paragraph 3 are not remitted to the Union.

Subject to Article 10, the United Kingdom may in particular:

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<sup>2</sup> Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

- (a) reimburse duties levied pursuant to the provisions of Union law made applicable by paragraph 3 in respect of goods brought into Northern Ireland;
- (b) provide for circumstances in which a customs debt which has arisen is to be waived in respect of goods brought into Northern Ireland;
- (c) provide for circumstances in which customs duties are to be reimbursed in respect of goods that can be shown not to have entered the Union; and
- (d) compensate undertakings to offset the impact of the application of paragraph 3.

In taking decisions under Article 10, the European Commission shall take the circumstances in Northern Ireland into account as appropriate.

7. No duties shall be payable on consignments of negligible value, on consignments sent by one individual to another or on goods contained in travellers' personal baggage, under the conditions set out in the legislation referred to in paragraph 3.

#### *Article 6*

#### *Protection of the UK internal market*

1. Nothing in this Protocol shall prevent the United Kingdom from ensuring unfettered market access for goods moving from Northern Ireland to other parts of the United Kingdom's internal market. Provisions of Union law made applicable by this Protocol which prohibit or restrict the exportation of goods shall only be applied to trade between Northern Ireland and other parts of the United Kingdom to the extent strictly required by any international obligations of the Union. The United Kingdom shall ensure full protection under international requirements and commitments that are relevant to the prohibitions and restrictions on the exportation of goods from the Union to third countries as set out in Union law.
2. Having regard to Northern Ireland's integral place in the United Kingdom's internal market, the Union and the United Kingdom shall use their best endeavours to facilitate the trade between Northern Ireland and other parts of the United Kingdom, in accordance with applicable legislation and taking into account their respective regulatory regimes as well as the implementation thereof. The Joint Committee shall keep the application of this paragraph under constant review and shall adopt appropriate recommendations with a view to avoiding controls at the ports and airports of Northern Ireland to the extent possible.
3. Nothing in this Protocol shall prevent a product originating from Northern Ireland from being presented as originating from the United Kingdom when placed on the market in Great Britain.
4. Nothing in this Protocol shall affect the law of the United Kingdom regulating the placing on the market in other parts of the United Kingdom of goods from Northern Ireland that comply with or benefit from technical regulations, assessments, registrations, certificates, approvals or authorisations governed by provisions of Union law referred to in Annex 2 to this Protocol.



## *Article 7*

### *Technical regulations, assessments, registrations, certificates, approvals and authorisations*

1. Without prejudice to the provisions of Union law referred to in Annex 2 to this Protocol, the lawfulness of placing goods on the market in Northern Ireland shall be governed by the law of the United Kingdom as well as, as regards goods imported from the Union, by Articles 34 and 36 TFEU.
2. Where provisions of Union law made applicable by this Protocol provide for the indication of a Member State, including in abbreviated form, in markings, labelling, tags, or by any other means, the United Kingdom in respect of Northern Ireland shall be indicated as 'UK(NI)' or 'United Kingdom (Northern Ireland)'. Where provisions of Union law made applicable by this Protocol provide for the indication in the form of a numeric code, the United Kingdom in respect of Northern Ireland shall be indicated with a distinguishable numeric code.
3. By way of derogation from Article 13(1) of this Protocol and from Article 7 of the Withdrawal Agreement, in respect of the recognition in one Member State of technical regulations, assessments, registrations, certificates, approvals and authorisations issued or carried out by the authorities of another Member State, or by a body established in another Member State, references to Member States in provisions of Union law made applicable by this Protocol shall not be read as including the United Kingdom in respect of Northern Ireland as regards technical regulations, assessments, registrations, certificates, approvals and authorisations issued or carried out by the authorities of the United Kingdom or by bodies established in the United Kingdom.

The first subparagraph shall not apply to registrations, certifications, approvals and authorisations of sites, installations or premises in Northern Ireland issued or carried out by competent authorities of the United Kingdom, where the registration, certification, approval or authorisation may require an inspection of the sites, installations or premises.

The first subparagraph shall not apply to veterinary certificates or official labels for plant reproductive material that are required by provisions of Union law made applicable by this Protocol.

The first subparagraph is without prejudice to the validity, in Northern Ireland, of assessments, registrations, certificates, approvals and authorisations issued or carried out, on the basis of provisions of Union law made applicable by this Protocol, by the competent authorities of the United Kingdom or by bodies established in the United Kingdom. Any conformity marking, logo or similar required by the provisions of Union law made applicable by this Protocol which is affixed by economic operators based on the assessment, registration, certificate, approval or authorisation issued by competent authorities of the United Kingdom or by bodies established in the United Kingdom shall be accompanied by the indication 'UK(NI)'.

The United Kingdom in respect of Northern Ireland may not initiate objection, safeguard or arbitration procedures provided for in provisions of Union law made applicable by this Protocol to the extent that those procedures concern the technical regulations, standards, assessments, registrations, certificates, approvals and authorisations issued or carried out by competent authorities of the Member States or by bodies established in Member States.

The first subparagraph does not prevent the test and release by a qualified person in Northern Ireland of a batch of a medicinal product imported into or manufactured in Northern Ireland.

*Article 8*  
*VAT and excise*

The provisions of Union law listed in Annex 3 to this Protocol concerning goods shall apply to and in the United Kingdom in respect of Northern Ireland.

In respect of Northern Ireland, the authorities of the United Kingdom shall be responsible for the application and the implementation of the provisions listed in Annex 3 to this Protocol, including the collection of VAT and excise duties. Under the conditions set out in those provisions, revenues resulting from transactions taxable in Northern Ireland shall not be remitted to the Union.

By way of derogation from the first paragraph, the United Kingdom may apply to supplies of goods taxable in Northern Ireland VAT exemptions and reduced rates that are applicable in Ireland in accordance with provisions listed in Annex 3 to this Protocol.

The Joint Committee shall regularly discuss the implementation of this Article, including as concerns the reductions and exemptions provided for in the provisions referred to in the first paragraph, and shall, where appropriate, adopt measures for its proper application, as necessary.

The Joint Committee may review the application of this Article, taking into account Northern Ireland's integral place in the United Kingdom's internal market, and may adopt appropriate measures as necessary.

*Article 9*  
*Single electricity market*

The provisions of Union law governing wholesale electricity markets listed in Annex 4 to this Protocol shall apply, under the conditions set out in that Annex, to and in the United Kingdom in respect of Northern Ireland.

*Article 10*  
*State aid*

1. The provisions of Union law listed in Annex 5 to this Protocol shall apply to the United Kingdom, including with regard to measures supporting the production of and trade in agricultural products in Northern Ireland, in respect of measures which affect that trade between Northern Ireland and the Union which is subject to this Protocol.
2. Notwithstanding paragraph 1, the provisions of Union law referred to in that paragraph shall not apply with respect to measures taken by the United Kingdom authorities to support the production of and trade in agricultural products in Northern Ireland up to a determined maximum overall annual level of support, and provided that a determined minimum percentage of that exempted support complies with the provisions of Annex 2 to the WTO Agreement on Agriculture. The determination of the maximum exempted overall annual level

of support and the minimum percentage shall be governed by the procedures set out in Annex 6.

3. Where the European Commission examines information regarding a measure by the United Kingdom authorities that may constitute unlawful aid that is subject to paragraph 1, it shall ensure that the United Kingdom is kept fully and regularly informed of the progress and outcome of the examination of that measure.

#### *Article 11*

##### *Other areas of North-South cooperation*

1. Consistent with the arrangements set out in Articles 5 to 10, and in full respect of Union law, this Protocol shall be implemented and applied so as to maintain the necessary conditions for continued North-South cooperation, including in the areas of environment, health, agriculture, transport, education and tourism, as well as in the areas of energy, telecommunications, broadcasting, inland fisheries, justice and security, higher education and sport.

In full respect of Union law, the United Kingdom and Ireland may continue to make new arrangements that build on the provisions of the 1998 Agreement in other areas of North-South cooperation on the island of Ireland.

2. The Joint Committee shall keep under constant review the extent to which the implementation and application of this Protocol maintains the necessary conditions for North-South cooperation. The Joint Committee may make appropriate recommendations to the Union and the United Kingdom in this respect, including on a recommendation from the Specialised Committee.

#### *Article 12*

##### *Implementation, application, supervision and enforcement*

1. Without prejudice to paragraph 4, the authorities of the United Kingdom shall be responsible for implementing and applying the provisions of Union law made applicable by this Protocol to and in the United Kingdom in respect of Northern Ireland.
2. Without prejudice to paragraph 4 of this Article, Union representatives shall have the right to be present during any activities of the authorities of the United Kingdom related to the implementation and application of provisions of Union law made applicable by this Protocol, as well as activities related to the implementation and application of Article 5, and the United Kingdom shall provide, upon request, all relevant information relating to such activities. The United Kingdom shall facilitate such presence of Union representatives and shall provide them with the information requested. Where the Union representative requests the authorities of the United Kingdom to carry out control measures in individual cases for duly stated reasons, the authorities of the United Kingdom shall carry out those control measures.

The Union and the United Kingdom shall exchange information on the application of Article 5 (1) and (2) on a monthly basis.

3. The practical working arrangements relating to the exercise of the rights of Union representatives referred to in paragraph 2 shall be determined by the Joint Committee, upon proposal from the Specialised Committee.
4. As regards the second subparagraph of paragraph 2 of this Article, Article 5 and Articles 7 to 10, the institutions, bodies, offices, and agencies of the Union shall in relation to the United Kingdom and natural and legal persons residing or established in the territory of the United Kingdom have the powers conferred upon them by Union law. In particular, the Court of Justice of the European Union shall have the jurisdiction provided for in the Treaties in this respect. The second and third paragraphs of Article 267 TFEU shall apply to and in the United Kingdom in this respect.
5. Acts of the institutions, bodies, offices, and agencies of the Union adopted in accordance with paragraph 4 shall produce in respect of and in the United Kingdom the same legal effects as those which they produce within the Union and its Member States.
6. When representing or assisting a party in relation to administrative procedures arising from the exercise of the powers of the institutions, bodies, offices, and agencies of the Union referred to in paragraph 4, lawyers authorised to practise before the courts or tribunals of the United Kingdom shall in every respect be treated as lawyers authorised to practise before courts or tribunals of Member States who represent or assist a party in relation to such administrative procedures.
7. In cases brought before the Court of Justice of the European Union pursuant to paragraph 4:
  - (a) the United Kingdom may participate in the proceedings before the Court of Justice of the European Union in the same way as a Member State;
  - (b) lawyers authorised to practise before the courts or tribunals of the United Kingdom may represent or assist a party before the Court of Justice of the European Union in such proceedings and shall in every respect be treated as lawyers authorised to practise before courts or tribunals of Member States representing or assisting a party before the Court of Justice of the European Union.

*Article 13*  
*Common provisions*

1. For the purposes of this Protocol, any reference to the United Kingdom in the applicable provisions of the Withdrawal Agreement shall be read as referring to the United Kingdom or to the United Kingdom in respect of Northern Ireland, as the case may be.

