

**AGREEMENT****on the participation of the Republic of Bulgaria and Romania in the European Economic Area**

THE EUROPEAN COMMUNITY,

THE KINGDOM OF BELGIUM,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as 'EC Member States',

ICELAND,

THE PRINCIPALITY OF LIECHTENSTEIN,

THE KINGDOM OF NORWAY,

hereinafter referred to as 'EFTA States',

together hereinafter referred to as 'Present Contracting Parties',

and

THE REPUBLIC OF BULGARIA,

ROMANIA,

WHEREAS the Treaty concerning the accession of the Republic of Bulgaria and Romania to the European Union (hereinafter referred to as the Treaty of Accession) was signed in Luxembourg on 25 April 2005;

WHEREAS, pursuant to Article 128 of the Agreement on the European Economic Area, signed at Oporto on 2 May 1992, any European State becoming a member of the Community shall apply to become a Party to the Agreement on the European Economic Area (hereinafter referred to as EEA Agreement);

WHEREAS the Republic of Bulgaria and Romania have applied to become Contracting Parties to the EEA Agreement;

WHEREAS the terms and conditions for such participation are to be the subject of an Agreement between the Present Contracting Parties and the applicant States,

HAVE DECIDED TO CONCLUDE THE FOLLOWING AGREEMENT:

*Article 1*

1. The Republic of Bulgaria and Romania hereby become Contracting Parties to the EEA Agreement and shall hereinafter be referred to as the 'New Contracting Parties'.

2. From the entry into force of this Agreement, the provisions of the EEA Agreement, as amended by the Decisions of the EEA Joint Committee adopted before 1 October 2004, shall be binding on the New Contracting Parties under the same conditions as on the Present Contracting Parties and under the terms and conditions laid down in this Agreement.

3. The Annexes to this Agreement form an integral part of this Agreement.

*Article 2*

1. ADJUSTMENTS TO THE MAIN TEXT OF THE EEA AGREEMENT

(a) Preamble:

the list of Contracting Parties shall be replaced by the following:

'THE EUROPEAN COMMUNITY,

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

- THE REPUBLIC OF LITHUANIA, Romania to the European Union, adopted in Luxembourg on 25 April 2005.;
- THE GRAND DUCHY OF LUXEMBOURG,
- THE REPUBLIC OF HUNGARY, (c) Article 117:
- MALTA, the text of Article 117 shall be replaced by the following:
- THE KINGDOM OF THE NETHERLANDS, 'Provisions governing the Financial Mechanisms are set out in Protocol 38, Protocol 38a and Addendum to Protocol 38a.');
- THE REPUBLIC OF AUSTRIA,
- THE REPUBLIC OF POLAND, (d) Article 126:
- THE PORTUGUESE REPUBLIC, in paragraph 1, the words 'Republic of' shall be deleted;
- ROMANIA,
- THE REPUBLIC OF SLOVENIA, (e) Article 129:
- THE SLOVAK REPUBLIC, (i) the second subparagraph of paragraph 1 shall be replaced by the following:
- THE REPUBLIC OF FINLAND, 'Pursuant to the enlargements of the European Economic Area the versions of this Agreement in the Bulgarian, Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Romanian, Slovak and Slovenian languages shall be equally authentic.');
- THE KINGDOM OF SWEDEN,
- THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
- and
- ICELAND, (ii) the third subparagraph of paragraph 1 shall be replaced by the following:
- THE PRINCIPALITY OF LIECHTENSTEIN,
- THE KINGDOM OF NORWAY.;
- (b) Article 2:
- (i) in paragraph (b), the words 'Republic of' shall be deleted;
- (ii) the following shall be added after paragraph (d):
- (e) the term "Act of Accession of 25 April 2005" shall mean the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded, adopted in Luxembourg on 25 April 2005;
- (f) the term "Protocol of Accession of 25 April 2005" shall mean the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and
2. ADJUSTMENTS TO PROTOCOLS TO THE EEA AGREEMENT
- (a) Protocol 4 on rules of origin shall be amended as follows:
- (i) in Article 3(1), the reference to the New Contracting Parties shall be deleted.

