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ACTS

**ACP-EU PARTNERSHIP AGREEMENT
ACT NO. 22 OF 2001.**



REPUBLIC OF VANUATU

ACP-EU PARTNERSHIP AGREEMENT ACT NO. 22 OF 2001

Arrangement of Sections

1. Ratification
2. Commencement

REPUBLIC OF VANUATU

Assent: 30 December 2001

Commencement: 15 April 2002

ACP-EU PARTNERSHIP AGREEMENT ACT NO. 22 OF 2001

An Act to provide for the ratification of the ACP-EU Partnership Agreement

Be it enacted by the President and Parliament as follows-

1 Ratification

- (1) The ACP-EU Partnership Agreement signed in Cononou on 23 June 2000 a copy of which is attached is ratified.
- (2) The ACP-EU Partnership Agreement is binding on the Republic of Vanuatu in accordance with its terms.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

PARTNERSHIP AGREEMENT
BETWEEN THE MEMBERS OF
THE AFRICAN, CARIBBEAN AND
PACIFIC GROUP OF STATES OF THE ONE PART,
AND THE EUROPEAN COMMUNITY
AND ITS MEMBER STATES, OF THE OTHER PART,

Signed in

COTONOU

on 23 June 2000

Consolidated text

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PREAMBLE

HAVING REGARD TO the Treaty establishing the European Community, on the one hand, and the Georgetown Agreement establishing the Group of African, Caribbean and Pacific States (ACP), on the other;

AFFIRMING their commitment to work together towards the achievement of the objectives of poverty eradication, sustainable development and the gradual integration of the ACP countries into the world economy;

ASSERTING their resolve to make, through their cooperation, a significant contribution to the economic, social and cultural development of the ACP States and to the greater well-being of their population, helping them facing the challenges of globalisation and strengthening the ACP-EU Partnership in the effort to give the process of globalisation a stronger social dimension;

REAFFIRMING their willingness to revitalise their special relationship and to implement a comprehensive and integrated approach for a strengthened partnership based on political dialogue, development cooperation and economic and trade relations;

ACKNOWLEDGING that a political environment guaranteeing peace, security and stability, respect for human rights, democratic principles and the rule of law, and good governance is part and parcel of long term development; acknowledging that responsibility for establishing such an environment rests primarily with the countries concerned;

ACKNOWLEDGING that sound and sustainable economic policies are prerequisites for development;

REFERRING to the principles of the Charter of the United Nations, and recalling the Universal Declaration of Human Rights, the conclusions of the 1993 Vienna Conference on Human Rights, the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of all forms of Discrimination against Women, the International Convention on the Elimination of all forms of Racial Discrimination, the 1949 Geneva Conventions and the other instruments of international humanitarian law, the 1954 Convention relating to the status of stateless persons, the 1951 Geneva Convention relating to the Status of Refugees and the 1967 New York Protocol relating to the Status of Refugees;

CONSIDERING the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe, the African Charter on Human and Peoples' Rights and the American Convention on Human Rights as positive regional contributions to the respect of human rights in the European Union and in the ACP States;

RECALLING the Libreville and Santo Domingo declarations of the Heads of State and Government of the ACP countries at their Summits in 1997 and 1999;

CONSIDERING that the development targets and principles agreed in United Nations Conferences and the target, set by the OECD Development Assistance Committee, to reduce by one half the proportion of people living in extreme poverty by the year 2015 provide a clear vision and must underpin ACP-EU cooperation within this Agreement;

PAYING particular attention to the pledges made at the Rio, Vienna, Cairo, Copenhagen, Beijing, Istanbul and Rome UN conferences and acknowledging the need for further action to be taken in order to achieve the goals and implement the action programmes which have been drawn up in those fora;

ANXIOUS to respect basic labour rights, taking account of the principles laid down in the relevant conventions of the International Labour Organisation;

RECALLING the commitments within the framework of the World Trade Organisation,

HAVE DECIDED TO CONCLUDE THIS AGREEMENT:

**PART ONE
GENERAL PROVISIONS**

TITLE I

Objectives, principles and actors

CHAPTER 1

Objectives and principles

ARTICLE 1

Objectives of the partnership

The Community and its Member States, of the one part, and the ACP States, of the other part, hereinafter referred to as the "Parties" hereby conclude this Agreement in order to promote and expedite the economic, cultural and social development of the ACP States, with a view to contributing to peace and security and to promoting a stable and democratic political environment.

The partnership shall be centred on the objective of reducing and eventually eradicating poverty consistent with the objectives of sustainable development and the gradual integration of the ACP countries into the world economy.

These objectives and the Parties' international commitments shall inform all development strategies and shall be tackled through an integrated approach taking account at the same time of the political, economic, social, cultural and environmental aspects of development. The partnership shall provide a coherent support framework for the development strategies adopted by each ACP State.

Sustained economic growth, developing the private sector, increasing employment and improving access to productive resources shall all be part of this framework. Support shall be given to the respect of the rights of the individual and meeting basic needs, the promotion of social development and the conditions for an equitable distribution of the fruits of growth. Regional and sub-regional integration processes which foster the integration of the ACP countries into the world economy in terms of trade and private investment shall be encouraged and supported. Building the capacity of the actors in development and improving the institutional framework necessary for social cohesion, for the functioning of a democratic society and market economy, and for the emergence of an active and organised civil society shall be integral to the approach. Systematic account shall be taken of the situation of women and gender issues in

all areas – political, economic and social. The principles of sustainable management of natural resources and the environment shall be applied and integrated at every level of the partnership.

ARTICLE 2

Fundamental principles

ACP-EC cooperation, underpinned by a legally binding system and the existence of joint institutions, shall be exercised on the basis of the following fundamental principles:

- equality of the partners and ownership of the development strategies: for the purposes of implementing the objectives of the partnership, the ACP States shall determine the development strategies for their economies and societies in all sovereignty and with due regard for the essential elements described in Article 9; the partnership shall encourage ownership of the development strategies by the countries and populations concerned;
- participation: apart from central government as the main partner, the partnership shall be open to different kinds of other actors in order to encourage the integration of all sections of society, including the private sector and civil society organisations, into the mainstream of political, economic and social life;
- the pivotal role of dialogue and the fulfilment of mutual obligations: the obligations assumed by the Parties in the framework of their dialogue shall be central to their partnership and cooperation relations;
- differentiation and regionalisation: cooperation arrangements and priorities shall vary according to a partner's level of development, its needs, its performance and its long-term development strategy. Particular emphasis shall be placed on the regional dimension. Special treatment shall be given to the least-developed countries. The vulnerability of landlocked and island countries shall be taken into account.

Achievement of this Agreement's objectives

The Parties shall, each as far as it is concerned in the framework of this Agreement, take all appropriate measures, whether general or particular, to ensure the fulfilment of the obligations arising from this Agreement and to facilitate the attainment of the objectives thereof. They shall refrain from any measures liable to jeopardise these objectives.

CHAPTER 2

The actors of the partnership

ARTICLE 4

General approach

The ACP States shall determine the development principles, strategies and models of their economies and societies in all sovereignty. They shall establish, with the Community, the cooperation programmes provided for under this Agreement. However, the parties recognise the complementary role of and potential for contributions by non-State actors to the development process. To this end, under the conditions laid down in this Agreement, non-State actors shall, where appropriate:

- be informed and involved in consultation on cooperation policies and strategies, on priorities for cooperation especially in areas that concern or directly affect them, and on the political dialogue;
- be provided with financial resources, under the conditions laid down in this Agreement in order to support local development processes;
- be involved in the implementation of cooperation project and programmes in areas that concern them or where these actors have a comparative advantage;
- be provided with capacity-building support in critical areas in order to reinforce the capabilities of these actors, particularly as regards organisation and representation, and the establishment of consultation mechanisms including channels of communication and dialogue, and to promote strategic alliances.

Information

Cooperation will support operation to provide more information and create greater awareness of the basic features of ACP-EU Partnership. Cooperation will also:

- encourage partnership and build links between ACP and EU actors;
- strengthen networking and exchange of expertise and experience among the actors.

ARTICLE 6

Definitions

1. The actors of cooperation will include:

(a) State (local, national and regional);

(b) Non-State:

- Private sector;
- Economic and social partners, including trade union organisations;
- Civil Society in all its forms according to national characteristics.

2. Recognition by the parties of non-governmental actors shall depend on the extent to which they address the needs of the population, on their specific competencies and whether they are organised and managed democratically and transparently.

ARTICLE 7

Capacity building

The contribution of civil society to development can be enhanced by strengthening community organisations and non-profit non-governmental organisations in all spheres of cooperation. This will require:

- encouraging and supporting the creation and development of such organisations;
- establishing arrangements for involving such organisations in the design, implementation and evaluation of development strategies and programmes.

TITLE II

The political dimension

ARTICLE 8

Political dialogue

1. The Parties shall regularly engage in a comprehensive, balanced and deep political dialogue leading to commitments on both sides.
2. The objective of this dialogue shall be to exchange information, to foster mutual understanding, and to facilitate the establishment of agreed priorities and shared agendas, in particular by recognising existing links between the different aspects of the relations between the Parties and the various areas of cooperation as laid down in this Agreement. The dialogue shall facilitate consultations between the Parties within international fora. The objectives of the dialogue shall also include preventing situations arising in which one Party might deem it necessary to have recourse to the non-execution clause.
3. The dialogue shall cover all the aims and objectives laid down in this Agreement as well as all questions of common, general, regional or sub-regional interest. Through dialogue, the Parties shall contribute to peace, security and stability and promote a stable and democratic political environment. It shall encompass cooperation strategies as well as global and sectoral policies, including environment, gender, migration and questions related to the cultural heritage.
4. The dialogue shall focus, *inter alia*, on specific political issues of mutual concern or of general significance for the attainment of the objectives of this Agreement, such as the arms trade, excessive military expenditure, drugs and organised crime, or ethnic, religious or racial discrimination. The dialogue shall also encompass a regular assessment of the developments concerning the respect for human rights, democratic principles, the rule of law and good governance.
5. Broadly based policies to promote peace and to prevent, manage and resolve violent conflicts shall play a prominent role in this dialogue, as shall the need to take full account of the objective of peace and democratic stability in the definition of priority areas of cooperation.
6. The dialogue shall be conducted in a flexible manner. Dialogue shall be formal or informal according

to the need, and conducted within and outside the institutional framework, in the appropriate format, and at the appropriate level including regional, sub-regional or national level.

7. Regional and sub-regional organisations as well as representatives of civil society organisations shall be associated with this dialogue.

ARTICLE 9

Essential elements and fundamental element

1. Cooperation shall be directed towards sustainable development centred on the human person, who is the main protagonist and beneficiary of development; this entails respect for and promotion of all human rights.

Respect for all human rights and fundamental freedoms, including respect for fundamental social rights, democracy based on the rule of law and transparent and accountable governance are an integral part of sustainable development.

2. The Parties refer to their international obligations and commitments concerning respect for human rights. They reiterate their deep attachment to human dignity and human rights, which are legitimate aspirations of individuals and peoples. Human rights are universal, indivisible and inter-related. The Parties undertake to promote and protect all fundamental freedoms and human rights, be they civil and political, or economic, social and cultural. In this context, the Parties reaffirm the equality of men and women.

The Parties reaffirm that democratisation, development and the protection of fundamental freedoms and human rights are interrelated and mutually reinforcing. Democratic principles are universally recognised principles underpinning the organisation of the State to ensure the legitimacy of its authority, the legality of its actions reflected in its constitutional, legislative and regulatory system, and the existence of participatory mechanisms. On the basis of universally recognised principles, each country develops its democratic culture.

The structure of government and the prerogatives of the different powers shall be founded on rule of

law, which shall entail in particular effective and accessible means of legal redress, an independent legal system guaranteeing equality before the law and an executive that is fully subject to the law.

Respect for human rights, democratic principles and the rule of law, which underpin the ACP-EU Partnership, shall underpin the domestic and international policies of the Parties and constitute the essential elements of this Agreement.

3. In the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law, good governance is the transparent and accountable management of human, natural, economic and financial resources for the purposes of equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable institutions, the primacy of law in the management and distribution of resources and capacity building for elaborating and implementing measures aiming in particular at preventing and combating corruption.

Good governance, which underpins the ACP-EU Partnership, shall underpin the domestic and international policies of the Parties and constitute a fundamental element of this Agreement. The Parties agree that only serious cases of corruption, including acts of bribery leading to such corruption, as defined in Article 97 constitute a violation of that element.

4. The Partnership shall actively support the promotion of human rights, processes of democratisation, consolidation of the rule of law, and good governance.

These areas will be an important subject for the political dialogue. In the context of this dialogue, the Parties shall attach particular importance to the changes underway and to the continuity of the progress achieved. This regular assessment shall take into account each country's economic, social, cultural and historical context.

These areas will also be a focus of support for development strategies. The Community shall provide support for political, institutional and legal reforms and for building the capacity of public and private actors and civil society in the framework of strategies agreed jointly between the State concerned and the Community.

ARTICLE 10

Other elements of the political environment

1. The Parties consider the following elements as contributing to the maintenance and consolidation of a stable and democratic political environment:
 - sustainable and equitable development involving, inter alia, access to productive resources, essential services and justice;
 - greater involvement of an active and organised civil society and the private sector.
2. The Parties recognise that the principles of the market economy, supported by transparent competition rules and sound economic and social policies, contribute to achieving the objectives of the partnership.

ARTICLE 11

Peace-building policies, conflict prevention and resolution

1. The Parties shall pursue an active, comprehensive and integrated policy of peace-building and conflict prevention and resolution within the framework of the Partnership. This policy shall be based on the principle of ownership. It shall in particular focus on building regional, sub-regional and national capacities, and on preventing violent conflicts at an early stage by addressing their root-causes in a targeted manner, and with an adequate combination of all available instruments.
2. The activities in the field of peace-building, conflict prevention and resolution shall in particular include support for balancing political, economic, social and cultural opportunities among all segments of society, for strengthening the democratic legitimacy and effectiveness of governance, for establishing effective mechanisms for the peaceful conciliation of group interests, for bridging dividing lines among different segments of society as well as support for an active and organised civil society.
3. Relevant activities shall also include, inter alia, support for mediation, negotiation and reconciliation efforts, for effective regional management of shared, scarce natural resources, for demobilisation and reintegration of former combatants into the society, for addressing the problem of child soldiers, as well as for suitable action to set responsible limits to military expenditure and the arms trade, including through support for the promotion

and application of agreed standards and codes of conduct. In this context, particular emphasis shall be given to the fight against anti-personnel landmines as well as to addressing an excessive and uncontrolled spread, illegal trafficking and accumulation of small arms and light weapons.

4. In situations of violent conflict the Parties shall take all suitable action to prevent an intensification of violence, to limit its territorial spread, and to facilitate a peaceful settlement of the existing disputes. Particular attention shall be paid to ensuring that financial resources for cooperation are used in accordance with the principles and objectives of the Partnership, and to preventing a diversion of funds for belligerent purposes.
5. In post-conflict situations, the Parties shall take all suitable action to facilitate the return to a non-violent, stable and self-sustainable situation. The Parties shall ensure the creation of the necessary links between emergency measures, rehabilitation and development cooperation.

ARTICLE 12

Coherence of Community policies and their impact on the implementation of this Agreement

Without prejudice to Article 96, where the Community intends, in the exercise of its powers, to take a measure which might affect the interests of the ACP States, as far as this Agreement's objectives are concerned, it shall inform in good time the said States of its intentions. Towards this end, the Commission shall communicate simultaneously to the Secretariat of the ACP States its proposal for such measures. Where necessary, a request for information may also take place on the initiative of the ACP States.

At their request, consultations shall be held promptly so that account may be taken of their concerns as to the impact of those measures before any final decision is made.

After such consultations have taken place, the ACP States may, in addition, transmit their concerns in writing to the Community as soon as possible and submit suggestions for amendments indicating the way their concerns should be met.

If the Community does not accede to the ACP States' submissions, it shall advise them as soon as possible giving its reasons.

The ACP States shall also be provided with adequate information on the entry into force of such decisions, in advance whenever possible.

ARTICLE 13

Migration

1. The issue of migration shall be the subject of in-depth dialogue in the framework of the ACP-EU Partnership.

The Parties reaffirm their existing obligations and commitments in international law to ensure respect for human rights and to eliminate all forms of discrimination based particularly on origin, sex, race, language and religion.

2. The Parties agree to consider that a partnership implies, with relation to migration, fair treatment of third country nationals who reside legally on their territories, integration policy aiming at granting them rights and obligations comparable to those of their citizens, enhancing non-discrimination in economic, social and cultural life and developing measures against racism and xenophobia.
3. The treatment accorded by each Member State to workers of ACP countries legally employed in its territory, shall be free from any discrimination based on nationality, as regards working conditions, remuneration and dismissal, relative to its own nationals. Further in this regard, each ACP State shall accord comparable non-discriminatory treatment to workers who are nationals of a Member State.
4. The Parties consider that strategies aiming at reducing poverty, improving living and working conditions, creating employment and developing training contribute in the long term to normalising migratory flows.

The Parties will take account, in the framework of development strategies and national and regional programming, of structural constraints associated with migratory flows with the purpose of supporting the economic and social development of the regions from which migrants originate and of reducing poverty.

The Community shall support, through national and regional Cooperation programmes, the training of ACP nationals in their country of origin, in another ACP country or in a Member State of the European Union. As regards training in a Member State, the Parties shall ensure that such action is geared towards the vocational integration of ACP nationals in their countries of origin.

The Parties shall develop cooperation programmes to facilitate the access of students from ACP States to education, in particular through the use of new communication technologies.

5. (a) In the framework of the political dialogue the Council of Ministers shall examine issues arising from illegal immigration with a view to establishing, where appropriate, the means for a prevention policy.

(b) In this context the Parties agree in particular to ensure that the rights and dignity of individuals are respected in any procedure initiated to return illegal immigrants to their countries of origin. In this connection the authorities concerned shall extend to them the administrative facilities necessary for their return.

(c) The Parties further agree that:

i) each Member State of the European Union shall accept the return of and readmission of any of its nationals who are illegally present on the territory of an ACP State, at that State's request and without further formalities;

each of the ACP States shall accept the return of and readmission of any of its nationals who are illegally present on the territory of a Member State of the European Union, at that Member State's request and without further formalities.

The Member States and the ACP States will provide their nationals with appropriate identity documents for such purposes.

In respect of the Member States of the European Union, the obligations in this paragraph apply only in respect of those persons who are to be considered their nationals for the Community purposes in accordance with Declaration No 2 to the Treaty establishing the European Community. In respect of ACP States, the obligations in this paragraph apply only in respect of those persons who are considered as their nationals in accordance with their respective legal system.

ii) at the request of a Party, negotiations shall be initiated with ACP States aiming at concluding in good faith and with due regard for the relevant rules of international law, bilateral agreements governing specific obligations for the readmission and return of their nationals. These agreements shall also cover, if deemed necessary by any of the Parties, arrangements for the readmission of third country nationals and stateless persons. Such agreements will lay down the details about the categories of persons covered by these arrangements as well as the modalities of their readmission and return.

Adequate assistance to implement these agreements will be provided to the ACP States.

(iii) for the purposes of this point (c), the term "Parties" shall refer to the Community, any of its Member States and any ACP State.

PART TWO INSTITUTIONAL PROVISIONS

ARTICLE 14

The joint institutions

The institutions of this Agreement are the Council of Ministers, the Committee of Ambassadors and the Joint Parliamentary Assembly.

ARTICLE 15

The Council of Ministers

1. The Council of Ministers shall comprise, on the one hand, the members of the Council of the European Union and members of the Commission of the European Communities and, on the other, a member of the government of each ACP State.

The office of the President of the Council of Ministers shall be held alternately by a member of the Council of the European Union and a member of the government of an ACP State.

The Council shall meet as a rule once a year on the initiative of the President and whenever it seems necessary, in a form and a geographical composition appropriate to the issues to be addressed.

2. The functions of the Council of Ministers shall be to:

- (a) conduct the political dialogue;
 - (b) adopt the policy guidelines and take the decisions necessary for the implementation of the provisions of this Agreement, in particular as regards development strategies in the specific areas provided for by this Agreement or any other area that should prove relevant, and as regards procedures;
 - (c) examine and resolve any issue liable to impede the effective and efficient implementation of this Agreement or present an obstacle to achieving its objectives;
 - (d) ensure the smooth functioning of the consultation mechanisms.
3. The Council of Ministers shall take its decisions by common agreement of the Parties. The proceedings of the Council of Ministers shall be valid only if half the members of the Council of the European Union, one member of the Commission and two-thirds of the members representing the governments of the ACP States are present. Any member of the Council of Ministers unable to attend may be represented. The representative shall exercise all the rights of that member.

It may take decisions that are binding on the Parties and frame resolutions, recommendations and opinions. It shall examine and take into consideration resolutions and recommendations adopted by the Joint Parliamentary Assembly.

The Council of Ministers shall conduct an ongoing dialogue with the representatives of the social and economic partners and other actors of civil society in the ACP and the EU. To that end, consultations may be held alongside its meetings.

4. The Council of Ministers may delegate powers to the Committee of Ambassadors.

5. The Council of Ministers shall adopt its rules of procedure within six months of the entry into force of this Agreement.

ARTICLE 16

The Committee of Ambassadors

1. The Committee of Ambassadors shall comprise, on the one hand, the permanent representative of each Member State to the European Union and a representative of the Commission and, on the other, the head of mission of each ACP State to the European Union.

The office of Chairman of the Committee of Ambassadors shall be held alternately by a Permanent Representative of a Member State designated by the Community, and a head of mission representing an ACP State, designated by the ACP States.

2. The Committee shall assist the Council of Ministers in the fulfilment of its tasks and carry out any mandate entrusted to it by the Council. In this context, it shall monitor implementation of this Agreement and progress towards achieving the objectives set therein.

The Committee of Ambassadors shall meet regularly, in particular to prepare the Council sessions and whenever it proves necessary.

3. The Committee shall adopt its rules of procedure within six months of the entry into force of this Agreement.

The Joint Parliamentary Assembly

1. The Joint Parliamentary Assembly shall be composed of equal numbers of EU and ACP representatives. The members of the Joint Parliamentary Assembly shall be, on the one hand, members of the European Parliament and, on the other, members of parliament or, failing this, representatives designated by the parliament of each ACP State. In the absence of a parliament, the attendance of a representative from the ACP State concerned shall be subject to the prior approval of the Joint Parliamentary Assembly.
2. The role of the Joint Parliamentary Assembly, as a consultative body, shall be to:
 - promote democratic processes through dialogue and consultation;
 - facilitate greater understanding between the peoples of the European Union and those of the ACP States and raise public awareness of development issues;
 - discuss issues pertaining to development and the ACP-EU Partnership;
3. The Joint Parliamentary Assembly shall meet twice a year in plenary session, alternately in the European Union and in an ACP State. With a view to strengthening regional integration and fostering cooperation between national parliaments, meetings between EU and ACP members of parliament may be arranged at regional or subregional level.

The Joint Parliamentary Assembly shall organise regular contacts with representatives of the ACP-EU economic and social partners and the other actors of civil society in order to obtain their views on the attainment of the objectives of this Agreement.
4. The Joint Parliamentary Assembly shall adopt its rules of procedure within six months of the entry into force of this Agreement.

— adopt resolutions and make recommendations to the Council of Ministers with a view to achieving the objectives of this Agreement.



PART THREE
COOPERATION STRATEGIES

ARTICLE 18

The cooperation strategies shall be based on development strategies and economic and trade cooperation which are interlinked and complementary. The Parties shall ensure that the efforts undertaken in both aforementioned areas are mutually reinforcing.

TITLE I

Development strategies

CHAPTER 1

General framework

ARTICLE 19

Principles and objectives

1. The central objective of ACP-EC cooperation is poverty reduction and ultimately its eradication; sustainable development; and progressive integration of the ACP countries into the world economy. In this context, cooperation framework and orientations shall be tailored to the individual circumstances of each ACP country, shall promote local ownership of economic and social reforms and the integration of the private sector and civil society actors into the development process.
2. Cooperation shall refer to the conclusions of United Nations Conferences and to the objectives, targets and action programmes agreed at international level and to their follow up as a basis for development principles. Cooperation shall also refer to the international development cooperation targets and shall pay particular attention to putting in place qualitative and quantitative indicators of progress.
3. Governments and non-State actors in each ACP country shall initiate consultations on country development strategies and community support thereto.

ARTICLE 20

The Approach

1. The objectives of ACP-EC development cooperation shall be pursued through integrated strategies that incorporate economic, social, cultural, environmental and institutional elements that must be locally owned. Cooperation shall thus provide a coherent enabling framework of support to the ACP's own development strategies, ensuring complementarity and interaction between the various elements. In this context and within the framework of development policies and reforms pursued by the ACP States, ACP-EC cooperation strategies shall aim at:
 - (a) achieving rapid and sustained job-creating economic growth, developing the private sector, increasing employment, improving access to productive economic activities and resource, and fostering regional cooperation and integration;
 - (b) promoting human and social development helping to ensure that the fruits of growth are widely and equitably shared and promoting gender equality;
 - (c) promoting cultural values of communities and specific interactions with economic, political and social elements;
 - (d) promoting institutional reforms and development, strengthening the institutions necessary for the consolidation of democracy, good governance and for efficient and competitive market economies; and building capacity for development and partnership; and

- (e) promoting environmental sustainability, regeneration and best practices, and the preservation of natural resource base.
2. Systematic account shall be taken in mainstreaming into all areas of cooperation the following thematic or cross-cutting themes: gender issues, environmental issues and institutional development and capacity building. These areas shall also be eligible for Community support.
 3. The detailed texts as regards development cooperation objectives and strategies, in particular sectoral policies and strategies shall be incorporated in a compendium providing operational guidelines in specific areas or sectors of cooperation. These texts may be revised, reviewed and/or amended by the Council of Ministers on the basis of a recommendation from the ACP-EC Development Finance Cooperation Committee.

CHAPTER 2

Areas of support

SECTION 1

Economic development

ARTICLE 21

Investment and private sector development

1. Cooperation shall support the necessary economic and institutional reforms and policies at national and/or regional level, aiming at creating a favourable environment for private investment, and the development of a dynamic, viable and competitive private sector. Cooperation shall further support:
 - (a) the promotion of public-private sector dialogue and cooperation;
 - (b) the development of entrepreneurial skills and business culture;
 - (c) privatisation and enterprise reform; and
 - (d) development and modernisation of mediation and arbitration systems.

2. Cooperation shall also support improving the quality, availability and accessibility of financial and non-financial services to private enterprises, both formal and informal; by:
 - (a) catalysing and leveraging flows of private savings, both domestic and foreign, into the financing of private enterprises by supporting policies for developing a modern financial sector including a capital market, financial institutions and sustainable microfinance operations;
 - (b) the development and strengthening of business institutions and intermediary organisations, associations, chambers of commerce and local providers from the private sector supporting and providing non-financial services to enterprises such as professional, technical, management, training and commercial support services; and
 - (c) supporting institutions, programmes, activities and initiatives that contribute to the development and transfer of technologies and know-how and best practices on all aspects of business management.

3. Cooperation shall promote business development through the provision of finance, guarantee facilities and technical support aimed at encouraging and supporting the creation, establishment, expansion, diversification, rehabilitation, restructuring, modernisation or privatisation of dynamic, viable and competitive enterprises in all economic sectors as well as financial intermediaries such as development finance and venture capital institutions, and leasing companies by:
 - (a) creating and/or strengthening financial instruments in the form of investment capital;
 - (b) improving access to essential inputs such as business information and advisory, consultancy or technical assistance services;
 - (c) enhancement of export activities, in particular through capacity building in all trade-related areas; and
 - (d) encouraging inter-firm linkages, networks and cooperation including those involving the transfer of technology and know-how at national, regional and ACP-EU levels, and partnerships with private foreign investors which are consistent with the objectives and guidelines of ACP-EC Development cooperation.

4. Cooperation shall support microenterprise development through better access to financial and non-financial services; an appropriate policy and regulatory framework for their development; and

provide training and information services on best practices in microfinance.

5. Support for investment and private sector development shall integrate actions and initiatives at macro, meso and micro economic levels.

ARTICLE 22

Macroeconomic and structural reforms and policies

1. Cooperation shall support ACP efforts to implement:

- (a) macroeconomic growth and stabilisation through disciplined fiscal and monetary policies that result in the reduction of inflation, and improve external and fiscal balances, by strengthening fiscal discipline, enhancing budgetary transparency and efficiency, improving the quality, the equity and composition of fiscal policy; and

- (b) structural policies designed to reinforce the role of the different actors, especially the private sector and improve the environment for increases in business, investment and employment, as well as:

- (i) liberalise trade and foreign exchange regimes and current account convertibility, having regard to the particular circumstances of each country;

- (ii) strengthen labour and product-market reforms;

- (iii) encourage financial systems reforms which help to develop viable banking and non-banking systems, capital markets and financial services, including micro-finance;

- (iv) improve the quality of private and public services; and

- (v) encourage regional cooperation and progressive integration of macroeconomic and monetary policies.

2. The design of macroeconomic policies and structural adjustment programmes shall reflect the socio-political background and institutional capacity of the countries concerned, ensure a positive impact on poverty reduction and social services access and shall be based on the following principles:

- (a) the ACP States shall bear primary responsibility for the analysis of the problems to be solved, the design and the implementation of the reforms:

- (b) support programmes shall be adapted to the different situation in each ACP State and be sensitive to the social conditions, culture and environment of these States;

- (c) the right of the ACP States to determine the direction and the sequencing of their development strategies and priorities shall be recognised and respected;

- (d) the pace of reforms shall be realistic and compatible with each ACP State's capacities and resources; and

- (e) strengthening the communication and the information of populations on economic and social reforms and policies.