Notwithstanding any other provisions of this Protocol, any reference to the territory defined in Article 4 of Regulation (EU) No 952/2013 in the applicable provisions of the Withdrawal Agreement and of this Protocol, as well as in the provisions of Union law made applicable to and in the United Kingdom in respect of Northern Ireland by this Protocol, shall be read as including the part of the territory of the United Kingdom to which Regulation (EU) No 952/2013 applies by virtue of Article 5(3) of this Protocol.

Titles I and III of Part Three and Part Six of the Withdrawal Agreement shall apply without prejudice to the provisions of this Protocol.

2. Notwithstanding Article 4(4) and (5) of the Withdrawal Agreement, the provisions of this Protocol referring to Union law or to concepts or provisions thereof shall in their implementation and application be interpreted in conformity with the relevant case law of the Court of Justice of the European Union.
3. Notwithstanding Article 6(1) of the Withdrawal Agreement, and unless otherwise provided, where this Protocol makes reference to a Union act, that reference shall be read as referring to that Union act as amended or replaced.
4. Where the Union adopts a new act that falls within the scope of this Protocol, but which neither amends nor replaces a Union act listed in the Annexes to this Protocol, the Union shall inform the United Kingdom of the adoption of that act in the Joint Committee. Upon the request of the Union or the United Kingdom, the Joint Committee shall hold an exchange of views on the implications of the newly adopted act for the proper functioning of this Protocol, within 6 weeks after the request.

As soon as reasonably practical after the Union has informed the United Kingdom in the Joint Committee, the Joint Committee shall either:

- (a) adopt a decision adding the newly adopted act to the relevant Annex to this Protocol; or
- (b) where an agreement on adding the newly adopted act to the relevant Annex to this Protocol cannot be reached, examine all further possibilities to maintain the good functioning of this Protocol and take any decision necessary to this effect.

If the Joint Committee has not taken a decision referred to in the second subparagraph within a reasonable time, the Union shall be entitled, after giving notice to the United Kingdom, to take appropriate remedial measures. Such measures shall take effect at the earliest 6 months after the Union informed the United Kingdom in accordance with the first subparagraph, but in no event shall such measures take effect before the date on which the newly adopted act is implemented in the Union.

5. By way of derogation from paragraph 1 of this Article and from Article 7 of the Withdrawal Agreement, unless the Union considers that full or partial access by the United Kingdom or the United Kingdom in respect of Northern Ireland, as the case may be, is strictly necessary to enable the United Kingdom to comply with its obligations under this Protocol, including where such access is necessary because access to the relevant information cannot be facilitated by the working group referred to in Article 15 of this Protocol or by any other practical means, in respect of access to any network, information system or database established on the basis of Union law, references to Member States and competent authorities of Member States in provisions of Union law made applicable by this Protocol shall not be read as including the United Kingdom or the United Kingdom in respect of Northern Ireland, as the case may be.
6. Authorities of the United Kingdom shall not act as leading authority for risk assessments, examinations, approvals and authorisation procedures provided for in Union law made applicable by this Protocol.
7. Articles 346 and 347 TFEU shall apply to this Protocol as regards measures taken by a Member State or by the United Kingdom in respect of Northern Ireland.

8. Any subsequent agreement between the Union and the United Kingdom shall indicate the parts of this Protocol which it supersedes. Once a subsequent agreement between the Union and the United Kingdom becomes applicable after the entry into force of the Withdrawal Agreement, this Protocol shall then, from the date of application of such subsequent agreement and in accordance with the provisions of that agreement setting out the effect of that agreement on this Protocol, not apply or shall cease to apply, as the case may be, in whole or in part.

*Article 14*  
*Specialised Committee*

The Committee on issues related to the implementation of the Protocol on Ireland/Northern Ireland established by Article 165 of the Withdrawal Agreement ('Specialised Committee') shall:

- (a) facilitate the implementation and application of this Protocol;
- (b) examine proposals concerning the implementation and application of this Protocol from the North-South Ministerial Council and North-South Implementation bodies set up under the 1998 Agreement;
- (c) consider any matter of relevance to Article 2 of this Protocol brought to its attention by the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland, and the Joint Committee of representatives of the Human Rights Commissions of Northern Ireland and Ireland;
- (d) discuss any point raised by the Union or the United Kingdom that is of relevance to this Protocol and gives rise to a difficulty; and
- (e) make recommendations to the Joint Committee as regards the functioning of this Protocol.

*Article 15*  
*Joint consultative working group*

1. A joint consultative working group on the implementation of this Protocol ('working group') is hereby established. It shall serve as a forum for the exchange of information and mutual consultation.
2. The working group shall be composed of representatives of the Union and the United Kingdom and shall carry out its functions under the supervision of the Specialised Committee, to which it shall report. The working group shall have no power to take binding decisions other than the power to adopt its own rules of procedure referred to in paragraph 6.
3. Within the working group:
  - (a) the Union and the United Kingdom shall, in a timely manner, exchange information about planned, ongoing and final relevant implementation measures in relation to the Union acts listed in the Annexes to this Protocol;

- (b) the Union shall inform the United Kingdom about planned Union acts within the scope of this Protocol, including Union acts that amend or replace the Union acts listed in the Annexes to this Protocol;
  - (c) the Union shall provide to the United Kingdom all information the Union considers relevant to allow the United Kingdom to fully comply with its obligations under the Protocol; and
  - (d) the United Kingdom shall provide to the Union all information that Member States are required to provide to one another or to the institutions, bodies, offices or agencies of the Union pursuant to the Union acts listed in the Annexes to this Protocol.
- 4. The working group shall be co-chaired by the Union and the United Kingdom.
  - 5. The working group shall meet at least once a month, unless otherwise decided by the Union and the United Kingdom by mutual consent. Where necessary, the Union and the United Kingdom may exchange information referred to in points (c) and (d) of paragraph 3 between meetings.
  - 6. The working group shall adopt its own rules of procedure by mutual consent.
  - 7. The Union shall ensure that all views expressed by the United Kingdom in the working group and all information provided by the United Kingdom in the working group, including technical and scientific data, are communicated to the relevant institutions, bodies, offices and agencies of the Union without undue delay.

#### *Article 16* *Safeguards*

- 1. If the application of this Protocol leads to serious economic, societal or environmental difficulties that are liable to persist, or to diversion of trade, the Union or the United Kingdom may unilaterally take appropriate safeguard measures. Such safeguard measures shall be restricted with regard to their scope and duration to what is strictly necessary in order to remedy the situation. Priority shall be given to such measures as will least disturb the functioning of this Protocol.
- 2. If a safeguard measure taken by the Union or the United Kingdom, as the case may be, in accordance with paragraph 1 creates an imbalance between the rights and obligations under this Protocol, the Union or the United Kingdom, as the case may be, may take such proportionate rebalancing measures as are strictly necessary to remedy the imbalance. Priority shall be given to such measures as will least disturb the functioning of this Protocol.
- 3. Safeguard and rebalancing measures taken in accordance with paragraphs 1 and 2 shall be governed by the procedures set out in Annex 7 to this Protocol.

*Article 17*  
*Protection of financial interests*

The Union and the United Kingdom shall counter fraud and any other illegal activities affecting the financial interests of the Union or the financial interests of the United Kingdom.

*Article 18*  
*Democratic consent in Northern Ireland*

1. Within 2 months before the end of both the initial period and any subsequent period, the United Kingdom shall provide the opportunity for democratic consent in Northern Ireland to the continued application of Articles 5 to 10.
2. For the purposes of paragraph 1, the United Kingdom shall seek democratic consent in Northern Ireland in a manner consistent with the 1998 Agreement. A decision expressing democratic consent shall be reached strictly in accordance with the unilateral declaration made by the United Kingdom on [DATE], including with respect to the roles of the Northern Ireland Executive and Assembly.
3. The United Kingdom shall notify the Union before the end of the relevant period referred to in paragraph 5 of the outcome of the process referred to in paragraph 1.
4. Where the process referred to in paragraph 1 has been undertaken and a decision has been reached in accordance with paragraph 2, and the United Kingdom notifies the Union that the outcome of the process referred to in paragraph 1 is not a decision that the Articles of this Protocol referred to in that paragraph should continue to apply in Northern Ireland, then those Articles and other provisions of this Protocol, to the extent that those provisions depend on those Articles for their application, shall cease to apply 2 years after the end of the relevant period referred to in paragraph 5. In such a case the Joint Committee shall address recommendations to the Union and to the United Kingdom on the necessary measures, taking into account the obligations of the parties to the 1998 Agreement. Before doing so, the Joint Committee may seek an opinion from institutions created by the 1998 Agreement.
5. For the purposes of this Article, the initial period is the period ending 4 years after the end of the transition period. Where the decision reached in a given period was on the basis of a majority of Members of the Northern Ireland Assembly, present and voting, the subsequent period is the 4 year period following that period, for as long as Articles 5 to 10 continue to apply. Where the decision reached in a given period had cross-community support, the subsequent period is the 8-year period following that period, for as long as Articles 5 to 10 continue to apply.
6. For the purposes of paragraph 5, cross-community support means:
  - (a) a majority of those Members of the Legislative Assembly present and voting, including a majority of the unionist and nationalist designations present and voting;  
or



- (b) a weighted majority (60%) of Members of the Legislative Assembly present and voting, including at least 40% of each of the nationalist and unionist designations present and voting.

*Article 19*

*Annexes*

Annexes 1 to 7 shall form an integral part of this Protocol.

## **ANNEX 1**

### PROVISIONS OF UNION LAW REFERRED TO IN ARTICLE 2(1)

- Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services<sup>1</sup>
  - Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation<sup>2</sup>
  - Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin<sup>3</sup>
  - Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation<sup>4</sup>
  - Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC<sup>5</sup>
  - Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security<sup>6</sup>
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<sup>1</sup> OJ L 373, 21.12.2004, p. 37.

<sup>2</sup> OJ L 204, 26.7.2006, p. 23.

<sup>3</sup> OJ L 180, 19.7.2000, p. 22.

<sup>4</sup> OJ L 303, 2.12.2000, p. 16.

<sup>5</sup> OJ L 180, 15.7.2010, p. 1.

<sup>6</sup> OJ L 6, 10.1.1979, p. 24.

PROVISIONS OF UNION LAW REFERRED TO IN ARTICLE 5(4)

1. General customs aspects<sup>1</sup>

- Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code<sup>2</sup>
- Council Regulation (EC) No 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters<sup>3</sup>
- Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures<sup>4</sup>

2. Protection of the Union's financial interests

For the purpose of the application of the acts listed in this section, the proper collection of customs duties by the United Kingdom in respect of Northern Ireland shall be considered as part of the protection of the financial interests of the Union.

- Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999<sup>5</sup>
- Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests<sup>6</sup>

3. Trade statistics

- Regulation (EC) No 638/2004 of the European Parliament and of the Council of 31 March 2004 on Community statistics relating to the trading of goods between Member States and repealing Council Regulation (EEC) No 3330/91<sup>7</sup>
- Regulation (EC) No 471/2009 of the European Parliament and of the Council of 6 May 2009 on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95<sup>8</sup>

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<sup>1</sup> The headings and subheadings in this Annex are purely indicative.