(ii) Annex IVa (Text of the invoice declaration) shall be amended as follows:

(aa) the following shall be inserted before the Spanish version of the text of the invoice declaration:

**‘Bulgarian version**

Износителят на продуктите, обхванати от този документ (митническо разрешение № ... <sup>(1)</sup>) декларира, че освен където е отбелязано друго, тези продукти са с преференциален произход ... <sup>(2)</sup>;

(bb) the following shall be inserted before the Slovenian version of the text of the invoice declaration:

**‘Romanian version**

Exportatorul produselor ce fac obiectul acestui document (autorizația vamală nr. ...<sup>(1)</sup>) declară că, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială ... <sup>(2)</sup>;

(iii) Annex IVb (Text of the invoice declaration EUR-MED) shall be amended as follows:

(aa) the following shall be inserted before the Spanish version of the text of the invoice declaration EUR-MED:

**‘Bulgarian version**

Износителят на продуктите, обхванати от този документ (митническоразрешение № ... <sup>(1)</sup>) декларира, че освен където е отбелязано друго, тези продукти са с преференциален произход ... <sup>(2)</sup>.

— cumulation applied with .....(name of the country/countries)

— no cumulation applied <sup>(3)</sup>;

(bb) the following shall be inserted before the Slovenian version of the text of the invoice declaration EUR-MED:

**‘Romanian version**

Exportatorul produselor ce fac obiectul acestui document (autorizația vamală

nr. ...<sup>(1)</sup>) declară că, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială ... <sup>(2)</sup>.

— cumulation applied with .....(name of the country/countries)

— no cumulation applied <sup>(3)</sup>;

(b) Protocol 38a shall be amended as follows:

in Article 4(3), the word ‘shall’ shall be replaced by the word ‘may’;

(c) the following shall be added to Protocol 38a:

**‘ADDENDUM TO PROTOCOL 38a**

**on the EEA financial mechanism for the Republic of Bulgaria and Romania**

*Article 1*

1. Protocol 38a shall apply *mutatis mutandis* to the Republic of Bulgaria and Romania.

2. Notwithstanding paragraph 1, Article 6 of Protocol 38a shall not apply. No reallocation to any other Beneficiary State shall be applicable in case of available non-committed funds of Bulgaria and Romania.

3. Notwithstanding paragraph 1, Article 7 of Protocol 38a shall not apply.

4. Notwithstanding paragraph 1, contributions to non-governmental organisations and social partners may be up to 90 % of project costs.

*Article 2*

The additional amounts of the financial contribution for the Republic of Bulgaria and Romania shall be EUR 21,5 million for the Republic of Bulgaria and EUR 50,5 million for Romania over the period running from 1 January 2007 to 30 April 2009, inclusive; they shall be made available as from the date of entry into force of the Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area or of an agreement to apply the Agreement provisionally and be provided for commitment in a single tranche in 2007.;

- (d) the text of Protocol 44 shall be replaced by the following:

**‘On safeguard mechanisms pursuant to enlargements of the European Economic Area**

1. Application of Article 112 of the Agreement to the General Economic Safeguard Clause and the safeguard mechanisms contained in certain transitional arrangements in the Field of Free Movement of Persons and Road Transport

Article 112 of the Agreement shall be applicable also to the situations specified or referred to

- (a) in the provisions of Article 37 of the Act of Accession of 16 April 2003, and of Article 36 of the Act of Accession of 25 April 2005 or, as the case may be, of the Protocol of Accession of 25 April 2005, and
- (b) in the safeguard mechanisms contained in the transitional arrangements under the headings “Transition period” in Annex V (Free movement of workers) and Annex VIII (Right of establishment), in point 30 (Directive 96/71/EC of the European Parliament and of the Council) of Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) and in point 26c (Council Regulation (EEC) No 3118/93) of Annex XIII (Transport) with the same time limits, scope and effects as set out in those provisions.