ARTICLE 23

Economic sector development

Cooperation shall support sustainable policy and institutional reforms and the investments necessary for equitable access to economic activities and productive resources, particularly:

- (a) the development of training systems that help increase productivity in both the formal and the informal sectors;

- (b) capital, credit, land, especially as regards property rights and use;

- (c) development of rural strategies aimed at establishing a framework for participatory decentralised planning, resource allocation and management;

- (d) agricultural production strategies, national and regional food security policies, sustainable development of water resources and fisheries as well as marine resources within the economic exclusive zones of the ACP States. Any fishery agreement that may be negotiated between the Community and the ACP States shall pay due consideration to consistency with the development strategies in this area;

- (e) economic and technological infrastructure and services, including transport, telecommunication systems, communication services and the development of information society;

- (f) development of competitive industrial, mining and energy sectors, while encouraging private sector involvement and development;

- (g) trade development, including the promotion of fair trade;

- (h) development of business, finance and banking; and other service sectors;
- (i) tourism development; and
- (j) development of scientific, technological and research infrastructure and services; including the enhancement, transfer and absorption of new technologies;
- (k) the strengthening of capacities in productive areas, especially in public and private sectors.

ARTICLE 24

Tourism

Cooperation will aim at the sustainable development of the tourism industry in ACP countries and sub-regions, recognising its increasing importance to the growth of the services sector in ACP countries and to the expansion of their global trade, its ability to stimulate other sectors of economic activity, and the role it can play in poverty eradication.

Cooperation programmes and projects will support the efforts of ACP countries to establish and improve the countries legal and institutional framework and resources for the development and implementation of sustainable tourism policies and programmes, as well as inter alia, improving the competitive position of the sector, especially small and medium-sized enterprises (SMEs), investment support and promotion, product development including the development of indigenous cultures in ACP countries, and strengthening linkages between tourism and other sectors of economic activity.

SECTION 2

Social and human development

ARTICLE 25

Social sector development

1. Cooperation shall support ACP States' efforts at developing general and sectoral policies and reforms which improve the coverage, quality of and access to basic social infrastructure and services and take account of local needs and specific demands of the most vulnerable and disadvantaged, thus reducing the inequalities of access to these services. Special attention shall be paid to

ensuring adequate levels of public spending in the social sectors. In this context, cooperation shall aim at:

- (a) improving education and training, and building technical capacity and skills;
- (b) improving health systems and nutrition, eliminating hunger and malnutrition, ensuring adequate food supply and security;
- (c) integrating population issues into development strategies in order to improve reproductive health, primary health care, family planning; and prevention of female genital mutilation;
- (d) promoting the fight against HIV/AIDS;
- (e) increasing the security of household water and improving access to safe water and adequate sanitation;
- (f) improving the availability of affordable and adequate shelter for all through supporting low-cost and low-income housing programs and improving urban development; and
- (g) encouraging the promotion of participatory methods of social dialogue as well as respect for basic social rights.

2. Cooperation shall also support capacity-building in social areas such as programmes for training in the design of social policies and modern methods for managing social projects and programmes; policies conducive to technological innovation and research; building local expertise and promoting partnerships; and round-table discussions at national and/or regional level.
3. Cooperation shall promote and support the development and implementation of policies and of systems of social protection and security in order to enhance social cohesion and to promote self-help and community solidarity. The focus of the support shall, inter-alia, be on developing initiatives based on economic solidarity, particularly by setting-up social development funds adapted to local needs and actors.

ARTICLE 26

Youth issues

Cooperation shall also support the establishment of a coherent and comprehensive policy for realising the potential of youth so that they are better integrated into society to achieve their full potential. In this con-

text, cooperation shall support policies, measures and operations aimed at:

- (a) protecting the rights of children and youth, especially those of girl children;
- (b) promoting the skills, energy, innovation and potential of youth in order to enhance their economic, social and cultural opportunities and enlarge their employment opportunities in the productive sector;
- (c) helping community-based institutions to give children the opportunity to develop their physical, psychological, social and economic potential; and
- (d) reintegrating into society children in post-conflict situations through rehabilitation programmes.

ARTICLE 27

Cultural development

Cooperation in the area of culture shall aim at:

- (a) integrating the cultural dimension at all levels of development cooperation;
- (b) recognising, preserving and promoting cultural values and identities to enable inter-cultural dialogue;
- (c) recognising, preserving and promoting the value of cultural heritage; supporting the development of capacity in this sector; and
- (d) developing cultural industries and enhancing market access opportunities for cultural goods and services.

SECTION 3

Regional cooperation and integration

ARTICLE 28

General approach

Cooperation shall provide effective assistance to achieve the objectives and priorities which the ACP States have set themselves in the context of regional and sub-regional cooperation and integration, includ-

ing inter-regional and intra-ACP cooperation. Regional Cooperation can also involve Overseas Countries and Territories (OCTs) and outermost regions. In this context, cooperation support shall aim to:

- (a) foster the gradual integration of the ACP States into the world economy;
- (b) accelerate economic cooperation and development both within and between the regions of the ACP States;
- (c) promote the free movement of persons, goods, services, capital, labour and technology among ACP countries;
- (d) accelerate diversification of the economies of the ACP States; and coordination and harmonisation of regional and sub-regional cooperation policies; and
- (e) promote and expand inter and intra-ACP trade and with third countries.

ARTICLE 29

Regional economic integration

Cooperation shall, in the area of regional economic integration, support:

- (a) developing and strengthening the capacities of:
 - (i) regional integration institutions and organisations set up by the ACP States to promote regional cooperation and integration, and
 - (ii) national governments and parliaments in matters of regional integration;
- (b) fostering participation of Least Developed Countries (LDC) ACP States in the establishment of regional markets and sharing the benefits therefrom;
- (c) implementation of sectoral reform policies at regional level;
- (d) liberalisation of trade and payments;
- (e) promoting cross-border investments both foreign and domestic, and other regional or sub-regional economic integration initiatives; and
- (f) taking account of the effects of net transitional costs of regional integration on budget revenue and balance of payments.

ARTICLE 30

Regional Cooperation

1. Cooperation shall, in the area of regional cooperation, support a wide variety of functional and thematic fields which specifically address common problems and take advantage of scale of economies, including:
 - (a) infrastructure particularly transport and communications and safety thereof and services, including the development of regional opportunities in the area of Information and Communication Technologies (ICT);
 - (b) the environment; water resource management and energy;
 - (c) health, education and training;
 - (d) research and technological development;
 - (e) regional initiatives for disaster preparedness and mitigation; and
 - (f) other areas, including arms control, action against drugs, organised crimes, money laundering, bribery and corruption.
2. Cooperation shall also support inter and intra-ACP cooperation schemes and initiatives.
3. Cooperation shall help promote and develop a regional political dialogue in areas of conflict prevention and resolution; human rights and democratisation; exchange, networking, and promotion of mobility between the different actors of development, in particular in civil society.

SECTION 4

Thematic and cross-cutting issues

ARTICLE 31

Gender issues

Cooperation shall help strengthen policies and programmes that improve, ensure and broaden the equal participation of men and women in all spheres of political, economic, social and cultural life. Cooperation shall help improve the access of women to all resources required for the full exercise of their

fundamental rights. More specifically, cooperation shall create the appropriate framework to:

- (a) integrate a gender-sensitive approach and concerns at every level of development cooperation including macroeconomic policies, strategies and operations; and
- (b) encourage the adoption of specific positive measures in favour of women such as:
 - (i) participation in national and local politics;
 - (ii) support for women's organisations;
 - (iii) access to basic social services, especially to education and training, health care and family planning;
 - (iv) access to productive resources, especially to land and credit and to labour market; and
 - (v) taking specific account of women in emergency aid and rehabilitation operations.

ARTICLE 32

Environment and natural resources

1. Cooperation on environmental protection and sustainable utilisation and management of natural resources shall aim at:
 - (a) mainstreaming environmental sustainability into all aspects of development cooperation and support programmes and projects implemented by the various actors;
 - (b) building and/or strengthening the scientific and technical human and institutional capacity for environmental management for all environmental stakeholders;
 - (c) supporting specific measures and schemes aimed at addressing critical sustainable management issues and also relating to current and future regional and international commitments concerning mineral and natural resources such as:
 - (i) tropical forests, water resources, coastal, marine and fisheries resources, wildlife, soils, biodiversity;
 - (ii) protection of fragile ecosystems (e.g. coral reef);
 - (iii) renewable energy sources notably solar energy and energy efficiency;

- (iv) sustainable rural and urban development;
 - (v) desertification, drought and deforestation;
 - (vi) developing innovative solutions to urban environmental problems; and
 - (vii) promotion of sustainable tourism.
- (d) Taking into account issues relating to the transport and disposal of hazardous waste.
2. Cooperation shall also take account of:
- (a) the vulnerability of small island ACP countries, especially to the threat posed by climate change;
 - (b) the worsening drought and desertification problems especially of least developed and land-locked countries; and
 - (c) institutional development and capacity building.

ARTICLE 33

Institutional development and capacity building

1. Cooperation shall pay systematic attention to institutional aspects and in this context, shall support the efforts of the ACP States to develop and strengthen structures, institutions and procedures that help to:
- (a) promote and sustain democracy, human dignity, social justice and pluralism, with full respect for diversity within and among societies;
 - (b) promote and sustain universal and full respect for and observance and protection of all human rights and fundamental freedoms;
 - (c) develop and strengthen the rule of law; and improve access to justice, while guaranteeing the professionalism and independence of the judicial systems; and
 - (d) ensure transparent and accountable governance and administration in all public institutions.
2. The Parties shall work together in the fight against bribery and corruption in all their societies.
3. Cooperation shall support ACP States' efforts to develop their public institutions into a positive force for growth and development and to achieve major improvements in the efficiency of government services as they affect the lives of ordinary people. In this context, cooperation shall assist the

reform, rationalisation and the modernisation of the public sector. Specifically, cooperation support shall focus on:

- (a) the reform and modernisation of the civil service;
 - (b) legal and judicial reforms and modernisation of justice systems;
 - (c) improvement and strengthening of public finance management;
 - (d) accelerating reforms of the banking and financial sector;
 - (e) improvement of the management of public assets and reform of public procurement procedures; and
 - (f) political, administrative, economic and financial decentralisation.
4. Cooperation shall also assist to restore and/or enhance critical public sector capacity and to support institutions needed to underpin a market economy, especially support for:
- (a) developing legal and regulatory capabilities needed to cope with the operation of a market economy, including competition policy and consumer policy;
 - (b) improving capacity to analyse, plan, formulate and implement policies, in particular in the economic, social, environmental, research, science and technology and innovation fields;
 - (c) modernising, strengthening and reforming financial and monetary institutions and improving procedures;
 - (d) building the capacity at the local and municipal levels which is required to implement decentralisation policy and to increase the participation of the population in the development process; and
 - (e) developing capacity in other critical areas such as:
 - (i) international negotiations; and
 - (ii) management and coordination of external aid.
5. Cooperation shall span all areas and sectors of cooperation to foster the emergence of non-State actors and the development of their capacities; and to strengthen structures for information, dialogue and consultation between them and the national authorities, including at regional level.

Economic and trade cooperation

CHAPTER 1

Objectives and principles

ARTICLE 34

Objectives

1. Economic and trade cooperation shall aim at fostering the smooth and gradual integration of the ACP States into the world economy, with due regard for their political choices and development priorities, thereby promoting their sustainable development and contributing to poverty eradication in the ACP countries.
2. The ultimate objective of economic and trade cooperation is to enable the ACP States to play a full part in international trade. In this context, particular regard shall be had to the need for the ACP States to participate actively in multilateral trade negotiations. Given the current level of development of the ACP countries, economic and trade cooperation shall be directed at enabling the ACP States to manage the challenges of globalisation and to adapt progressively to new conditions of international trade thereby facilitating their transition to the liberalised global economy.
3. To this end economic and trade cooperation shall aim at enhancing the production, supply and trading capacity of the ACP countries as well as their capacity to attract investment. It shall further aim at creating a new trading dynamic between the Parties, at strengthening the ACP countries trade and investment policies and at improving the ACP countries' capacity to handle all issues related to trade.
4. Economic and trade cooperation shall be implemented in full conformity with the provisions of the WTO, including special and differential treatment, taking account of the Parties' mutual interests and their respective levels of development.

ARTICLE 35

Principles

1. Economic and trade cooperation shall be based on a true, strengthened and strategic partnership. It shall further be based on a comprehensive approach which builds on the strengths and achievements of the previous ACP-EC Conventions, using all means available to achieve the objectives set out above by addressing supply and demand side constraints. In this context, particular regard shall be had to trade development measures as a means of enhancing ACP States' competitiveness. Appropriate weight shall therefore be given to trade development within the ACP States' development strategies, which the Community shall support.
2. Economic and trade cooperation shall build on regional integration initiatives of ACP States, bearing in mind that regional integration is a key instrument for the integration of ACP countries into the world economy.
3. Economic and trade cooperation shall take account of the different needs and levels of development of the ACP countries and regions. In this context, the Parties reaffirm their attachment to ensuring special and differential treatment for all ACP countries and to maintaining special treatment for ACP LDCs and to taking due account of the vulnerability of small, landlocked and island countries.

CHAPTER 2

New trading arrangements

ARTICLE 36

Modalities

1. In view of the objectives and principles set out above, the Parties agree to conclude new World Trade Organisation (WTO) compatible trading arrangements, removing progressively barriers to trade between them and enhancing cooperation in all areas relevant to trade.
2. The Parties agree that the new trading arrangements shall be introduced gradually and recognise the need, therefore, for a preparatory period.
3. In order to facilitate the transition to the new trading arrangements, the non-reciprocal trade preferences applied under the Fourth ACP-EC Convention shall be maintained during the preparatory period for all ACP countries, under the conditions defined in Annex V to this Agreement.
4. In this context, the Parties reaffirm the importance of the commodity protocols, attached to Annex V of this Agreement. They agree on the need to review them in the context of the new trading arrangements, in particular as regards their compatibility with WTO rules, with a view to safeguarding the benefits derived therefrom, bearing in mind the special legal status of the Sugar Protocol.
3. The preparatory period shall also be used for capacity-building in the public and private sectors of ACP countries, including measures to enhance competitiveness, for strengthening of regional organisations and for support to regional trade integration initiatives, where appropriate with assistance to budgetary adjustment and fiscal reform, as well as for infrastructure upgrading and development, and for investment promotion.
4. The Parties will regularly review the progress of the preparations and negotiations and, will in 2006 carry out a formal and comprehensive review of the arrangements planned for all countries to ensure that no further time is needed for preparations or negotiations.
5. Negotiations of the economic partnership agreements will be undertaken with ACP countries which consider themselves in a position to do so, at the level they consider appropriate and in accordance with the procedures agreed by the ACP Group, taking into account regional integration process within the ACP.
6. In 2004, the Community will assess the situation of the non-LDC which, after consultations with the Community decide that they are not in a position to enter into economic partnership agreements and will examine all alternative possibilities, in order to provide these countries with a new framework for trade which is equivalent to their existing situation and in conformity with WTO rules.
7. Negotiations of the economic partnership agreements shall aim notably at establishing the timetable for the progressive removal of barriers to trade between the Parties, in accordance with the relevant WTO rules. On the Community side trade liberalisation shall build on the *acquis* and shall at improving current market access for the ACP countries through inter alia, a review of the rules of origin. Negotiations shall take account of the level of development and the socio-economic impact of trade measures on ACP countries, and their capacity to adapt and adjust their economies to the liberalisation process. Negotiations will therefore be as flexible as possible in establishing the duration of a sufficient transitional period, the final product coverage, taking into account sensitive sectors, and the degree of asymmetry in terms of timetable for tariff dismantlement, while remaining in conformity with WTO rules then prevailing.

ARTICLE 37

Procedures

1. Economic partnership agreements shall be negotiated during the preparatory period which shall end by 31 December 2007 at the latest. Formal negotiations of the new trading arrangements shall start in September 2002 and the new trading arrangements shall enter into force by 1 January 2008, unless earlier dates are agreed between the Parties.
2. All the necessary measures shall be taken so as to ensure that the negotiations are successfully concluded within the preparatory period. To this end, the period up to the start of the formal negotiations of the new trading arrangements shall be actively used to make initial preparations for these negotiations.
8. The Parties shall closely cooperate and collaborate in the WTO with a view to defending the arrangements reached, in particular with regard to the degree of flexibility available.

9. The Community will start by the year 2000, a process which by the end of multilateral trade negotiations and at the latest 2005 will allow duty free access for essentially all products from all LDC building on the level of the existing trade provisions of the Fourth ACP-EC Convention and which will simplify and review the rules of origin, including cumulation provisions, that apply to their exports.

ARTICLE 38

Joint Ministerial Trade Committee

1. A Joint ACP-EC Ministerial Trade Committee shall be established.
2. The Ministerial Trade Committee shall pay special attention to current multilateral trade negotiations and shall examine the impact of the wider liberalisation initiatives on ACP-EC trade and the development of ACP economies. It shall make any necessary recommendations with a view to preserving the benefits of the ACP-EC trading arrangements.
3. The Ministerial Trade Committee shall meet at least once a year. Its rules of procedure shall be laid down by the Council of Ministers. It shall be composed of representatives of the ACP States and of the Community.

CHAPTER 3

Cooperation in the international fora

ARTICLE 39

General provisions

1. The Parties underline the importance of their active participation in the WTO as well as in other relevant international organisations by becoming members of these organisations and closely following their agenda and activities.
2. They agree to cooperate closely in identifying and furthering their common interests in international economic and trade cooperation in particular in the WTO, including participation in setting and conducting the agenda in future multilateral trade

negotiations. In this context, particular attention shall be paid to improve access to the Community and other markets for products and services originating in the ACP countries.

3. They also agree on the importance of flexibility in WTO rules to take account of the ACP's level of development as well of the difficulties faced in meeting their obligations. They further agree on the need for technical assistance to enable the ACP countries to implement their commitments.
4. The Community agrees to assist the ACP States in their efforts, in accordance with the provisions set out in this Agreement, to become active members of these organisations, by developing the necessary capacity to negotiate, participate effectively, monitor and implement these agreements.

ARTICLE 40

Commodities

1. The Parties recognise the need to ensure a better operation of international commodity markets and to increase market transparency.
2. They confirm their willingness to step up consultations between them in the international fora and organisations dealing with commodities.
3. To this end, exchange of views shall take place at the request of either Party:
 - regarding the operation of existing international agreements or specialised intergovernmental working parties with the aim of improving them and making them more effective, consistent with market trends;
 - when it is proposed to conclude or renew an international agreement or set up a specialised intergovernmental working party.

The aim of such exchanges of views shall be to take account of the respective interest of each party. They may take place, where necessary, in the framework of the Ministerial Trade Committee.

CHAPTER 4

Trade in services

ARTICLE 41

General provisions

1. The Parties underline the growing importance of services in international trade and their major contribution to economic and social development.
2. They reaffirm their respective commitments under the General Agreement on Trade in Services (GATS), and underline the need for special and differential treatment to ACP suppliers of services;
3. In the framework of the negotiations for progressive liberalisation in trade and services, as provided for in Article XIX of GATS, the Community undertakes to give sympathetic consideration to the ACP States' priorities for improvement in the EC schedule, with a view to meeting their specific interests.
4. The Parties further agree on the objective of extending under the economic partnership agreements, and after they have acquired some experience in applying the Most Favoured Nation (MFN) treatment under GATS, their partnership to encompass the liberalisation of services in accordance with the provisions of GATS and particularly those relating to the participation of developing countries in liberalisation agreements.
5. The Community shall support the ACP States' efforts to strengthen their capacity in the supply of services. Particular attention shall be paid to services related to labour, business, distribution, finance, tourism, culture and construction and related engineering services with a view to enhancing their competitiveness and thereby increasing the value and the volume of their trade in goods and services.

ARTICLE 42

Maritime transport

1. The Parties acknowledge the importance of cost-effective and efficient maritime transport services in a safe and clean marine environment as the main mode of transportation facilitating international trade and thereby constituting one of the forces behind economic development and the development of trade.

2. They undertake to promote the liberalisation of maritime transport and to this end apply effectively the principle of unrestricted access to the international maritime transport market on a non-discriminatory and commercial basis.
3. Each Party shall grant, inter alia, a treatment no less favourable than that accorded to its own ships, for ships operated by nationals or companies of the other Party, and for ships registered in the territory of either party, with respect to access to ports, the use of infrastructure and auxiliary maritime services of those ports, as well as related fees and charges, customs facilities and the assignment of berths and facilities for loading and unloading.
4. The Community shall support the ACP States' efforts to develop and promote cost-effective and efficient maritime transport services in the ACP States with a view to increasing the participation of ACP operators in international shipping service

ARTICLE 43

Information and Communication technologies, and information society

1. The Parties recognise the important role of information and communication technologies, as well as the active participation in the Information Society, as a pre-requisite for the successful integration of the ACP countries into the world economy.
2. They therefore reconfirm their respective commitments under existing multilateral agreements, in particular the protocol on Basic Telecommunications attached to the GATS, and invite those ACP countries, which are not members of these agreements, to accede to them.
3. They furthermore agree to participate fully and actively in any future international negotiation, which might be conducted in this area.
4. The Parties will therefore take measures that will enable inhabitants of ACP countries easy access to information and communication technologies, through, amongst other, the following measures:

- the development and encouragement of the use of affordable renewable energy resources;
- the development and deployment of more extensive low-cost wireless networks.

5. The Parties also agree to step up cooperation between them in the area of information and communication technologies, and the Information Society. This cooperation shall, in particular, be directed towards greater complementarity and harmonisation of communication systems, at national, regional and international level and their adaptation to new technologies.

CHAPTER 5

Trade-related areas

ARTICLE 44

General provisions

1. The Parties acknowledge the growing importance of new areas related to trade in facilitating progressive integration of the ACP States into the world economy. They therefore agree to strengthen their cooperation in these areas by establishing full and coordinated participation in the relevant international fora and agreements.
2. The Community shall support the ACP States' efforts, in accordance with the provisions set out in this Agreement and the development strategies agreed between the Parties to strengthen their capacity to handle all areas related to trade, including, where necessary, improving and supporting the institutional framework.

ARTICLE 45

Competition policy

1. The Parties agree that the introduction and implementation of effective and sound competition policies and rules are of crucial importance in order to improve and secure an investment friendly climate, a sustainable industrialisation process and transparency in the access to markets.
2. To ensure the elimination of distortions to sound competition and with due consideration to the different levels of development and economic needs of each ACP country, they undertake to implement national or regional rules and policies including the control and under certain conditions the prohibition of agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have

as their object or effect the prevention, restriction or distortion of competition. The Parties further agree to prohibit the abuse by one or more undertakings of a dominant position in the common market of the Community or in the territory of ACP States.

3. The Parties also agree to reinforce cooperation in this area with a view to formulating and supporting effective competition policies with the appropriate national competition agencies that progressively ensure the efficient enforcement of the competition rules by both private and state enterprises. Cooperation in this area shall, in particular, include assistance in the drafting of an appropriate legal framework and its administrative enforcement with particular reference to the special situation of the least developed countries.

ARTICLE 46

Protection of intellectual property rights

1. Without prejudice to the positions of the Parties in multilateral negotiations, the Parties recognise the need to ensure an adequate and effective level of protection of intellectual, industrial and commercial property rights, and other rights covered by TRIPS including protection of geographical indications, in line with the international standards with a view to reducing distortions and impediments to bilateral trade.
2. They underline the importance, in this context, of adherence to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) to the WTO Agreement and the Convention on Biological Diversity (CBD).
3. They also agree on the need to accede to all relevant international conventions on intellectual, industrial and commercial property as referred to in Part I of the TRIPS Agreement, in line with their level of development.
4. The Community, its Member States and the ACP States may consider the conclusion of agreements aimed at protecting trademarks and geographical indications for products of particular interest of either Party.
5. For the purpose of this Agreement, intellectual property includes in particular copyright, including the copyright on computer programmes, and neighbouring rights, including artistic designs, and industrial property which includes utility models, patents including patents for bio-technological inventions and plant varieties or other effective sui

generis systems, industrial designs, geographical indications including appellations of origin, trademarks for goods or services, topographies of integrated circuits as well as the legal protection of data bases and the protection against unfair competition as referred to in Article 10a of the Paris Convention for the Protection of Industrial Property and protection of undisclosed confidential information on know how.

6. The Parties further agree to strengthen their cooperation in this field. Upon request and on mutually agreed terms and conditions cooperation shall inter alia extend to the following areas: the preparation of laws and regulations for the protection and enforcement of intellectual property rights, the prevention of the abuse of such rights by rightholders and the infringement of such rights by competitors, the establishment and reinforcement of domestic and regional offices and other agencies including support for regional intellectual property organisations involved in enforcement and protection, including the training of personnel.

ARTICLE 47

Standardisation and certification

1. The Parties agree to cooperate more closely in the field of standardisation, certification and quality assurance to remove unnecessary technical barriers and to reduce differences between them in those areas, so as to facilitate trade.

In this context, they reaffirm their commitment under the Agreement on Technical Barriers to trade, annexed to the WTO Agreement (TBT Agreement).

2. Cooperation in standardisation and certification shall aim at promoting compatible systems between the Parties and in particular include:

- measures, in accordance with the TBT Agreement, to promote greater use of international technical regulations, standards and conformity assessment procedures, including sector specific measures, in accordance with the level of economic development of ACP countries,
- cooperation in the area of quality management and assurance in selected sectors of importance to the ACP States,
- support for capacity building initiatives in the ACP countries in the fields of conformity assessment, metrology and standardisation,

- developing functioning links between ACP and European standardisation, conformity assessment and certification institutions.

3. The Parties undertake to consider, in due course, negotiating mutual recognition agreements in sectors of mutual economic interest.

ARTICLE 48

Sanitary and phytosanitary measures

1. The Parties recognise the right of each Party to adopt or to enforce sanitary and phytosanitary measures necessary to protect human, animal or plant life or health, subject to the requirement that these measures do not constitute a means of arbitrary discrimination or a disguised restriction to trade, generally. To this end, they reaffirm their commitments under the Agreement on the Application of Sanitary and Phytosanitary Measures, annexed to the WTO Agreement (SPS-Agreement), taking account of their respective level of development.
2. They further undertake to reinforce coordination, consultation and information as regards notification and application of proposed sanitary and phytosanitary measures, in accordance with the SPS-Agreement whenever these measures might affect the interests of either Party. They also agree on prior consultation and coordination within the CODEX ALIMENTARIUS, the International Office of Epizootics and the International Plant Protection Convention, with a view to furthering their common interests.
3. The Parties agree to strengthen their cooperation with a view to reinforcing the capacity of the public and the private sector of the ACP countries in this field.

ARTICLE 49

Trade and environment

1. The Parties reaffirm their commitment to promoting the development of international trade in such a way as to ensure sustainable and sound management of the environment, in accordance with the international conventions and undertakings in this area and with due regard to their respective level of development. They agree that the special needs and requirements of ACP States should be taken into account in the design and implementation of environment measures.

2. Bearing in mind the Rio Principles and with a view to reinforcing the mutual supportiveness of trade and environment, the Parties agree to enhance their cooperation in this field. Cooperation shall in particular aim at the establishment of coherent national, regional and international policies, reinforcement of quality controls of goods and services related to the environment, the improvement of environment-friendly production methods in relevant sectors.

ARTICLE 50

Trade and labour standards

1. The Parties reaffirm their commitment to the internationally recognised core labour standards, as defined by the relevant International Labour Organisation (ILO) Conventions, and in particular the freedom of association and the right to collective bargaining, the abolition of forced labour, the elimination of worst forms of child labour and non-discrimination in respect to employment.
2. They agree to enhance cooperation in this area, in particular in the following fields:
 - exchange of information on the respective legislation and work regulation;
 - the formulation of national labour legislation and strengthening of existing legislation;
 - educational and awareness-raising programmes;
 - enforcement of adherence to national legislation and work regulation.
3. The Parties agree that labour standards should not be used for protectionist trade purposes.

ARTICLE 51

Consumer policy and protection of consumer health

1. The Parties agree to step up their cooperation in the area of consumer policy and consumer health protection, having due regard to domestic legislation to avoid barriers to trade.
2. Cooperation shall, in particular, aim at improving the institutional and technical capacity in this area, establishing rapid-alert systems of mutual information on dangerous products, exchanging information and experiences on the establishment and operation of post market surveillance of products

and product safety, improving information provided to consumers on prices, characteristics of products and services offered, encouraging the development of independent consumer associations and contacts between consumer interest representatives, improving compatibility of consumer policies and systems, notifying enforcement of the legislation and promoting cooperation in investigating harmful or unfair business practices and implementing exports prohibitions in the trade between the Parties of goods and services the marketing of which has been prohibited in their country of production.