<sup>2</sup> OJ L 269, 10.10.2013, p. 1.

<sup>3</sup> OJ L 82, 22.3.1997, p. 1.

<sup>4</sup> OJ L 84, 31.3.2010, p. 1.

<sup>5</sup> OJ L 248, 18.9.2013, p. 1.

<sup>6</sup> OJ L 312, 23.12.1995, p. 1.

<sup>7</sup> OJ L 102, 7.4.2004, p. 1.

<sup>8</sup> OJ L 152, 16.6.2009, p. 23.

#### 4. General trade related aspects

- Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008<sup>9</sup>
- Regulation (EU) 2015/479 of the European Parliament and of the Council of 11 March 2015 on common rules for exports<sup>10</sup>
- Regulation (EU) 2015/936 of the European Parliament and of the Council of 9 June 2015 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules<sup>11</sup>
- Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas<sup>12</sup>
- Council Regulation (EC) No 1215/2009 of 30 November 2009 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process (Western Balkans)<sup>13</sup>
- Regulation (EU) 2017/1566 of the European Parliament and of the Council of 13 September 2017 on the introduction of temporary autonomous trade measures for Ukraine supplementing the trade concessions available under the Association Agreement<sup>14</sup>
- Obligations stemming from the international agreements concluded by the Union, or by Member States acting on its behalf, or by the Union and its Member States acting jointly, insofar as they relate to trade in goods between the Union and third countries

#### 5. Trade defence instruments

- Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union<sup>15</sup>
- Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union<sup>16</sup>

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<sup>9</sup> OJ L 303, 31.10.2012, p. 1.

<sup>10</sup> OJ L 83, 27.3.2015, p. 34.

<sup>11</sup> OJ L 160, 25.6.2015, p. 1.

<sup>12</sup> OJ L 130, 19.5.2017, p. 1.

<sup>13</sup> OJ L 328, 15.12.2009, p. 1.

<sup>14</sup> OJ L 254, 30.9.2017, p. 1.

<sup>15</sup> OJ L 176, 30.6.2016, p. 21.

<sup>16</sup> OJ L 176, 30.6.2016, p. 55.

- Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 on common rules for imports<sup>17</sup>
- Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 on common rules for imports from certain third countries<sup>18</sup>
- Regulation (EU) 2015/476 of the European Parliament and of the Council of 11 March 2015 on the measures that the Union may take following a report adopted by the WTO Dispute Settlement Body concerning anti-dumping and anti-subsidy matters<sup>19</sup>
- Regulation (EU) 2015/477 of the European Parliament and of the Council of 11 March 2015 on measures that the Union may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures<sup>20</sup>

#### 6. Regulations on bilateral safeguards

- Regulation (EU) No 654/2014 of the European Parliament and of the Council of 15 May 2014 concerning the exercise of the Union's rights for the application and enforcement of international trade rules and amending Council Regulation (EC) No 3286/94 laying down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organization<sup>21</sup>
- Regulation (EU) 2015/1145 of the European Parliament and of the Council of 8 July 2015 on the safeguard measures provided for in the Agreement between the European Economic Community and the Swiss Confederation<sup>22</sup>
- Regulation (EU) 2015/475 of the European Parliament and of the Council of 11 March 2015 on the safeguard measures provided for in the Agreement between the European Economic Community and the Republic of Iceland<sup>23</sup>

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<sup>17</sup> OJ L 83, 27.3.2015, p. 16.

<sup>18</sup> OJ L 123, 19.5.2015, p. 33.

<sup>19</sup> OJ L 83, 27.3.2015, p. 6.

<sup>20</sup> OJ L 83, 27.3.2015, p. 11.

<sup>21</sup> OJ L 189, 27.6.2014, p. 50.

<sup>22</sup> OJ L 191, 17.7.2015, p. 1.

<sup>23</sup> OJ L 83, 27.3.2015, p. 1.

- Regulation (EU) 2015/938 of the European Parliament and of the Council of 9 June 2015 on the safeguard measures provided for in the Agreement between the European Economic Community and the Kingdom of Norway<sup>24</sup>
- Regulation (EU) No 332/2014 of the European Parliament and of the Council of 11 March 2014 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part<sup>25</sup>
- Regulation (EU) 2015/752 of the European Parliament and of the Council of 29 April 2015 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part<sup>26</sup>
- Regulation (EU) No 19/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part<sup>27</sup>
- Regulation (EU) No 20/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other<sup>28</sup>
- Regulation (EU) 2016/400 of the European Parliament and of the Council of 9 March 2016 implementing the safeguard clause and the anti-circumvention mechanism provided for in the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part<sup>29</sup>
- Regulation (EU) 2016/401 of the European Parliament and of the Council of 9 March 2016 implementing the anti-circumvention mechanism provided for in the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part<sup>30</sup>
- Regulation (EU) 2015/941 of the European Parliament and of the Council of 9 June 2015 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part<sup>31</sup>

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<sup>24</sup> OJ L 160, 25.6.2015, p. 57.

<sup>25</sup> OJ L 103, 5.4.2014, p. 10.

<sup>26</sup> OJ L 123, 19.5.2015, p. 16.

<sup>27</sup> OJ L 17, 19.1.2013, p. 1.

<sup>28</sup> OJ L 17, 19.1.2013, p. 13.

<sup>29</sup> OJ L 77, 23.3.2016, p. 53.

<sup>30</sup> OJ L 77, 23.3.2016, p. 62.

<sup>31</sup> OJ L 160, 25.6.2015, p. 76.

- Regulation (EU) 2015/940 of the European Parliament and of the Council of 9 June 2015 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, and for applying the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part<sup>32</sup>
- Regulation (EU) 2015/939 of the European Parliament and of the Council of 9 June 2015 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part<sup>33</sup>
- Regulation (EU) No 511/2011 of the European Parliament and of the Council of 11 May 2011 implementing the bilateral safeguard clause of the Free Trade Agreement between the European Union and its Member States and the Republic of Korea<sup>34</sup>
- Regulation (EU) 2017/355 of the European Parliament and of the Council of 15 February 2017 on certain procedures for applying the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo\* of the other part<sup>35</sup>
- Regulation (EU) 2016/1076 of the European Parliament and of the Council of 8 June 2016 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements<sup>36</sup>

## 7. Others

- Regulation (EC) No 816/2006 of the European Parliament and of the Council of 17 May 2006 on compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems<sup>37</sup>

## 8. Goods - general provisions

- Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services<sup>38</sup>, with the exception of provisions relating to rules on information society services
- Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC

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<sup>32</sup> OJ L 160, 25.6.2015, p. 69.

<sup>33</sup> OJ L 160, 25.6.2015, p. 62.

<sup>34</sup> OJ L 145, 31.5.2011, p. 19.

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244(1999) and the ICJ Opinion on the Kosovo declaration of independence.

<sup>35</sup> OJ L 57, 3.3.2017, p. 59.

<sup>36</sup> OJ L 185, 8.7.2016, p. 1.

<sup>37</sup> OJ L 157, 9.6.2006, p. 1.

<sup>38</sup> OJ L 241, 17.9.2015, p. 1.

and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council<sup>39</sup>

- Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93<sup>40</sup>
  - Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC<sup>41</sup>
  - Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95/EC<sup>42</sup>
  - Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety<sup>43</sup>
  - Council Regulation (EC) No 2679/98 of 7 December 1998 on the functioning of the internal market in relation to the free movement of goods among the Member States<sup>44</sup>
  - Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products<sup>45</sup>
9. Motor vehicles, including agricultural and forestry tractors
- Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles<sup>46</sup>
  - Regulation (EU) No 540/2014 of the European Parliament and of the Council of 16 April 2014 on the sound level of motor vehicles and of replacement silencing systems, and amending Directive 2007/46/EC and repealing Directive 70/157/EEC<sup>47</sup>
  - Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the type-approval of motor vehicles with regard to their reusability, recyclability and recoverability and amending Council Directive 70/156/EEC<sup>48</sup>

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<sup>39</sup> OJ L 316, 14.11.2012, p. 12.

<sup>40</sup> OJ L 218, 13.8.2008, p. 30.

<sup>41</sup> OJ L 218, 13.8.2008, p. 82.

<sup>42</sup> OJ L 218, 13.8.2008, p. 21.

<sup>43</sup> OJ L 11, 15.1.2002, p. 4.

<sup>44</sup> OJ L 337, 12.12.1998, p. 8.

<sup>45</sup> OJ L 210, 7.8.1985, p. 29.

<sup>46</sup> OJ L 42, 23.2.1970, p. 16.

<sup>47</sup> OJ L 158, 27.5.2014, p. 131.

<sup>48</sup> OJ L 310, 25.11.2005, p. 10.



- Directive 2006/40/EC of the European Parliament and of the Council of 17 May 2006 relating to emissions from air conditioning systems in motor vehicles and amending Council Directive 70/156/EEC<sup>49</sup>
- Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information<sup>50</sup>
- Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)<sup>51</sup>
- Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC<sup>52</sup>
- Regulation (EC) No 78/2009 of the European Parliament and of the Council of 14 January 2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users, amending Directive 2007/46/EC and repealing Directives 2003/102/EC and 2005/66/EC<sup>53</sup>
- Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor<sup>54</sup>
- Regulation (EC) No 79/2009 of the European Parliament and of the Council of 14 January 2009 on type-approval of hydrogen-powered motor vehicles, and amending Directive 2007/46/EC<sup>55</sup>
- Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC<sup>56</sup>

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<sup>49</sup> OJ L 161, 14.6.2006, p. 12.

<sup>50</sup> OJ L 171, 29.6.2007, p. 1.

<sup>51</sup> OJ L 263, 9.10.2007, p. 1.

<sup>52</sup> OJ L 151, 14.6.2018, p. 1.

<sup>53</sup> OJ L 35, 4.2.2009, p. 1.

<sup>54</sup> OJ L 200, 31.7.2009, p. 1.

<sup>55</sup> OJ L 35, 4.2.2009, p. 32.

<sup>56</sup> OJ L 188, 18.7.2009, p. 1.

- Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles<sup>57</sup>
- Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC<sup>58</sup>
- Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emissions performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles<sup>59</sup>
- Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles<sup>60</sup>
- Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles<sup>61</sup>

#### 10. Lifting and mechanical handling appliances

- Council Directive 73/361/EEC of 19 November 1973 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wire-ropes, chains and hooks<sup>62</sup>
- Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts<sup>63</sup>

#### 11. Gas appliances

- Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels<sup>64</sup>
- Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive 2009/142/EC<sup>65</sup>

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<sup>57</sup> OJ L 60, 2.3.2013, p. 52.

<sup>58</sup> OJ L 123, 19.5.2015, p. 77.

<sup>59</sup> OJ L 140, 5.6.2009, p. 1.

<sup>60</sup> OJ L 145, 31.5.2011, p. 1.

<sup>61</sup> OJ L 60, 2.3.2013, p. 1.

<sup>62</sup> OJ L 335, 5.12.1973, p. 51.

<sup>63</sup> OJ L 96, 29.3.2014, p. 251.

<sup>64</sup> OJ L 167, 22.6.1992, p. 17.

<sup>65</sup> OJ L 81, 31.3.2016, p. 99.

