

ADDITIONAL PROTOCOL

to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part, and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part

THE EUROPEAN COMMUNITY AND THE EUROPEAN COAL AND STEEL COMMUNITY,
hereinafter referred to as 'the Community',

of the one part, and

THE REPUBLIC OF POLAND, hereinafter referred to as 'Poland',

of the other part,

WHEREAS the Europe Agreement establishing an association between the European Communities and their Member States and the Republic of Poland (hereinafter referred to as 'the Europe Agreement') was signed in Brussels on 16 December 1991 and has not yet entered into force;

WHEREAS, pending the entry into force of the Europe Agreement, provisions thereof on trade and trade-related matters have been put into force since 1 March 1992 by the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part, (hereinafter called 'the Interim Agreement'), signed in Brussels on 16 December 1991, as last amended by an exchange of letters signed on 21 December 1992,

RECOGNIZING the crucial importance of trade in the transition to a market economy,

BEARING IN MIND the willingness of the Community to accelerate its efforts to open up its markets for products of Polish origin,

BEARING IN MIND the objectives of the Europe Agreement and, in particular, those referred to in Article 1 thereof,

HAVING REGARD to the Interim Agreement, and in particular to Article 1,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN COMMUNITY:

Philippe de SCHOUTHEETE de Tervarent
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Belgium,
Chairman of the Permanent Representatives Committee

THE EUROPEAN COAL AND STEEL COMMUNITY:

Juan Prat
Director-General of the Commission of the European Communities

THE REPUBLIC OF POLAND:

Jan Kulakowski
Ambassador Extraordinary and Plenipotentiary

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Article 3 (2), second subparagraph, of the Interim Agreement and Article 9 (2), second subparagraph, of the Europe Agreement shall be replaced by the following text:

'Customs duties on imports applicable in the Community to products originating in Poland listed in Annex II b shall be reduced, on the date of entry into force of this Agreement, by 20 % of the basic duty and one year thereafter by a further 20 % of the basic duty. Duties shall be totally abolished by the end of

the second year after the entry into force of the Agreement.'

Article 2

Article 3 (3) of the Interim Agreement and Article 9 (3) of the Europe Agreement shall be replaced by the following text:

'3. The products of Polish origin listed in Annex III shall benefit from a suspension of customs duties on imports within the limits of annual Community tariff quotas or ceilings increasing progressively in accordance with the conditions defined in that Annex so as to arrive at a complete abolition of customs duties on imports of the products concerned by the end of the third year after the date of entry into force of the Agreement.

At the same time customs duties on imports applicable to import quantities in excess of the quotas or ceilings provided for above shall be progressively dismantled from the entry into force of the Agreement by annual reductions of 15 %. By the end of the third year, remaining duties shall be abolished.'

Article 3

Footnote 3 of Annex III of the Interim Agreement and of Annex III to the Europe Agreement shall be replaced by the following text:

'⁽³⁾ These amounts shall be increased:

- by 20 % at the entry into force of the Agreement,
- by a further 20 % on 1 January 1993,
- by a further 10 % on 1 July 1993,
- by a further 30 % on 1 January 1994.'

Article 4

1. The introductory paragraph of Annex X b of the Interim Agreement and of Annex X b of the Europe Agreement shall be replaced by the following text:

'The quantities imported under the CN codes referred to in this Annex, with the exception of codes 0104 and 0204, shall be subject to levy and duty reductions of 20 % from 1 March 1992, 40 % from 1 January 1993 and 60 % from 1 July 1993.'

2. The following introductory paragraph shall be added to Annex X c of the Interim Agreement and to Annex X c of the Europe Agreement:

'The duty rates set out for Years 3, 4 and 5 respectively, shall be applicable from 1 July 1993, 1 July 1994 and 1 July 1995 respectively.'

3. The following second introductory paragraph shall be added to Annexes VIII a, X b and X c to the Interim Agreement and to Annexes VIII a, X b and X c to the Europe Agreement:

'The quantities in tonnes set out for the Year 3 shall be applicable from 1 July 1993 to 30 June 1994. The amounts imported prior to 1 July 1993 in excess of 50 % of the amount for Year 2 shall be deducted from the amount applicable for Year 3.

The quantities in tonnes set out for Years 4 and 5 respectively shall be applicable from 1 July 1994 to 30 June 1995 and from 1 July 1995 to 30 June 1996 respectively.'

Article 5

1. In the introductory paragraph to Article 2 (1) of Protocol 1 on textile and clothing products to the Interim Agreement and Protocol 1 on textile and clothing products to the Europe Agreement, 'elimination at the end of a period of six years' shall be replaced by 'elimination at the end of a period of five years'.