2. Internal Market Safeguard Clause

The general decision making procedure provided for by the Agreement shall be applicable also to decisions taken by the Commission of the European Communities in application of Article 38 of the Act of Accession of 16 April 2003, and of Article 37 of the Act of Accession of 25 April 2005 or, as the case may be, of the Protocol of Accession of 25 April 2005.’

*Article 3*

1. All amendments to acts adopted by the Community institutions incorporated into the EEA Agreement, made by the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded or, as the case may be, the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union, are hereby incorporated into and made part of the EEA Agreement.

2. To this end, the following indent is introduced in the points of the Annexes and Protocols to the EEA Agreement containing the references to the acts adopted by the Community institutions concerned:

‘— 1 2005 SA: Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded, adopted on 25 April 2005 (OJ L 157, 21.6.2005, p. 203).’

3. If and as soon as the Treaty establishing a Constitution for Europe has entered into force, the following indent shall replace the indent referred to in paragraph 2:

‘— 1 2005 SP: Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union, adopted on 25 April 2005 (OJ L 157, 21.6.2005, p. 29).’

4. If the indent referred to in paragraph 2 or 3 is the first indent in the point in question, it shall be preceded by the words ‘, as amended by:’.

5. Annex A to this Agreement lists the points in the Annexes and Protocols to the EEA Agreement in which the text referred to in paragraphs 2, 3 and 4 shall be introduced.

6. Where acts incorporated into the EEA Agreement prior to the date of entry into force of this Agreement require adaptations by reason of the New Contracting Parties’ participation, and the necessary adaptations have not been provided for in this Agreement, those adaptations will be addressed in accordance with the procedures laid down in the EEA Agreement.

*Article 4*

1. The arrangements contained in the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded referred to in Annex B to this Agreement are hereby incorporated into and made part of the EEA Agreement.

2. If and as soon as the Treaty establishing a Constitution for Europe has entered into force, the arrangements referred to in Annex B shall be understood to have been made by the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union.

3. Any of the arrangements of relevance for the EEA Agreement referred to in or adopted on the basis of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded or, as the case may be, the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union, which is not reflected in Annex B to this Agreement, will be addressed in accordance with the procedures laid down in the EEA Agreement.

*Article 5*

Any Party to this Agreement may bring any matter concerning its interpretation or application before the EEA Joint Committee. The EEA Joint Committee shall examine the matter with a view to finding an acceptable solution in order to maintain the good functioning of the EEA Agreement.

*Article 6*

1. This Agreement shall be ratified or approved by the Present Contracting Parties and the New Contracting Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.

2. It shall enter into force on the day following the deposit of the last instrument of ratification or approval of a Present Contracting Party or a New Contracting Party, provided that the following related agreements and protocols enter into force on the same day:

- (a) Agreement in the form of an Exchange of Letters between the European Community and Kingdom of Norway concerning a Cooperation Programme for Economic Growth and Sustainable Development in Bulgaria;

- (b) Agreement in the form of an Exchange of Letters between the European Community and Kingdom of Norway concerning a Cooperation Programme for Economic Growth and Sustainable Development in Romania;
- (c) additional Protocol to the Agreement between the European Economic Community and Iceland consequent on the accession of the Republic of Bulgaria and Romania to the European Union; and
- (d) additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway consequent on the accession of the Republic of Bulgaria and Romania to the European Union.

*Article 7*

This Agreement, drawn up in a single original in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, Icelandic and Norwegian languages, the text in each of these languages being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Governments of the Parties to this Agreement.

Съставено в Брюксел на двадесет и пети юли две хиляди и седма година.

Hecho en Bruselas, el veinticinco de julio de dos mil siete.