## 12. Pressure vessels

- Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers<sup>66</sup>
- Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC<sup>67</sup>
- Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment<sup>68</sup>
- Directive 2014/29/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels<sup>69</sup>

## 13. Measuring instruments

- Directive 2009/34/EC of the European Parliament and of the Council of 23 April 2009 relating to common provisions for both measuring instruments and methods of metrological control<sup>70</sup>
- Council Directive 75/107/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to bottles used as measuring containers<sup>71</sup>
- Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain prepackaged products<sup>72</sup>
- Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC<sup>73</sup>
- Directive 2007/45/EC of the European Parliament and of the Council of 5 September 2007 laying down rules on nominal quantities for prepacked products, repealing Council Directives 75/106/EEC and 80/232/EEC, and amending Council Directive 76/211/EEC<sup>74</sup>
- Directive 2011/17/EU of the European Parliament and of the Council of 9 March 2011 repealing Council Directives 71/317/EEC, 71/347/EEC, 71/349/EEC, 74/148/EEC, 75/33/EEC, 76/765/EEC, 76/766/EEC and 86/217/EEC regarding metrology<sup>75</sup>

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<sup>66</sup> OJ L 147, 9.6.1975, p. 40.

<sup>67</sup> OJ L 165, 30.6.2010, p. 1.

<sup>68</sup> OJ L 189, 27.6.2014, p. 164.

<sup>69</sup> OJ L 96, 29.3.2014, p. 45.

<sup>70</sup> OJ L 106, 28.4.2009, p. 7.

<sup>71</sup> OJ L 42, 15.2.1975, p. 14.

<sup>72</sup> OJ L 46, 21.2.1976, p. 1.

<sup>73</sup> OJ L 39, 15.2.1980, p. 40.

<sup>74</sup> OJ L 247, 21.9.2007, p. 17.

<sup>75</sup> OJ L 71, 18.3.2011, p. 1.

- Directive 2014/31/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments<sup>76</sup>
- Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments<sup>77</sup>

#### 14. Construction products, machinery, cableways, personal protective equipment

- Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC<sup>78</sup>
- Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC<sup>79</sup>
- Regulation (EU) 2016/424 of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive 2000/9/EC<sup>80</sup>
- Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC<sup>81</sup>
- Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC<sup>82</sup>
- Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors<sup>83</sup>

#### 15. Electrical and radio equipment

- Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility<sup>84</sup>

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<sup>76</sup> OJ L 96, 29.3.2014, p. 107.

<sup>77</sup> OJ L 96, 29.3.2014, p. 149.

<sup>78</sup> OJ L 88, 4.4.2011, p. 5.

<sup>79</sup> OJ L 81, 31.3.2016, p. 51.

<sup>80</sup> OJ L 81, 31.3.2016, p. 1.

<sup>81</sup> OJ L 157, 9.6.2006, p. 24.

<sup>82</sup> OJ L 252, 16.9.2016, p. 53.

<sup>83</sup> OJ L 162, 3.7.2000, p. 1.

<sup>84</sup> OJ L 96, 29.3.2014, p. 79.

- Directive 2014/34/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres<sup>85</sup>
- Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits<sup>86</sup>
- Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC<sup>87</sup>

#### 16. Textiles, footwear

- Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council<sup>88</sup>
- Directive 94/11/EC of the European Parliament and the Council of 23 March 1994 on the approximation of the laws, regulation and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer<sup>89</sup>

#### 17. Cosmetics, toys

- Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products<sup>90</sup>
- Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys<sup>91</sup>

#### 18. Recreational craft

- Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC<sup>92</sup>

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<sup>85</sup> OJ L 96, 29.3.2014, p. 309.

<sup>86</sup> OJ L 96, 29.3.2014, p. 357.

<sup>87</sup> OJ L 153, 22.5.2014, p. 62.

<sup>88</sup> OJ L 272, 18.10.2011, p. 1.

<sup>89</sup> OJ L 100, 19.4.1994, p. 37.

<sup>90</sup> OJ L 342, 22.12.2009, p. 59.

<sup>91</sup> OJ L 170, 30.6.2009, p. 1.

<sup>92</sup> OJ L 354, 28.12.2013, p. 90.

## 19. Explosives and pyrotechnic articles

- Directive 2014/28/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market and supervision of explosives for civil uses<sup>93</sup>
- Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles<sup>94</sup>
- Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors<sup>95</sup>

## 20. Medicinal products

- Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency<sup>96</sup>

The references to Community in the second subparagraph of Article 2 and in the second subparagraph of Article 48 of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

- Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use<sup>97</sup>

The references to Community in Articles 8(2) and 16b(1) of that Directive as well as the reference to Union in the second subparagraph of Article 104(3) of that Directive shall not be read as including the United Kingdom in respect of Northern Ireland, with the exception of authorisations by the United Kingdom in respect of Northern Ireland.

A medicinal product authorised in the United Kingdom in respect of Northern Ireland shall not be considered as a reference medicinal product in the Union.

- Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004<sup>98</sup>, with the exception of Article 36
- Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products<sup>99</sup>

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<sup>93</sup> OJ L 96, 29.3.2014, p. 1.

<sup>94</sup> OJ L 178, 28.6.2013, p. 27.

<sup>95</sup> OJ L 39, 9.2.2013, p. 1.

<sup>96</sup> OJ L 136, 30.4.2004, p. 1.

<sup>97</sup> OJ L 311, 28.11.2001, p. 67.

<sup>98</sup> OJ L 378, 27.12.2006, p. 1.

<sup>99</sup> OJ L 18, 22.1.2000, p. 1.

- Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004<sup>100</sup>
- Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products<sup>101</sup>

The references to Community in Article 12(2) and the second paragraph of Article 74 of that Directive shall not be read as including the United Kingdom in respect of Northern Ireland, with the exception of authorisations by the United Kingdom in respect of Northern Ireland.

A veterinary medicinal product authorised in the United Kingdom in respect of Northern Ireland shall not be considered as a reference medicinal product in the Union.

- Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council<sup>102</sup>
- Article 13 of Directive 2001/20/EC of the European Parliament and of the Council of 4 April 2001 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the implementation of good clinical practice in the conduct of clinical trials on medicinal products for human use<sup>103</sup>
- Chapter IX of Regulation (EU) No 536/2014 of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use, and repealing Directive 2001/20/EC<sup>104</sup>
- Directive 2009/35/EC of the European Parliament and of the Council of 23 April 2009 on the colouring matters which may be added to medicinal products<sup>105</sup>
- Regulation (EU) 2016/793 of the European Parliament and of the Council of 11 May 2016 to avoid trade diversion into the European Union of certain key medicines<sup>106</sup>

## 21. Medical devices

- Council Directive 93/42/EEC of 14 June 1993 concerning medical devices<sup>107</sup>

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<sup>100</sup> OJ L 324, 10.12.2007, p. 121.

<sup>101</sup> OJ L 311, 28.11.2001, p. 1.

<sup>102</sup> OJ L 152, 16.6.2009, p. 11.

<sup>103</sup> OJ L 121, 1.5.2001, p. 34.

<sup>104</sup> OJ L 158, 27.5.2014, p. 1.

<sup>105</sup> OJ L 109, 30.4.2009, p. 10.

<sup>106</sup> OJ L 135, 24.5.2016, p. 39.

<sup>107</sup> OJ L 169, 12.7.1993, p. 1.

- Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 on in vitro diagnostic medical devices<sup>108</sup>
- Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices<sup>109</sup>
- Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC<sup>110</sup>
- Regulation (EU) 2017/746 of the European Parliament and of the Council of 5 April 2017 on in vitro diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU<sup>111</sup>

## 22. Substances of human origin

- Directive 2002/98/EC of the European Parliament and of the Council of 27 January 2003 setting standards of quality and safety for the collection, testing, processing, storage and distribution of human blood and blood components and amending Directive 2001/83/EC<sup>112</sup>
- Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells<sup>113</sup>
- Directive 2010/53/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation<sup>114</sup>

## 23. Chemicals and related

- Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers<sup>115</sup>
- Directive 2004/10/EC of the European Parliament and of the Council of 11 February 2004 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances<sup>116</sup>
- Directive 2004/9/EC of the European Parliament and of the Council of 11 February 2004 on the inspection and verification of good laboratory practice (GLP)<sup>117</sup>

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<sup>108</sup> OJ L 331, 7.12.1998, p. 1.

<sup>109</sup> OJ L 189, 20.7.1990, p. 17.

<sup>110</sup> OJ L 117, 5.5.2017, p. 1.

<sup>111</sup> OJ L 117, 5.5.2017, p. 176.

<sup>112</sup> OJ L 33, 8.2.2003, p. 30.

<sup>113</sup> OJ L 102, 7.4.2004, p. 48.

<sup>114</sup> OJ L 207, 6.8.2010, p. 14.

<sup>115</sup> OJ L 304, 21.11.2003, p. 1.

<sup>116</sup> OJ L 50, 20.2.2004, p. 44.

<sup>117</sup> OJ L 50, 20.2.2004, p. 28.



- Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment<sup>118</sup>
- Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents<sup>119</sup>
- Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC<sup>120</sup>
- Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals<sup>121</sup>
- Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008<sup>122</sup>
- Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC<sup>123</sup>
- Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC<sup>124</sup>
- Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006<sup>125</sup>
- Regulation (EC) No 273/2004 of the European Parliament and of the Council of 11 February 2004 on drug precursors<sup>126</sup>

#### 24. Pesticides, biocides

- Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC<sup>127</sup>

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<sup>118</sup> OJ L 174, 1.7.2011, p. 88.

<sup>119</sup> OJ L 104, 8.4.2004, p. 1.

<sup>120</sup> OJ L 158, 30.4.2004, p. 7.

<sup>121</sup> OJ L 201, 27.7.2012, p. 60.

<sup>122</sup> OJ L 137, 24.5.2017, p. 1.

<sup>123</sup> OJ L 266, 26.9.2006, p. 1.

<sup>124</sup> OJ L 396, 30.12.2006, p. 1.

<sup>125</sup> OJ L 353, 31.12.2008, p. 1.

<sup>126</sup> OJ L 47, 18.2.2004, p. 1.

<sup>127</sup> OJ L 309, 24.11.2009, p. 1.

- Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC<sup>128</sup>

The reference to Member States in Article 43 of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

- Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products<sup>129</sup>

The references to Member State in Articles 3(3), 15(1) and 28(4) and point (g) of Article 75(1) of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

## 25. Waste

- Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste<sup>130</sup>
- Directive 94/62/EC of the European Parliament and of the Council 20 December 1994 on packaging and packaging waste<sup>131</sup>
- Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC<sup>132</sup>
- Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel<sup>133</sup>

## 26. Environment, energy efficiency

- Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species<sup>134</sup>
- Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture<sup>135</sup>
- Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel<sup>136</sup>

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<sup>128</sup> OJ L 70, 16.3.2005, p. 1.

<sup>129</sup> OJ L 167, 27.6.2012, p. 1.

<sup>130</sup> OJ L 190, 12.7.2006, p. 1.

<sup>131</sup> OJ L 365, 31.12.1994, p. 10.

<sup>132</sup> OJ L 330, 10.12.2013, p. 1.