ARTICLE 52

Tax carve-out clause

1. Without prejudice to the provisions of Article 31 of Annex IV, the Most Favoured Nation treatment granted in accordance with the provisions of this Agreement, or any arrangement adopted under this Agreement, does not apply to tax advantages which the Parties are providing or may provide in the future on the basis of agreements to avoid double taxation or other tax arrangements, or domestic fiscal legislation.
2. Nothing in this Agreement, or in any arrangements adopted under this Agreement, may be construed to prevent the adoption or enforcement of any measure aimed at preventing the avoidance or evasion of taxes pursuant to the tax provisions of agreements to avoid double taxation or other tax arrangements, or domestic fiscal legislation.
3. Nothing in this Agreement, or in any arrangements adopted under this Agreement, shall be construed to prevent the Parties from distinguishing, in the application of the relevant provisions of their fiscal legislation, between taxpayers who are not in the same situation, in particular with regard to their place of residence, or with regard to the place where their capital is invested.

CHAPTER 6

Cooperation in other areas

ARTICLE 53

Fishery agreements

1. The Parties declare their willingness to negotiate fishery agreements aimed at guaranteeing sustainable and mutually satisfactory conditions for fishing activities in ACP States.
2. In the conclusion or implementation of such agreements, the ACP States shall not discriminate against the Community or among the Member States, without prejudice to special arrangements between developing States within the same geographical area, including reciprocal fishing arrangements, nor shall the Community discriminate against ACP States.

ARTICLE 54

Food security

1. With regard to available agricultural products, the Community undertakes to ensure that export refunds can be fixed further in advance for all ACP States in respect of a range of products drawn up in the light of the food requirements expressed by those States.
2. Advance fixing shall be for one year and shall be applied each year throughout the life of this Agreement, it being understood that the level of the refund will be determined in accordance with the methods normally followed by the Commission.
3. Specific agreements may be concluded with those ACP States which so request in the context of their food security policies.
4. The specific agreements referred to in paragraph 3 shall not place in jeopardy production and trade flows in ACP regions.

**PART FOUR
DEVELOPMENT FINANCE
COOPERATION**

TITLE I

General provisions

CHAPTER 1

Objectives, principles, guidelines and eligibility

ARTICLE 55

Objectives

The objectives of development finance cooperation shall be, through the provision of adequate financial resources and appropriate technical assistance, to support and promote the efforts of ACP States to achieve the objectives set out in this Agreement on the basis of mutual interest and in a spirit of interdependence.

ARTICLE 56

Principles

1. Development finance cooperation shall be implemented on the basis of and be consistent with the development objectives, strategies and priorities established by the ACP States, at both national and regional levels. Their respective geographical, social and cultural characteristics, as well as their specific potential, shall be taken into account. In addition, cooperation shall:
 - (a) promote local ownership at all levels of the development process;
 - (b) reflect a partnership based on mutual rights and obligations;
 - (c) emphasise the importance of predictability and security in resource flows, granted on highly concessional terms and on a continuous basis;
 - (d) be flexible and appropriate to the situation in each ACP State as well as adapted to the specific nature of the project or programme concerned; and

(e) ensure efficiency, coordination and consistency.

2. Cooperation shall ensure special treatment for LDC ACP countries and duly take into account the vulnerability of landlocked and island ACP countries. In addition, the specific needs of post-conflict countries shall also be addressed.

ARTICLE 57

Guidelines

1. Operations financed within the framework of this Agreement shall be implemented by the ACP States and the Community in close cooperation, the concept of equality between the partners being recognised.
2. The ACP States shall be responsible for:
 - (a) defining the objectives and priorities on which the indicative programmes are based;
 - (b) choosing projects and programmes;
 - (c) preparing and presenting the dossiers of projects and programmes;
 - (d) preparing, negotiating and concluding contracts;
 - (e) implementing and managing projects and programmes; and
 - (f) maintaining projects and programmes.
3. Without prejudice to the provisions above, eligible non-State actors may also be responsible for proposing and implementing programmes and projects in areas concerning them.
4. The ACP States and the Community shall be jointly responsible for:
 - (a) establishing, within the joint institutions, the guidelines for development finance cooperation;
 - (b) adopting the indicative programmes;
 - (c) appraising projects and programmes;

- (d) ensuring equality of conditions for participation in invitations to tender and contracts;
- (e) monitoring and evaluating the effects and results of projects and programmes; and
- (f) ensuring the proper, prompt and efficient execution of projects and programmes.
5. The Community shall be responsible for taking financing decisions on projects and programmes.
6. Unless otherwise provided for in this Agreement, all decisions requiring the approval of either Party shall be approved, or be deemed approved, within 60 days of notification by the other Party.

ARTICLE 58

Eligibility for financing

1. The following entities or bodies shall be eligible for financial support provided under the Agreement:
- (a) ACP States;
- (b) regional or inter-State bodies to which one or more ACP States belong and which are authorised by those States; and
- (c) joint bodies set up by the ACP States and the Community to pursue certain specific objectives.
2. Subject to the agreement of the ACP State or ACP States concerned, the following shall also be eligible for financial support:
- (a) national and/or regional public or semi-public agencies, departments or local authorities of the ACP States and, in particular, their financial institutions and development banks;
- (b) companies, firms and other private organisations and private operators of ACP States;
- (c) enterprises of a Community Member State to enable them, in addition to their own contribution, to undertake productive projects in the territory of an ACP State;
- (d) ACP or Community financial intermediaries providing, promoting and financing private investments in ACP States; and
- (c) agents of decentralised cooperation and other non-State actors from the ACP States and from the Community.

Scope and nature of financing

ARTICLE 59

Within the framework of the priorities established by the ACP State or States concerned at both national and regional levels, support may be given to projects, programmes and other forms of operations contributing to the objectives set out in this Agreement.

ARTICLE 60

Scope of Financing

The scope of financing may include, *inter alia*, depending on the needs and the types of operation considered most appropriate, support to:

- (a) measures which contribute to attenuate the debt burden and balance of payments problems of the ACP countries;
- (b) macroeconomic and structural reforms and policies;
- (c) mitigation of adverse effects of instability in export earnings;
- (d) sectoral policies and reforms;
- (e) institutional development and capacity building;
- (f) technical cooperation programmes; and
- (g) humanitarian and emergency assistance including assistance to refugees and displaced persons, short-term rehabilitation measures and disaster preparedness.

ARTICLE 61

Nature of Financing

1. The nature of financing shall, *inter alia*, include:
- (a) projects and programmes;
- (b) credit lines, guarantee schemes and equity participation;

- (c) budgetary support, either directly, for the ACP States whose currencies are convertible and freely transferable, or indirectly, from counterparts funds generated by the various Community instruments;
 - (d) the human and material resources necessary for effective administration and supervision of projects and programmes;
 - (e) sectoral and general import support programmes which may take the form of:
 - (i) sectoral import programmes through direct procurement including financing of inputs in the productive system and supplies to improve social services;
 - (ii) sectoral import programmes in the form of foreign exchange released in instalments for financing sectoral imports; and
 - (iii) general import programmes in the form of foreign exchange released in instalments for financing general imports covering a wide range of products.
2. Direct budgetary assistance in support of macro-economic or sectoral reforms shall be granted where:
- (a) public expenditure management is sufficiently transparent, accountable and effective;
 - (b) well defined macroeconomic or sectoral policies established by the country itself and agreed to by its main donors are in place; and
 - (c) public procurement is open and transparent.
3. Similar direct budgetary assistance shall be granted gradually to sectoral policies in substitution for individual projects.
4. The instruments of import programmes or budgetary support defined above can also be used to support eligible ACP States implementing reforms aimed at intra-regional economic liberalisation which generate net transitional costs.
5. In the framework of the Agreement, the European Development Fund (hereinafter referred to as the Fund) including counterpart funds, unexpended balance from previous Funds, own resources of the European Investment Bank (hereinafter referred to as the Bank) and where appropriate resources drawn from the European Community budget, shall be used to finance projects, programmes and other forms of operations contributing to the achievement of the objectives of this Agreement.
6. The funds provided under the Agreement may be used to cover the total costs of both the local and foreign expenditure of projects and programmes, including recurrent cost financing.

TITLE II

Financial cooperation

CHAPTER 1

Financial resources

ARTICLE 62

Overall amount

1. For the purposes set out in this Agreement, the overall amount of the Community's financial assistance and the detailed terms and conditions of financing are provided for in the Annexes to this Agreement.
2. Should an ACP State fail to ratify this Agreement or denounce it, the Parties shall adjust the amounts of the resources provided for in the Financial Protocol set out in Annex I. Adjustment of the financial resources shall also apply upon:
 - (a) the accession to the Agreement of new ACP States which did not take part in its negotiation; and
 - (b) the enlargement of the Community.

ARTICLE 63

Methods of financing

The methods of financing for each project or programme shall be determined jointly by the ACP State or States concerned and the Community by reference to:

- (a) the level of development, the geographical situation and economic and financial circumstances of these States;
- (b) the nature of the project or programme, its economic and financial return as well as its social and cultural impact; and
- (c) in the case of loans, factors guaranteeing their servicing.

ARTICLE 64

On-lending operations

1. Financial assistance may be made available to or through the ACP States concerned or, subject to the provisions of this Agreement through eligible financial institutions or directly to any other eligible beneficiary. Where financial assistance is granted to the final recipient through an intermediary or directly to the final beneficiary in the private sector:
 - (a) the terms and conditions on which the assistance may be made available by the intermediary to the final recipient or directly to the final beneficiary in the private sector shall be laid down in the financing agreement or loan contract; and
 - (b) any financial benefit accruing to the intermediary from the on-lending transaction or resulting from direct lending operations to the final beneficiary in the private sector, shall be used for development purposes on the conditions laid down in the financing agreement or the loan contract, after taking into account administrative costs, exchange and financial risks and the cost of technical assistance given to the final recipient.
2. Where the financing is undertaken through an on-lending body based and/or operating in the ACP States, it shall be the responsibility of that body to select and appraise individual projects and to administer the funds placed at its disposal under the conditions provided for in this Agreement and by mutual agreement between the Parties.

ARTICLE 65

Co-financing

1. The financial resources provided for in this Agreement may be applied, at the request of the ACP States, to co-financing undertaken in particular with development agencies and institutions, Community Member States, ACP States, third countries or international or private financial institutions, firms or export credit agencies.

2. Special consideration shall be given to the possibility of co-financing in cases where Community participation will encourage the participation of other sources of finance and where such financing may lead to an advantageous financial package for the ACP State concerned.
 3. Co-financing may be in the form of joint or parallel financing. Preference shall be given in each case to the solution, which is more suitable from the point of view of cost-effectiveness. In addition, measures shall be taken to coordinate and harmonise operations of the Community and those of other co-financing bodies in order to minimise the number of procedures to be undertaken by the ACP States and to render those procedures more flexible.
 4. The process of consultation and coordination with other donors and co-financiers should be strengthened and developed, where possible, through the establishment of co-financing framework agreements and co-financing policies and procedures should be reviewed to ensure effectiveness and the best terms and conditions possible.
- (a) assistance in studying and finding practical solutions to indebtedness including domestic debt, debt-servicing difficulties and balance of payments problems;
 - (b) training in debt management and international financial negotiations as well as support for training workshops, courses and seminars in these fields; and
 - (c) assistance to develop flexible techniques and instruments of debt management.
3. In order to contribute to the servicing of the debt resulting from loans from the Bank's own resources, special loans and risk capital, the ACP States may, in accordance with arrangements to be made on a case-by-case basis with the Commission, use the available foreign currency referred to in this Agreement for such servicing, as and when debt repayment falls due and up to the amount required for payments in national currency.
 4. Given the seriousness of the international debt problem and its impact on economic growth, the Parties declare their readiness to continue to exchange views, within the context of international discussions, on the general problem of debt, and without prejudice to specific discussions taking place in the relevant fora.

CHAPTER 2

Debt and structural adjustment support

ARTICLE 66

Support for debt relief

1. In order to attenuate the debt burden of the ACP States and their balance-of-payment problems, the Parties agree to use the resources provided for in this Agreement to contribute to debt relief initiatives approved at international level for the benefit of ACP countries. In addition, on a case by case basis, the use of resources which have not been committed in the framework of past indicative programmes shall be accelerated through the quick-disbursing instruments provided for in this Agreement. The Community furthermore commits itself to examine how in the longer term other resources than the EDF can be mobilised in support of internationally agreed debt relief initiatives.
2. At the request of an ACP State, the Community may grant:

ARTICLE 67

Structural adjustment support

1. The Agreement shall provide support for macroeconomic and sectoral reforms implemented by the ACP States. In this framework, the Parties shall ensure that adjustment is economically viable and socially and politically bearable. Support shall be given in the context of a joint assessment between the Community and the ACP State concerned on the reform measures being undertaken or contemplated either at macroeconomic or sectoral level, and permit an overall evaluation of the reform efforts. Quick disbursement shall be an important feature of support programmes.
2. The ACP States and the Community recognise the necessity to encourage reform programmes at regional level ensuring that, in the preparation and execution of national programmes, due consideration is given to regional activities which have an influence on national development. To this end, support for structural adjustment shall also seek to:

Support in cases of short-term fluctuations in export earnings

ARTICLE 68

- (a) incorporate, from the beginning of the diagnosis, measures to encourage regional integration and take account of the consequences of trans-border adjustment;
 - (b) support the harmonisation and coordination of macroeconomic and sectoral policies, including fiscal and customs areas, so as to fulfil the dual aim of regional integration and of structural reform at national level; and
 - (c) take account of the effects of net transitional costs of regional integration on budget revenue and balance of payments, either through general import programmes or budgetary support.
3. ACP States undertaking or contemplating reform at the macroeconomic or sectoral level shall be eligible for structural adjustment assistance, giving consideration to the regional context, their effectiveness and the likely impact on the economic, social and political dimension of development and on economic and social hardships being experienced.
 4. The ACP States undertaking reform programmes that are acknowledged and supported at least by the principal multilateral donors, or that are agreed with such donors but not necessarily financially supported by them, shall be treated as having automatically satisfied the requirements for adjustment assistance.
 5. Structural adjustment support shall be mobilised in a flexible manner and in the form of sectoral and general import programmes or budgetary support.
 6. The preparation, appraisal and financing decision for structural adjustment programmes shall be carried out according to the provisions on implementation procedures of this Agreement with due regard to the quick disbursing feature of structural adjustment programmes. On a case-by-case basis, retroactive financing of a limited part of imports of ACP-EC origin may be permissible.
 7. The implementation of each support programme shall ensure that the eligibility of ACP economic operators for access to the resources of the programme is as wide and transparent as possible and that the procurement procedures accord with the administrative and commercial practices in the State concerned, while ensuring the best possible price/quality ratio on imported goods and the necessary consistency with the progress achieved internationally for harmonising the procedures for supporting structural adjustment.

1. The Parties recognise that instability of export earnings, particularly in the agricultural and mining sectors, may adversely affect the development of the ACP States and jeopardise the attainment of their development requirements. A system of additional support in order to mitigate the adverse effects of any instability in export earnings, including in the agricultural and mining sectors, is therefore set up within the financial envelope for support to long-term development.
2. The purpose of support in cases of short-term fluctuations in export earnings is to safeguard macroeconomic and sectoral reforms and policies that are at risk as a result of a drop in revenue and remedy the adverse effects of instability of export earnings in particular from agricultural and mining products.
3. The extreme dependence of the ACP States' economies on exports, in particular from the agricultural and mining sectors, shall be taken into account in the allocation of resources in the year of application. In this context, the least developed, landlocked and island ACP States shall receive more favourable treatment.
4. The additional resources shall be provided in accordance with the specific modalities of the support mechanism as set out in Annex II on Terms and Conditions of Financing.
5. The Community shall also provide support for market based insurance schemes designed for ACP States seeking to protect themselves against the risk of fluctuations in export earnings.

CHAPTER 4

Support for sectoral policies

ARTICLE 69

1. Cooperation shall support, through the various instruments and modalities provided for in the Agreement:
 - (a) social and economic sectoral policies and reforms;
 - (b) measures to enhance productive sector activity and export competitiveness;
 - (c) measures to expand social sector services; and
 - (d) thematic and cross cutting issues.
2. This support shall be provided as appropriate through:
 - (a) sectoral programmes;
 - (b) budgetary support;
 - (c) investments;
 - (d) rehabilitation;
 - (e) training;
 - (f) technical assistance; and
 - (g) institutional support.

CHAPTER 5

Microprojects and decentralised cooperation

ARTICLE 70

In order to respond to the needs of local communities with regard to development, and to encourage all agents of decentralised cooperation which are in a position to contribute to the autonomous development of the ACP States to put forward and implement initiatives, cooperation shall support, within the frame-

work laid down in the rules and national legislation of the ACP States concerned and the provisions of the indicative programme, such development operations. In this context, cooperation shall support:

- (a) micro-projects at local level which have an economic and social impact on the life of the people, meet a demonstrated and observed priority need, and shall be undertaken at the initiative and with the active participation of the local community which shall benefit therefrom; and
- (b) decentralised cooperation, in particular where such operations combine efforts and resources of decentralised agents from the ACP States and their counterparts from the Community. This form of cooperation shall enable the mobilisation of capabilities, innovative operating methods and resources of decentralised agents for the development of the ACP State.

ARTICLE 71

1. Microprojects and decentralised cooperation operations may be supported from the financial resources of the Agreement. Projects or programmes under this form of cooperation may or may not be linked to programmes in the sectors of concentration of the indicative programmes, but may be a way of achieving the specific objectives of the indicative programme or the results of initiatives by local communities or decentralised agents.
2. Contributions for the financing of micro-projects and decentralised cooperation shall be made by the Fund, in which case the contribution shall not normally exceed three-quarters of the total cost of each project and may not exceed the limit set in the indicative programme. The remaining balance shall be provided:
 - (a) by the local community concerned in case of micro-projects (either in kind or in the form of services or cash and adapted to its capacity to contribute);
 - (b) by the agents of decentralised cooperation, provided that the financial, technical, material and other resources brought in by such agents shall not normally be less than 25% of the estimated cost of the project/programme; and
 - (c) exceptionally by the ACP State concerned, either in the form of a financial contribution or through the use of public equipment or the supply of services.

3. The procedures applicable to projects and programmes financed within the framework of micro-projects or decentralised cooperation shall be those laid down in the Agreement, in particular those referred to in multi-annual programmes.

CHAPTER 6

Humanitarian and emergency assistance

ARTICLE 72

1. Humanitarian and emergency assistance shall be accorded to the population in ACP States faced with serious economic and social difficulties of an exceptional nature resulting from natural disasters, man-made crises such as wars and other conflicts or extraordinary circumstances having comparable effects. The humanitarian and emergency assistance shall be maintained for as long as necessary to deal with the emergency needs resulting from these situations.
2. Humanitarian and emergency assistance shall be granted exclusively according to the needs and interests of victims of disasters and in line with the principles of international humanitarian law. In particular, there shall be no discrimination between victims on grounds of race, ethnic origin, religion, gender, age, nationality or political affiliation and free access to and protection of victims shall be guaranteed as well as the security of humanitarian personnel and equipment.
3. Humanitarian and emergency assistance shall aim to:
 - (a) safeguard human lives in crises and immediate post-crisis situations brought about by natural disasters, conflict or war;
 - (b) contribute to the financing and delivery of humanitarian aid and to the direct access to it of its intended beneficiaries by all logistical means available;
 - (c) carry out short-term rehabilitation and reconstruction to enable the parts of the population affected to benefit once more from a minimum of socio-economic integration and, as soon as possible, create the conditions for a resumption of development on the basis of long-term objectives set by the ACP country concerned;

- (d) address the needs arising from the displacement of people (refugees, displaced persons and returnees) following natural or man-made disasters so as to meet, for as long as necessary, all the needs of refugees and displaced persons (wherever they may be) and facilitate action for their voluntary repatriation and re-integration in their country of origin; and

- (e) assist the ACP State in setting up disaster prevention and preparedness mechanisms, including prediction and early-warning systems, with a view to reducing the consequences of disasters.

4. Similar assistance, as set out above, may be granted to ACP States taking in refugees or returnees to meet acute needs not covered by emergency assistance.

5. Underlining the developmental nature of the assistance granted in accordance with this Article, assistance may be used exceptionally together with the indicative programme at the request of the State concerned.

6. Humanitarian and emergency assistance operations shall be undertaken either at the request of the ACP country affected by the crisis situation, the Commission, international organisations or local or international non-State organisations. Such assistance shall be administered and implemented under procedures permitting operations that are rapid, flexible and effective. The Community shall take adequate steps to facilitate speedy action, which is required to meet the immediate needs for which emergency assistance is needed.

ARTICLE 73

1. Post-emergency action, aimed at physical and social rehabilitation consequent on the results of natural disasters or extraordinary circumstances having comparable effects, may be undertaken with Community assistance under this Agreement. Such action, using effective and flexible mechanisms, must ease the transition from the emergency phase to the development phase, promote the socio-economic reintegration of the parts of the population affected, remove as far as possible the causes of the crisis and strengthen institutions and the ownership by local and national actors of their role in formulating a sustainable development policy for the ACP country concerned.
2. Short-term emergency action shall only in exceptional circumstances be financed under the Fund where such assistance cannot be financed from the Community's budget.

CHAPTER 7

Investment and private sector development support

ARTICLE 74

Cooperation shall, through financial and technical assistance, support the policies and strategies for investment and private sector development as set out in this Agreement.

ARTICLE 75

Investment promotion

The ACP States, the Community and its Member States, within the scope of their respective competencies, recognising the importance of private investment in the promotion of their development cooperation and acknowledging the need to take steps to promote such investment, shall:

- (a) implement measures to encourage participation in their development efforts by private investors who comply with the objectives and priorities of ACP-EC development cooperation and with the appropriate laws and regulations of their respective States;
- (b) take measures and actions which help to create and maintain a predictable and secure investment climate as well as enter into negotiations on agreements which will improve such climate;
- (c) encourage the EU private sector to invest and to provide specific assistance to its counterparts in the ACP countries under mutual business cooperation and partnerships;
- (d) facilitate partnerships and joint ventures by encouraging co-financing;
- (e) sponsor sectoral investment fora to promote partnerships and external investment;
- (f) support efforts of the ACP States to attract financing, with particular emphasis on private financing, for infrastructure investments and revenue generating infrastructure critical for the private sector;
- (g) support capacity building for domestic investment promotion agencies and institutions involved in promoting and facilitating foreign investment;

(h) disseminate information on investment opportunities and business operating conditions in the ACP States; and

(i) promote national, regional and ACP-EU private sector business dialogue, cooperation and partnerships, in particular through an ACP-EU private sector business forum. Support for operations of an ACP-EU private sector business forum shall be provided in pursuit of the following objectives:

(i) to facilitate dialogue within the ACP/EU private sector and between the ACP/EU private sector and the bodies established under the Agreement;

(ii) to analyse and periodically provide the relevant bodies with information on the whole range of issues concerning relations between the ACP and EU private sectors in the context of the Agreement or, more generally, of economic relations between the Community and the ACP countries; and

(iii) to analyse and provide the relevant bodies with information on specific problems of a sectoral nature relating to, inter alia, branches of production or types of products at regional or sub-regional level.

ARTICLE 76

Investment finance and support

1. Cooperation shall provide long-term financial resources, including risk capital, to assist in promoting growth in the private sector and help to mobilise domestic and foreign capital for this purpose. To this end, cooperation shall provide, in particular:
 - (a) grants for financial and technical assistance to support policy reforms, human resource development, institutional capacity-building or other forms of institutional support related to a specific investment, measures to increase the competitiveness of enterprises and to strengthen the capacities of the private financial and non-financial intermediaries, investment facilitation and promotion and competitiveness enhancement activities;
 - (b) advisory and consultative services to assist in creating a responsive investment climate and information base to guide and encourage the flow of capital;
 - (c) risk-capital for equity or quasi-equity investments, guarantees in support of domestic and foreign

private investment and loans or lines of credit on the conditions laid down in Annex II "Terms and Conditions of Financing" to this Agreement; and

- (d) loans from the Bank's own resources.
2. Loans from the Bank's own resources shall be granted in accordance with its statute and with the terms and conditions laid down in Annex II to this Agreement.

ARTICLE 77

Investment guarantees

1. Investment guarantees are an increasingly important tool for development finance as they contribute to reducing project risks and inducing private capital flows. Cooperation shall therefore ensure the increasing availability and use of risk insurance as a risk-mitigating mechanism in order to boost investor confidence in the ACP States.
2. Cooperation shall offer guarantees and assist with guarantees funds covering risks for qualified investment. Specifically, cooperation shall provide support to:
 - (a) reinsurance schemes to cover foreign direct investment by eligible investors; against legal uncertainties and the major risks of expropriation, currency transfer restriction, war and civil disturbance, and breach of contract. Investors may insure projects for any combination of the four types of coverage;
 - (b) guarantee programmes to cover risk in the form of partial guarantees for debt financing. Both partial risk and partial credit guarantee shall be available; and
 - (c) national and regional guarantee funds, involving, in particular, domestic financial institutions or investors for encouraging the development of the financial sector.
3. Cooperation shall also provide support to capacity-building, institutional support and participation in the core funding of national and/or regional initiatives to reduce the commercial risks for investors (inter alia guarantee funds, regulatory bodies, arbitration mechanisms and judiciary systems to enhance the protection of investments improving the export credit systems).
4. Cooperation shall provide such support on the basis of complementary and added value with respect to private and/or public initiatives and, whenever feasible, in partnership with private and other

public organisations. The ACP and the EC will within the framework of the ACP-EC Development Finance Cooperation Committee undertake a joint study on the proposal to set up an ACP-EC Guarantee Agency to provide and manage investment guarantee programmes.

ARTICLE 78

Investment protection

1. The ACP States and the Community and its Member States, within the scope of their respective competencies, affirm the need to promote and protect either Party's investments on their respective territories, and in this context affirm the importance of concluding, in their mutual interest, investment promotion and protection agreements which could also provide the basis for insurance and guarantee schemes.
2. In order to encourage European investment in development projects of special importance to, and promoted by the ACP States, the Community and the Member States, on the one hand and the ACP States on the other, may also conclude agreements relating to specific projects of mutual interest where the Community and European enterprises contribute towards their financing.
3. The Parties also agree to introduce, within the economic partnership agreements, and while respecting the respective competencies of the Community and its Member States, general principles on protection and promotion of investments, which will endorse the best results agreed in the competent international fora or bilaterally.

TITLE III

Technical cooperation

ARTICLE 79

1. Technical cooperation shall assist the ACP States in the development of national and regional manpower resources, the sustained development of the institutions critical for development success, including inter alia strengthening ACP consulting firms and organisations, as well as exchange arrangements involving consultants from both ACP and EU firms.
2. Furthermore, technical cooperation, shall be cost-effective and relevant to the need for which it is intended, and shall also favour the transfer of know-how and increase national and regional capabilities. Technical cooperation shall contribute to the achievement of project and programme goals, including efforts to strengthen management capacity of the National and Regional Authorising Officers. Technical assistance shall:
 - (a) be demand-driven and thus made available only at the request of the ACP State or States concerned, and adapted to recipient needs;
 - (b) complement and support ACP efforts to identify their own requirements;
 - (c) be monitored and followed up to guarantee effectiveness;
 - (d) encourage the participation of ACP experts, consultancy firms and educational and research institutions in contracts financed from the Fund and identify ways of employing qualified national and regional personnel on Fund projects;
 - (e) encourage the secondment of ACP national cadres as consultants to an institution in their own country, or a neighbouring country, or to a regional organisation;
 - (f) aim at developing knowledge of national and regional manpower constraints and potential and establish a register of ACP experts, consultants and consultancy firms suitable for employment on projects and programmes financed from the Fund;
 - (g) support intra-ACP technical assistance in order to promote the exchange between the ACP States of

technical assistance, management and professional expertise;

- (h) develop action programmes for long-term institution building and staff development as an integral part of project and programme planning, account being taken of the necessary financial requirements;
 - (i) support arrangements to enhance the capacity of the ACP States to build up their own expertise and
 - (j) give special attention to the development of the ACP States' capacities in project planning, implementation and evaluation, as well budget management.
3. Technical assistance may be provided in all areas of cooperation and within the limits of the mandate of this Agreement. The activities covered would be diverse in scope and nature, and would be tailored to meet the needs of the ACP States.
 4. Technical cooperation may be either of a specific or a general nature. The ACP-EC Development Finance Cooperation Committee shall establish the guidelines for the implementation of technical cooperation.

ARTICLE 80

With a view to reversing the brain drain from the ACP States, the Community shall assist ACP States which so request to facilitate the return of qualified ACP nationals resident in developed countries through appropriate re-installation incentives.

TITLE IV

Procedures and management systems

ARTICLE 81

Procedures

Management procedures shall be transparent, easy to apply and shall enable the decentralisation of tasks and responsibilities to the field. The implementation of ACP-EU development cooperation shall be open to non-State actors in areas that concern them. The detailed procedural provisions for programming, preparation, implementation and the management of financial and technical cooperation are laid down in Annex IV on Implementation and Management Procedures. The Council of Ministers may review, revise and amend these provisions on the basis of a recommendation from the ACP-EC Development Finance Cooperation Committee.

ARTICLE 82

Executing agents

For the implementation of financial and technical cooperation under this Agreement, executing agents are designated. Detailed provisions for the responsibilities of the executing agents are laid down in Annex IV on Implementation and Management Procedures.