V Bruselu dne dvacátého pátého července dva tisíce sedm.

Udfærdiget i Bruxelles den femogtyvende juli to tusind og syv.

Geschehen zu Brüssel am fünfundzwanzigsten Juli zweitausendsieben.

Kahe tuhande seitsmenda aasta juulikuu kahekümne viiendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι πέντε Ιουλίου δύο χιλιάδες επτά.

Done at Brussels on the twenty-fifth day of July in the year two thousand and seven.

Fait à Bruxelles, le vingt-cinq juillet deux mille sept.

Fatto a Bruxelles, addì venticinque luglio duemilasette.

Briselē, divtūkstoš septītā gada divdesmit piektajā jūlijā.

Priimta du tūkstančiai septintųjų metų liepos dvidešimt penktą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-hetedik év július havának huszonötödik napján.

Maġmul fi Brussell, fil-hamsa u għoxrin jum ta' Lulju tas-sena elfejn u sebgħa.

Gedaan te Brussel, de vijfentwintigste juli tweeduizend zeven.

Sporządzono w Brukseli dnia dwudziestego piątego lipca roku dwa tysiące siódmego.

Feito em Bruxelas, em vinte e cinco de Julho de dois mil e sete.

Întocmit la Bruxelles, douăzeci și cinci iulie două mii șapte.

V Bruseli dňa dvadsiateho piatego júla dvetisícšedem.

V Bruslju, dne petindvajsetega julija leta dva tisoč sedem.

Tehty Brysselissä kahdentenäkymmenentenäviidentenä päivänä heinäkuuta vuonna kaksituhattaseitsemän.

Som skedde i Bryssel den tjugofemte juli tjugohundrasju.

Gjört í Brussel hinn 25 júlí 2007.

Utfærdiget i Brussel den tjuéfemte juli totusenogsjú.

Pour le Royaume de Belgique

Voor het Koninkrijk België

Für das Königreich Belgien



Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.

Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

За Република България



Za Českou republiku



På Kongeriget Danmarks vegne



Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel





Thar cheann Na hÉireann

For Ireland



Για την Ελληνική Δημοκρατία



Por el Reino de España



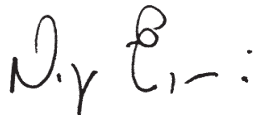
Pour la République française



Per la Repubblica italiana



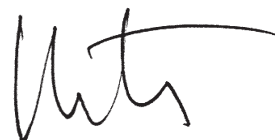
Για την Κυπριακή Δημοκρατία



Latvijas Republikas vārdā



Lietuvos Respublikos vardu



Pour le Grand-Duché de Luxembourg



A Magyar Köztársaság részéről



Għal Malta



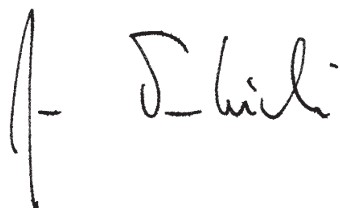
Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



Pela República Portuguesa



Pentru România



Za Republiko Slovenijo



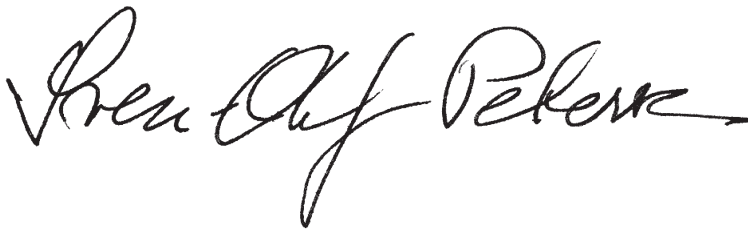
Za Slovenskú republiku



Suomen tasavallan puolesta



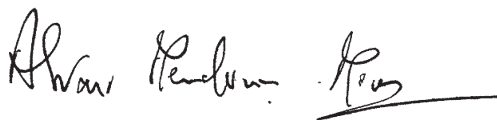
För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