<sup>133</sup> OJ L 337, 5.12.2006, p. 21.

<sup>134</sup> OJ L 317, 4.11.2014, p. 35.

<sup>135</sup> OJ L 168, 28.6.2007, p. 1.

<sup>136</sup> OJ L 27, 30.1.2010, p. 1.

- Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC<sup>137</sup>
- Council Directive (EU) 2015/652 of 20 April 2015 laying down calculation methods and reporting requirements pursuant to Directive 98/70/EC of the European Parliament and of the Council relating to the quality of petrol and diesel fuels<sup>138</sup>
- Directive 2004/42/EC of the European Parliament and of the Council of 21 April 2004 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC<sup>139</sup>
- Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market<sup>140</sup>
- Council Regulation (EC) No 2173/2005 of 20 December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community<sup>141</sup>
- Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006<sup>142</sup>
- Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer<sup>143</sup>
- Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008<sup>144</sup>
- Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein<sup>145</sup>
- Council Regulation (EEC) No 3254/91 of 4 November 1991 prohibiting the use of leghold traps in the Community and the introduction into the Community of pelts and manufactured goods of certain wild animal species originating in countries which catch them by means of leghold traps or trapping methods which do not meet international humane trapping standards<sup>146</sup>
- Regulation (EC) No 1007/2009 of the European Parliament and of the Council of 16 September 2009 on trade in seal products<sup>147</sup>

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<sup>137</sup> OJ L 350, 28.12.1998, p. 58.

<sup>138</sup> OJ L 107, 25.4.2015, p. 26.

<sup>139</sup> OJ L 143, 30.4.2004, p. 87.

<sup>140</sup> OJ L 295, 12.11.2010, p. 23.

<sup>141</sup> OJ L 347, 30.12.2005, p. 1.

<sup>142</sup> OJ L 150, 20.5.2014, p. 195.

<sup>143</sup> OJ L 286, 31.10.2009, p. 1.

<sup>144</sup> OJ L 137, 24.5.2017, p. 1.

<sup>145</sup> OJ L 61, 3.3.1997, p. 1.

<sup>146</sup> OJ L 308, 9.11.1991, p. 1.

<sup>147</sup> OJ L 286, 31.10.2009, p. 36.

- Regulation (EC) No 1523/2007 of the European Parliament and of the Council of 11 December 2007 banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur<sup>148</sup>
- Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom<sup>149</sup>
- Regulation (EC) No 106/2008 of the European Parliament and of the Council of 15 January 2008 on a Community energy-efficiency labelling programme for office equipment<sup>150</sup>
- Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters<sup>151</sup>
- Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products<sup>152</sup>
- Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU<sup>153</sup>

## 27. Marine equipment

- Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC<sup>154</sup>

## 28. Rail transport

- Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union<sup>155</sup>, insofar as conditions and technical specifications for the placing on the market, putting into service and free movement of railway products are concerned

## 29. Food – general

- Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>156</sup>

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<sup>148</sup> OJ L 343, 27.12.2007, p. 1.

<sup>149</sup> OJ L 91, 9.4.1983, p. 30.

<sup>150</sup> OJ L 39, 13.2.2008, p. 1.

<sup>151</sup> OJ L 342, 22.12.2009, p. 46.

<sup>152</sup> OJ L 285, 31.10.2009, p. 10.

<sup>153</sup> OJ L 198, 28.7.2017, p. 1.

<sup>154</sup> OJ L 257, 28.8.2014, p. 146.

<sup>155</sup> OJ L 138, 26.5.2016, p. 44.

<sup>156</sup> OJ L 31, 1.2.2002, p. 1.

The reference to Member State in the second subparagraph of Article 29(1) of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

- Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004<sup>157</sup>
- Regulation (EC) 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods<sup>158</sup>

### 30. Food – hygiene

- Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>159</sup>
- Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs<sup>160</sup>
- Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption<sup>161</sup>

### 31. Food – ingredients, traces, residues, marketing standards

- Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings<sup>162</sup>

The reference to Member State in Article 3(1) of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

- Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97<sup>163</sup>

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<sup>157</sup> OJ L 304, 22.11.2011, p. 18.

<sup>158</sup> OJ L 404, 30.12.2006, p. 9.

<sup>159</sup> OJ L 139, 30.4.2004, p. 55.

<sup>160</sup> OJ L 139, 30.4.2004, p. 1.

<sup>161</sup> OJ L 40, 11.2.1989, p. 34.

<sup>162</sup> OJ L 354, 31.12.2008, p. 1.

<sup>163</sup> OJ L 354, 31.12.2008, p. 7.

- Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives<sup>164</sup>
- Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC<sup>165</sup>
- Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements<sup>166</sup>
- Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods<sup>167</sup>
- Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods<sup>168</sup>

The reference to Member State in Article 7(2) of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

- Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food<sup>169</sup>
- Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001<sup>170</sup>
- Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009<sup>171</sup>
- Directive 1999/4/EC of the European Parliament and of the Council of 22 February 1999 relating to coffee extracts and chicory extracts<sup>172</sup>

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<sup>164</sup> OJ L 354, 31.12.2008, p. 16.

<sup>165</sup> OJ L 354, 31.12.2008, p. 34.

<sup>166</sup> OJ L 183, 12.7.2002, p. 51.

<sup>167</sup> OJ L 404, 30.12.2006, p. 26.

<sup>168</sup> OJ L 309, 26.11.2003, p. 1.

<sup>169</sup> OJ L 37, 13.2.1993, p. 1.

<sup>170</sup> OJ L 327, 11.12.2015, p. 1.

<sup>171</sup> OJ L 181, 29.6.2013, p. 35.

<sup>172</sup> OJ L 66, 13.3.1999, p. 26.

- Directive 2000/36/EC of the European Parliament and of the Council of 23 June 2000 relating to cocoa and chocolate products intended for human consumption<sup>173</sup>
- Council Directive 2001/110/EC of 20 December 2001 relating to honey<sup>174</sup>
- Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption<sup>175</sup>
- Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors<sup>176</sup>
- Commission Regulation (EC) No 1295/2008 of 18 December 2008 on the importation of hops from third countries<sup>177</sup>
- Commission Regulation (EC) No 1375/2007 of 23 November 2007 on imports of residues from the manufacture of starch from maize from the United States of America<sup>178</sup>
- Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption<sup>179</sup>
- Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption<sup>180</sup>
- Council Directive 2001/114/EC of 20 December 2001 relating to certain partly or wholly dehydrated preserved milk for human consumption<sup>181</sup>
- Directive (EU) 2015/2203 of the European Parliament and of the Council of 25 November 2015 on the approximation of the laws of the Member States relating to caseins and caseinates intended for human consumption and repealing Council Directive 83/417/EEC<sup>182</sup>
- Chapter IV of Title V of Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008<sup>183</sup>

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<sup>173</sup> OJ L 197, 3.8.2000, p. 19.

<sup>174</sup> OJ L 10, 12.1.2002, p. 47.

<sup>175</sup> OJ L 10, 12.1.2002, p. 53.

<sup>176</sup> OJ L 157, 15.6.2011, p. 1.

<sup>177</sup> OJ L 340, 19.12.2008, p. 45.

<sup>178</sup> OJ L 307 24.11.2007, p. 5.

<sup>179</sup> OJ L 10, 12.1.2002, p. 58.

<sup>180</sup> OJ L 10, 12.1.2002, p. 67.

<sup>181</sup> OJ L 15, 17.1.2002, p. 19.

<sup>182</sup> OJ L 314, 1.12.2015, p. 1.

<sup>183</sup> OJ L 347, 20.12.2013, p. 549.

- Section 1 of Chapter I of Title II of Part II of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007<sup>184</sup>

### 32. Food contact material

- Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC<sup>185</sup>

The reference to Member State in Article 9(1) of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

- Council Directive 84/500/EEC of 15 October 1984 on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs<sup>186</sup>

### 33. Food – other

- Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation<sup>187</sup>
- Directive 1999/3/EC of the European Parliament and of the Council of 22 February 1999 on the establishment of a Community list of foods and food ingredients treated with ionising radiation<sup>188</sup>
- Directive 2009/32/EC of the European Parliament and of the Council of 23 April 2009 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients<sup>189</sup>
- Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters<sup>190</sup>
- Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91<sup>191</sup>

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<sup>184</sup> OJ L 347, 20.12.2013, p. 671.

<sup>185</sup> OJ L 338, 13.11.2004, p. 4.

<sup>186</sup> OJ L 277, 20.10.1984, p. 12.

<sup>187</sup> OJ L 66, 13.3.1999, p. 16.

<sup>188</sup> OJ L 66, 13.3.1999, p. 24.

<sup>189</sup> OJ L 141, 6.6.2009, p. 3.

<sup>190</sup> OJ L 164, 26.6.2009, p. 45.

<sup>191</sup> OJ L 189, 20.7.2007, p. 1.



- Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007<sup>192</sup>
- Council Regulation (Euratom) 2016/52 of 15 January 2016 laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency, and repealing Regulation (Euratom) No 3954/87 and Commission Regulations (Euratom) No 944/89 and (Euratom) No 770/90<sup>193</sup>
- Council Regulation (EC) No 733/2008 of 15 July 2008 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station<sup>194</sup>

#### 34. Feed – products and hygiene

- Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC<sup>195</sup>
- Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed<sup>196</sup>
- Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition<sup>197</sup>

The references to national reference laboratories in point 6 of Annex II to that Regulation shall not be read as applying to the United Kingdom in respect of Northern Ireland. This shall not prevent a national reference laboratory located in a Member State from fulfilling the functions of a national reference laboratory in respect of Northern Ireland. Information and material exchanged for that purpose between the competent authorities of Northern Ireland and a national reference laboratory in a Member State shall not be subject to further disclosure by the national reference laboratory without the prior consent of those competent authorities.

- Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community<sup>198</sup>
- Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene<sup>199</sup>

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<sup>192</sup> OJ L 150, 14.6.2018, p. 1.

<sup>193</sup> OJ L 13, 20.1.2016, p. 2.

<sup>194</sup> OJ L 201, 30.7.2008, p. 1.

<sup>195</sup> OJ L 229, 1.9.2009, p. 1.

<sup>196</sup> OJ L 140, 30.5.2002, p. 10.

<sup>197</sup> OJ L 268, 18.10.2003, p. 29.

<sup>198</sup> OJ L 92, 7.4.1990, p. 42.

### 35. GMOs

- Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed<sup>200</sup>, with the exception of the second paragraph of Article 32

This shall not prevent a national reference laboratory located in a Member State from fulfilling the functions of a national reference laboratory in respect of Northern Ireland. Information and material exchanged for that purpose between the competent authorities of Northern Ireland and a national reference laboratory in a Member State shall not be subject to further disclosure by the national reference laboratory without the prior consent of those competent authorities.

The references to Member State in Articles 10(1) and 22(1) of that Regulation shall not be read as including the United Kingdom in respect of Northern Ireland.

- Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC<sup>201</sup>
- Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms<sup>202</sup>
- Part C of Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC<sup>203</sup>

### 36. Live animals, germinal products and products of animal origin

References to national reference laboratories in the acts listed in this section shall not be read as including the reference laboratory in the United Kingdom. This shall not prevent a national reference laboratory located in a Member State from fulfilling the functions of a national reference laboratory in respect of Northern Ireland. Information and material exchanged for that purpose between the competent authorities of Northern Ireland and a national reference laboratory in a Member State shall not be subject to further disclosure by the national reference laboratory without the prior consent of those competent authorities.

- Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ("Animal Health Law")<sup>204</sup>

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<sup>199</sup> OJ L 35, 8.2.2005, p. 1.

<sup>200</sup> OJ L 268, 18.10.2003, p. 1.

<sup>201</sup> OJ L 268, 18.10.2003, p. 24.

<sup>202</sup> OJ L 287, 5.11.2003, p. 1.

<sup>203</sup> OJ L 106, 17.4.2001, p. 1.

<sup>204</sup> OJ L 84, 31.3.2016, p. 1.

- Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine<sup>205</sup>
- Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals<sup>206</sup>
- Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae<sup>207</sup>
- Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs<sup>208</sup>
- Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC<sup>209</sup>
- Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species<sup>210</sup>
- Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species<sup>211</sup>
- Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species<sup>212</sup>
- Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC<sup>213</sup>
- Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals<sup>214</sup>

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<sup>205</sup> OJ L 121, 29.7.1964, p. 1977.

<sup>206</sup> OJ L 46, 19.2.1991, p. 19.

<sup>207</sup> OJ L 192, 23.7.2010, p. 1.

<sup>208</sup> OJ L 343, 22.12.2009, p. 74.

<sup>209</sup> OJ L 268, 14.9.1992, p. 54.

<sup>210</sup> OJ L 194, 22.7.1988, p. 10.

<sup>211</sup> OJ L 302, 19.10.1989, p. 1.

<sup>212</sup> OJ L 224, 18.8.1990, p. 62.

<sup>213</sup> OJ L 62, 15.3.1993, p. 49.

<sup>214</sup> OJ L 328, 24.11.2006, p. 14.

- Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC<sup>215</sup>
- Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption<sup>216</sup>
- Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003<sup>217</sup>
- Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)<sup>218</sup>

### 37. Animal disease control, zoonosis control

References to national reference laboratories in the acts listed in this section shall not be read as including the reference laboratory in the United Kingdom. This shall not prevent a national reference laboratory located in a Member State from fulfilling the functions of a national reference laboratory in respect of Northern Ireland. Information and material exchanged for that purpose between the competent authorities of Northern Ireland and a national reference laboratory in a Member State shall not be subject to further disclosure by the national reference laboratory without the prior consent of those competent authorities.

- Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies<sup>219</sup>
- Council Directive 77/391/EEC of 17 May 1977 introducing Community measures for the eradication of brucellosis, tuberculosis and leucosis in cattle<sup>220</sup>
- Council Directive 78/52/EEC of 13 December 1977 establishing the Community criteria for national plans for the accelerated eradication of brucellosis, tuberculosis and enzootic leukosis in cattle<sup>221</sup>
- Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC<sup>222</sup>

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<sup>215</sup> OJ L 139, 30.4.2004, p. 321.

<sup>216</sup> OJ L 18, 23.1.2003, p. 11.

<sup>217</sup> OJ L 178, 28.6.2013, p. 1.

<sup>218</sup> OJ L 300, 14.11.2009, p. 1.

<sup>219</sup> OJ L 147, 31.5.2001, p. 1.

<sup>220</sup> OJ L 145, 13.6.1977, p. 44.

<sup>221</sup> OJ L 15, 19.1.1978, p. 34.

<sup>222</sup> OJ L 306, 22.11.2003, p. 1.

- Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC<sup>223</sup>
- Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever<sup>224</sup>
- Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness<sup>225</sup>
- Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever<sup>226</sup>
- Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents<sup>227</sup>
- Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease<sup>228</sup>
- Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease<sup>229</sup>
- Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC<sup>230</sup>
- Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue<sup>231</sup>

### 38. Animal identification

- Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC<sup>232</sup>
- Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97<sup>233</sup>

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<sup>223</sup> OJ L 10, 14.1.2006, p. 16.

<sup>224</sup> OJ L 316, 1.12.2001, p. 5.

<sup>225</sup> OJ L 157, 10.6.1992, p. 19.

<sup>226</sup> OJ L 192, 20.7.2002, p. 27.

<sup>227</sup> OJ L 325, 12.12.2003, p. 1.

<sup>228</sup> OJ L 260, 5.9.1992, p. 1.

<sup>229</sup> OJ L 62, 15.3.1993, p. 69.

<sup>230</sup> OJ L 325, 12.12.2003, p. 31.

<sup>231</sup> OJ L 327, 22.12.2000, p. 74.

<sup>232</sup> OJ L 5, 9.1.2004, p. 8.

<sup>233</sup> OJ L 204, 11.8.2000, p. 1.

- Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs<sup>234</sup>

#### 39. Animal breeding

- Article 37 and Article 64(3) of Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ("Animal Breeding Regulation")<sup>235</sup>

#### 40. Animal welfare

- Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97<sup>236</sup>
- Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing<sup>237</sup>

#### 41. Plant health

- Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>238</sup>
- Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC<sup>239</sup>

#### 42. Plant reproductive material

- Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed<sup>240</sup>
- Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine<sup>241</sup>
- Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material<sup>242</sup>

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<sup>234</sup> OJ L 213, 8.8.2008, p. 31.

<sup>235</sup> OJ L 171, 29.6.2016, p. 66.

<sup>236</sup> OJ L 3, 5.1.2005, p. 1.

<sup>237</sup> OJ L 303, 18.11.2009, p. 1.

<sup>238</sup> OJ L 169, 10.7.2000, p. 1.

<sup>239</sup> OJ L 317, 23.11.2016, p. 4.

<sup>240</sup> OJ 125, 11.7.1966, p. 2309.

<sup>241</sup> OJ L 93, 17.4.1968, p. 15.

- Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species<sup>243</sup>
- Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed<sup>244</sup>
- Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed<sup>245</sup>
- Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes<sup>246</sup>
- Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants<sup>247</sup>
- Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production<sup>248</sup>

#### 43. Official controls, veterinary checks

References to national reference laboratories in the acts listed in this section shall not be read as including the reference laboratory in the United Kingdom. This shall not prevent a national reference laboratory located in a Member State from fulfilling the functions of a national reference laboratory in respect of Northern Ireland. Information and material exchanged for that purpose between the competent authorities of Northern Ireland and a national reference laboratory in a Member State shall not be subject to further disclosure by the national reference laboratory without the prior consent of those competent authorities.

- Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)<sup>249</sup>
- Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules<sup>250</sup>

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<sup>242</sup> OJ L 11, 15.1.2000, p. 17.

<sup>243</sup> OJ L 193, 20.7.2002, p. 1.

<sup>244</sup> OJ L 193, 20.7.2002, p. 12.

<sup>245</sup> OJ L 193, 20.7.2002, p. 33.

<sup>246</sup> OJ L 193, 20.7.2002, p. 60.

<sup>247</sup> OJ L 193, 20.7.2002, p. 74.

<sup>248</sup> OJ L 267, 8.10.2008, p. 8.

<sup>249</sup> OJ L 95, 7.4.2017, p. 1.

<sup>250</sup> OJ L 165, 30.4.2004, p. 1.

- Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption<sup>251</sup>
- Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC<sup>252</sup>
- Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries<sup>253</sup>
- Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market<sup>254</sup>
- Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market<sup>255</sup>

#### 44. Sanitary and phytosanitary - Other

- Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of  $\beta$ -agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC<sup>256</sup>
- Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC<sup>257</sup>

#### 45. Intellectual property

- Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89<sup>258</sup>
- Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs<sup>259</sup>
- Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the

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<sup>251</sup> OJ L 139, 30.4.2004, p. 206.

<sup>252</sup> OJ L 268, 24.9.1991, p. 56.

<sup>253</sup> OJ L 24, 30.1.1998, p. 9.

<sup>254</sup> OJ L 224, 18.8.1990, p. 29.

<sup>255</sup> OJ L 395, 30.12.1989, p. 13.

<sup>256</sup> OJ L 125, 23.5.1996, p. 3.

<sup>257</sup> OJ L 125, 23.5.1996, p. 10.

<sup>258</sup> OJ L 39, 13.2.2008, p. 16.

<sup>259</sup> OJ L 343, 14.12.2012, p. 1.



protection of geographical indications of aromatized wine products and repealing Council Regulation (EEC) No 1601/91<sup>260</sup>

- Sections 2 and 3 of Chapter I of Title II of Part II of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007<sup>261</sup>
- Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003<sup>262</sup>

#### 46. Fisheries and aquaculture

- Commission Regulation (EEC) No 3703/85 of 23 December 1985 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish<sup>263</sup>
- Council Regulation (EEC) No 2136/89 of 21 June 1989 laying down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products<sup>264</sup>
- Council Regulation (EEC) No 1536/92 of 9 June 1992 laying down common marketing standards for preserved tuna and bonito<sup>265</sup>
- Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products<sup>266</sup>
- Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms<sup>267</sup>, insofar as it concerns provisions relating to minimum sizes of marine organisms
- Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006<sup>268</sup>, insofar as it concerns provisions relating to marketing standards

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<sup>260</sup> OJ L 84, 20.3.2014, p. 14.

<sup>261</sup> OJ L 347, 20.12.2013, p. 671.

<sup>262</sup> OJ L 181, 29.6.2013, p. 15.

<sup>263</sup> OJ L 351, 28.12.1985, p. 63.

<sup>264</sup> OJ L 212, 22.7.1989, p. 79.

<sup>265</sup> OJ L 163, 17.6.1992, p. 1.

<sup>266</sup> OJ L 334, 23.12.1996, p. 1.

<sup>267</sup> OJ L 125, 27.4.1998, p. 1.

<sup>268</sup> OJ L 343, 22.12.2009, p. 1.

- Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000<sup>269</sup>, insofar as it concerns provisions relating to marketing standards and consumer information
- Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC<sup>270</sup>, insofar as it concerns provisions relating to marketing standards for fishery and aquaculture products
- Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999<sup>271</sup>
- Council Regulation (EC) No 1035/2001 of 22 May 2001 establishing a catch documentation scheme for *Dissostichus spp.*<sup>272</sup>
- Regulation (EU) No 640/2010 of the European Parliament and of the Council of 7 July 2010 establishing a catch documentation programme for bluefin tuna *Thunnus thynnus* and amending Council Regulation (EC) No 1984/2003<sup>273</sup>
- Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel<sup>274</sup>

#### 47. Other

- Part III of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007<sup>275</sup>, with the exception of Chapter VI
- Council Regulation (EC) No 2964/95 of 20 December 1995 introducing registration for crude oil imports and deliveries in the Community<sup>276</sup>
- Council Regulation (EC) No 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins<sup>277</sup>

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<sup>269</sup> OJ L 354, 28.12.2013, p. 1.

<sup>270</sup> OJ L 354, 28.12.2013, p. 22.

<sup>271</sup> OJ L 286, 29.10.2008, p. 1.

<sup>272</sup> OJ L 145, 31.5.2001, p. 1.

<sup>273</sup> OJ L 194, 24.7.2010, p. 1.