ARTICLE 83

ACP-EC Development Finance Cooperation Committee

1. The Council of Ministers shall at least once a year examine whether the objectives of development finance cooperation are being attained and shall examine the general and specific problems resulting from the implementation of that cooperation. To this end, an ACP-EC Development Finance Cooperation Committee, hereinafter referred to as "the ACP-EC Committee", shall be set up within the Council of Ministers.
2. The ACP-EC Committee shall, inter alia:
 - (a) ensure the overall achievement of the objectives and principles of development finance coopera-

tion and establish general guidelines for their effective and timely implementation;

- (b) examine the problems arising from the implementation of development cooperation activities and propose appropriate measures;
 - (c) review the annexes to the Agreement to ensure their continued relevance and recommend any appropriate amendments to the Council of Ministers for approval; and
 - (d) examine the operations deployed within the framework of the Agreement to attain the objectives of promoting private sector development and investment and the operations of the Investment Facility.
3. The ACP-EC Committee, which shall meet every quarter, shall be composed, on a basis of parity, of representatives of the ACP States and of the Community, or their authorised representatives. It shall meet at ministerial level whenever one of the parties so requests and at least once a year.
4. The Council of Ministers shall lay down the ACP-EC Committee's rules of procedure, in particular the conditions for representation and the number of members of the Committee, the detailed arrangements for their deliberations and the conditions for holding the chair.
5. The ACP-EC Committee may convene meetings of experts to study the cause of any difficulties and bottlenecks, which may impede the efficient implementation of development cooperation. These experts shall make recommendations to the Committee on possible ways of removing such difficulties and bottlenecks.

CHAPTER 4

Island ACP states

ARTICLE 89

1. Specific provisions and measures shall be established to support island ACP States in their efforts to overcome the natural and geographical difficulties and other obstacles hampering their development so as to enable them to step up their respective rates of development.
2. The list of island ACP States is given in Annex VI. It may be amended by decision of the Council of Ministers when a third State in a comparable situation accedes to the Agreement.

ARTICLE 90

The provisions adopted in respect of the island ACP States are contained in the following Articles: 2, 32, 35, 56, 68, 84, 89.



**PART SIX
FINAL PROVISIONS**

ARTICLE 91

Conflict between this Agreement and other treaties

No treaty, convention, agreement or arrangement of any kind between one or more Member States of the Community and one or more ACP States may impede the implementation of this Agreement.

ARTICLE 92

Scope of territorial application

Subject to the special provisions regarding the relations between the ACP States and the French overseas departments provided for therein, this Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territories of the ACP States.

ARTICLE 93

Ratification and entry into force

1. This Agreement shall be ratified or approved by the signatory Parties in accordance with their respective constitutional rules and procedures.
2. The instruments of ratification or approval of this Agreement shall be deposited in the case of the ACP States, with the General Secretariat of the Council of the European Union and in the case of the Community and the Member States, with the General Secretariat of the ACP States. The Secretariats shall promptly notify the signatory States and the Community.
3. This Agreement shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of at least two-thirds of the ACP States, and of the instrument of approval of this Agreement by the Community.
4. An ACP signatory State that has not completed the procedures set out in paragraphs 1 and 2 by the date on which this Agreement enters into force as provided for in paragraph 3 may do so only within the 12 months following that date, without prejudice to the provisions of paragraph 6.

For such States this Agreement shall become applicable on the first day of the second month following the completion of these procedures. These States shall recognise the validity of any

measure taken to implement the Agreement after the date of its entry into force.

5. The rules of procedure of the joint institutions set up under this Agreement shall lay down the conditions under which the representatives of signatory States referred to in paragraph 4 may attend those institutions as observers.
6. The Council of Ministers may decide to accord special support to ACP States party to previous ACP-EC Conventions which, in the absence of normally established government institutions, have not been able to sign or ratify this Agreement. This support may concern institution building and economic and social development activities, taking particular account of the needs of the most vulnerable sections of the population. In this context, such countries will be able to draw on the funds provided for in Part 4 of this Agreement for financial and technical cooperation.

By way of derogation from paragraph 4, the countries concerned which are signatories to the Agreement may complete the ratification procedures within twelve months of the restoration of government institutions.

The countries concerned which have neither signed nor ratified the Agreement may accede to it by means of the accession procedure provided for in Article 94.

ARTICLE 94

Accession

1. Any request for accession to this Agreement made by an independent State whose structural characteristics and economic and social situation are comparable to those of the ACP States shall be presented to the Council of Ministers.

If the request is approved by the Council of Ministers, the State concerned shall accede to this Agreement by depositing an act of accession with the General Secretariat of the Council of the European Union, which shall send a certified copy to the ACP Secretariat and notify the Member States. The Council of Ministers may lay down any amending measures that might be necessary.

The State concerned shall enjoy the same rights and be subject to the same obligations as the ACP States. Its accession may not infringe on the benefits enjoyed by the ACP States signatory to this Agreement under the provisions on development cooperation financing. The Council of Ministers may lay down the conditions and speci-

fic arrangements for the accession of an individual State in a special protocol that shall form an integral part of the Agreement.

2. The Council of Ministers shall be advised of any request made by a third State to become a member of an economic grouping of ACP States.
3. The Council of Ministers shall be advised of any request made by a third State to become a member of the European Union. During the negotiations between the Union and the applicant State, the Community shall provide the ACP States with any relevant information and they in turn shall convey their concerns to the Community so that it can take them fully into account. The ACP Secretariat shall be notified by the Community of any accession to the European Union.

Any new Member State of the European Union shall become a Party to this Agreement from the date of its accession by means of a clause to that effect in the act of accession. If the act of accession to the Union does not provide for such automatic accession of the Member State to this Agreement, the Member State concerned shall accede by depositing an act of accession with the General Secretariat of the Council of the European Union, which shall send a certified copy to the ACP Secretariat and notify the Member States.

The Parties shall review the effects of the accession of new Member States on this Agreement. The Council of Ministers may decide on any transitional or amending measures that might be necessary.

ARTICLE 95

Duration of the agreement and revision clause

1. This Agreement is hereby concluded for a period of twenty years, commencing on 1 March 2000.
2. Financial protocols are defined for each five-year period.
3. The Community and the Member States, on the one hand, and the ACP States, on the other, shall notify the other Party not later than 12 months before the expiry of each five-year period of any review of the provisions they desire to make with a view to a possible amendment of the Agreement. This shall not apply, however, to the provisions on economic and trade cooperation, for which a special review procedure is provided for. Notwithstanding this time limit, if one Party requests the

review of any provisions of the Agreement, the other Party shall have a period of two months in which to request the extension of the review to other provisions related to those which were the subject of the initial request.

Ten months before the expiry of this five-year period, the Parties shall enter into negotiations with a view to examining any possible amendments to the provisions that were the subject of the notification.

Article 93 shall also apply to the amendments made.

The Council of Ministers shall adopt any transitional measures that may be required in respect of the amended provisions until they come into force.

4. Eighteen months before the end of the total period of the Agreement, the Parties shall enter into negotiations in order to examine what provisions shall subsequently govern their relations.

The Council of Ministers shall adopt any transitional measures that may be required until the new Agreement comes into force.

ARTICLE 96

Essential elements: consultation procedure and appropriate measures

as regards human rights, democratic principles and the rule of law

1. Within the meaning of this Article, the term "Party" refers to the Community and the Member States of the European Union, of the one part, and each ACP State, of the other part.
2.
 - (a) If, despite the political dialogue conducted regularly between the Parties, a Party considers that the other Party has failed to fulfil an obligation stemming from respect for human rights, democratic principles and the rule of law referred to in paragraph 2 of Article 9, it shall, except in cases of special urgency, supply the other Party and the Council of Ministers with the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties. To this end, it shall invite the other Party to hold consultations that focus on the measures taken or to be taken by the party concerned to remedy the situation.

The consultations shall be conducted at the level and in the form considered most appropriate for finding a solution.

The consultations shall begin no later than 15 days after the invitation and shall continue for a period established by mutual agreement, depending on the nature and gravity of the violation. In any case, the consultations shall last no longer than 60 days.

If the consultations do not lead to a solution acceptable to both Parties, if consultation is refused, or in cases of special urgency, appropriate measures may be taken. These measures shall be revoked as soon as the reasons for taking them have disappeared.

- (b) The term "cases of special urgency" shall refer to exceptional cases of particularly serious and flagrant violation of one of the essential elements referred to in paragraph 2 of Article 9, that require an immediate reaction.

The Party resorting to the special urgency procedure shall inform the other Party and the Council of Ministers separately of the fact unless it does not have time to do so.

- (c) The "appropriate measures" referred to in this Article are measures taken in accordance with international law, and proportional to the violation. In the selection of these measures, priority must be given to those which least disrupt the application of this agreement. It is understood that suspension would be a measure of last resort.

If measures are taken in cases of special urgency, they shall be immediately notified to the other Party and the Council of Ministers. At the request of the Party concerned, consultations may then be called in order to examine the situation thoroughly and, if possible, find solutions. These consultations shall be conducted according to the arrangements set out in the second and third subparagraphs of paragraph (a).

ARTICLE 97

Consultation procedure and appropriate measures

as regards corruption

1. The Parties consider that when the Community is a significant partner in terms of financial support to economic and sectoral policies and programmes, serious cases of corruption should give rise to consultations between the Parties.

2. In such cases either Party may invite the other to enter into consultations. Such consultations shall begin no later than 21 days after the invitation and shall last no longer than 60 days.
3. If the consultations do not lead to a solution acceptable to both Parties or if consultation is refused, the Parties shall take the appropriate measures. In all cases, it is above all incumbent on the Party where the serious cases of corruption have occurred to take the measures necessary to remedy the situation immediately. The measures taken by either Party must be proportional to the seriousness of the situation. In the selection of these measures, priority must be given to those which least disrupt the application of this agreement. It is understood that suspension would be a measure of last resort.
4. Within the meaning of this Article, the term "Party" refers to the Community and the Member States of the European Union, of the one part, and to the ACP State, of the other part.

ARTICLE 98

Dispute settlement

1. Any dispute arising from the interpretation or application of this Agreement between one or more Member States or the Community, on the one hand, and one or more ACP States on the other, shall be submitted to the Council of Ministers.

Between meetings of the Council of Ministers, such disputes shall be submitted to the Committee of Ambassadors.

2.
 - (a) If the Council of Ministers does not succeed in settling the dispute, either Party may request settlement of the dispute by arbitration. To this end, each Party shall appoint an arbitrator within thirty days of the request for arbitration. In the event of failure to do so, either Party may ask the Secretary-General of the Permanent Court of Arbitration to appoint the second arbitrator.
 - (b) The two arbitrators shall in turn appoint a third arbitrator within thirty days. In the event of failure to do so, either Party may ask the Secretary-General of the Permanent Court of Arbitration to appoint the third arbitrator.
 - (c) Unless the arbitrators decide otherwise, the procedure applied shall be that laid down in the optional arbitration regulation of the Permanent Court of Arbitration for International Organisations

and States. The arbitrators' decisions shall be taken by majority vote within three months.

- (d) Each Party to the dispute shall be bound to take the measures necessary to carry out the decision of the arbitrators.

For the application of this procedure, the Community and the Member States shall be deemed to be one Party to the dispute.

ARTICLE 99

Denunciation clause

This Agreement may be denounced by the Community and its Member States in respect of each ACP State and by each ACP State in respect of the Community and its Member States, upon six months' notice.

ARTICLE 100

Status of the texts

The Protocols and Annexes attached to this Agreement shall form an integral part thereof. Annexes II, III, IV and VI may be revised, reviewed and/or amended by the Council of Ministers on the basis of a recommendation from the ACP-EC Development Finance Cooperation Committee.

This Agreement, drawn up in two copies in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, all texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union and the Secretariat of the ACP States, which shall both transmit a certified copy to the government of each of the Signatory States.

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ANNEX I

FINANCIAL PROTOCOL

1. For the purposes set out in this Agreement and for a period of five years commencing 1 March 2000, the overall amount of the Community's financial assistance to the ACP States shall be EUR 15 200 million.
2. The Community's financial assistance shall comprise an amount up to EUR 13 500 million from the 9th European Development Fund (EDF).
3. The 9th EDF shall be allocated between the instruments of cooperation as follows:
 - (a) EUR 10 000 million in the form of grants shall be reserved for an envelope for support for long-term development. This envelope shall be used to finance national indicative programmes in accordance with Articles 1 to 5 of Annex IV "Implementation and management procedures" to this Agreement. From the envelope for support for long-term development :
 - (i) EUR 90 million shall be reserved for the financing of the budget of the Centre for the Development of Enterprise (CDE);
 - (ii) EUR 70 million shall be reserved for the financing of the budget of the Centre for the Development of Agriculture (CTA); and
 - (iii) an amount not exceeding EUR 4 million shall be reserved for the purposes referred to in Article 17 of this Agreement (Joint Parliamentary Assembly).
 - (b) EUR 1 300 million in the form of grants shall be reserved for the financing of support for regional cooperation and integration of the ACP States in accordance with Articles 6 to 14 of Annex IV "Implementation and management procedures" to this Agreement.
 - (c) EUR 2 200 million shall be allocated to finance the Investment Facility according to the terms and conditions set out in Annex II "Terms and conditions of financing" to this Agreement without prejudice to the financing of the interest rate subsidies provided for in Articles 2 and 4 of Annex II to this Agreement funded from the resources mentioned in paragraph 3(a) of this Annex.
4. An amount of up to EUR 1 700 million shall be provided from the European Investment Bank in the form of loans made from its own resources. These resources shall be granted for the purposes set out in Annex II "Terms and conditions of financing" to this Agreement in accordance with the conditions provided for by its statutes and the relevant provisions of the terms and conditions for investment financing as laid down in the aforementioned Annex. The Bank may, from the resources it manages, contribute to the financing of regional projects and programmes.
5. Any balances remaining from previous EDFs on the date of entry into force of this Financial Protocol, as well as any amounts that shall be decommitted at a later date from ongoing projects under these Funds, shall be transferred to the 9th EDF and shall be used in accordance with the conditions laid down in this Agreement. Any resources thus transferred to the 9th EDF that previously had been allocated to the indicative programme of an ACP State or region shall remain allocated to that State or region. The overall amount of this Financial Protocol, supplemented by the transferred balances from previous EDFs, will cover the period of 2000 – 2007.
6. The Bank shall administer the loans made from its own resources, as well as the operations financed under the Investment Facility. All other financial resources of this Agreement shall be administered by the Commission.
7. Before the expiry of this Financial Protocol, the Parties shall assess the degree of realisation of commitments and disbursements. This assessment shall constitute the basis for re-evaluating the overall amount of resources as well for evaluating the need for new resources to support financial cooperation under this Agreement.
8. In the event of the funds provided for in any of the instruments of the Agreement being exhausted before the expiry of this Financial Protocol, the joint ACP-EC Council of Ministers shall take the appropriate measures.

ANNEX II

TERMS AND CONDITIONS OF FINANCING

CHAPTER 1

Investment financing

ARTICLE 1

The terms and conditions of financing in relation to the operations of the Investment Facility (Facility), the loans from own resources of the European Investment Bank (Bank) and special operations shall be as laid down in this Chapter. These resources may be channelled to eligible enterprises, either directly or indirectly, through eligible investment funds and/or financial intermediaries.

ARTICLE 2

Resources of the investment facility

1. The resources of the Facility may be used, inter alia, to:
 - (a) provide risk capital in the form of:
 - (i) equity participation in ACP enterprises, including financial institutions;
 - (ii) quasi-capital assistance to ACP enterprises, including financial institutions; and
 - (iii) guarantees and other credit enhancements which may be used to cover political and other investment-related risks, both for foreign and local investors or lenders.
 - (b) provide ordinary loans.
2. Equity participation shall normally be for non-controlling minority holdings and shall be remunerated on the basis of the performance of the project concerned.
3. Quasi-capital assistance may consist of shareholders' advances, convertible bonds, conditional, subordinated and participating loans or any other

similar form of assistance. Such assistance may consist in particular of:

- (a) conditional loans, the servicing and/or the duration of which shall be linked to the fulfilment of certain conditions with regard to the performance of the project; in the specific case of conditional loans for pre-investment studies or other project-related technical assistance, servicing may be waived if the investment is not carried out;
 - (b) participating loans, the servicing and/or the duration of which shall be linked to the financial return of the project; and
 - (c) subordinated loans, which shall be repaid only after other claims have been settled.
4. The remuneration of each operation shall be specified when the loan is made. However:
 - (a) in the case of conditional or participating loans, the remuneration shall normally comprise a fixed interest rate of not more than 3% and a variable component related to the performance of the project; and
 - (b) in the case of subordinated loans, the interest rate shall be market related.
 5. Guarantees shall be priced so as to reflect the risks insured and the particular characteristics of the operation.
 6. The interest rate of ordinary loans shall comprise a reference rate applied by the Bank for comparable loans with the same terms and conditions as to grace and repayment periods and a mark up determined by the Bank.
 7. Ordinary loans may be extended on concessional terms and conditions in the following cases:
 - (a) for infrastructure projects in the Least Developed Countries or in post-conflict countries that are pre-requisites for private sector development. In such cases, the interest rate of the loan will be reduced by 3%; and

- (b) for projects which involve restructuring operations in the framework of privatisation or for projects with substantial and clearly demonstrable social or environmental benefits. In such cases, loans may be extended with an interest rate subsidy the amount and form of which will be decided with respect to the particular characteristics of the project. However, the interest rate subsidy shall not be higher than 3%.

The final interest rate shall, in any case, never be less than 50% of the reference rate.

8. The funds to be provided for these concessional purposes will be made available from the Investment Facility and shall not exceed 5% of the overall amount allocated for investment financing by the Investment Facility and by the Bank from its own resources.
9. Interest subsidies may be capitalised or may be used in the form of grants to support project-related technical assistance, particularly for financial institutions in the ACP countries.

ARTICLE 3

Operations of the investment facility

1. The Investment Facility shall operate in all economic sectors and support investments of private and commercially run public sector entities, including revenue generating economic and technological infrastructure critical for the private sector. The Facility shall:

(a) be managed as a revolving fund and aim at being financially sustainable. Its operations shall be on market-related terms and conditions and shall avoid creating distortions on local markets and displacing private sources of finances; and

(b) endeavour to have a catalytic effect by encouraging the mobilisation of long-term local resources and attracting foreign private investors and lenders to projects in the ACP States.

2. On expiry of the Financial Protocol, and in the absence of a specific decision by the Council of Ministers, the cumulative net reflows to the Investment Facility shall be carried over to the next Protocol.

ARTICLE 4

Bank own resource loans

1. The Bank shall:

- (a) contribute, through the resources it manages, to the economic and industrial development of the

ACP States on a national and regional basis; and to this end, finance as a priority productive projects and programmes or other investments aimed at promoting the private sector in all economic sectors;

- (b) establish close cooperation links with national and regional development banks and with banking and financial institutions of the ACP States and of the EU; and

- (c) in consultation with the ACP State concerned, adapt the arrangements and procedures for implementing development finance cooperation, as set out in this Agreement, if necessary, to take account of the nature of the projects and programmes and to act in accordance with the objectives of this Agreement, within the framework of the procedures laid down by its statute.

2. Loans from the Bank's own resources shall be granted under the following terms and conditions:

- (a) the reference rate of interest shall be the rate applied by the Bank for a loan with the same conditions as to currency, and repayment period on the day of signature of the contract or on the date of disbursement;

(b) however :

- (i) in principle, public sector projects shall be eligible for an interest rate subsidy of 3%;
- (ii) private sector projects falling into the categories specified in Article 2 (7)(b) shall be eligible for interest rates subsidies on the same terms as those specified in Article 2(7)(b).

The final interest rate shall, in any case, never be less than 50% of the reference rate.

- (c) the amount of the interest rate subsidy calculated in terms of its value at the times of disbursement of the loan shall be charged against the interest subsidy allocation of the Investment Facility as defined in Article 2(8) and 2(9), and paid directly to the Bank; and

- (d) the repayment period of loans made by the Bank from its own resources shall be determined on the basis of the economic and financial characteristics of the project, but may not exceed 25 years. These loans shall normally comprise a grace period fixed by reference to the construction period of the project.

3. For investments financed by the Bank from its own resources in public sector companies, specific project-related guarantees or undertakings may be required from the ACP State concerned.

ARTICLE 5

Conditions for foreign exchange rate risk

In order to minimise the effects of exchange rate fluctuations, the problems of exchange rate risk shall be dealt with in the following way:

- (a) in the case of equity participation designed to strengthen an enterprise's own funds, the exchange rate risk shall, as a general rule, be borne by the Investment Facility;
- (b) in the case of risk capital financing for small and medium-sized enterprises (SMEs), the exchange rate risk shall, as a general rule, be shared by the Community, on the one part, and by the other parties involved, on the other. On average, the foreign exchange rate risk shall be shared equally; and
- (c) where feasible and appropriate, particularly in countries characterised by macroeconomic and financial stability, the Facility will endeavour to extend loans in local ACP currencies, thus de facto taking the foreign exchange risk.

ARTICLE 6

Conditions for foreign exchange transfer

The ACP States concerned shall, in respect of operations under the Agreement, and in respect of which they have given their written approval within the framework of this Agreement:

- (a) grant exemption from all national or local duties, fiscal charges on interest, commission and amortisation of loans due in accordance with the law or laws of the ACP State or States concerned;
- (b) place at the disposal of the beneficiaries the currency necessary for the payment of interest, commission and the amortisation of loans due in terms of financing contracts granted for the implementation of projects and programmes on their territories; and
- (c) make available to the Bank the foreign currency necessary for the transfer of all sums received by it in national currency at the exchange rate applicable between the Euro or other currencies of transfer and the national currency at the date of the transfer. These include all forms of remuneration, such as, inter alia, interest, dividends, commissions and fees, as well as the amortisation of loans and the proceeds from the sale of shares due in terms of financing contracts granted for the

implementation of projects and programmes on their territories.

CHAPTER 2

Special operations

ARTICLE 7

1. Cooperation shall support from the grant allocation:
 - (a) low-income housing to promote long-term development of the housing sector, including secondary mortgage facilities;
 - (b) micro-finance to promote SMEs and micro-enterprises; and
 - (c) capacity building to strengthen and facilitate the effective participation of the private sector in social and economic development.
2. The ACP-EC Council of Ministers shall, after the signature of this Agreement and on a proposal by the ACP-EC Development Finance Cooperation Committee, decide on the modalities and the amount of resources allocated from the long-term development envelope to attain these objectives.

CHAPTER 3

Financing for short-term fluctuations in export earnings

ARTICLE 8

1. The Parties recognise that losses of export earnings as a result of short-term fluctuations may jeopardise the development financing requirements and the implementation of macroeconomic and sectoral policies. The degree of dependence of an ACP State's economy on the export of goods, and in particular from agricultural and mining products shall, therefore, be a criterion for determining the allocation of long-term development.

2. In order to mitigate the adverse effects of instability of export earnings and safeguard the development programme jeopardised by the drop in revenue, additional financial support may be mobilised from the programmable resources for the country's long-term development on the basis of Articles 9 and 10.

ARTICLE 9

Eligibility criteria

1. Eligibility for additional resources shall be established by:
 - (a) — a 10 % (2% in the case of least-developed countries) loss of export earnings from goods compared with the arithmetical average of the earnings in the first three years of the first four years preceding the application year; or
— a 10 % (2% in the case of least-developed countries) loss of export earnings from the total of agricultural or mineral products compared with the arithmetical average of the earnings in the first three years of the first four years preceding the application year for countries where the agricultural or mineral export revenues represent more than 40 % of total export revenues from goods; and
 - (b) a 10 % worsening in the programmed public deficit programmed for the year in question or forecast for the following year.
2. Entitlement to additional support shall be limited to four successive years.
3. The additional resources shall be reflected in the public accounts of the country concerned. They shall be utilised in accordance with programming rules and methods including the specific provisions in Annex IV "Implementation and management procedures", on the basis of agreements drawn up in advance between the Community and the ACP State concerned in the year following the application. By agreement of both Parties the resources may be used to finance programmes included in national budget. However a part of the additional resources may also be set aside for specific sectors.

ARTICLE 10

Advances

The system for allocating additional resources shall provide for advances to cover any delays in obtaining

consolidated trade statistics and to ensure that the resources in question can be included in the budget of the year following the application year. Advances shall be mobilised on the basis of provisional export statistics drawn up by the government and submitted to the Commission in advance of the official final consolidated statistics. The maximum advance shall be 80 % of the estimated amount of additional resources for the application year. The amounts thus mobilised shall be adjusted by common agreement between the Commission and the government in the light of final consolidated export statistics and the final figure of the public deficit.

ARTICLE 11

The provisions in this Chapter shall be subject to review at the latest after two years of operation and subsequently at the request of either Party.

CHAPTER 4

Other provisions

ARTICLE 12

Current payments and capital movements

1. Without prejudice to paragraph 3 hereafter, the Parties undertake to impose no restrictions on any payments, in freely convertible currency, on the current account of balance of payments between residents of the Community and of the ACP States.
2. With regard to transactions on the capital account of balance of payments, the Parties undertake to impose no restrictions on the free movement of capital relating to direct investments made in companies formed in accordance with the law of the host country and investments made in accordance with this Agreement, and the liquidation or repatriation of these investments and of any profit stemming therefrom.
3. Where one or more ACP State or one or more Member State of the Community is in serious balance of payments difficulties, or under threat thereof, the ACP State, the Member State or the Community may, in accordance with the conditions established under the GATT, GATS and Article VIII and XIV of the Articles of Agreement of

the International Monetary Fund, adopt restrictions on current transactions which shall be of limited duration and may not go beyond what is necessary to remedy the balance of payments situation. The Party taking the measures shall inform the other Parties forthwith and shall submit to them as soon as possible a timetable for the elimination of the measures concerned.

ARTICLE 13

Qualification and treatment of business entities

As regards arrangements that may be applied in matters of establishment and provision of services, the ACP States, on the one hand, and the Member States, on the other, shall treat nationals and companies or firms of the ACP States and nationals and companies or firms of the Member States respectively on a non-discriminatory basis. However, if, for a given activity, an ACP State or a Member State is unable to provide such treatment, the ACP State or the Member State, as the case may be, shall not be bound to accord such treatment for that activity to the nationals and companies or firms of the State concerned.

ARTICLE 14

Definition of "companies and firms"

1. For the purpose of this Agreement, "companies or firms of a Member State or an ACP State" mean companies or firms constituted under civil or commercial law, including corporations, whether public or otherwise, cooperative societies and other legal persons and partnerships governed by public or private law, save for those which are non-profit-making, formed in accordance with the law of a Member State or an ACP State and whose statutory office, central administration or principal place of business is a Member State or an ACP State.
2. However, a company or firm having only its statutory office in a Member State or an ACP State must be engaged in an activity which has an effective and continuous link with the economy of that Member State or ACP State.

CHAPTER 5

Investment protection agreements

ARTICLE 15

1. When implementing the provisions of Article 78 of this Agreement, the Parties shall take into account the following principles :
 - (a) a Contracting State may request where appropriate, the negotiation of an investment promotion and protection agreement with another Contracting State;
 - (b) the States party to such agreements shall practise no discrimination between Contracting States party to this Agreement or against each other in relation to third countries when opening negotiations for concluding, applying and interpreting bilateral or multilateral investment promotion and protection agreements;
 - (c) the Contracting States shall have the right to request a modification or adaptation of the non-discriminatory treatment referred to above when international obligations or changed circumstances so necessitate;
 - (d) the application of the principles referred to above does not purport to and cannot in practice infringe the sovereignty of any Contracting Party to the Agreement; and
 - (e) the relation between the date of entry into force of any agreement negotiated, provisions for the settlement of disputes and the date of the investments concerned will be set out in the said agreement, account being taken of the provisions set out above. The Contracting Parties confirm that retroactivity shall not apply as a general principle unless Contracting States stipulate otherwise.
2. With a view to facilitating the negotiation of bilateral agreements on investment promotion and protection, the Contracting Parties agree to study the main clauses of a model protection agreement. The study, drawing on the provisions of the existing bilateral agreements between the States Parties, will give particular attention to the following issues:
 - (a) legal guarantees to ensure fair and equitable treatment and protection of foreign investors;
 - (b) the most-favoured-investor clause;

- (c) protection in the event of expropriation and nationalisation;
 - (d) the transfer of capital and profits, and
 - (e) international arbitration in the event of disputes between investor and host State.
3. The Parties agree to study the capacity of the guarantee systems to give a positive answer to the

specific needs of small and medium-sized enterprises of insuring their investments in ACP States. The studies referred to above shall be started as soon as possible after the signing of the Agreement. The result of these studies shall be submitted, upon completion to the ACP-EC Development Finance Cooperation Committee for consideration and appropriate action.

ANNEX III

INSTITUTIONAL SUPPORT, CDE AND CTA

ARTICLE 1

Cooperation shall support the institutional mechanisms that provide assistance for businesses and enterprises and promote agriculture and rural development. In this context, cooperation shall help to:

- (a) strengthen and enhance the role of the Centre for the Development of Enterprise (CDE) so as to provide the ACP private sector with the necessary support in the promotion of private sector development activities; and
- (b) strengthen and reinforce the role of the Centre for the Development of Agriculture (CTA) in ACP institutional capacity development, particularly information management, in order to improve access to technologies for increasing agricultural productivity, commercialisation, food security and rural development.