За Европейската общност  
 For the European Community  
 Por la Comunidad Europea  
 Za Evropské společenství  
 For Det Europæiske Fællesskab  
 Für die Europäische Gemeinschaft  
 Euroopa Ühenduse nimel  
 Για την Ευρωπαϊκή Κοινότητα  
 Pour la Communauté européenne  
 Per la Comunità europea  
 Eiropas Kopienas vārdā  
 Europos bendrijos vardu  
 Az Európai Közösség részéről  
 Ghall-Komunità Ewropea  
 Voor de Europese Gemeenschap  
 W imieniu Wspólnoty Europejskiej  
 Pela Comunidade Europeia  
 Pentru Comunitatea Europeană  
 Za Európske spoločenstvo  
 Za Evropsko skupnost  
 Euroopan yhteisön puolesta  
 På Europeiska gemenskapens vägnar




Fyrir hönd Íslands



Für das Fürstentum Liechtenstein



For Kongeriket Norge



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## ANNEX A

## LIST REFERRED TO IN ARTICLE 3 OF THE AGREEMENT

## PART I

**Acts referred to in the EEA Agreement amended**

**by the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded or, as the case may be, the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union**

The indents referred to in Article 3(2) and 3(3) shall be inserted in the following locations in the Annexes and Protocols to the EEA Agreement:

in Chapter XXVII (Spirit Drinks) of Annex II (Technical regulations, standards, testing and certification):

- Point 1 (Council Regulation (EEC) No 1576/89),
- Point 3 (Council Regulation (EEC) No 1601/91);

in Annex XIII (Transport):

- Point 19 (Council Directive 96/26/EC);

in Annex XVII (Intellectual Property):

- Point 6 (Council Regulation (EEC) No 1768/92),
- Point 6a (Regulation (EC) No 1610/96 of the European Parliament and of the Council).

## PART II

**Other amendments to the Annexes to the EEA Agreement**

The following amendments shall be made to the Annexes to the EEA Agreement:

in Annex V (Free movement of workers):

in point 3 (Council Directive 68/360/EC), adaptation (e)(ii) shall be replaced by the following:

'(ii) the footnote shall be replaced by the following:

"Belgian, Bulgarian, Czech, Danish, German, Estonian, Greek, Icelandic, Spanish, French, Irish, Italian, Cypriot, Latvian, Liechtenstein, Lithuanian, Luxembourg, Hungarian, Maltese, Netherlands, Norwegian, Austrian, Polish, Portuguese, Romanian, Slovenian, Slovakian, Finnish, Swedish and British according to the country issuing the permit."

## ANNEX B

**LIST REFERRED TO IN ARTICLE 4 OF THE AGREEMENT**

The Annexes to the EEA Agreement shall be amended as follows:

Annex II (Technical regulations, standards, testing and certification):

1. in Chapter XV, Point 12a (Council Directive 91/414/EEC), the following paragraph shall be inserted after the paragraph regarding the transitional arrangements:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 5, Section B, Part II), shall apply.'

2. In Chapter XVII, Point 7 (Directive 94/62/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 2) and Romania (Annex VII, Chapter 9, Section B, point 2), shall apply.'

3. in Chapter XVII, Point 8 (Directive 94/63/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section A, point 1) and Romania (Annex VII, Chapter 9, Section A), shall apply.'

4. in Chapter XXV, Point 3 (Directive 2001/37/EC of the European Parliament and of the Council), the following paragraph shall be inserted before the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 7), shall apply.'

Annex V (Free movement of workers):

the text of the second paragraph under the heading 'Transition Period' shall be replaced by the following:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 1) and Romania (Annex VII, Chapter 1), shall apply.'

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, with the exception of the arrangements for Malta, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply.'

Annex VIII (Right of establishment):

the text of the second paragraph under the heading 'Transition Period' shall be replaced by the following:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 1) and Romania (Annex VII, Chapter 1), shall apply.'