<sup>274</sup> OJ L 248, 22.9.2007, p. 17.

<sup>275</sup> OJ L 347, 20.12.2013, p. 671.

<sup>276</sup> OJ L 310, 22.12.1995, p. 5.

<sup>277</sup> OJ L 373, 21.12.2004, p. 1.

- Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community<sup>278</sup>
- Directive 2014/40/EU of the European Parliament and of the Council of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products and repealing Directive 2001/37/EC<sup>279</sup>
- Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods<sup>280</sup>
- Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State and amending Regulation (EU) No 1024/2012<sup>281</sup>
- Council Directive 69/493/EEC of 15 December 1969 on the approximation of the laws of the Member States relating to crystal glass<sup>282</sup>
- Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items<sup>283</sup>
- Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons<sup>284</sup>
- Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition<sup>285</sup>
- Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community<sup>286</sup>
- Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment<sup>287</sup>

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<sup>278</sup> OJ L 309, 25.11.2005, p. 9.

<sup>279</sup> OJ L 127, 29.4.2014, p. 1.

<sup>280</sup> OJ L 39, 10.2.2009, p. 1.

<sup>281</sup> OJ L 159, 28.5.2014, p. 1.

<sup>282</sup> OJ L 326, 29.12.1969, p. 36.

<sup>283</sup> OJ L 134, 29.5.2009, p. 1.

<sup>284</sup> OJ L 256, 13.9.1991, p. 51.

<sup>285</sup> OJ L 94, 30.3.2012, p. 1.

<sup>286</sup> OJ L 146, 10.6.2009, p. 1.

<sup>287</sup> OJ L 200, 30.7.2005, p. 1.

- Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds<sup>288</sup>
  - Restrictive measures in force based on Article 215 TFEU, insofar as they relate to trade in goods between the Union and third countries
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PROVISIONS OF UNION LAW REFERRED TO IN ARTICLE 8

1. Value Added Tax<sup>1</sup>

- Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax<sup>2</sup>
- Council Directive 2008/9/EC of 12 February 2008 laying down detailed rules for the refund of value added tax, provided for in Directive 2006/112/EC, to taxable persons not established in the Member State of refund but established in another Member State<sup>3</sup>
- Council Regulation (EU) No 904/2010 of 7 October 2010 on administrative cooperation and combating fraud in the field of value added tax<sup>4</sup>
- Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures<sup>5</sup>
- Thirteenth Council Directive 86/560/EEC of 17 November 1986 on the harmonization of the laws of the Member States relating to turnover taxes - Arrangements for the refund of value added tax to taxable persons not established in Community territory<sup>6</sup>
- Council Directive 2007/74/EC of 20 December 2007 on the exemption from value added tax and excise duty of goods imported by persons travelling from third countries<sup>7</sup>
- Council Directive 2009/132/EC of 19 October 2009 determining the scope of Article 143(b) and (c) of Directive 2006/112/EC as regards exemption from value added tax on the final importation of certain goods<sup>8</sup>
- Council Directive 2006/79/EC of 5 October 2006 on the exemption from taxes of imports of small consignments of goods of a non-commercial character from third countries<sup>9</sup>
- Obligations stemming from the Agreement between the European Union and the Kingdom of Norway on administrative cooperation, combating fraud and recovery of claims in the field of value added tax<sup>10</sup>

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<sup>1</sup> The headings and subheadings in this Annex are purely indicative.

<sup>2</sup> OJ L 347, 11.12.2006, p. 1.

<sup>3</sup> OJ L 44, 20.2.2008, p. 23.

<sup>4</sup> OJ L 268, 12.10.2010, p. 1.

<sup>5</sup> OJ L 84, 31.3.2010, p. 1.

<sup>6</sup> OJ L 326, 21.11.1986, p. 40.

<sup>7</sup> OJ L 346, 29.12.2007, p. 6.

<sup>8</sup> OJ L 292, 10.11.2009, p. 5.

<sup>9</sup> OJ L 286, 17.10.2006, p. 15.

<sup>10</sup> OJ L 195, 1.8.2018, p. 1.

- Obligations stemming from the Cooperation agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, to combat fraud and any other illegal activity to the detriment of their financial interests<sup>11</sup>

## 2. Excise

- Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC<sup>12</sup>
- Council Regulation (EU) No 389/2012 of 2 May 2012 on administrative cooperation in the field of excise duties and repealing Regulation (EC) No 2073/2004<sup>13</sup>
- Council Directive 2010/24/EU of 16 March 2010 concerning mutual assistance for the recovery of claims relating to taxes, duties and other measures<sup>14</sup>
- Council Directive 92/83/EEC of 19 October 1992 on the harmonization of the structures of excise duties on alcohol and alcoholic beverages<sup>15</sup>
- Council Directive 92/84/EEC of 19 October 1992 on the approximation of the rates of excise duty on alcohol and alcoholic beverages<sup>16</sup>
- Council Directive 2011/64/EU of 21 June 2011 on the structure and rates of excise duty applied to manufactured tobacco<sup>17</sup>
- Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity<sup>18</sup>
- Council Directive 95/60/EC of 27 November 1995 on fiscal marking of gas oils and kerosene<sup>19</sup>
- Decision No 1152/2003/EC of the European Parliament and of the Council of 16 June 2003 on computerising the movement and surveillance of excisable products<sup>20</sup>
- Council Directive 2007/74/EC of 20 December 2007 on the exemption from value added tax and excise duty of goods imported by persons travelling from third countries<sup>21</sup>
- Council Directive 2006/79/EC of 5 October 2006 on the exemption from taxes of imports of small consignments of goods of a non-commercial character from third countries<sup>22</sup>

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<sup>11</sup> OJ L 46, 17.2.2009, p. 8.

<sup>12</sup> OJ L 9, 14.1.2009, p. 12.

<sup>13</sup> OJ L 121, 8.5.2012, p. 1.

<sup>14</sup> OJ L 84, 31.3.2010, p. 1.

<sup>15</sup> OJ L 316, 31.10.1992, p. 21.

<sup>16</sup> OJ L 316, 31.10.1992, p. 29.

<sup>17</sup> OJ L 176, 5.7.2011, p. 24.

<sup>18</sup> OJ L 283, 31.10.2003, p. 51.

<sup>19</sup> OJ L 291, 6.12.1995, p. 46.

<sup>20</sup> OJ L 162, 1.7.2003, p. 5.

<sup>21</sup> OJ L 346, 29.12.2007, p. 6.

<sup>22</sup> OJ L 286, 17.10.2006, p. 15.

**PROVISIONS OF UNION LAW REFERRED TO IN ARTICLE 9**

The following acts shall apply to and in the United Kingdom in respect of Northern Ireland insofar as they apply to the generation, transmission, distribution, and supply of electricity, trading in wholesale electricity or cross-border exchanges in electricity.

Provisions relating to retail markets and consumer protection shall not apply. References to a provision of another Union act in the acts listed in this Annex shall not render the provision referred to applicable where it does not otherwise apply to and in the United Kingdom in respect of Northern Ireland, unless it is a provision governing wholesale electricity markets which applies in Ireland and is necessary for the joint operation of the single wholesale electricity market in Ireland and Northern Ireland.

- Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC<sup>1</sup>
- Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003<sup>2</sup>
- Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators<sup>3</sup>
- Directive 2005/89/EC of the European Parliament and of the Council of 18 January 2006 concerning measures to safeguard security of electricity supply and infrastructure investment<sup>4</sup>
- Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency<sup>5</sup>
- Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)<sup>6</sup>
- Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC<sup>7</sup>

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<sup>1</sup> OJ L 211, 14.8.2009, p. 55.

<sup>2</sup> OJ L 211, 14.8.2009, p. 15.

<sup>3</sup> OJ L 211, 14.8.2009, p. 1.

<sup>4</sup> OJ L 33, 4.2.2006, p. 22.

<sup>5</sup> OJ L 326, 8.12.2011, p. 1.

<sup>6</sup> OJ L 334, 17.12.2010, p. 17.

<sup>7</sup> OJ L 275, 25.10.2003, p. 32.

PROVISIONS OF UNION LAW  
REFERRED TO IN ARTICLE 10(1)

1. State Aid rules in the TFEU<sup>1</sup>
  - Articles 107, 108 and 109 TFEU
  - Article 106 TFEU, insofar as it concerns State aid
  - Article 93 TFEU
2. Acts referring to the notion of aid
  - Commission notice on the notion of State aid<sup>2</sup>
  - Communication from the Commission on the application of the European Union State aid rules to compensation granted for the provision of services of general economic interest<sup>3</sup>
  - Commission Notice on the application of Articles 87 and 88 of the EC Treaty to State aid in the form of guarantees<sup>4</sup>
3. Block exemption regulations
  - 3.1 Enabling regulation
    - Council Regulation (EU) 2015/1588 of 13 July 2015 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of horizontal State aid<sup>5</sup>
  - 3.2 General block exemption regulation
    - Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty<sup>6</sup>

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<sup>1</sup> The headings and subheadings in this Annex are purely indicative.

<sup>2</sup> OJ C 262, 19.7.2016, p. 1.

<sup>3</sup> OJ C 8, 11.1.2012, p. 4.

<sup>4</sup> OJ C 155, 20.6.2008, p. 10.

<sup>5</sup> OJ L 248, 24.9.2015, p. 1.

<sup>6</sup> OJ L 187, 26.6.2014, p. 1.



### 3.3 Sectorial block exemption regulations

- Commission Regulation (EU) No 702/2014 of 25 June 2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union<sup>7</sup>
- Commission Regulation (EU) No 1388/2014 of 16 December 2014 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union<sup>8</sup>
- Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70<sup>9</sup>
- Communication from the Commission on interpretative guidelines concerning Regulation (EC) No 1370/2007 on public passenger transport services by rail and by road<sup>10</sup>
- Commission Decision of 20 December 2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest<sup>11</sup>

### 3.4 *De minimis* aid regulations

- Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid<sup>12</sup>
- Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest<sup>13</sup>

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<sup>7</sup> OJ L 193, 1.7.2014, p. 1.

<sup>8</sup> OJ L 369, 24.12.2014, p. 37.

<sup>9</sup> OJ L 315, 3.12.2007, p. 1.

<sup>10</sup> OJ C 92, 29.3.2014, p. 1.

<sup>11</sup> OJ L 7, 11.1.2012, p. 3.

<sup>12</sup> OJ L 352, 24.12.2013, p. 1.

<sup>13</sup> OJ L 114, 26.4.2012, p. 8.

- Commission Regulation (EU) No 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector<sup>14</sup>
- Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the fishery and aquaculture sector<sup>15</sup>

#### 4. Procedural rules

- Council Regulation (EU) 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union<sup>16</sup>
- Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty<sup>17</sup>
- Notice from the Commission — Towards an effective implementation of Commission decisions ordering Member States to recover unlawful and incompatible State aid<sup>18</sup>
- Commission notice on the determination of the applicable rules for the assessment of unlawful State aid<sup>19</sup>
- Commission notice on the enforcement of State aid law by national courts<sup>20</sup>
- Communication from the Commission on the revision of the method for setting the reference and discount rates<sup>21</sup>
- Communication from the Commission - Code of Best Practice for the conduct of State aid control procedures<sup>22</sup>
- Commission communication C (2003) 4582 of 1 December 2003 on professional secrecy in State aid decisions<sup>23</sup>

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<sup>14</sup> OJ L 352, 24.12.2013, p. 9.