ARTICLE 2

CDE

1. The CDE shall support the implementation of private-sector development strategies in the ACP countries by providing non-financial services to ACP companies and businesses and support to joint initiatives set up by economic operators of the Community and of the ACP States.
2. The CDE shall aim to assist private ACP enterprises to become more competitive in all sectors of the economy. It shall in particular:

- (a) facilitate and promote business cooperation and partnerships between ACP and EU enterprises;
- (b) assist with the development of business support services through support for capacity building in private sector owned organisations or support for providers of technical, professional, management, commercial and training support services;
- (c) provide assistance for investment promotion activities, such as investment promotion organisations, organisation of investment conferences, training programmes, strategy workshops and follow-up investment promotion missions; and
- (d) support for initiatives that contribute to develop and transfer technologies and know-how and best practices on all aspects of business management.

3. The CDE shall also:

- (a) inform the ACP private sector about the provisions of the Agreement;
- (b) diffuse information within the local ACP private sector about the product quality and standards required in external markets; and
- (c) provide information to European companies and private sector organisations on business opportunities and modalities in ACP countries.

4. The CDE shall extend its support for enterprises through qualified and competent national and/or regional service-providing intermediaries.

5. The activities of the CDE shall be based on the concept of coordination, complementarity and added value in respect of any private sector development initiatives taken by public or private entities. The CDE shall exercise selectivity in undertaking its tasks.
6. The Committee of Ambassadors shall be the supervisory authority of the Centre. It shall, after the signature of this Agreement:
 - (a) lay down the statutes and rules of procedure of the Centre, including its supervisory bodies;
 - (b) lay down the statutes relating to staff, financial and staff regulations;
 - (c) supervise the work of the bodies of the Centre; and
 - (d) lay down the rules of operation and the procedures for the adoption of the Centre's budget.
7. The Committee of Ambassadors shall, in accordance with the procedures and criteria determined by it, appoint the members of the bodies of the Centre.
8. The budget of the Centre shall be financed in accordance with the rules laid down in this Agreement in respect of development finance cooperation.
 - (i) improve the formulation and management of agricultural and rural development policies and strategies at national and regional levels including improved capacity for data collection, policy research, analysis and formulation;
 - (ii) improve the information and communication management, in particular within the National Agricultural Strategy;
 - (iii) promote effective intra-institutional Information and Communication Management (ICM) for performance monitoring, as well as consortia with regional and international partners;
 - (iv) promote decentralised ICM at local and national levels;
 - (v) strengthen initiatives via regional cooperation; and
 - (vi) develop approaches for assessing the impact of policy on agricultural and rural development.
3. The Centre shall support regional initiatives and networks and shall progressively share capacity development programmes with appropriate ACP organisations. To this end, the Centre shall support decentralised regional information networks. Such networks shall be built up gradually and efficiently.
4. The Committee of Ambassadors shall be the supervisory authority of the Centre. It shall, after the signature of this Agreement:
 - (a) lay down the statutes and rules of procedures of the Centre, including its supervisory bodies;
 - (b) lay down the statutes relating to staff, financial and staff regulations;
 - (c) supervise the work of the bodies of the Centre; and
 - (d) lay down the rules of operation and the procedures for the adoption of the Centre's budget.
5. The Committee of Ambassadors shall, in accordance with the procedures and criteria determined by it, appoint the members of the bodies of the Centre.
6. The budget of the Centre shall be financed in accordance with the rules laid down in this Agreement in respect of development finance cooperation.

ARTICLE 3

CTA

1. The mission of the CTA shall be to strengthen policy and institutional capacity development and information and communication management capacities of ACP agricultural and rural development organisations. It shall assist such organisations in formulating and implementing policies and programmes to reduce poverty, promote sustainable food security, preserve the natural resource base, and thus contribute to building self-reliance in ACP rural and agricultural development.
2. The CTA shall:
 - (a) develop and provide information services and ensure better access to research, training and innovations in the spheres of agricultural and rural development and extension, in order to promote agriculture and rural development; and
 - (b) develop and reinforce ACP capacities in order to:

ANNEX IV

IMPLEMENTATION AND MANAGEMENT PROCEDURES

CHAPTER 1

Programming (national)

ARTICLE 1

Operations financed by grants within the framework of this Agreement shall be programmed at the beginning of the period covered by the Financial Protocol. Programming for this purpose shall mean:

- (a) the preparation and development of a Country Support Strategy (CSS) based on the country's own medium-term development objectives and strategies;
- (b) a clear indication from the Community of the indicative programmable financial allocation from which the country may benefit during the five-year period as well as any other relevant information;
- (c) the preparation and adoption of an indicative programme for implementing the CSS; and
- (d) a review process covering the CSS, the indicative programme and the volume of resources allocated to it.

ARTICLE 2

Country support strategy

The CSS shall be prepared by the ACP State concerned and the EU following consultations with a wide range of actors in the development process, and shall draw on lessons learned and best practices. Each CSS shall be adapted to the needs and respond to the specific circumstances of each ACP State. The CSS shall be an instrument to prioritise activities and to build local ownership of cooperation programmes. Any divergences between the country's own analysis and that of the Community shall be noted. The CSS shall include the following standard elements:

- (a) an analysis of the political, economic and social country context, constraints, capacities and prospects including an assessment of basic

needs, such as income per capita, population size and social indicators, and vulnerability;

- (b) a detailed outline of the country's medium-term development strategy, clearly defined priorities and expected financing requirements;
- (c) an outline of relevant plans and actions of other donors present in the country, in particular including those of the EU Member States in their capacity as bilateral donors;
- (d) response strategies, detailing the specific contribution the EU can provide. These shall, to the extent possible, enable complementarity with operations financed by the ACP State itself and by other donors present in the country; and
- (e) a definition of the nature and scope of the most appropriate support mechanisms to be applied in implementing the above strategies.

ARTICLE 3

Resource allocation

1. Resource allocation shall be based on needs and performance, as defined in this Agreement. In this context:
 - (a) needs shall be assessed on the basis of criteria pertaining to per capita income, population size, social indicators and level of indebtedness, export earning losses and dependence on export earnings, in particular from the sectors of agriculture and mining. Special treatment shall be accorded to the least developed ACP States and the vulnerability of island and landlocked states shall duly be taken into account. In addition, account shall be taken of the particular difficulties of post-conflict countries; and
 - (b) performance shall be assessed in an objective and transparent manner on the basis of the following parameters: progress in implementing institutional reforms, country performance in the use of resources, effective implementation of current operations, poverty alleviation or reduction, sustainable development measures and macro-economic and sectoral policy performance.

2. The allocated resources shall comprise two elements:
 - (a) an allocation to cover macroeconomic support, sectoral policies, programmes and projects in support of the focal or non focal areas of Community assistance; and
 - (b) an allocation to cover unforeseen needs such as emergency assistance where such support cannot be financed from the EU budget, contributions to internationally agreed debt relief initiatives and support to mitigate adverse effects of instability in export earnings.
3. This indicative amount shall facilitate the long-term programming of Community aid for the country concerned. Together with the uncommitted balances of resources allocated to the country under previous EDF, and wherever possible Community budget resources, these allocations shall be the basis for the preparation of the indicative programme for the country concerned.
4. Provision will be made for those countries which, due to exceptional circumstances, can not access normal programmable resources.
 - (f) a reserve for insurance against possible claims and to cover cost increases and contingencies.
5. The draft indicative programme shall, as appropriate, contain the resources reserved to reinforce human, material and institutional ACP capacity for preparing and implementing national and regional indicative programmes and for improving the management of the ACP States' public investment projects cycle.
6. The draft indicative programme shall be the subject of an exchange of views between the ACP State concerned and the Community. The indicative programme shall be adopted by common agreement between the Community and the ACP State concerned. It shall, when adopted, be binding on both the Community and that State. This indicative programme shall be annexed to the CSS and shall in addition contain:
 - (a) specific and clearly identified operations, especially those that can be committed before the next review;
 - (b) a timetable for implementation and review of the indicative programme, including commitments and disbursements of resources; and
 - (c) the parameters and criteria for the reviews.
7. The Community and the ACP State concerned shall take all necessary measures to ensure that the programming process is completed within the shortest possible time and, save in exceptional circumstances, within twelve months of the signing of the Financial Protocol. In this context, the preparation of the CSS and the indicative programme must be part of a continuous process leading to the adoption of a single document.

ARTICLE 4

Preparation and adoption of the indicative programme

1. Upon receipt of the information referred to above, each ACP State shall draw up and submit to the Community a draft indicative programme on the basis of and consistent with its development objectives and priorities as expressed in the CSS. The draft indicative programme shall contain:
 - (a) the focal sector, sectors or areas on which support should be concentrated;
 - (b) the most appropriate measures and operations for attaining the objectives and targets in the focal sector, sectors or areas;
 - (c) the resources reserved for projects and programmes outside the focal sector(s) and/or the broad outlines of such activities, as well as an indication of the resources to be deployed for each of these elements;
 - (d) identification of eligible non-State actors and the resources allocated for non-State actors;
 - (e) proposals for regional projects and programmes; and

ARTICLE 5

Review process

1. Financial cooperation between the ACP State and the Community shall be sufficiently flexible to ensure that operations are kept constantly in line with the objectives of this Agreement and to take account of any changes occurring in the economic situation, priorities and objectives of the ACP State concerned. In this context, the National Authorising Officer and the Head of Delegation shall:
 - (a) annually undertake an operational review of the indicative programme; and

- (b) undertake a mid-term and end-of-term review of the CSS and the indicative programme in the light of current needs and performance.
2. In exceptional circumstances referred to in the provisions on humanitarian and emergency assistance, the review can be carried out on the demand of either Party.
 3. The National Authorising Officer and the Head of Delegation shall:
 - (a) take all necessary measures to ensure adherence to the provisions of the indicative programme, including ensuring that the timetable of commitments and disbursements agreed at the time of programming is adhered to; and
 - (b) determine any causes of delay in implementation and propose suitable measures to remedy the situation.
 4. The annual operational review of the indicative programme shall consist of a joint assessment of the implementation of the programme and take into account the results of relevant activities of monitoring and evaluation. This review shall be conducted locally and shall be finalised between the National Authorising Officer and the Head of Delegation within a period of 60 days. It shall in particular cover an assessment of:
 - (a) the results achieved in the focal sector(s) measured against the identified targets and impact indicators and sectoral policy commitments;
 - (b) projects and programmes outside the focal sector(s) and/or in the framework of multi-annual programmes;
 - (c) the use of resources set aside for non-State actors;
 - (d) the effectiveness in implementation of current operations and the extent to which the timetable for commitments and payments have been respected; and
 - (e) an extension of the programming perspective for the following years.
 5. The National Authorising Officer and the Head of Delegation shall submit the report on the conclusion of the annual review to the Development Finance Cooperation Committee, within 30 days of the completion of the operational review. The Committee shall examine the report in accordance with its responsibilities and powers under the Agreement.
 6. In the light of the annual operational reviews, the National Authorising Officer and the Head of Delegation may at the mid-term and end-of-term reviews, and within the above time frames, review and adapt the CSS:
 - (a) where operational reviews indicate specific problems; and/or
 - (b) in the light of changed circumstances of an ACP State.

Such reviews shall be completed within a further period of 30 days of the finalisation of the mid-term and end-of-term reviews. The end of Financial Protocol review shall also include adaptation for the new financial Protocol in terms of both resource allocation and preparation for the next programme.
 7. Following the completion of mid-term and end-term reviews, the Community may revise the resource allocation in the light of current needs and performance of the ACP State concerned.

CHAPTER 2

Programming and preparation (regional)

ARTICLE 6

Participation

1. Regional cooperation shall cover operations benefiting and involving:
 - (a) two or more or all ACP States; and / or
 - (b) a regional body of which at least two ACP States are members.
2. Regional cooperation can also involve Overseas Countries and Territories and outermost regions. The funding to enable participation of these territories shall be additional to funds allocated to the ACP States under the Agreement.

ARTICLE 7

Regional programmes

The ACP States concerned shall decide on the definition of geographical regions. To the maximum extent possible, regional integration programmes should correspond to programmes of existing regional organisations with a mandate for economic integration. In principle, in case the membership of several relevant regional organisations overlaps, the regional integration programme should correspond to the combined membership of these organisations. In this context, the Community will provide specific support from regional programmes to groups of ACP States who are committed to negotiate economic partnership agreements with the EU.

ARTICLE 8

Regional programming

1. Programming shall take place at the level of each region. The programming shall be a result of an exchange of views between the Commission and the duly mandated regional organisation(s) concerned, and in the absence of such a mandate, the National Authorising Officers of the countries in that region. Where appropriate, programming may include a consultation with eligible non-State actors.
2. Programming for this purpose shall mean:
 - (a) preparation and development of a Regional Support Strategy (RSS) based on the region's own medium-term development objectives and strategies;
 - (b) a clear indication from the Community of the indicative resource allocation from which the region may benefit during the five-year period as well as any other relevant information;
 - (c) preparation and adoption of a Regional Indicative Programme (RIP) for implementing the RSS; and
 - (d) a review process covering the RSS, the RIP and the volume of resources allocated to each region.
3. The RSS shall be prepared by the Commission and the duly mandated regional organisation(s) in collaboration with the ACP States in the region concerned. The RSS will be an instrument to prioritise activities and to build local ownership of supported programmes. The RSS shall include the following standard elements:

- (a) an analysis of the political, economic and social context of the region;
- (b) an assessment of the process and prospects of regional economic integration and integration into the world economy;
- (c) an outline of the regional strategies and priorities pursued and the expected financing requirements;
- (d) an outline of relevant activities of other external partners in regional cooperation; and
- (e) an outline of the specific EU contribution towards achievement of the goals for regional cooperation and integration, complementary insofar as possible to operations financed by the ACP States themselves and by other external partners, particularly the EU Member States.

ARTICLE 9

Resource allocation

At the beginning of the period covered by the Financial Protocol, each region shall receive from the Community an indication of the volume of resources from which it may benefit during a five-year period. The indicative resource allocation shall be based on an estimate of need and the progress and prospects in the process of regional cooperation and integration. In order to achieve an adequate scale and to increase efficiency, regional and national funds may be mixed for financing regional operations with a distinct national component.

ARTICLE 10

Regional indicative programme

1. On the basis of the resource allocation indicated above, the duly mandated regional organisation(s), and in the absence of such a mandate, the National Authorising Officers of the countries in the region, shall draw up a draft Regional Indicative Programme. In particular, the draft programme shall specify:
 - (a) the focal sectors and themes of Community aid;
 - (b) the most appropriate measures and operations to achieve the objectives set for those sectors and themes; and
 - (c) the projects and programmes enabling those objectives to be attained, insofar as they have been clearly identified as well as an indication of

the resources to be deployed for each of these elements and a timetable for their implementation.

2. The Regional Indicative Programmes shall be adopted by common agreement between the Community and the ACP States concerned.

ARTICLE 11

Review process

Financial cooperation between each ACP region and the Community shall be sufficiently flexible to ensure that operations are kept constantly in line with the objectives of this Agreement and to take account of any changes occurring in the economic situation, priorities and objectives of the region concerned. A mid-term and end-of-term review of the regional indicative programmes shall be undertaken to adapt the indicative programme to evolving circumstances and to ensure that they are correctly implemented. Following the completion of mid-term and end-of-term reviews, the Community may revise the resource allocation in the light of current needs and performance.

ARTICLE 12

Intra-ACP cooperation

At the beginning of the period covered by the Financial Protocol, the Community shall indicate to the ACP Council of Ministers the part of the funds earmarked for regional operations that shall be set aside for operations that benefit many or all ACP States. Such operations may transcend the concept of geographic location.

ARTICLE 13

Requests for financing

1. Requests for financing of regional programmes shall be submitted by:
 - (a) a duly mandated regional body or organisation; or
 - (b) a duly mandated sub-regional body, organisation or an ACP State in the region concerned at the programming stage, provided that the operation has been identified in the RIP.
2. Requests for intra-ACP programmes shall be submitted by:
 - (a) at least 3 mandated regional bodies or organisations belonging to different geographic regions, or

the National Authorising Officers of such regions; or

- (b) the ACP Council of Ministers, or, by specific delegation, the ACP Committee of Ambassadors; or
- (c) international organisations carrying out operations that contribute to the objectives of regional cooperation and integration, subject to prior approval by the ACP Committee of Ambassadors.

ARTICLE 14

Procedures for implementation

1. Regional programmes shall be implemented by the requesting body or any other duly authorised institution or body.
2. Intra-ACP programmes shall be implemented by the requesting body or their duly authorised institution. In the absence of a duly authorised implementing body, and without prejudice to ad hoc projects and programmes managed by the ACP Secretariat, the Commission shall be responsible for the implementation of intra-ACP operations.
3. Account being taken of the objectives and inherent characteristics of regional cooperation, operations undertaken in this sphere shall be governed by the procedures established for development finance cooperation where applicable.

CHAPTER 3

Project implementation

ARTICLE 15

Project identification, preparation and appraisal

1. Projects and programmes that have been presented by the ACP State shall be subject to joint appraisal. The ACP-EC Development Finance Cooperation Committee shall develop the general guidelines and criteria for appraisal of projects and programmes.
2. Project or programme dossiers prepared and submitted for financing must contain all information necessary for the appraisal of the projects or programmes or, where such projects and pro-

grammes have not been completely defined, provide the broad outlines necessary for their appraisal. Such dossiers shall be officially transmitted to the Community by the ACP States or the other eligible beneficiaries in accordance with this Agreement.

3. Project and programme appraisal shall, take due account of national human resource constraints and ensure a strategy favourable to the promotion of such resources. It shall also take into account the specific characteristics and constraints of each ACP State.

ARTICLE 16

Financing proposal and decision

1. The conclusions of the appraisal shall be summarised in a financing proposal drawn up by the Community in close collaboration with the ACP State concerned. This financing proposal shall be submitted for approval by the Commission's decision-making body.
2. The financing proposal shall contain an advance timetable for the technical and financial implementation of the project or programme, including multi-annual programmes and global allocations for operations of a small financial scale, and shall deal with the duration of the different phases of implementation. The financing proposal shall:
 - (a) take into account the comments of the ACP State or States concerned; and
 - (b) be forwarded simultaneously to the ACP State or States concerned and the Community.
3. The Commission shall finalise the financing proposal and forward it, with or without amendment, to the Community's decision-making body. The ACP State or States concerned shall be given an opportunity to comment on any amendment of substance which the Commission intends to make to the document. These comments shall be reflected in the amended financing proposal.
4. The Community's decision-making body shall communicate its decision within 120 days from the date of communication of the financial proposal referred to above.
5. Where the financing proposal is not adopted by the Community, the ACP State or States concerned shall be informed immediately of the reasons for that decision. In such a case, the representatives of the ACP State or States concerned may, within 60 days thereafter, request either:
 - (a) that the matter be referred to the ACP-EC Development Finance Cooperation Committee set up under the Agreement; or
 - (b) that they be given a hearing by the Community's decision-making body.
6. Following such a hearing, a definitive decision to adopt or reject the financing proposal shall be taken by the relevant Community body to which the ACP State or States concerned may forward, before the decision is taken, any facts which may appear necessary to supplement the information available to it.
7. Multi-annual programmes shall, inter alia, finance training, decentralised operations, micro-projects, trade promotion and trade development, sets of operations of a limited scale in a specific sector, project/programme management support and technical cooperation.
8. In cases referred to above, the ACP State concerned may submit to the Head of Delegation a multi-annual programme setting out its broad outlines, the types of actions envisaged and the financial commitment proposed:
 - (a) the financing decision on each multi-annual programme shall be taken by the Chief Authorising Officer. The letter from the Chief Authorising Officer to the National Authorising Officer notifying such decision shall constitute the financing agreement; and
 - (b) within the framework of multi-annual programmes thus adopted, the National Authorising Officer or, when the case arises, the agent of decentralised cooperation which has been delegated functions for this purpose or, in appropriate cases, other eligible beneficiaries shall implement each individual action in accordance with the relevant provisions of this Agreement and the terms of the financing agreement referred to above. Where implementation is to be carried out by agents of decentralised cooperation or other eligible beneficiaries, the National Authorising Officer and the Head of Delegation shall maintain financial responsibility and monitor the operations regularly with a view to enabling them, inter alia, to carry out their obligations.
9. At the end of each year, the National Authorising Officer in consultation with the Head of Delegation, shall forward a report to the Commission on the implementation of the multi-annual programmes.

ARTICLE 17

Financing agreement

1. Save as otherwise provided for in this Agreement, for any project or programme financed by a grant from the Fund, a financing agreement shall be drawn up between the Commission and the ACP State or States concerned. Where the direct beneficiary is not an ACP State, the Commission shall formalise the financing decision by means of an exchange of letters with the beneficiary concerned.
2. The financing agreement shall be drawn up between the Commission and the ACP State or States concerned within 60 days of the decision of the Community's decision-making body. The agreement shall:
 - (a) specify, in particular the details of the Fund's financial commitment and the financing arrangements and terms, the general and specific provisions relating to the project or programme concerned and shall also incorporate the advance timetable for the technical implementation of the project or programme contained in the financing proposal; and
 - (b) make adequate provision for appropriations to cover cost increases and contingencies.
3. Once the financing agreement has been signed, disbursements shall be made in accordance with the financing plan laid down therein. Any unexpended balance left upon closure of the accounts of projects and programmes shall accrue to the ACP State concerned and shall be so specified in the Fund's books. It may be used in the manner laid down in this Agreement for the financing of projects and programmes.

ARTICLE 18

Cost over-runs

1. Once it appears that cost over-runs beyond the limit set in the financing agreement are likely to be incurred, the National Authorising Officer shall, through the Head of Delegation, notify the Chief Authorising Officer accordingly, as well as of the measures which the National Authorising Officer intends to take in order to cover such cost over-runs over the allocated appropriations, either by reducing the scale of the project or programme or by calling on national or other non-Community resources.

2. If it is decided by agreement with the Community not to scale down the project or programme or if it is not possible to cover them by other resources, then such over-runs may be financed up to 20% of the financial commitment for the project or programme concerned from the indicative programme.

ARTICLE 19

Retroactive financing

1. In order to ensure early project start-up, avoid gaps between sequential projects and prevent delays, the ACP States, in agreement with the Commission, may, on completion of project appraisal and before the financing decision is taken:
 - (a) issue invitations to tender for all types of contracts, with a suspension clause; and
 - (b) pre-finance activities linked to the start-up of programmes, preliminary and seasonal work, orders for equipment with long delivery lead times as well as some on-going operations. Such expenditures must satisfy the procedures provided for in the Agreement.
2. These provisions do not prejudice the powers of the Community's decision-making body.
3. Expenditure made by the ACP State in pursuance of this provision shall be retroactively financed under the project or programme, once the financing agreement is signed.

CHAPTER 4

Competition and preferences

ARTICLE 20

Eligibility

Save where a derogation is granted in accordance with the General Regulations for contracts or Article 22:

- (a) participation in invitations to tender and the award of the contracts financed by the Fund shall be open on equal terms to:

- (i) natural persons, companies or firms or public or semi-public agencies of the ACP States and the Member States;
 - (ii) cooperative societies and other legal persons governed by public or private law, of the Member States and/or the ACP States; and
 - (iii) joint ventures or groupings of companies or firms of ACP States and/or of a Member State.
- (b) supplies must originate in the Community and/or the ACP States. In this context, the definition of the concept of 'originating products' shall be assessed by reference to the relevant international agreements and supplies originating in the Community shall include supplies originating in the Overseas Countries and Territories.

ARTICLE 21

Participation on equal terms

The ACP States and the Commission shall take the necessary measures to ensure the widest possible participation on equal terms in invitations to tender for works, supplies and services contracts, including, as appropriate, measures to:

- (a) ensure publication of invitations to tender in the Official Journal of the European Communities, the Internet, the Official Journals of all the ACP States and any other appropriate information media;
- (b) eliminate discriminatory practices or technical specifications which might stand in the way of widespread participation on equal terms;
- (c) encourage cooperation between the companies and firms of the Member States and of the ACP States;
- (d) ensure that all the awarding criteria are specified in the tender dossier; and
- (e) ensure that the tender selected conforms to the requirements of the tender dossier and meets the awarding criteria stated therein.

ARTICLE 22

Derogation

1. In order to ensure the optimum cost-effectiveness of the system, natural or legal persons from non-ACP developing countries may be authorised to participate in contracts financed by the Community at the request of the ACP States con-

cerned. The ACP States concerned shall, on each occasion, provide the Head of Delegation with the information needed for the Community to decide on such derogation, with particular attention being given to:

- (a) the geographical location of the ACP State concerned;
- (b) the competitiveness of contractors, suppliers and consultants from the Member States and the ACP States;
- (c) the need to avoid excessive increases in the cost of performance of the contract;
- (d) transport difficulties or delays due to delivery times or other similar problems; and
- (e) technology that is the most appropriate and best suited to local conditions.

2. Participation by third countries in contracts financed by the Community may also be authorised:

- (a) where the Community participates in the financing of regional or inter-regional schemes involving such countries;
- (b) in the case of co-financing projects and programmes; and
- (c) in the case of emergency assistance.

3. In exceptional cases and in agreement with the Commission, consultancy firms with experts who are nationals of third countries may participate in service contracts.

ARTICLE 23

Competition

1. To simplify and streamline the general rules and regulations for competition and preferences for EDF financed operations, contracts shall be awarded through open and restricted procedures as well as framework contract, direct agreement contracts and direct labour as follows:

- (a) open international invitation to tender through or after the publication of a procurement notice in accordance with the provisions of this Agreement;
- (b) open local invitation to tender where the procurement notice is published exclusively in the beneficiary ACP State;

- (c) restricted international invitation to tender where the Contracting Authority invites a limited number of candidates to take part in the call for tender after the publication of a pre-information notice;
 - (d) direct agreement contracts which involve simplified procedure where the publication of the procurement notice is dispensed with and the Contracting Authority invites a limited number of service providers to present their offers; and
 - (e) direct labour agreement where contracts are performed through public or semi-public agencies and departments of the beneficiary States concerned.
2. Contracts financed from the Fund shall be concluded in accordance with the following provisions:
- (a) works contracts of a value :
 - (i) higher than EUR 5 000 000 shall be awarded in an open international invitation to tender;
 - (ii) between EUR 300 000 and EUR 5 000 000 shall be awarded through an open local invitation to tender; and
 - (iii) lower than EUR 300 000 shall be awarded by direct agreement contract which involves a simplified procedure without publication of a procurement notice.
 - (b) supply contracts of a value :
 - (i) higher than EUR 150 000 shall be awarded through an open international invitation to tender;
 - (ii) between EUR 30 000 and EUR 150 000 shall be awarded through an open local invitation to tender; and
 - (iii) below EUR 30 000 shall be awarded by direct agreement contract which involves a simplified procedure without publication of a procurement notice.
 - (c) service contracts of a value :
 - (i) higher than EUR 200 000 shall be awarded through a restricted international tender after publication of a procurement notice; and
 - (ii) below EUR 200 000 shall be awarded by direct agreement contract which involves a simplified procedure or a framework contract.
- 3. For works, supply and service contracts with a value of EUR 5 000 or less, these can be awarded directly without competition.
 - 4. In case of restricted invitation to tender, a short-list of prospective tenderers shall be drawn up by the ACP State or States concerned in agreement with the Head of Delegation following, where applicable, a call for pre-qualification of tenders based on the publication of a procurement notice.
 - 5. In case of direct-agreement contracts, the ACP State shall enter freely into such discussions as it may consider appropriate with the prospective tenderers whom it has short-listed in accordance with the Articles 20 to 22 and award the contract to the tenderers whom it has selected.
 - 6. The ACP States may request the Commission to negotiate, draw up, conclude and implement service contracts directly on their behalf or through its relevant agency.

ARTICLE 24

Direct labour

- 1. In case of direct labour operations, projects and programmes shall be implemented through public or semi-public agencies or departments of the State or States concerned or by the person responsible for executing the operation.
- 2. The Community shall contribute to the costs of the department involved by providing the equipment and/or materials that it lacks and/or resources to allow it to acquire additional staff required in the form of experts from within the ACP States concerned or other ACP States. The participation of the Community shall cover only costs incurred by supplementary measures and temporary expenditure relating to execution strictly confined to the requirements of the project in question.

ARTICLE 25

Emergency assistance contracts

Contracts under emergency assistance shall be undertaken in such a way as to reflect the urgency of the situation. To this end, for all operations relating to emergency assistance, the ACP State may, in agreement with the Head of Delegation, authorise:

- (a) the conclusion of contracts by direct agreement;
- (b) the performance of contracts by direct labour;

(c) implementation through specialised agencies; and

(d) direct implementation by the Commission.

ARTICLE 26

Preferences

Measures shall be taken to encourage the widest participation of the natural and legal persons of ACP States in the performance of contracts financed by the Fund in order to permit the optimisation of the physical and human resources of those States. To this end:

- (a) for works contracts of a value of less than EUR 5 000 000, tenderers of the ACP States, provided that at least one quarter of the capital stock and management staff originates from one or more ACP States, shall be accorded a 10% price preference where tenders of an equivalent economic, technical and administrative quality are compared;
- (b) for supply contracts, irrespective of the value of the supplies, tenderers of the ACP States who offer supplies of at least 50% in contract value of ACP origin, shall be accorded a 15% price preference where tenders of equivalent economic, technical and administrative quality are compared;
- (c) in respect of service contracts, given the required competence, preference shall be given to:
 - (i) experts, institutions or consultancy companies or firms from ACP States where tenders of equivalent economic and technical quality are compared,
 - (ii) offers submitted by an ACP firm in a consortium with European partners, and
 - (iii) offers presented by European tenderers with ACP sub-contractors or experts.
- (d) where subcontracting is envisaged, preference shall be given by the successful tenderer to natural persons, companies and firms of ACP States capable of performing the contract required on similar terms; and
- (e) the ACP State may, in the invitation to tender, propose to the prospective tenderers the assistance of other ACP States' companies or firms or national experts or consultants selected by mutual agreement. This cooperation may take the form either of a joint venture, or of a subcontract or of on-the-job training of trainees.