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, with the exception of the arrangements for Malta, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply.'

Annex IX (Financial services):

in point 30c (Directive 97/9/EC of the European Parliament and of the Council), the following paragraph shall be added:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 2) and Romania (Annex VII, Chapter 2), shall apply.'

Annex XI (Telecommunication services):

in point 5cm (Directive 2002/22/EC of the European Parliament and of the Council), the following paragraph shall be inserted before the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 9), shall apply.'

Annex XII (Free movement of capital):

the following paragraph shall be inserted after the paragraph under the heading 'TRANSITION PERIOD':

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 3) and Romania (Annex VII, Chapter 3), shall apply.'

Annex XIII (Transport):

1. in point 15a (Council Directive 96/53/EC), the following paragraph shall be added:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 5, point 3) and Romania (Annex VII, Chapter 6, point 2), shall apply.;

2. in point 18a (Council Directive 1999/62/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 6, point 3), shall apply.;

3. in point 19 (Council Directive 96/26/EC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 5, point 2), shall apply.;

4. in point 26c (Council Regulation (EEC) No 3118/93), the text of the second paragraph regarding the transitional arrangements shall be replaced by the following:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 5, point 1) and Romania (Annex VII, Chapter 6, point 1), shall apply.

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply.;

Annex XV (State aid):

1. the following paragraph shall be added at the end of the 'SECTORAL ADAPTATIONS':

'The arrangements regarding the existing aid schemes set out in Chapter 2 (Competition policy) of Annex V to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 shall apply between the Contracting Parties.;

2. the following shall be inserted before the heading 'ACTS REFERRED TO':

'TRANSITION PERIOD

The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 4), shall apply.'

Annex XVII (Intellectual property):

The following shall be added under the heading 'SECTORAL ADAPTATIONS':

'The specific mechanisms set out in Chapter 1 (Company law) of Annex V to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 shall apply between the Contracting Parties.'

Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women):

in point 30 (Directive 96/71/EC of the European Parliament and of the Council), the text of the second paragraph regarding the transitional arrangements shall be replaced by the following:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 1) and Romania (Annex VII, Chapter 1), shall apply.'

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply.'

Annex XX (Environment):

1. in point 1f (Council Directive 96/61/EC), the following paragraph shall be added:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section D, point 1) and Romania (Annex VII, Chapter 9, Section D, point 1), shall apply.';

2. in point 7a (Council Directive 98/83/EC), the following paragraph shall be added:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 5), shall apply.';

3. in point 9 (Council Directive 83/513/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 1), shall apply.';

4. in point 10 (Council Directive 84/156/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 1), shall apply.';

5. in point 11 (Council Directive 84/491/EEC), the following paragraph shall be inserted before the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 2), shall apply.';

6. in point 12 (Council Directive 86/280/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 3), shall apply.';



7. in point 13 (Council Directive 91/271/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section C) and Romania (Annex VII, Chapter 9, Section C, point 4), shall apply.:'
  8. in point 19a (Directive 2001/80/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section D, point 2) and Romania (Annex VII, Chapter 9, Section D, point 3), shall apply.:'
  9. in point 21ad (Council Directive 1999/32/EC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section A, point 2), shall apply.:'
  10. in point 32c (Council Regulation (EEC) No 259/93), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 1) and Romania (Annex VII, Chapter 9, Section B, point 1) shall apply.:'
  11. in point 32d (Council Directive 1999/31/EC), the following paragraph shall be added:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 3) and Romania (Annex VII, Chapter 9, Section B, point 3) shall apply.:'
  12. in point 32f (Directive 2000/76/EC of the European Parliament and of the Council), the following paragraph shall be inserted before the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section D, point 2) shall apply.:'
  13. in point 32fa (Directive 2002/96/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

'The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 4) and Romania (Annex VII, Chapter 9, Section B, point 4) shall apply.'
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