<sup>15</sup> OJ L 190, 28.6.2014, p. 45.

<sup>16</sup> OJ L 248, 24.9.2015, p. 9.

<sup>17</sup> OJ L 140, 30.4.2004, p. 1.

<sup>18</sup> OJ C 272, 15.11.2007, p. 4.

<sup>19</sup> OJ C 119, 22.5.2002, p. 22.

<sup>20</sup> OJ C 85, 9.4.2009, p. 1.

<sup>21</sup> OJ C 14, 19.1.2008, p. 6.

<sup>22</sup> OJ C 253, 19.7.2018, p. 14.

<sup>23</sup> OJ C 297, 9.12.2003, p. 6.

## 5. Compatibility rules

### 5.1 Important Projects of Common European Interest

- Communication from the Commission — Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest<sup>24</sup>

### 5.2 Agricultural aid

- European Union guidelines for State aid in the agricultural and forestry sectors and in rural areas 2014 – 2020<sup>25</sup>

### 5.3 Fisheries and aquaculture aid

- Communication from the Commission – Guidelines for the examination of State aid to the fishery and aquaculture sector<sup>26</sup>

### 5.4 Regional aid

- Guidelines on regional State aid for 2014-2020<sup>27</sup>

### 5.5 Research and development and innovation aid

- Communication from the Commission — Framework for State aid for research and development and innovation<sup>28</sup>

### 5.6 Risk capital aid

- Communication from the Commission — Guidelines on State aid to promote risk finance investments<sup>29</sup>

### 5.7 Rescue and restructuring aid

- Communication from the Commission – Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty<sup>30</sup>

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<sup>24</sup> OJ C 188, 20.6.2014, p. 4.

<sup>25</sup> OJ C 204, 1.7.2014, p. 1.

<sup>26</sup> OJ C 217, 2.7.2015, p. 1.

<sup>27</sup> OJ C 209, 23.7.2013, p. 1.

<sup>28</sup> OJ C 198, 27.6.2014, p. 1.

<sup>29</sup> OJ C 19, 22.1.2014, p. 4.

<sup>30</sup> OJ C 249, 31.7.2014, p. 1.

## 5.8 Training aid

- Communication from the Commission – Criteria for the analysis of the compatibility of State aid for training subject to individual notification<sup>31</sup>

## 5.9 Employment aid

- Communication from the Commission – Criteria for the analysis of the compatibility of State aid for the employment of disadvantaged and disabled workers subject to individual notification<sup>32</sup>

## 5.10 Temporary rules in response to the economic and financial crisis

- Communication from the Commission on the application, from 1 August 2013, of State aid rules to support measures in favour of banks in the context of the financial crisis<sup>33</sup>
- Communication from the Commission on the treatment of impaired assets in the Community banking sector<sup>34</sup>
- Commission communication on the return to viability and the assessment of restructuring measures in the financial sector in the current crisis under the State aid rules<sup>35</sup>

## 5.11 Export credit insurance

- Communication from the Commission to the Member States on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to short-term export-credit insurance<sup>36</sup>

## 5.12 Energy and environment

### 5.12.1 Environment and energy

- Communication from the Commission — Guidelines on State aid for environmental protection and energy 2014-2020<sup>37</sup>
- Communication from the Commission — Guidelines on certain State aid measures in the context of the greenhouse gas emission allowance trading scheme post-2012<sup>38</sup>

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<sup>31</sup> OJ C 188, 11.8.2009, p. 1.

<sup>32</sup> OJ C 188, 11.8.2009, p. 6.

<sup>33</sup> OJ C 216, 30.7.2013, p. 1.

<sup>34</sup> OJ C 72, 26.3.2009, p. 1.

<sup>35</sup> OJ C 195, 19.8.2009, p. 9.

<sup>36</sup> OJ C 392, 19.12.2012, p. 1.

<sup>37</sup> OJ C 200, 28.6.2014, p. 1.

<sup>38</sup> OJ C 158, 5.6.2012, p. 4.

#### 5.12.2 Electricity (stranded costs)

- Commission Communication relating to the methodology for analysis of State aid linked to stranded costs<sup>39</sup>

#### 5.12.3 Coal

- Council Decision of 10 December 2010 on State aid to facilitate the closure of uncompetitive coal mines<sup>40</sup>

### 5.13 Basic industries and manufacturing (steel)

- Communication from the Commission concerning certain aspects of the treatment of competition cases resulting from the expiry of the ECSC Treaty<sup>41</sup>

### 5.14 Postal services

- Notice from the Commission on the application of the competition rules to the postal sector and on the assessment of certain State measures relating to postal services<sup>42</sup>

### 5.15 Audiovisual, broadcasting and broadband

#### 5.15.1 Audiovisual production

- Communication from the Commission on State aid for films and other audiovisual works<sup>43</sup>

#### 5.15.2 Broadcasting

- Communication from the Commission on the application of State aid rules to public service broadcasting<sup>44</sup>

#### 5.15.3 Broadband network

- Communication from the Commission - Guidelines for the application of State aid rules in relation to the rapid deployment of broadband networks<sup>45</sup>

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<sup>39</sup> [http://ec.europa.eu/competition/state\\_aid/legislation/stranded\\_costs\\_en.pdf](http://ec.europa.eu/competition/state_aid/legislation/stranded_costs_en.pdf)

<sup>40</sup> OJ L 336, 21.12.2010, p. 24.

<sup>41</sup> OJ C 152, 26.6.2002, p. 5.

<sup>42</sup> OJ C 39, 6.2.1998, p. 2.

<sup>43</sup> OJ C 332, 15.11.2013, p. 1.

<sup>44</sup> OJ C 257, 27.10.2009, p. 1.

<sup>45</sup> OJ C 25, 26.1.2013, p. 1.

## 5.16 Transport and infrastructure

- Communication from the Commission - Community guidelines on State aid for railway undertakings<sup>46</sup>
- Community guidelines on State aid to maritime transport<sup>47</sup>
- Communication from the Commission providing guidance on State aid complementary to Community funding for the launching of the motorways of the sea<sup>48</sup>
- Communication from the Commission providing guidance on State aid to ship-management companies<sup>49</sup>
- Communication from the Commission — Guidelines on State aid to airports and airlines<sup>50</sup>

## 5.17 Services of general economic interest (SGEI)

- Communication from the Commission — European Union framework for State aid in the form of public service compensation<sup>51</sup>

## 6. Transparency of financial relations between Member States and public undertakings

- Commission Directive 2006/111/EC of 16 November 2006 on the transparency of financial relations between Member States and public undertakings as well as on financial transparency within certain undertakings<sup>52</sup>

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<sup>46</sup> OJ C 184, 22.7.2008, p. 13.

<sup>47</sup> OJ C 13, 17.1.2004, p. 3.

<sup>48</sup> OJ C 317, 12.12.2008, p. 10.

<sup>49</sup> OJ C 132, 11.6.2009, p. 6.

<sup>50</sup> OJ C 99, 4.4.2014, p. 3.

<sup>51</sup> OJ C 8, 11.1.2012, p. 15.

<sup>52</sup> OJ L 318, 17.11.2006, p. 17.

PROCEDURES REFERRED TO IN ARTICLE 10(2)

The Joint Committee shall determine the initial maximum exempted overall annual level of support and the initial minimum percentage referred to in Article 10(2), taking into account the most recent information available. The initial maximum exempted overall annual level of support shall be informed by the design of the United Kingdom's future agricultural support scheme as well as the annual average of the total amount of expenditure incurred in Northern Ireland under the Common Agricultural Policy under the current MFF 2014-2020. The initial minimum percentage shall be informed by the design of the United Kingdom's agricultural support scheme as well as by the percentage to which the overall expenditure under the Common Agricultural Policy in the Union complied with the provisions of Annex 2 to the WTO Agreement on Agriculture as notified for the period concerned.

The Joint Committee shall adjust the level of support and percentage referred to in the first paragraph informed by the design of the United Kingdom's agricultural support scheme to any variation in the overall amount of support available under the Common Agricultural Policy in the Union in each future Multiannual Financial Framework.

If the Joint Committee fails to determine the initial level of support and percentage in accordance with the first paragraph, or fails to adjust the level of support and percentage in accordance with the second paragraph, by the end of the transition period or within 1 year of the entry into force of a future Multiannual Financial Framework, as the case may be, application of Article 10(2) shall be suspended until the Joint Committee has determined or adjusted the level of support and percentage.

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PROCEDURES REFERRED TO IN ARTICLE 16(3)

1. Where the Union or the United Kingdom is considering taking safeguard measures under Article 16(1) of this Protocol, it shall, without delay, notify the Union or the United Kingdom, as the case may be, through the Joint Committee and shall provide all relevant information.
  2. The Union and the United Kingdom shall immediately enter into consultations in the Joint Committee with a view to finding a commonly acceptable solution.
  3. The Union or the United Kingdom, as the case may be, may not take safeguard measures until 1 month has elapsed after the date of notification under point 1, unless the consultation procedure under point 2 has been concluded before the expiration of the state limit. When exceptional circumstances requiring immediate action exclude prior examination, the Union or the United Kingdom, as the case may be, may apply forthwith the protective measures strictly necessary to remedy the situation.
  4. The Union or the United Kingdom, as the case may be, shall, without delay, notify the measures taken to the Joint Committee and shall provide all relevant information.
  5. The safeguard measures taken shall be the subject of consultations in the Joint Committee every 3 months from the date of their adoption with a view to their abolition before the date of expiry envisaged, or to the limitation of their scope of application. The Union or the United Kingdom, as the case may be, may at any time request the Joint Committee to review such measures.
  6. Points 1 to 5 shall apply, *mutatis mutandis*, to rebalancing measures referred to in Article 16(2) of this Protocol.
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**Technical adaptations to the Withdrawal Agreement following the revision of the Protocol on  
Ireland/Northern Ireland as agreed at negotiators' level**

*ARTICLE 184*

**Negotiations on the future relationship**

The Union and the United Kingdom shall use their best endeavours, in good faith and in full respect of their respective legal orders, to take the necessary steps to negotiate expeditiously the agreements governing their future relationship referred to in the Political Declaration of [XX] October 2019 and to conduct the relevant procedures for the ratification or conclusion of those agreements, with a view to ensuring that those agreements apply, to the extent possible, as from the end of the transition period.

*ARTICLE 185*

**Entry into force and application**

[...]

The Protocol on Ireland/Northern Ireland shall apply as from the end of the transition period, with the exception of the following provisions of that Protocol that shall apply as from the entry into force of this Agreement:

- Article 1;
- the third, fourth and sixth subparagraphs of Article 5 (2);
- the second sentence of Article 5(3);
- the last sentence of Article 10(2);
- Article 12(3);
- Article 13(8);
- Article 14;
- Article 15(1) to (4) and (6);
- Article 19;
- the first paragraph of Annex 6.

[...]