ARTICLE 27

Award of contracts

1. Without prejudice to Article 24, the ACP State shall award the contract to the tenderer:
 - (a) whose tender is found to be responsive to the tender dossier;
 - (b) for a works or supply contract, who has offered the most advantageous tender as assessed, inter alia, on the basis of :
 - (i) the price, the operating and maintenance costs;
 - (ii) the qualifications of, and the guarantees offered by the tenderers, as well as the technical qualities of the tender, including the offer of an after-sales service in the ACP State; and
 - (iii) the nature of, the conditions and the time limit for executing the contracts, and the adaptation to local conditions.
 - (c) for a service contract who offers the most advantageous tender taking into account, inter alia, the price, the technical value of the tender, the organisation and the methodology proposed for the provision of the services as well as the competence, independence and availability of the personnel proposed.
2. Where two tenders are acknowledged to be equivalent on the basis of the criteria stated above, preference shall be given:
 - (a) to the tenderer of an ACP State; or
 - (b) if no such tender is forthcoming, to the tenderer who :
 - (i) permits the best possible use of the physical and human resources of the ACP States;
 - (ii) offers the greatest subcontracting possibilities to ACP companies, firms or natural persons; or
 - (iii) is a consortium of natural persons, companies and firms from ACP States and the Community.

ARTICLE 28

General regulations for contracts

1. The award of contracts financed from the resources of the Fund shall be governed by this

Annex and the procedures which shall be adopted by decision of the Council of Ministers at the first meeting following the signing of this Agreement, upon the recommendation of the ACP-EC Development Finance Cooperation Committee. These procedures shall respect the provisions of this Annex and the Community's procurement rules for cooperation with third countries.

2. Pending the adoption of these procedures, the current EDF rules as contained in the current general regulations and general conditions of contracts shall apply.

ARTICLE 29

General conditions for contracts

Performance of works, supply and service contracts financed from the resources of the Fund shall be governed by:

- (a) the general conditions applicable to contracts financed by the Fund which shall be adopted by decision of the Council of Ministers at the first meeting following the signing of this Agreement, upon the recommendation of the ACP-EC Development Finance Cooperation Committee; or
- (b) in the case of co-financed projects and programmes, or where a derogation to third parties has been granted or in accelerated procedures or in other appropriate cases, such other general conditions as may be agreed by the ACP State concerned and the Community, i.e. :
 - (i) the general conditions for contracts prescribed by the national legislation of the ACP State concerned or its established practices regarding international contracts; or
 - (ii) any other international general conditions for contracts.

ARTICLE 30

Settlement of disputes

Any dispute arising between the authorities of an ACP State and a contractor, supplier or provider of services during the performance of a contract financed by the Fund shall:

- (a) in the case of a national contract, be settled in accordance with the national legislation of the ACP State concerned; and

(b) in the case of a transnational contract be settled either :

- (i) if the Parties to the contract so agree, in accordance with the national legislation of the ACP State concerned or its established international practices; or
- (ii) by arbitration in accordance with the procedural rules which will be adopted by decision of the Council of Ministers at the first meeting following the signing of this Agreement, upon the recommendation of the ACP-EC Development Finance Cooperation Committee.

ARTICLE 31

Tax and customs arrangements

1. The ACP States shall apply to contracts financed by the Community tax and customs arrangements no less favourable than those applied by them to the most favoured States or international development organisations with which they have relations. For the purpose of determining the most-favoured-nation (MFN) treatment, account shall not be taken of arrangements applied by the ACP State concerned to other ACP States, or to other developing countries.
2. Subject to the above provisions the following shall apply to contracts financed by the Community:
 - (a) the contract shall not be subject in the beneficiary ACP State to stamp or registration duties or to fiscal charges having equivalent effect, whether such charges already exist or are to be instituted in the future; however, such contracts shall be registered in accordance with the laws in force in the ACP State and a fee corresponding to the service rendered may be charged for it;
 - (b) profits and/or income arising from the performance of contracts shall be taxable according to the internal fiscal arrangements of the ACP State concerned, provided that the natural or legal persons who realise such profit and/or income have a permanent place of business in that State, or that the performance of the contract takes longer than six months;
 - (c) enterprises which must import professional equipment in order to carry out works contracts shall, if they so request, benefit from the system of temporary admission as laid down by the national legislation of the beneficiary ACP State in respect of the said equipment;

(d) professional equipment necessary for carrying out tasks defined in a service contract shall be temporarily admitted into the beneficiary ACP State or States in accordance with its national legislation free of fiscal, import and customs duties and of other charges having equivalent effect where these duties and charges do not constitute remuneration for services rendered;

(e) imports under supply contracts shall be admitted into the beneficiary ACP State without customs duties, import duties, taxes or fiscal charges having equivalent effect. The contract for supplies originating in the ACP State concerned shall be concluded on the basis of the ex-works price of the supplies to which may be added such internal fiscal charges as may be applicable to those supplies in the ACP State;

(f) fuels, lubricants and hydrocarbon binders and, in general, all materials used in the performance of works contracts shall be deemed to have been purchased on the local market and shall be subject to fiscal rules applicable under the national legislation in force in the beneficiary ACP State; and

(g) personal and household effects imported for use by natural persons, other than those recruited locally, engaged in carrying out tasks defined in a service contract and members of their families, shall be exempt from customs or import duties, taxes and other fiscal charges having equivalent effect, within the limit of the national legislation in force in the beneficiary ACP State.

3. Any matter not covered by the above provisions on tax and customs arrangements shall remain subject to the national legislation of the ACP State concerned.

CHAPTER 5

Monitoring and evaluation

ARTICLE 32

Objectives

The objective of monitoring and evaluation shall consist in the regular assessment of development operations (preparation, implementation and subsequent operation) with a view to improving the development effectiveness of on-going and future operations.

ARTICLE 33

Modalities

1. Without prejudice to evaluations carried out by the ACP States or the Commission, this work will be done jointly by the ACP State(s) and the Community. The ACP-EC Development Finance Cooperation Committee shall ensure the joint character of the joint monitoring and evaluation operations. In order to assist the ACP-EC Development Finance Cooperation Committee, the Commission and the ACP General Secretariat shall prepare and implement the joint monitoring and evaluations and report to the Committee. The Committee shall, at its first meeting after the signature of the Agreement, fix the operational modalities aimed at ensuring the joint character of the operations and shall, on a yearly basis, approve the work programme.
2. Monitoring and evaluation activities shall notably:
 - (a) provide regular and independent assessments of the Fund's operations and activities by comparing results with objectives; and thereby
 - (b) enable the ACP States and the Commission and the Joint Institutions, to feed the lessons of experience back into the design and execution of future policies and operations.

CHAPTER 6

Management and executing agents

ARTICLE 34

The Chief Authorising Officer

1. The Commission shall appoint the Chief Authorising Officer of the Fund, who shall be responsible for managing the resources of the Fund. The Chief Authorising Officer shall be responsible for commitment, clearance, authorisation and accounting of expenditure under the Fund.
2. The Chief Authorising Officer shall:
 - (a) commit, clear and authorise expenditure and keep accounts of commitments and authorisations;

- (b) ensure that financing decisions are carried out;
- (c) in close cooperation with the National Authorising Officer, make commitment decisions and financial arrangements that prove necessary to ensure proper execution of approved operations from the economic and technical viewpoints;
- (d) prepare the tender dossier before the invitations to tender are issued, for:
 - (i) open international tender, and
 - (ii) restricted international invitation to tender with prequalification.
- (e) approve the proposals for the placing of contracts subject to the powers exercised by the Head of Delegation under Article 36;
- (f) ensure publication in reasonable time of international invitations to tender.

3. The Chief Authorising Officer shall, at the end of each year, make available a detailed balance sheet of the Fund showing balances of contributions paid into the Fund by the Member States and global disbursements in respect of each financing heading.

ARTICLE 35

National Authorising Officer

1. The Government of each ACP States shall appoint a National Authorising Officer to represent it in all operations financed from the resources of the Fund managed by the Commission and the Bank. The National Authorising Officer may delegate some of these functions and shall inform the Chief Authorising Officer of any such delegation. The National Authorising Officer shall:
 - (a) in close cooperation with the Head of Delegation be responsible for the preparation, submission and appraisal of projects and programmes;
 - (b) in close cooperation with the Head of Delegation, issue invitations for local open tender, receive tenders, both local and international (open and restricted), preside over the examination of tenders, establish the results of this examination, sign contracts and riders thereto and approve expenditure;
 - (c) submit, before issuing local open invitations to tender, the invitation to tender dossier to the Head of Delegation who shall give his agreement within 30 days;
 - (d) complete the evaluation of tenders within the tender validity period taking into consideration the period required for the approval of contracts;
 - (e) transmit the results of the examination of and a proposal for placing the contract to the Head of Delegation for his approval within the time limits set out in Article 36;
 - (f) clear and authorise expenditure within the limits of the funds assigned to him; and
 - (g) during the execution operations, make any adaptation arrangements necessary to ensure the proper execution of approved projects or programmes from the economic and technical viewpoint.
2. The National Authorising Officer shall, during the execution of operations and subject to the requirement to inform the Head of Delegation, decide on:
 - (a) technical adjustments and alterations in matters of detail so long as they do not affect the technical solution adopted and remain within the limits of the reserve for adjustments;
 - (b) alterations to estimates during execution;
 - (c) transfers from item to item within estimates;
 - (d) changes of site for multiple-unit projects or programmes where justified on technical, economic or social grounds;
 - (e) imposition or remission of penalties for delay;
 - (f) acts discharging guarantors;
 - (g) purchase of goods, irrespective of their origin, on the local market;
 - (h) use of construction equipment and machinery not originating in the Member States or ACP States provided there is no production of comparable equipment and machinery in the Member States or ACP States;
 - (i) subcontracting;
 - (j) final acceptance, provided that the Head of Delegation is present at provisional acceptance, endorses the corresponding minutes and, where appropriate, is present at the final acceptance, in particular where the extent of the reservations recorded at the provisional acceptance necessitates major additional work; and
 - (k) hiring of consultants and other technical assistance experts.

ARTICLE 36

Head of Delegation

1. The Commission shall be represented in each ACP State or in each regional grouping, which expressly so requests, by a delegation under the authority of a Head of Delegation, with the approval of the ACP State or States concerned. Where a Head of Delegation is appointed to a group of ACP States, appropriate steps shall be taken to ensure that the Head of Delegation is represented by a deputy resident in each of the States in which the Head of Delegation is not resident. The Head of Delegation shall represent the Commission in all spheres of its competence and in all its activities.
2. To this end, and in close cooperation with the National Authorising Officer, the Head of Delegation shall:
 - (a) at the request of the ACP State concerned, participate and give assistance in the preparation of projects and programmes and in negotiating technical assistance contracts;
 - (b) participate in appraising projects and programmes, preparing tender dossiers and seeking ways to simplify project and programme appraisal and implementation procedures;
 - (c) prepare financing proposals;
 - (d) approve, before the National Authorising Officer issues them, the local open invitation to tender and the emergency assistance contract dossiers within 30 days of their submission to him by the National Authorising Officer;
 - (e) be present at the opening of tenders and receive copies of them and of the results of their examination;
 - (f) approve, within 30 days, the National Authorising Officer's proposal for the placing of local open tenders, direct agreement contracts, emergency assistance contracts, service contracts and works contracts with a value less than EUR 5 million and supply contracts with a value less than EUR 1 million;
 - (g) for all other contracts not covered by the above, approve within 30 days the National Authorising Officer's proposal for the placing of the contract wherever the following conditions are fulfilled:
 - (i) the tender selected is the lowest of those conforming to the requirements of the tender dossier;
 - (ii) the tender selected meets all the selection criteria stated in the tender dossier; and
 - (iii) the tender selected does not exceed the sum earmarked for the contract.
 - (h) where the conditions set out in paragraph (g) are not fulfilled, forward the proposal to the Chief Authorising Officer who shall decide thereon within 60 days of the receipt of the Head of Delegation. Where the price of the selected tender exceeds the sum earmarked for the contract, the Chief Authorising Officer shall, upon giving approval to the award, make the necessary financial commitment;
 - (i) endorse contracts and estimates in the case of direct labour, riders thereto as well as payment authorisations issued by the National Authorising Officer;
 - (j) ensure that the projects and programmes financed from the resources of the Fund managed by the Commission are properly executed from the financial and technical viewpoints;
 - (k) cooperate with the national authorities of the ACP State where he represents the Commission in evaluating operations regularly;
 - (l) communicate to the ACP State all information and relevant documents on the procedures for implementing development finance cooperation especially as regards appraisal criteria and tender evaluation criteria; and
 - (m) on a regular basis, inform the national authorities of Community activities which may directly concern cooperation between the Community and the ACP States.
3. The Head of Delegation shall have the necessary instructions and delegated powers to facilitate and expedite all operations under the Agreement. Any further delegation of administrative and/or financial powers to the Head of Delegation other than described in this Article shall be notified to the National Authorising Officers and the Council of Ministers.

ARTICLE 37

Payments and paying agents

1. For the purpose of effecting payments in the national currencies of the ACP States, accounts denominated in the currencies of the Member States or in Euro shall be opened in each ACP State in the name of the Commission with a

- national public or semi-public financial institution chosen by agreement between the ACP State and the Commission. This institution shall exercise the functions of National Paying Agent.
2. The National Paying Agent shall receive no remuneration for its services and no interest shall be payable by it on deposited funds. The local accounts shall be replenished by the Commission in the currency of one of the Member States or in Euro, based on estimates of future cash requirements, which shall be made sufficiently in advance to avoid the need for pre-financing by ACP States and to prevent delayed disbursements.
 3. For the purpose of effecting payments in Euro, accounts denominated in Euro shall be opened in the name of the Commission with financing institutions in the Member States. These institutions shall exercise the functions of Paying Agents in Europe.
 4. Payments from the European accounts, which will be executed on the instruction of the Commission or by the Head of Delegation acting on its behalf, may be made in respect of expenditure authorised by the National Authorising Officer or by the Chief Authorising Officer with the prior authorisation of the National Authorising Officer.
 5. Within the limits of the funds available in the accounts, the Paying Agents shall make disbursements authorised by the National Authorising Officer or, as appropriate, the Chief Authorising Officer, after verifying that the supporting documents provided are substantially correct and in order, and that the discharge given for payment is valid.
 6. The procedures for clearance, authorisation and payment of expenditure must be completed within a period of 90 days from the date on which the payment becomes due. The National Authorising Officer shall process and deliver the payment authorisation to the Head of Delegation not later than 45 days before the due date.
 7. Claims for delayed payments shall be borne by the ACP State or States concerned, and by the Commission from its own resources, for that part of the delay for which each party is responsible in accordance with the above procedures.
 8. The Paying Agents, the National Authorising Officer, the Head of Delegation and the responsible Commission departments shall remain financially liable until the Commission gives final clearance for the operations for the execution of which they are responsible.

ANNEX V

TRADE REGIME APPLICABLE DURING THE PREPARATORY PERIOD REFERRED TO IN ARTICLE 37 (1)

CHAPTER 1

General trade arrangements

ARTICLE 1

Products originating in the ACP States shall be imported into the Community free of customs duties and charges having equivalent effect.

(a) For products originating in the ACP States:

- listed in Annex I to the Treaty where they come under a common organization of the market within the meaning of Article 34 of the Treaty, or
- subject, on import into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

the Community shall take the necessary measures to ensure more favorable treatment than that granted to third countries benefiting from the most-favored-nation clause for the same products.

(b) If, during the application of this Annex, the ACP States request that new lines of agricultural production or agricultural products which are not the subject of specific arrangements when this Annex enters into force should benefit from such arrangements, the Community shall examine these requests in consultation with the ACP States.

(c) Notwithstanding the above, the Community shall, in the context of the special relations and special nature of ACP-EC cooperation, examine on a case-by-case basis the requests from the ACP States for preferential access for their agricultural products to the Community market and shall notify its decision on these reasoned requests if possible within four months, and in any case not more than six months after the date of their submission.

Within the context of subparagraph (a), the Community shall take its decisions in particular

with reference to concessions granted to developing third countries. It shall take account of the possibilities offered by the off-season market.

(d) The arrangements referred to in subparagraph (a) shall enter into force at the same time as this Agreement and shall remain applicable for the duration of the preparatory period defined in Article 37(1) of the Agreement.

However, if during this period, the Community:

- subjects one or more products to common organization of the market or to specific rules introduced as a result of the implementation of the common agricultural policy, it shall reserve the right to adapt the import treatment for those products originating in the ACP States, following consultations within the Council of Ministers. In such cases, the provisions of subparagraph (a) shall be applicable;
- modifies the common organization of the market in a particular product or the specific rules introduced as a result of the implementation of the common agricultural policy, it shall reserve the right to modify the arrangements laid down for products originating in the ACP States, following consultations within the Council of Ministers. In such cases the Community shall undertake to ensure that products originating in the ACP States continue to enjoy an advantage comparable to that previously enjoyed in relation to products originating in third countries benefiting from the most-favored-nation clause.

(e) Where the Community intends to conclude a preferential agreement with third States it shall inform the ACP States thereof. Consultations shall take place where the ACP States so request in order to safeguard their interests.

ARTICLE 2

1. The Community shall not apply to imports of products originating in the ACP States any quantitative restrictions or measures having equivalent effect.

2. Paragraph 1 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security, the protection of health and life of humans, animals and plants, the protection of national treasures possessing artistic, historic or archaeological value, conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption, or the protection of industrial and commercial property.
3. Such prohibitions or restrictions shall in no case constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction of trade generally.

In cases where implementation of the measures referred to in paragraph 2 affects the interests of one or more ACP States, consultation shall be held at the request of the latter, in accordance with the provisions of Article 12 of this Agreement, with a view to reaching a satisfactory solution.

ARTICLE 3

1. Where new measures or measures stipulated in programmes adopted by the Community for the approximation of laws and regulations in order to facilitate the movement of goods are likely to affect the interests of one or more ACP States, the Community shall, prior to adopting such measures, inform the ACP States thereof through the Council of Ministers.
2. In order to enable the Community to take into consideration the interests of the ACP State concerned, consultations shall be held at the request of the latter in accordance with the provisions of Article 12 of this Agreement, with a view to reaching a satisfactory solution.

ARTICLE 4

1. Where existing Community rules or regulations adopted in order to facilitate the movement of goods affect the interests of one or more ACP States or where these interests are affected by the interpretation, application or administration of such rules or regulations, consultations shall be held at the request of the ACP States concerned with a view to reaching a satisfactory solution.
2. With a view to finding a satisfactory solution, the ACP States may also bring up within the Council of Ministers any other problems relating to the movement of goods which might result from

measures taken or envisaged by the Member States.

3. The relevant institutions of the Community shall, to the greatest possible extent, inform the Council of Ministers of such measures in order to ensure effective consultations.

ARTICLE 5

1. The ACP States shall not be required to assume, in respect of imports of products originating in the Community, obligations corresponding to the commitment entered into by the Community under this Annex in respect of imports of the products originating in the ACP States.
 - (a) In their trade with the Community, the ACP States shall not discriminate among the Member States and shall grant to the Community treatment no less favorable than most-favoured-nation treatment.
 - (b) The most-favoured-nation treatment referred to in subparagraph (a) shall not apply in respect of trade or economic relations between ACP States or between one or more ACP States and other developing countries.

ARTICLE 6

Each Party shall communicate its customs tariff to the Council of Ministers within three months of the entry into force of this Annex. Each Party shall also communicate any subsequent amendments to its tariff as and when they come into force.

ARTICLE 7

1. The concept of "originating products" for the purposes of implementing this Annex, and the methods of administrative cooperation relating thereto, are defined in Protocol 1 annexed hereto.
2. The Council of Ministers may adopt any amendment to Protocol 1.
3. Where the concept of "originating products" has not yet been defined for a given product pursuant to paragraphs 1 or 2, each Contracting Party shall continue to apply its own rules.

ARTICLE 8

1. Where any product is being imported into the Community in such increased quantities and

under such conditions as to cause or threaten to cause serious injury to its domestic producers of like or directly competitive products or serious disturbances in any sector of the economy or difficulties which could bring about serious deterioration in the economic situation of a region, the Community may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 9.

2. The Community undertakes not to use other means for protectionism purposes or to hamper structural development. The Community will refrain from using safeguard measures having the same effect.
3. Safeguard measures shall be restricted to those which would least disturb trade between the Contracting Parties in implementing the objectives of this Agreement and must not exceed the scope of what is strictly necessary to remedy the difficulties that have arisen.
4. When applied, safeguard measures shall take into account the existing level of the ACP exports concerned to the Community and their potential for development. Particular attention shall be paid to the interests of the least-developed, landlocked and island ACP States.

ARTICLE 9

1. Prior consultation shall take place concerning the application of the safeguard clause, both when such measures are first adopted and when they are extended. The Community shall provide the ACP States with all the information required for such consultations and shall provide the data from which to determine to what extent imports from an ACP State of a specific product have caused the effects referred to in Article 8(1).
2. Where consultations have taken place, safeguard measures, or arrangements jointly agreed upon by the ACP States concerned and the Community, shall enter into force thereafter.
3. However, the prior consultations provided for in paragraphs 1 and 2 shall not prevent any immediate decisions which the Community, in accordance with Article 8(1), might take where special factors have necessitated such decisions.
4. In order to facilitate the examination of factors that may cause market disturbances, a mechanism shall be instituted for the statistical surveillance of certain ACP exports to the Community.

5. The Parties undertake to hold regular consultations with a view to finding satisfactory solutions to problems which might result from the application of the safeguard clause.
6. The prior consultations as well as the regular consultations and the surveillance mechanism referred to in paragraphs 1 to 5 shall be implemented in accordance with Protocol 2 annexed hereto.

ARTICLE 10

The Council of Ministers shall, at the request of any Party concerned, consider the economic and social effects of the application of the safeguard clause.

ARTICLE 11

When safeguard measures are being taken, modified or removed, particular attention shall be paid to the interests of the least-developed, landlocked and island ACP States.

ARTICLE 12

In order to ensure the effective implementation of this Annex, the Parties agree to inform and consult each other.

In addition to the cases for which consultations are specifically provided for in Articles 2 to 9 of this Annex, consultations shall also take place, at the request of the Community or the ACP States, and in accordance with the conditions provided for in the procedural rules in Article 12 of this Agreement, particularly in the following cases:

- (1) where Parties intend to take any trade measures affecting the interests of one or more Parties under this Annex, they shall inform the Council of Ministers thereof. Consultations shall take place, where the Parties concerned so request, in order to take account of their respective interests;
- (2) if, during the application of this Annex, the ACP States consider that agricultural products covered by Article 1(2)(a) other than those subject to special treatment should benefit from such treatment, consultations may take place within the Council of Ministers;
- (3) where a Party considers that obstacles to the movement of goods arise as a result of the existing rules of another Party or the interpretation, application or administration thereof;

- (4) where the Community takes safeguard measures in accordance with the provisions of Article 8, consultations on these measures may take place within the Council of Ministers, where the Parties concerned so request, notably with a view to ensuring compliance with Article 8(3).

Such consultations must be completed within three months.

CHAPTER 2

Special undertaking on sugar and beef and veal

ARTICLE 13

1. In accordance with Article 25 of the ACP-EEC Convention of Lomé signed on 28 February 1975 and with Protocol 3 annexed thereto, the Community has undertaken for an indefinite period, notwithstanding the other provisions of this Annex, to purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, which originates in the ACP States producing and exporting cane sugar and which those States have undertaken to deliver to it.
2. The conditions for the implementation of the aforementioned Article 25 have been laid down by Protocol 3 referred to in paragraph 1. The text of the Protocol is attached to this Annex as Protocol 3.
3. Article 8 of this Annex shall not apply within the framework of the said Protocol.
4. For the purpose of Article 8 of the said Protocol the institutions established under this Agreement may be used during the period of application of this Agreement.
5. Article 8(2) of the said Protocol shall apply should this Agreement cease to be operative.
6. The declarations contained in Annexes XIII, XXI and XXII of the Final Act to the ACP-EEC Convention of Lomé signed on 28 February 1975 are reaffirmed and their provisions shall continue to apply. These declarations are annexed as such to Protocol 3.

7. This Article and Protocol 3 shall not apply to relations between the ACP States and the French overseas departments.

ARTICLE 14

The special undertaking on beef and veal, defined in Protocol 4 annexed hereto shall apply.

CHAPTER 3

Final provisions

ARTICLE 15

The Protocols attached to this Annex shall form an integral part thereof.

Protocole n° 1
Concerning the definition of the concept of
“originating products” and
methods of administrative cooperation

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TITLE I

General provisions

ARTICLE 1

Definitions

For the purposes of this Protocol:

- (a) "manufacture" means any kind of working or processing including assembly or specific operations;
- (b) "material" means any ingredient, raw material, component or part, etc., used in the manufacture of the product;
- (c) "product" means the product being manufactured, even if it is intended for later use in another manufacturing operation;
- (d) "goods" means both materials and products;
- (e) "customs value" means the value as determined in accordance with the 1994 Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade (WTO Agreement on customs valuation);
- (f) "ex-works price" means the price paid for the product ex works to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used, minus any internal taxes which are, or may be, repaid when the product obtained is exported;
- (g) "value of materials" means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the territory concerned;
- (h) "value of originating materials" means the value of such materials as defined in subparagraph (g) applied mutatis mutandis;
- (i) "added value" shall be taken to be the ex-works price minus the customs value of third-country materials imported into the Community, the ACP States or the Overseas Countries and Territories;
- (j) "chapters" and "headings" mean the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System, referred to in this Protocol as "the Harmonized System" or "HS";
- (k) "classified" refers to the classification of a product or material under a particular heading;
- (l) "consignment" means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to consignee or, in the absence of such a document, by a single invoice;
- (m) "territories" includes territorial waters.

TITLE II

Definition of the concept of “originating products”

ARTICLE 2

General requirements

1. For the purpose of implementing the trade co-operation provisions of ANNEX V, the following products shall be considered as originating in the ACP States:

(a) products wholly obtained in the ACP States within the meaning of Article 3 of this Protocol;

(b) products obtained in the ACP States incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the ACP States within the meaning of Article 4 of this Protocol.

2. For the purpose of implementing paragraph 1, the territories of the ACP States shall be considered as being one territory.

Originating products made up of materials wholly obtained or sufficiently worked or processed in two or more ACP States shall be considered as products originating in the ACP State where the last working or processing took place, provided the working or processing carried out there goes beyond that referred to in Article 5 of this Protocol.

ARTICLE 3

Wholly obtained products

1. The following shall be considered as wholly obtained, in the ACP States or in the Community, or in the overseas countries and territories defined in Annex III, hereafter referred to as the OCT:

(a) mineral products extracted from their soil or from their seabed;

(b) vegetable products harvested there;

(c) live animals born and raised there;

(d) products from live animals raised there;

(e) products obtained by hunting or fishing conducted there;

(f) products of sea fishing and other products taken from the sea outside the territorial waters by their vessels;

(g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);

(h) used articles collected there fit only for the recovery of raw materials, including used tyres fit only for retreading or for use as waste;

(i) waste and scrap resulting from manufacturing operations conducted there;

(j) products extracted from marine soil or subsoil outside their territorial waters provided that they have sole rights to work that soil or subsoil;

(k) goods produced there exclusively from the products specified in subparagraphs (a) to (j).

2. The terms “their vessels” and “their factory ships” in paragraph 1(f) and (g) shall apply only to vessels and factory ships:

(a) which are registered or recorded in an EC Member State, in an ACP State or in an OCT

(b) which sail under the flag of an EC Member State, of an ACP State or of an OCT;

(c) which are owned to an extent of at least 50 per cent by nationals of States party to the Agreement, or of an OCT, or by a company with its head office in one of these States or OCT, of which the Chairman of the Board of Directors or the Supervisory Board, and the majority of the members of such boards are nationals of States party to the Agreement, or of an OCT, and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to those States party to the Agreement or to public bodies or nationals of the said States, or of an OCT;

(d) of which at least 50 % of the crew, master and officers included, are nationals of States party to the Agreement, or of an OCT.

3. Notwithstanding the provisions of paragraph 2, the Community shall recognise, upon request of an ACP State, that vessels chartered or leased by the ACP State be treated as "their vessels" to undertake fisheries activities in its exclusive economic zone under the following conditions:

— that the ACP State offered the Community the opportunity to negotiate a fisheries agreement and the Community did not accept this offer;

— that at least 50% of the crew, master and officers included are nationals of States party to the Agreement, or of an OCT;

— that the charter or lease contract has been accepted by the ACP-EC Customs Cooperation Committee as providing adequate opportunities for developing the capacity of the ACP State to fish on its own account and in particular as conferring on the ACP State the responsibility for the nautical and commercial management of the vessel placed at its disposal for a significant period of time.

ARTICLE 4

Sufficiently worked or processed products

1. For the purposes of this Protocol, products which are not wholly obtained are considered to be sufficiently worked or processed in the ACP States, or in the Community or in the OCT, when the conditions set out in the list in Annex II are fulfilled.