2. The last two indents of Article 2 (1) of Protocol 1 on textile and clothing products to the Interim Agreement and of Protocol 1 on textile and clothing products to the Europe Agreement shall be replaced by the following text:

— at the start of the sixth year the remaining duties shall be eliminated.'

Article 6

Article 2 (2) of Protocol 2 on ECSC products to the Interim Agreement and of Protocol 2 on ECSC products to the Europe Agreement shall be replaced by the following text:

'2. Further reductions to 60, 40, 20 and 0 % of the basic duty shall be made at the beginning of the second, third, fourth and fifth years respectively after the entry into force of the Agreement.'

Article 7

This Protocol shall form an integral part of the Interim Agreement and of the Europe Agreement.

Article 8

This Protocol shall enter into force on the first day of the month following the date upon which the Parties notify each other of the completion of the procedures necessary for that purpose. This Protocol shall apply from 1 July 1993, with the exception of its Article 6.

Article 9

This Protocol shall be drawn up in two copies in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Polish languages, each of these texts being equally authentic.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben el presente Protocolo adicional.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne tillægsprotokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Zusatzprotokoll gesetzt.

Εἰς πίστωση των ανωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι ἔθεσαν τῖς υπογραφές τους στο παρόν πρόσθετο πρωτόκολλο.

In witness whereof the undersigned Plenipotentiaries have signed this Additional Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole additionnel.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo aggiuntivo.

Ten blyke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Aanvullend Protocol hebben gesteld.

Em fé de que, os plenipotenciários abaixo assinados apuseram as suas assinaturas no final do presente protocolo complementar.

Na dowód czego pełnomocnicy złożyli swoje podpisy pod niniejszym Protokolem Dodatkowym.

Hecho en Bruselas, el cinco de enero de mil novecientos noventa y cuatro.

Udfærdiget i Bruxelles den femte januar nitten hundrede og fireoghalvfems.

Geschehen zu Brüssel am fünften Januar neunzehnhundertvierundneunzig.

Έγινε στις Βρυξέλλες, στις πέντε Ιανουαρίου χίλια εννιακόσια ενενήντα τέσσερα.

Done at Brussels on the fifth day of January in the year one thousand nine hundred and ninety-four.

Fait à Bruxelles, le cinq janvier mil neuf cent quatre-vingt-quatorze.

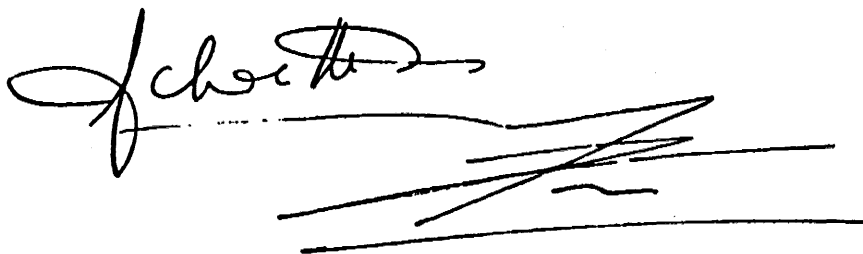
Fatto a Bruxelles, addì cinque gennaio millenovecentonovantaquattro.

Gedaan te Brussel, de vijfde januari negentienhonderd vierennegentig.

Feito em Bruxelas, em cinco de Janeiro de mil novecentos e noventa e quatro.

Sporządzono w Brukseli dnia piątego stycznia roku tysiąc dziewięćset dziewięćdziesiątego czwartego.

Por la Comunidad Europea y la Comunidad Europea del Carbón y del Acero
For Det Europæiske Fællesskab og Det Europæiske Kul- og Stålfællesskab
Für die Europäische Gemeinschaft und die Europäische Gemeinschaft für Kohle und Stahl
Για την Ευρωπαϊκή Κοινότητα και την Ευρωπαϊκή Κοινότητα Άνθρακα και Χάλυβα
For the European Community and the European Coal and Steel Community
Pour la Communauté européenne et la Communauté européenne du charbon et de l'acier
Per la Comunità europea e la Comunità europea del carbone e dell'acciaio
Voor de Europese Gemeenschap en de Europese Gemeenschap voor Kolen en Staal
Pela Comunidade Europeia e pela Comunidade Europeia do Carvão e do Aço
Za Wspólnotę Europejską i Europejską Wspólnotę Węgla i Stali



Por la República de Polonia
For Republikken Polen
Für die Republik Polen
Για τη Δημοκρατία της Πολωνίας
For the Republic of Poland
Pour la république de Pologne
Per la Repubblica di Polonia
Voor de Republiek Polen
Pela República da Polónia
Za Rzeczpospolita Polska