The conditions referred to above indicate, for all products covered by this Agreement, the working or processing which must be carried out on non-originating materials used in manufacturing and apply only in relation to such materials. Accordingly, it follows that if a product, which has acquired originating status by fulfilling the conditions set out in the list is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated do not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

2. Notwithstanding paragraph 1, non-originating materials which, according to the conditions set out in the list, should not be used in the manufacture of a given product may nevertheless be used, provided that:

(a) their total value does not exceed 15 per cent of the ex-works price of the product;

(b) any of the percentages given in the list for the maximum value of non-originating materials are not exceeded through the application of this paragraph.

3. Paragraphs 1 and 2 shall apply except as provided in Article 5.

ARTICLE 5

Insufficient working or processing operations

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 4 are satisfied:

(a) operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);

(b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;

(c) (i) changes of packaging and breaking up and assembly of packages;

(ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packaging operations;

(d) affixing marks, labels and other like distinguishing signs on products or their packaging;

(e) simple mixing of products, whether or not of different kinds, where one or more components of the mixtures do not meet the conditions laid down in this Protocol to enable them to be considered as originating in an ACP State, in the Community or in the OCT;

(f) simple assembly of parts to constitute a complete product;

(g) a combination of two or more operations specified in subparagraphs (a) to (f);

(h) slaughter of animals.

2. All the operations carried out in either the ACP States, the Community or the OCT on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

ARTICLE 6

Cumulation of origin

Cumulation with the OCT and the Community

1. Materials originating in the Community or in the OCT shall be considered as materials originating in the ACP States when incorporated into a product obtained there. It shall not be necessary that such materials have undergone sufficient working or processing, provided they have undergone working or processing going beyond that referred to in Article 5.
2. Working and processing carried out in the Community or in the OCT shall be considered as having been carried out in the ACP States, when the materials undergo subsequent working or processing in the ACP States.

Cumulation with South Africa

3. Subject to the provisions of paragraphs 4, 5, 6, 7 and 8, materials originating in South Africa shall be considered as originating in the ACP States when incorporated into a product obtained there. It shall not be necessary that such materials have undergone sufficient working or processing.
4. Products which have acquired originating status by virtue of paragraph 3 shall only continue to be considered as products originating in the ACP States when the value added there exceeds the value of the materials used originating in South Africa. If this is not so, the products concerned shall be considered as originating in South Africa. In the allocation of origin, no account shall be taken of materials originating in South Africa which have undergone sufficient working or processing in the ACP States.
5. The cumulation provided for in paragraph 3 may only be applied after 3 years for the products listed in Annex XI and 6 years for the products listed in Annex XII respectively, as from the provisional application of the Agreement on Trade, Development and Co-operation between the European Community and the Republic of South Africa. The cumulation provided for in paragraph 3

shall not be applicable to the products listed in Annex XIII.

6. Notwithstanding paragraph 5, the cumulation provided for in paragraph 3 may be applied at the request of the ACP States for the products listed in Annexes XI and XII. The ACP-EC Committee of Ambassadors shall decide on the ACP requests, product per product, on the basis of a report drawn up by the ACP-EC Customs Co-operation Committee in accordance with Article 37. In the examination of requests, account shall be taken of the risk of the circumvention of the trade provisions of the Agreement on Trade, Development and Co-operation between the European Community and the Republic of South Africa.
7. The cumulation provided for in paragraph 3 shall only be applicable to the products listed in Annex XIV when the tariffs on these products in the framework of the Agreement on Trade, Development and Co-operation between the European Community and the Republic of South Africa have been eliminated. The European Commission shall publish in the Official Journal of the European Communities (C series) the date on which the conditions of this paragraph have been fulfilled.
8. The cumulation provided for in paragraph 3 may only be applied where the South African materials used have acquired the status of originating products by an application of the rules of origin identical to those set out in this Protocol. The ACP States shall provide the Community with details of agreements and their corresponding rules of origin which have been concluded with South Africa. The European Commission shall publish in the Official Journal of the European Communities (C series) the date on which the ACP States have met the obligations laid down in this paragraph .
9. Without prejudice to paragraphs 5 and 7, working and processing carried out in South Africa shall be considered as having been carried out in an other Member State of the South African Customs Union (SACU) when the materials undergo subsequent working or processing in that other Member State of SACU.
10. Without prejudice to paragraphs 5 and 7 and at the request of the ACP States, working and processing carried out in South Africa, shall be considered as having been carried out in the ACP States, when the materials undergo subsequent working or processing in an ACP State within the context of a regional economic integration agreement.

Unless there is a specific request by either party for a referral of the decision to the ACP-EC Council of Ministers, the ACP-EC Customs Cooperation Committee shall decide on the ACP requests in accordance with Article 37.

Cumulation with neighbouring developing countries

11. At the request of the ACP States, materials originating in a neighbouring developing country, other than an ACP State, belonging to a coherent geographical entity, shall be considered as materials originating in the ACP States when incorporated into a product obtained there. It shall not be necessary that such materials have undergone sufficient working or processing, provided that :

- the working or processing carried out in the ACP State exceeds the operations listed in Article 5. However, products of Chapter 50 to 63 of the Harmonised System shall in addition undergo in the ACP State at least working or processing as a result of which the product obtained is classified in a heading which is different from those in which the materials originating in the non-ACP developing country used in its manufacture, are classified. For products listed in Annex IX to this Protocol, only the specific processing referred to in column 3 shall apply, whether or not it involves a change of heading,
- the ACP States, the Community and the other countries concerned have concluded an agreement on adequate administrative procedures which will ensure correct implementation of this paragraph.

This paragraph shall not apply to tuna products classified under Harmonised System Chapters 3 or 16, rice products of HS Code 1006 or the textile products listed in Annex X to this Protocol.

For the purpose of determining whether the products originate in the non-ACP developing country, the provisions of this Protocol shall apply.

Unless there is a specific request by either party for a referral of the decision to the ACP-EC Council of Ministers, the ACP-EC Customs Cooperation Committee shall decide on the ACP requests in accordance with Article 37.

ARTICLE 7

Unit of qualification

1. The unit of qualification for the application of the provisions of this Protocol shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonized System.

Accordingly, it follows that:

- when a product composed of a group or assembly of articles is classified under the terms of the Harmonized System in a single heading, the whole constitutes the unit of qualification;
 - when a consignment consists of a number of identical products classified under the same heading of the Harmonized System, each product must be taken individually when applying the provisions of this Protocol.
2. Where, under General Rule 5 of the Harmonized System, packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

ARTICLE 8

Accessories, spare parts and tools

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

ARTICLE 9

Sets

Sets, as defined in General Rule 3 of the Harmonized System, shall be regarded as originating when all component products are originating. Nevertheless, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed 15 per cent of the ex-works price of the set.

ARTICLE 10

Neutral elements

In order to determine whether a product originates, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

- (a) energy and fuel;
- (b) plant and equipment;
- (c) machines and tools;
- (d) goods which do not enter and which are not intended to enter into the final composition of the product.

TITLE III

Territorial requirements

ARTICLE 11

Principle of territoriality

1. The conditions set out in Title II relative to the acquisition of originating status must be fulfilled without interruption in the ACP States, except as provided for in Article 6.
2. If originating goods exported from the ACP States, the Community or the OCT to another country are returned, except insofar as provided for in Article 6, they must be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:
 - (a) the goods returned are the same goods as those exported; and
 - (b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

ARTICLE 12

Direct transport

1. The preferential treatment provided for under the trade co-operation provisions of ANNEX V applies only to products, satisfying the requirements of this Protocol, which are transported directly between the territory of the ACP States, of the Community, of the OCT or of South Africa for the purposes of Article 6 without entering any other territory. However, products constituting one single consignment may be transported through other territories with, should the occasion arise, transshipment or temporary warehousing in such territories, provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition.

Originating products may be transported by pipeline across territory other than that of an ACP State, of the Community or of an OCT.

2. Evidence that the conditions set out in paragraph 1 have been fulfilled shall be supplied to the customs authorities of the importing country by the production of:
- (a) a single transport document covering the passage from the exporting country through the country of transit; or
 - (b) a certificate issued by the customs authorities of the country of transit:
 - (i) giving an exact description of the products;
 - (ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used; and
 - (iii) certifying the conditions under which the products remained in the transit country; or
 - (c) failing these, any substantiating documents.

ARTICLE 13

Exhibitions

1. Originating products, sent from an ACP State for exhibition in a country other than those referred to in Article 6 and sold after the exhibition for importation into the Community shall benefit on importation from the provisions of ANNEX V provided it

is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these products from an ACP State to the country in which the exhibition is held and has exhibited them there;
 - (b) the products have been sold or otherwise disposed of by that exporter to a person in the Community;
 - (c) the products have been consigned during the exhibition or immediately thereafter in the state in which they were sent for exhibition; and
 - (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.
2. A proof of origin must be issued or made out in accordance with the provisions of Title IV and submitted to the customs authorities of the importing country in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

TITLE IV

Proof of origin

ARTICLE 14

General requirements

1. Products originating in the ACP States shall, on importation into the Community benefit from ANNEX V upon submission of either:
 - (a) a movement certificate EUR.1, a specimen of which appears in Annex IV; or
 - (b) in the cases specified in Article 19(1), a declaration, the text of which appears in Annex V to this

Protocol, given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified (hereinafter referred to as the "invoice declaration").

2. Notwithstanding paragraph 1, originating products within the meaning of this Protocol shall, in the cases specified in Article 25, benefit from ANNEX V without it being necessary to submit any of the documents referred to above.

ARTICLE 15

Procedure for the issue of a movement certificate EUR.1

1. A movement certificate EUR.1 shall be issued by the customs authorities of the exporting country on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorized representative.
2. For this purpose, the exporter or his authorized representative shall fill out both the movement certificate EUR.1 and the application form, specimens of which appear in Annex IV. These forms shall be completed in accordance with the provisions of this Protocol. If they are handwritten, they shall be completed in ink in printed characters. The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.
3. The exporter applying for the issue of a movement certificate EUR.1 shall be prepared to submit at any time, at the request of the customs authorities of the exporting ACP State where the movement certificate EUR.1 is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfillment of the other requirements of this Protocol.
4. A movement certificate EUR.1 shall be issued by the customs authorities of the exporting ACP State if the products concerned can be considered as products originating in the ACP States or in one of the other countries referred to in Article 6 and fulfil the other requirements of this Protocol.
5. The issuing customs authorities shall take any steps necessary to verify the originating status of the products and the fulfillment of the other requirements of this Protocol. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate. The issuing customs authorities shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.
6. The date of issue of the movement certificate EUR.1 shall be indicated in Box 11 of the certificate.

7. A movement certificate EUR.1 shall be issued by the customs authorities and made available to the exporter as soon as actual exportation has been effected or ensured.

ARTICLE 16

Movement certificates EUR.1 issued retrospectively

1. Notwithstanding Article 15(7), a movement certificate EUR.1 may exceptionally be issued after exportation of the products to which it relates if:
 - (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
 - (b) it is demonstrated to the satisfaction of the customs authorities that a movement certificate EUR.1 was issued but was not accepted at importation for technical reasons.
2. For the implementation of paragraph 1, the exporter must indicate in his application the place and date of exportation of the products to which the movement certificate EUR.1 relates, and state the reasons for his request.
3. The customs authorities may issue a movement certificate EUR.1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.
4. Movement certificates EUR.1 issued retrospectively must be endorsed with one of the following phrases:

"NACHTRÄGLICH AUSGESTELLT", "DELIVRE A POSTERIORI", "RILASCIATO A POSTERIORI", "AFGEGEVEN A POSTERIORI", "ISSUED RETROSPECTIVELY", "UDSTEDT EFTERFØLGENDE", "EXPEDIDO A POSTERIORI", "EMITIDO A POSTERIORI", "ANNETTU JÄLKIKÄTEEN", "UTFÄRDAT I EFTERHAND".
5. The endorsement referred to in paragraph 4 shall be inserted in the "Remarks" box of the movement certificate EUR.1.

ARTICLE 17

Issue of a duplicate movement certificate EUR.1

1. In the event of theft, loss or destruction of a movement certificate EUR.1, the exporter may apply to

- the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.
2. The duplicate issued in this way must be endorsed with one of the following words:

"DUPLIKAT", "DUPLICATA", "DUPLICATO",
"DUPLICAAT", "DUPLICATE", "DUPLICADO",
"SEGUNDA VIA", "KAKSOISKAPPALE".
 3. The endorsement referred to in paragraph 2 shall be inserted in the "Remarks" box of the duplicate movement certificate EUR.1.
 4. The duplicate, which must bear the date of issue of the original movement certificate EUR.1, shall take effect as from that date.

ARTICLE 18

Issue of movement certificates EUR.1 on the basis of a proof of origin issued or made out previously

When originating products are placed under the control of a customs office in an ACP State or in the Community, it shall be possible to replace the original proof of origin by one or more movement certificates EUR.1 for the purpose of sending all or some of these products elsewhere within the ACP States or within the Community. The replacement movement certificate(s) EUR.1 shall be issued by the customs office under whose control the products are placed.

ARTICLE 19

Conditions for making out an invoice declaration

1. An invoice declaration as referred to in Article 14(1)(b) may be made out:
 - (a) by an approved exporter within the meaning of Article 20, or
 - (b) by any exporter for any consignment consisting of one or more packages containing originating products whose total value does not exceed EUR 6 000.
2. An invoice declaration may be made out if the products concerned can be considered as products originating in the ACP States or in one of the other countries referred to in Article 6 and fulfil the other requirements of this Protocol.

3. The exporter making out an invoice declaration shall be prepared to submit at any time, at the request of the customs authorities of the exporting country, all appropriate documents proving the originating status of the products concerned as well as the fulfillment of the other requirements of this Protocol.
4. An invoice declaration shall be made out by the exporter by typing, stamping or printing on the invoice, the delivery note or another commercial document, the declaration, the text of which appears in Annex V to this Protocol, using one of the linguistic versions set out in that Annex and in accordance with the provisions of the domestic law of the exporting country. If the declaration is handwritten, it shall be written in ink in printed characters.
5. Invoice declarations shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 20 shall not be required to sign such declarations provided that he gives the customs authorities of the exporting country a written undertaking that he accepts full responsibility for any invoice declaration which identifies him as if it had been signed in manuscript by him.
6. An invoice declaration may be made out by the exporter when the products to which it relates are exported, or after exportation on condition that it is presented in the importing country no longer than two years after the importation of the products to which it relates.

ARTICLE 20

Approved exporter

1. The customs authorities of the exporting country may authorize any exporter who makes frequent shipments of products under the trade co-operation provisions of ANNEX V to make out invoice declarations irrespective of the value of the products concerned. An exporter seeking such authorization must offer to the satisfaction of the customs authorities all guarantees necessary to verify the originating status of the products as well as the fulfillment of the other requirements of this Protocol.
2. The customs authorities may grant the status of approved exporter subject to any conditions which they consider appropriate.
3. The customs authorities shall grant to the approved exporter a customs authorization number which shall appear on the invoice declaration.

4. The customs authorities shall monitor the use of the authorization by the approved exporter.
5. The customs authorities may withdraw the authorization at any time. They shall do so where the approved exporter no longer offers the guarantees referred to in paragraph 1, does not fulfil the conditions referred to in paragraph 2 or otherwise makes an incorrect use of the authorization.

ARTICLE 21

Validity of proof of origin

1. A proof of origin shall be valid for ten months from the date of issue in the exporting country, and must be submitted within the said period to the customs authorities of the importing country.
2. Proofs of origin which are submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to exceptional circumstances.
3. In other cases of belated presentation, the customs authorities of the importing country may accept the proofs of origin where the products have been submitted before the said final date.

ARTICLE 22

Transit procedure

When the products enter an ACP State or OCT other than the country of origin, a further period of validity of 4 months shall begin on the date on which the customs authorities in the country of transit enter the following in box 7 of the certificate EUR.1:

- the word "transit",
- the name of the country of transit,
- the official stamp, a specimen of which had been made available to the Commission, in conformity with Article 31,
- date of the endorsements.

ARTICLE 23

Submission of proof of origin

Proofs of origin shall be submitted to the customs authorities of the importing country in accordance with the procedures applicable in that country. The said authorities may require a translation of a proof of origin and may also require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the implementation of ANNEX V.

ARTICLE 24

Importation by installments

Where, at the request of the importer and on the conditions laid down by the customs authorities of the importing country, dismantled or non-assembled products within the meaning of General Rule 2(a) of the Harmonized System falling within Sections XVI and XVII or heading Nos 7308 and 9406 of the Harmonized System are imported by installments, a single proof of origin for such products shall be submitted to the customs authorities upon importation of the first installment.

ARTICLE 25

Exemptions from proof of origin

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a proof of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Protocol and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, this declaration can be made on the customs declaration CN22/CN23 or on a sheet of paper annexed to that document.
2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.
3. Furthermore, the total value of these products shall not exceed EUR 500 in the case of small packages or EUR 1 200 in the case of products forming part of travellers' personal luggage.

Information procedure for cumulation purposes

1. When Articles 2(2) and 6(1) are applied, the evidence of originating status within the meaning of this protocol of the materials coming from the other ACP States, the Community or the OCT shall be given by a movement certificate EUR 1 or by the supplier's declaration, a specimen of which appears in Annex VI A to this Protocol, given by the exporter in the State or OCT from which the materials came.
2. When Articles 2(2), 6(2) and 6(9) are applied, the evidence of the working or processing carried out in the other ACP States, the Community, the OCT or South Africa shall be given by the supplier's declaration a specimen of which appears in Annex VI B to this Protocol, given by the exporter in the State or OCT from which the materials came.
3. A separate supplier's declaration shall be given by the supplier for each consignment of material on the commercial invoice related to that shipment or in an annex to that invoice, or on a delivery note or other commercial document related to that shipment which describes the materials concerned in sufficient detail to enable them to be identified.
4. The supplier's declaration may be made out on a pre-printed form.
5. The suppliers' declarations shall be signed in manuscript. However, where the invoice and the supplier's declaration are established using electronic data-processing methods, the supplier's declaration need not be signed in manuscript provided the responsible official in the supplying company is identified to the satisfaction of the customs authorities in the State where the suppliers' declarations are established. The said customs authorities may lay down conditions for the implementation of this paragraph.
6. The supplier's declarations are submitted to the competent customs office in the exporting ACP State requested to issue the movement certificate EUR 1.
7. Suppliers' declarations made and information certificates issued before the date of entry into force of this Protocol in accordance with Article 23 of Protocol 1 to the Fourth ACP-EC Convention shall remain valid.

Supporting documents

The documents referred to in Articles 15(3) and 19(3) used for the purpose of proving that products covered by a movement certificate EUR.1 or an invoice declaration can be considered as products originating in an ACP State or in one of the other countries referred to in Article 6 and fulfil the other requirements of this Protocol may consist inter alia of the following:

- (a) direct evidence of the processes carried out by the exporter or supplier to obtain the goods concerned, contained for example in his accounts or internal bookkeeping;
- (b) documents proving the originating status of materials used, issued or made out in an ACP State or in one of the other countries referred to in Article 6 where these documents are used in accordance with domestic law;
- (c) documents proving the working or processing of materials in the ACP States, in the Community or in the OCT, issued or made out in an ACP State, in the Community or in an OCT, where these documents are used in accordance with domestic law;
- (d) movement certificates EUR.1 or invoice declarations proving the originating status of materials used, issued or made out in the ACP States or in one of the other countries referred to in Article 6 and in accordance with this Protocol.

ARTICLE 28

Preservation of proof of origin and supporting documents

1. The exporter applying for the issue of a movement certificate EUR.1 shall keep for at least three years the documents referred to in Article 15(3).
2. The exporter making out an invoice declaration shall keep for at least three years a copy of this invoice declaration as well as the documents referred to in Article 19(3).
3. The customs authorities of the exporting country issuing a movement certificate EUR.1 shall keep for at least three years the application form referred to in Article 15(2).
4. The customs authorities of the importing country shall keep for at least three years the movement certificates EUR.1 and the invoice declarations submitted to them.

ARTICLE 29

Discrepancies and formal errors

1. The discovery of slight discrepancies between the statements made in the proof of origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not ipso facto render the proof of origin null and void if it is duly established that this document does correspond to the products submitted.
2. Obvious formal errors such as typing errors on a proof of origin should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.
2. The amounts expressed in euro and their equivalents in the national currencies of some EC Member States may be reviewed by the Community if necessary and shall be notified by the Community to the Customs Cooperation Committee not later than one month before they shall come into force. When carrying out this review, the Community shall ensure that there will be no decrease in the amounts to be used in any national currency and shall furthermore consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in euro.
3. When the products are invoiced in the currency of another EC Member State, the importing country shall recognize the amount notified by the Member State concerned.

ARTICLE 30

Amounts expressed in euro

1. The amounts to be used in any given national currency of a Member State shall be the equivalent in that national currency of the amounts expressed in euro as at the first working day in October 1999.

Arrangements for administrative cooperation

ARTICLE 31

Mutual assistance

1. The ACP States shall send to the Commission specimens of the stamps used together with the addresses of the customs authorities competent to issue movement certificates EUR.1 and carry out the subsequent verification of movement certificates EUR.1 and invoice declarations.

Movement certificates EUR.1 and invoice declarations shall be accepted for the purpose of applying preferential treatment from the date the information is received by the Commission.

The Commission shall send this information to the customs authorities of the Member States.

2. In order to ensure the proper application of this Protocol, the Community, the OCT, the ACP States shall assist each other, through the competent customs administrations, in checking the authenticity of the movement certificates EUR.1, the invoice declarations or supplier's declarations and the correctness of the information given in these documents.

The authorities consulted shall furnish the relevant information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various ACP States, Member States, OCT concerned.

ARTICLE 32

Verification of proofs of origin

1. Subsequent verifications of proofs of origin shall be carried out at random or whenever the customs authorities of the importing country have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Protocol.
2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the

importing country shall return the movement certificate EUR.1 and the invoice, if it has been submitted, the invoice declaration, or a copy of these documents, to the customs authorities of the exporting country giving, where appropriate, the reasons for the enquiry. Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.

3. The verification shall be carried out by the customs authorities of the exporting country. For this purpose, they shall have the right to call for evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.
4. If the customs authorities of the importing country decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.
5. The customs authorities requesting the verification shall be informed of the results of this verification as soon as possible. These results must indicate clearly whether the documents are authentic and whether the products concerned can be considered as products originating in the ACP States or in one of the countries referred to in Article 6 and fulfil the other requirements of this Protocol.
6. If in cases of reasonable doubt there is no reply within ten months of the date of the verification request or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting customs authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.
7. Where the verification procedure or any other available information appears to indicate that the provisions of this Protocol are being contravened, the ACP State on its own initiative or at the request of the Community shall carry out appropriate enquiries or arrange for such enquiries to be carried out with due urgency to identify and prevent such contraventions and for this purpose the

ACP State concerned may invite the participation of the Community in these enquiries.

ARTICLE 33

Verification of suppliers' declarations

1. Verification of suppliers' declaration may be carried out at random or whenever the customs authorities of the importing State have reasonable doubts as to the authenticity of the document or the accuracy or completeness of the information concerning the true origin of the materials in question.
2. The customs authorities to which a supplier's declaration is submitted may request the customs authorities of the State where the declaration was made to issue an information certificate, a specimen of which appears in Annex VII to this Protocol. Alternatively, the customs authorities to which a supplier's declaration is submitted may request the exporter to produce an information certificate issued by the customs authorities of the State where the declaration was made.

A copy of the information certificate shall be preserved by the office which has issued it for at least three years.
3. The requesting customs authorities shall be informed of the results of the verification as soon as possible. The results must be such as to indicate positively whether the declaration concerning the status of the materials is correct.
4. For the purpose of verification, suppliers shall keep for not less than three years a copy of the document containing the declaration together with all necessary evidence showing the true status of the materials.
5. The customs authorities in the State where the supplier's declaration is established shall have the right to call for any evidence or to carry out any check which they consider appropriate in order to verify the correctness of any supplier's declaration.
6. Any movement certificate EUR.1 or invoice declaration issued or made out on the basis of an incorrect supplier's declaration shall be considered null and void.

ARTICLE 34

Dispute settlement

Where disputes arise in relation to the verification procedures of Articles 32 and 33 which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out this verification or where they raise a question as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee.

In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall be under the legislation of the said country.

ARTICLE 35

Penalties

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect information for the purpose of obtaining a preferential treatment for products.

ARTICLE 36

Free zones

1. The ACP States shall take all necessary steps to ensure that products traded under cover of a proof of origin or a supplier's declaration and which in the course of transport use a free zone situated in their territory, are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.
2. By means of an exemption to the provisions contained in paragraph 1, when originating products are imported into a free zone under cover of a proof of origin and undergo treatment or processing, the authorities concerned shall issue a new EUR.1 certificate at the exporter's request, if the treatment or processing undergone is in conformity with the provisions of this Protocol.

ARTICLE 37

Customs Cooperation Committee

1. A Customs Cooperation Committee, hereinafter referred to as "the Committee", shall be set up and charged with carrying out administrative cooperation with a view to the correct and uniform appli-

cation of this Protocol and with carrying out any other task in the customs field which may be entrusted to it.

2. The Committee shall examine regularly the effect on the ACP States and in particular on the least developed ACP States of application of the rules of origin and shall recommend to the Council of Ministers appropriate measures.
3. The Committee shall take decisions on cumulation under the conditions laid down in Article 6.
4. The Committee shall take decisions on derogations from this Protocol, under the conditions laid down in Article 38.
5. The Committee shall meet regularly, in particular to prepare the decisions of the Council of Ministers pursuant to Article 40.
6. The Committee shall be composed on the one hand of experts from the Member States and of Commission officials responsible for customs questions, and on the other hand of experts representing the ACP States and of officials of regional groupings of the ACP States who are responsible for customs questions. The Committee may call upon appropriate expertise where necessary.

ARTICLE 38

Derogations

1. Derogations from this Protocol may be adopted by the Committee where the development of existing industries or the creation of new industries justifies them.

The ACP State or States concerned shall, either before or when the ACP States submit the matter to the Committee, notify the Community of its request for a derogation together with the reasons for the request in accordance with paragraph 2.

The Community shall respond positively to all the ACP requests which are duly justified in conformity with this Article and which cannot cause serious injury to an established Community industry.

2. In order to facilitate the examination by the Committee of requests for derogation, the ACP State making the request shall, by means of the form given in Annex VIII to this Protocol, furnish in support of its request the fullest possible information covering in particular the points listed below:

— description of the finished product,

- nature and quantity of materials originating in a third country,
- nature and quantity of materials originating in ACP States, the Community or the OCT, or which have been processed there,
- manufacturing processes,
- value added,
- number of employees in the enterprise concerned,
- anticipated volume of exports to the Community,
- other possible sources of supply for raw materials
- reasons for the duration requested in the light of efforts made to find new sources of supply,
- other observations.

The same rules shall apply to any requests for extension.

The Committee may modify the form.

3. The examination of requests shall in particular take into account:

(a) the level of development or the geographical situation of the ACP State or States concerned;

(b) cases where the application of the existing rules of origin would significantly affect the ability of an existing industry in an ACP State to continue its exports to the Community, with particular reference to cases where this could lead to cessation of its activities;

(c) specific cases where it can be clearly demonstrated that significant investment in an industry could be deterred by the rules of origin and where a derogation favouring the realisation of the investment programme would enable these rules to be satisfied by stages.

4. In every case an examination shall be made to ascertain whether the rules relating to cumulation of origin do not provide a solution to the problem.

5. In addition when a request for derogation concerns a least-developed or an island ACP State, its examination shall be carried out with a favourable bias having particular regard to:

- (a) the economic and social impact of the decision to be taken especially in respect of employment;
 - (b) the need to apply the derogation for a period taking into account the particular situation of the ACP State concerned and its difficulties.
6. In the examination of requests, special account shall be taken, case by case, of the possibility of conferring originating status on products which include in their composition materials originating in neighbouring developing countries, least-developed countries or developing countries with which one or more ACP States have special relations, provided that satisfactory administrative co-operation can be established.
7. Without prejudice to paragraphs 1 to 6, the derogation shall be granted where the value added to the non-originating products used in the ACP State or States concerned is at least 45% of the value of the finished product, provided that the derogation is not such as to cause serious injury to an economic sector of the Community or of one or more Member States.
8. Notwithstanding paragraphs 1 to 7, derogations concerning canned tuna and tuna loins shall only be granted within an annual quota of 8 000 tonnes for canned tuna and within an annual quota of 2 000 tonnes for tuna loins.

Applications for such derogations shall be submitted by the ACP States in accordance with the above-mentioned quota to the Committee, which shall grant them automatically and put them into force by means of a decision.

9. The Committee shall take steps necessary to ensure that a decision is reached as quickly as possible and in any case not later than seventy-five working days after the request is received by the EC Co-chairman of the Committee. If the

Community does not inform the ACP States of its position on the request within this period, the request shall be deemed to have been accepted. In the event of a decision not being taken by the Committee, the Committee of Ambassadors shall be called upon to decide within one month of the date on which the matter is referred to it.

- 10.(a) The derogation shall be valid for a period, generally of five years, to be determined by the Committee.
- (b) The derogation decision may provide for renewals without a new decision of the Committee being necessary, provided that the ACP State or States concerned submit, three months before the end of each period, proof that they are still unable to meet the conditions of this Protocol which have been derogated from.

If any objection is made to the extension, the Committee shall examine it as soon as possible and decide whether to prolong the derogation. The Committee shall proceed as provided for in paragraph 9. All necessary measures shall be taken to avoid interruptions in the application of the derogation.

- (c) In the periods referred to in subparagraphs (a) and (b), the Committee may review the terms for implementing the derogation should a significant change be found to have taken place in the substantive factors governing the decision to grant the derogation. On conclusion of its review the Committee may decide to amend the terms of its decision as regards the scope of derogation or any other condition previously laid down.

TITLE VI

Ceuta and Melilla

ARTICLE 39

Special conditions

1. The term "Community" used in this Protocol shall not cover Ceuta and Melilla. The term "products originating in the Community" shall not cover products originating in Ceuta and Melilla.
2. The provisions of this Protocol shall apply *mutatis mutandis* in determining whether products may be deemed as originating in the ACP States when imported into Ceuta and Melilla.
3. Where products wholly obtained in Ceuta, Melilla, the OCT or the Community undergo working and processing in the ACP States, they shall be considered as having been wholly obtained in the ACP States.
4. Working or processing carried out in Ceuta, Melilla, the OCT or the Community shall be considered as having been carried out in the ACP States, when materials undergo further working or processing in the ACP States.
5. For the purpose of implementing paragraphs 2 and 4, the insufficient operations listed in Article 3 shall not be considered as working or processing.
6. Ceuta and Melilla shall be considered as a single territory.

TITLE VII

Final provisions

ARTICLE 40

Revision of rules of origin

In accordance with Article 7 of ANNEX V, the Council of Ministers shall examine annually, or whenever the ACP States or the Community so request, the application of the provisions of this Protocol and their economic effects with a view to making any necessary amendments or adaptations.

The Council of Ministers shall take into account among other elements the effects on the rules of origin of technological developments.

The decisions taken shall be implemented as soon as possible.

ARTICLE 41

Annexes

The Annexes to this Protocol shall form an integral part thereof.

Implementation of the Protocol

The Community and the ACP States shall each take the steps necessary to implement this Protocol.

Annex I to Protocol 1

Introductory notes to the list in Annex II

Note 1:

The list sets out the conditions required for all products to be considered as sufficiently worked or processed within the meaning of Article 4 of the Protocol.

Note 2:

1. first two columns in the list describe the product obtained. The first column gives the heading number or chapter number used in the Harmonized System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns a rule is specified in columns 3 or 4. Where, in some cases, the entry in the first column is preceded by an "ex", this signifies that the rules in columns 3 or 4 apply only to the part of that heading as described in column 2.
2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of products in column 2 is therefore given in general terms, the adjacent rules in columns 3 or 4 apply to all products which, under the Harmonized System, are classified in headings of the chapter or in any of the headings grouped together in column 1.
3. Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rules in columns 3 or 4.
4. Where, for an entry in the first two columns, a rule is specified in both columns 3 and 4, the exporter may opt, as an alternative, to apply either the rule set out in column 3 or that set out in column 4. If no origin rule is given in column 4, the rule set out in column 3 has to be applied.

1. The provisions of Article 4 of the Protocol concerning products having acquired originating status which are used in the manufacture of other products apply regardless of whether this status has been acquired inside the factory where these products are used or in another factory in the Community or in the ACP States.

Example:

An engine of heading No 8407, for which the rule states that the value of the non-originating materials which may be incorporated may not exceed 40 per cent of the ex-works price, is made from "other alloy steel roughly shaped by forging" of heading No ex 7224.

If this forging has been forged in the Community from a non-originating ingot, it has already acquired originating status by virtue of the rule for heading No ex 7224 in the list. The forging can then count as originating in the value calculation for the engine regardless of whether it was produced in the same factory or in another factory in the Community. The value of the non-originating ingot is thus not taken into account when adding up the value of the non-originating materials used.

2. The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer originating status. Thus if a rule provides that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.
3. Without prejudice to Note 3.2 where a rule states that "materials of any heading" may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression "manufacture from materials of any heading, including other materials of heading No ..." means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.
4. When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more materials may be used. It does not require that all be used.

Example:

The rule for fabrics of heading Nos 5208 to 5212 provides that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used; it is possible to use one or the other or both.

5. Where a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule. (See also Note 6.3 below in relation to textiles).

Example:

The rule for prepared foods of heading No 1904 which specifically excludes the use of cereals and their derivatives does not prevent the use of mineral salts, chemicals and other additives which are not products from cereals.

However, this does not apply to products which, although they cannot be manufactured from the particular materials specified in the list, can be produced from a material of the same nature at an earlier stage of manufacture.

Example:

In the case of an article of apparel of ex Chapter 62 made from non-woven materials, if the use of only non-originating yarn is allowed for this class of article, it is not possible to start from non-woven cloth – even if non-woven cloths cannot normally be made from yarn. In such cases, the starting material would normally be at the stage before yarn – that is the fibre stage.

6. Where, in a rule in the list, two percentages are given for the maximum value of non-originating materials that can be used, then these percentages may not be added together. In other words, the maximum value of all the non-originating materials used may never exceed the highest of the percentages given. Furthermore, the individual percentages must not be exceeded in relation to the particular materials they apply to.

Note 4:

1. The term “natural fibres” is used in the list to refer to fibres other than artificial or synthetic fibres. It is restricted to the stages before spinning takes place, including waste, and, unless otherwise specified, includes fibres that have been carded, combed or otherwise processed but not spun.

2. The term “natural fibres” includes horsehair of heading No 0503, silk of heading Nos 5002 and 5003 as well as the wool fibres, fine or coarse animal hair of heading Nos 5101 to 5105, the cotton fibres of heading Nos 5201 to 5203 and the other vegetable fibres of heading Nos 5301 to 5305.

3. The terms “textile pulp”, “chemical materials” and “paper-making materials” are used in the list to describe the materials not classified in Chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.

4. The term “man-made staple fibres” is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of heading Nos 5501 to 5507.

Note 5:

1. Where for a given product in the list a reference is made to this note, the conditions set out in column 3 shall not be applied to any basic textile materials, used in the manufacture of this product, which, taken together, represent 10 per cent or less of the total weight of all the basic textile materials used. (See also Notes 5.3 and 5.4 below).

2. However, the tolerance mentioned in Note 5.1 may only be applied to mixed products which have been made from two or more basic textile materials.

The following are the basic textile materials:

- silk,
- wool,
- coarse animal hair,
- fine animal hair,
- horsehair,
- cotton,
- paper-making materials and paper,
- flax,
- true hemp,
- jute and other textile bast fibres,
- sisal and other textile fibres of the genus Agave,
- coconut, abaca, ramie and other vegetable textile fibres,
- synthetic man-made filaments,
- artificial man-made filaments,
- current conducting filaments
- synthetic man-made staple fibres of polypropylene,
- synthetic man-made staple fibres of polyester,
- synthetic man-made staple fibres of polyamide,
- synthetic man-made staple fibres of polyacrylonitrile,
- synthetic man-made staple fibres of polyimide,

- synthetic man-made staple fibres of polytetrafluoroethylene,
- synthetic man-made staple fibres of polyphenylene sulphide,
- synthetic man-made staple fibres of polyvinyl chloride,
- other synthetic man-made staple fibres,
- artificial man-made staple fibres of viscose,
- other artificial man-made staple fibres,
- yarn made of polyurethane segmented with flexible segments of polyether whether or not gimped,
- yarn made of polyurethane segmented with flexible segments of polyester whether or not gimped,
- products of heading No 5605 (metallized yarn) incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of a transparent or coloured adhesive between two layers of plastic film,
- other products of heading No 5605.

Example:

A yarn of heading No 5205 made from cotton fibres of heading No 5203 and synthetic staple fibres of heading No 5506 is a mixed yarn. Therefore, non-originating synthetic staple fibres that do not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) may be used up to a weight of 10 per cent of the yarn.

Example:

A woollen fabric of heading No 5112 made from woollen yarn of heading No 5107 and synthetic yarn of staple fibres of heading No 5509 is a mixed fabric. Therefore synthetic yarn which does not satisfy the origin rules (which require manufacture from chemical materials or textile pulp) or woollen yarn that does not satisfy the origin rules (which require manufacture from natural fibres, not carded or combed or otherwise prepared for spinning) or a combination of the two may be used provided their total weight does not exceed 10 per cent of the weight of the fabric.

Example:

Tufted textile fabric of heading No 5802 made from cotton yarn of heading No 5205 and cotton fabric of heading No 5210 is only a mixed product if the cotton fabric is itself a mixed fabric being made from yarns classified in two separate headings or if the cotton yarns used are themselves mixtures.

Example:

If the tufted textile fabric concerned had been made from cotton yarn of heading No 5205 and synthetic fabric of heading No 5407, then, obviously, the yarns used are two separate basic textile materials and the tufted textile fabric is accordingly a mixed product.

3. In the case of products incorporating "yarn made of polyurethane segmented with flexible segments of polyether whether or not gimped" this tolerance is 20 per cent in respect of this yarn.
4. In the case of products incorporating "strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of an adhesive between two layers of plastic film", this tolerance is 30 per cent in respect of this strip.

Note 6:

1. In the case of those textile products, which are marked in the list by a footnote referring to this Introductory Note, textile trimmings and accessories which do not satisfy the rule set out in the list in column 3 for the made up products concerned may be used provided that their weight does not exceed 10% of the total weight of all the textile materials incorporated.

Textile trimmings and accessories are those classified in Chapters 50 to 63. Linings and interlinings are not be regarded as trimmings or accessories.

2. Any non-textile trimmings and accessories or other materials used which contain textiles do not have to satisfy the conditions set out in column 3 even though they fall outside the scope of Note 3.5.
3. In accordance with Note 3.5, any non-originating non-textile trimmings and accessories or other product, which do not contain any textiles, may, anyway, be used freely where they cannot be made from the materials listed in column 3.

— For example, if a rule in the list says that for a particular textile item, such as a blouse, yarn must be used, this does not prevent the use of metal items, such as buttons, because they cannot be made from textile materials.

4. Where a percentage rule applies, the value of trimmings and accessories must be taken into account when calculating the value of the non-originating materials incorporated.

Note 7:

1. For the purposes of heading Nos ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, the "specific processes" are the following:
 - (a) vacuum distillation;
 - (b) redistillation by a very thorough fractionation process ⁽²⁾;
 - (c) cracking;
 - (d) reforming;
 - (e) extraction by means of selective solvents;
 - (f) the process comprising all the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralization with alkaline agents; decolorization and purification with naturally active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerization;
 - (h) alkylation;
 - (i) isomerization.
2. For the purposes of heading Nos 2710, 2711 and 2712, the "specific processes" are the following:
 - (a) vacuum distillation;
 - (b) redistillation by a very thorough fractionation process ⁽¹⁾;
 - (c) cracking;
 - (d) reforming;
 - (e) extraction by means of selective solvents;
 - (f) the process comprising all the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralization with alkaline agents; decolorization and purification with naturally active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerization;
 - (h) alkylation;
 - (i) isomerization;
 - (j) in respect of heavy oils falling within heading No ex 2710 only, desulphurization with hydrogen resulting in a reduction of at least 85 per cent of the sulphur content of the products processed (ASTM D 1266-59 T method);
3. For the purposes of heading Nos ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, simple operations such as cleaning, decanting, desalting, water separation, filtering, colouring, marking, obtaining a sulphur content as a result of mixing products with different sulphur contents, any combination of these operations or like operations do not confer origin.
 - (k) in respect of products falling within heading No 2710 only, deparaffining by a process other than filtering;
 - (l) in respect of heavy oils falling within heading No ex 2710 only, treatment with hydrogen at a pressure of more than 20 bar and a temperature of more than 250°C with the use of a catalyst, other than to effect desulphurization, when the hydrogen constitutes an active element in a chemical reaction. The further treatment with hydrogen of lubricating oils of heading No ex 2710 (e.g. hydrofinishing or decolorization) in order, more especially, to improve colour or stability shall not, however, be deemed to be a specific process;
 - (m) in respect of fuel oils falling within heading No ex 2710 only, atmospheric distillation, on condition that less than 30 per cent of these products distils, by volume, including losses, at 300°C by the ASTM D 86 method;
 - (n) in respect of heavy oils other than gas oils and fuel oils falling within heading No ex 2710 only, treatment by means of a high-frequency electrical brush-discharge.

1. This example is given for the purpose of explanation only. It is not legally binding

2. See additional Explanatory Note 4(b) to Chapter 27 of the Combined Nomenclature

Annex II to Protocol 1

List of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status

The products mentioned in the list may not all be covered by this Agreement. It is therefore necessary to consult the other parts of this Agreement.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
Chapter 01	Live animals	All the animals of Chapter 1 used must be wholly obtained
Chapter 02	Meat and edible meat offal	Manufacture in which all the materials of Chapters 1 and 2 used must be wholly obtained
Chapter 03	Fish and crustaceans, molluscs and other aquatic invertebrates	Manufacture in which all the materials of Chapter 3 used must be wholly obtained
ex Chapter 04	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included; except for:	Manufacture in which all the materials of Chapter 4 used must be wholly obtained
0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa	Manufacture in which: - all the materials of Chapter 4 used must be wholly obtained; - any fruit juice (except those of pineapple, lime or grapefruit) of heading No 2009 used must already be originating; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
ex Chapter 05	Products of animal origin, not elsewhere specified or included; except for:	Manufacture in which all the materials of Chapter 5 used must be wholly obtained
ex 0502	Prepared pigs', hogs' or boars' bristles and hair	Cleaning, disinfecting, sorting and straightening of bristles and hair
Chapter 06	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	Manufacture in which: - all the materials of Chapter 6 used must be wholly obtained; - the value of all the materials used does not exceed 50% of the ex-works price of the product
Chapter 07	Edible vegetables and certain roots and tubers	Manufacture in which all the materials of Chapter 7 used must be wholly obtained
Chapter 08	Edible fruit and nuts; peel of citrus fruits or melons	Manufacture in which: - all the fruit and nuts used must be wholly obtained; - the value of any materials of Chapter 17 used does not exceed 30% of the value of the ex-works price of the product
ex Chapter 09	Coffee, tea, maté and spices; except for:	Manufacture in which all the materials of Chapter 9 used must be wholly obtained
0901	Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion	Manufacture from materials of any heading
0902	Tea, whether or not flavoured	Manufacture from materials of any heading
ex 0910	Mixtures of spices	Manufacture from materials of any heading
Chapter 10	Cereals	Manufacture in which all the materials of Chapter 10 used must be wholly obtained
ex Chapter 11	Products of the milling industry; malt; starches; inulin; wheat gluten; except for:	Manufacture in which all the cereals, edible vegetables, roots and tubers of heading No 0714 or fruit used must be wholly obtained
ex 1106	Flour, meal and powder of the dried, shelled leguminous vegetables of heading No 0713	Drying and milling of leguminous vegetables of heading No 0708
Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	Manufacture in which all the materials of Chapter 12 used must be wholly obtained

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
1301	Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams)	Manufacture in which the value of any materials of heading No 1301 used may not exceed 50% of the ex-works price of the product
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products: - Mucilages and thickeners, modified, derived from vegetable products - Other	Manufacture from non-modified mucilages and thickeners Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
Chapter 14	Vegetable plaiting materials; vegetable products not elsewhere specified or included	Manufacture in which all the materials of Chapter 14 used must be wholly obtained
ex Chapter 15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animals or vegetable waxes; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
1501	Pig fat (including lard) and poultry fat, other than that of heading no. 0209 or 1503: - Fats from bones or waste - Other	Manufacture from materials of any heading except those of heading Nos 0203, 0206 or 0207 or bones of heading No 0506 Manufacture from meat or edible offal of swine of heading No 0203 or 0206 or of meat and edible offal of poultry of heading No 0207
1502	Fats of bovine animals, sheep or goats, other than those of heading No. 1503 - Fats from bones or waste - Other	Manufacture from materials of any heading except those of heading Nos 0201, 0202, 0204 or 0206 or bones of heading No 0506 Manufacture in which all the materials of Chapter 2 used must be wholly obtained
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified: - Solid fractions - Other	Manufacture from materials of any heading including other materials of heading No 1504 Manufacture in which all the materials of Chapters 2 and 3 used must be wholly obtained
ex 1505	Refined lanolin	Manufacture from crude wool grease of heading No 1505
1506	Other animals fats and oils and their fractions, whether or not refined, but not chemically modified: - Solid fractions - Other	Manufacture from materials of any heading including other materials of heading No 1506 Manufacture in which all the materials of Chapter 2 used must be wholly obtained
1507 à 1515	Vegetable oils and their fractions: - Soya, ground nut, palm, copra, palm kernel, babassu, tung and oiticica oil, myrtle wax and Japan wax, fractions of jojoba oil and oils for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture in which all the materials used are classified within a heading other than that of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
1516	<ul style="list-style-type: none"> - Solid fractions, except for that of jojoba oil - Other <p>Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinized, whether or not refined, but not further prepared</p>	<p>Manufacture from other materials of heading Nos. 1507 to 1515</p> <p>Manufacture in which all the vegetable materials used must be wholly obtained</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials of Chapter 2 used must be wholly obtained; - all the vegetable materials used must be wholly obtained. However, materials of headings 1507, 1508, 1511 and 1513 may be used
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading No 1516	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials of Chapters 2 and 4 used must be wholly obtained; - all the vegetable materials used must be wholly obtained. However, materials of headings 1507, 1508, 1511 and 1513 may be used
Chapter 16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates	Manufacture from animals of Chapter 1. All the materials of Chapter 3 used must be wholly obtained
ex Chapter 17	Sugars and sugar confectionery; except for:	Manufacture in which all the materials used are classified in a heading other than that of the product
ex 1701	Cane or beet sugar and chemically pure sucrose, in solid form, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
1702	<p>Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:</p> <ul style="list-style-type: none"> - Chemically pure maltose and fructose 	<p>Manufacture from materials of any heading including other materials of heading No 1702</p>
ex 1703	<ul style="list-style-type: none"> - Other sugars in solid form, flavoured or coloured - Other <p>Molasses resulting from the extraction or refining of sugar, flavoured or coloured</p>	<p>Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product</p> <p>Manufacture in which all the materials used must already be originating</p> <p>Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product</p>
1704	Sugar confectionery (including white chocolate), not containing cocoa	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
Chapitre 18	Cocoa and cocoa preparations	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
1901	<p>Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading Nos. 0401 to 0404, not containing cocoa or containing less than 5% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:</p> <ul style="list-style-type: none"> - Malt extract 	<p>Manufacture from cereals of Chapter 10</p>

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
	- Other	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
1902	<p>Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:</p> <ul style="list-style-type: none"> - Containing 20% or less by weight of meat, meat offal, fish, crustaceans or molluscs - Containing more than 20% by weight of meat, meat offal, fish, crustaceans or molluscs 	<p>Manufacture in which all the cereals and derivatives (except durum wheat and its derivatives) used must be wholly obtained</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> - all cereals and derivatives (except durum wheat and its derivatives) used must be wholly obtained; - all the materials of Chapters 2 and 3 used must be wholly obtained
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms	Manufacture from materials of any heading except potato starch of heading No. 1108
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	<p>Manufacture:</p> <ul style="list-style-type: none"> - from materials not classified within heading No 1806; - in which all the cereals and flour (except durum wheat and its derivatives and Zea indurata maize) used must be wholly obtained¹; - in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Manufacture from materials of any heading except those of Chapter 11
ex Chapter 20	Preparations of vegetables, fruit, nuts or other parts of plants; except for:	Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained
ex 2001	Yams, sweet potatoes and similar edible parts of plants containing 5% or more by weight of starch, prepared or preserved by vinegar or acetic acid	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 2004 and ex 2005	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the materials used are classified within a heading other than that of the product
2006	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
ex 2008	<ul style="list-style-type: none"> - Nuts, not containing added sugar or spirit - Peanut butter; mixtures based on cereals; palm hearts; maize (corn) - Other except for fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen 	<p>Manufacture in which the value of the originating nuts and oil seeds of headings Nos 0801, 0802 and 1202 to 1207 used exceeds 60% of the ex-works price of the products</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
ex Chapter 21	Miscellaneous edible preparations; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - all the chicory used must be wholly obtained
2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard: - Sauces and preparations therefor; mixed condiments and mixed seasonings - Mustard flour and meal and prepared mustard	Manufacture in which all the materials used are classified within a heading other than that of the product. However, mustard flour or meal or prepared mustard may be used Manufacture from materials of any heading
ex 2104	Soups and broths and preparations therefor	Manufacture from materials of any heading except prepared or preserved vegetables of heading Nos 2002 to 2005
2106	Food preparations not elsewhere specified or included	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product
ex Chapter 22	Beverages, spirits and vinegar; except for:	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - all the grapes or any material derived from grapes used must be wholly obtained
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product; - any fruit juice used (except for pineapple, lime and grapefruit juices) must already be originating
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher; ethyl alcohol and other spirits, denatured, of any strength.	Manufacture: - using materials not classified in headings 2207 or 2208. - in which all the grapes or any materials derived from grapes used must be wholly obtained or if all the other materials used are already originating, arrack may be used up to a limit of 5% by volume
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages	Manufacture: - from materials not classified within heading Nos 2207 or 2208, - in which all the grapes or any material derived from grapes used must be wholly obtained or if all the other materials used are already originating, arrack may be used up to a limit of 5% by volume
ex Chapter 23	Residues and waste from the food industries; prepared animal fodder; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 2301	Whale meal; flours, meals and pellets of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption	Manufacture in which all the materials of Chapters 2 and 3 used must be wholly obtained

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex 2303	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40% by weight	Manufacture in which all the maize used must be wholly obtained
ex 2306	Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3% of olive oil	Manufacture in which all the olives used must be wholly obtained
2309	Preparations of a kind used in animal feeding	Manufacture in which: - all the cereals, sugar or molasses, meat or milk used must already be originating; - all the materials of Chapter 3 used must be wholly obtained
ex Chapitre 24	Tobacco and manufactured tobacco substitutes; except for:	Manufacture in which all the materials of Chapter 24 used must be wholly obtained
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must already be originating
ex 2403E	Smoking tobacco	Manufacture in which at least 70% by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must already be originating
ex Chapter 25	Salt; sulphur; earths and stone; plastering materials, lime and cement; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 2504	Natural crystalline graphite, with enriched carbon content, purified and ground	Enriching of the carbon content, purifying and grinding of crude crystalline graphite
ex 2515	Marble, merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of marble (even if already sawn) of a thickness exceeding 25 cm
ex 2516	Granite, porphyry, basalt, sandstone and other monumental and building stone, merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of stone (even if already sawn) of a thickness exceeding 25 cm
ex 2518	Calcined dolomite	Calcination of dolomite not calcined
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically-sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead-burned (sintered) magnesia	Manufacture in which all the materials used are classified within a heading other than that of the product. However, natural magnesium carbonate (magnesite) may be used
ex 2520	Plasters specially prepared for dentistry	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 2524	Natural asbestos fibres	Manufacture from asbestos concentrate
ex 2525	Mica powder	Grinding of mica or mica waste
ex 2530	Earth colours, calcined or powdered	Calcination or grinding of earth colours
Chapter 26	Ores, slag and ash	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65% by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product

¹ For the special conditions to "specific processes" see Introductory Notes 7.1 and 7.3

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex 2709	Crude oils obtained from bituminous minerals	Destructive distillation of bituminous materials
2710	Petroleum oils and oils obtained from bituminous materials, other than crude; preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous materials, these oils being the basic constituents of the preparations	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product
2711	Petroleum gases and other gaseous hydrocarbons	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product
2712	Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes and similar products obtained by synthesis or by other processes, whether or not coloured	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous materials	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product
2714	Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product
2715	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 2805	"Mischmetall"	Manufacture by electrolytic or thermal treatment in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 2811	Sulphur trioxide	Manufacture from sulphur dioxide Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

¹ For the special conditions to "specific processes" see Introductory Note 7.2

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex 2833	Aluminium sulphate	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 29	Organic chemicals; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 2901	Acyclic hydrocarbons for use as power or heating fuels	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels	Operations of refining and/or one or more specific process(es) ¹ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used, provided their value does not exceed 50% of the ex-works price of the product
ex 2905	Metal alcoholates of alcohols of this heading and of ethanol	Manufacture from materials of any heading, including other materials of heading No 2905. However, metal alcoholates of this heading may be used, provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their exceed 20% of the ex-works price of the product halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of headings Nos 2915 and 2916 used may not exceed 40% of the ex-works price of the product
ex 2932	- Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives - Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of heading No 2909 used may not exceed 20% of the ex-works price of the product Manufacture from materials of any heading Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
2933	Heterocyclic compounds with nitrogen hetero-atom(s) only	Manufacture from materials of any heading. However, the value of all the materials of headings Nos 2932 and 2933 used may not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
2934	Nucleic acids and their salts; other heterocyclic compounds	Manufacture from materials of any heading. However, the value of all the materials of headings Nos 2932, 2933 and 2934 used may not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

¹ For the special conditions to "specific processes" see Introductory Notes 7.1 and 7.3

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
<p>ex Chapter 30</p> <p>3002</p>	<p>Pharmaceutical products; except for:</p> <p>Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products:</p> <ul style="list-style-type: none"> - Products consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses or unmixed products for these uses, put up in measured doses or in forms or packings for retail sale - Other: <ul style="list-style-type: none"> - human blood - animal blood prepared for therapeutic or prophylactic uses - blood fractions other than antisera, haemoglobin, blood globulins and serum globulins - haemoglobin, blood globulins and serum globulins 	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p>
<p>3003 and 3004</p>	<ul style="list-style-type: none"> - other <p>Medicaments (excluding goods of heading No 3002, 3005 or 3006):</p> <ul style="list-style-type: none"> - Obtained from amikacin of heading No 2941 - Other 	<p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials of heading No 3003 or 3004 may be used provided their value, taken together, does not exceed 20 % of the ex works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product. However, materials of heading No 3003 or 3004 may be used provided their value, taken together, does not exceed 20% of the ex-works price of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
<p>ex Chapter 31</p>	<p>Fertilisers; except for:</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex 3105	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorous and potassium; other fertilizers; goods of this Chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, except for: - sodium nitrate - calcium cyanamide - potassium sulphate - magnesium potassium sulphate	Manufacture in which: - all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product 50 % du prix départ usine du produit Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3201	Tannins and their salts, ethers, esters and other derivatives	Manufacture from tanning extracts of vegetable origin Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
3205	Colour lakes; preparations as specified in Note 3 to this Chapter based on colour lakes ¹	Manufacture from materials of any heading, except headings Nos 3203, 3204 and 3205. However, materials from heading No 3205 may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Manufacture from materials of any heading, including materials of a different "group" ² in this heading. However, materials of the same group may be used, provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3403	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70% by weight	Operations of refining and/or one or more specific process(es) ³ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product

¹ Note 3 to Chapter 32 says that these preparations are those of a kind used for coloring any material or used as ingredients in the manufacturing of colouring preparations, provided they are not classified in another heading in Chapter 32

² A "group" is regarded as any part of the heading separated from the rest by a semi-colon

³ For the special conditions to "specific processes" see Introductory Notes 7.1 and 7.3

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
3404	Artificial waxes and prepared waxes: - With a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax - Other	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product Manufacture from materials of any heading, except: - hydrogenated oils having the character of waxes of heading No 1516; Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product - fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading No 3823; Fabrication dans laquelle la valeur de toutes les matières utilisées ne doit pas excéder 40 % du prix départ usine du produit - materials of heading No 3404 However, these materials may be used provided their value does not exceed 20% of the ex-works price of the product
ex Chapter 35	Albuminoidal substances; modified starches; glues; enzymes; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
3505	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches: - Starch ethers and esters - Other	Manufacture from materials of any heading, including other materials of heading No 3505 Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture from materials of any heading, except those of heading No 1108 Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3507	Prepared enzymes not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
Chapitre 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 37	Photographic or cinematographic goods; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
3701	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitized, unexposed, whether or not in packs: - Instant print film for colour photography, in packs	Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 or 3702. However, materials from heading No 3702 may be used provided their value does not exceed 30% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
	- Other	Manufacture in which all the materials used are classified within a heading other than heading No 3701 or 3702. However, materials from heading Nos 3701 and 3702 may be used provided their value taken together, does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
3702	Photographic film in rolls, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitized, unexposed	Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 or 3702 Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
3704	Photographic plates, film paper, paperboard and textiles, exposed but not developed	Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 to 3704 Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 38	Miscellaneous chemical products; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3801	- Colloidal graphite in suspension in oil and semi-colloidal graphite; carbonaceous pastes for electrodes - Graphite in paste form, being a mixture of more than 30% by weight of graphite with mineral oils	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product Manufacture in which the value of all the materials of heading No 3403 used does not exceed 20% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3803	Refined tall oil	Refining of crude tall oil Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3805	Spirits of sulphate turpentine, purified	Purification by distillation or refining of raw spirits of sulphate turpentine Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3806	Ester gums	Manufacture from resin acids Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 3807	Wood pitch (wood tar pitch)	Distillation of wood tar Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
3808	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly-papers)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the products
3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the products

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
3810	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding electrodes or rods	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the products
3811	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils: – Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals – Other	Manufacture in which the value of all the materials of heading No 3811 used does not exceed 50% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3812	Prepared rubber accelerators; compound plasticizers for rubber or plastics, not elsewhere specified or included; anti-oxidizing preparations and other compound stabilizers for rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3813	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3814	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or vanish removers	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3818	Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3819	Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70% by weight of petroleum oils or oils obtained from bituminous minerals	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3820	Anti-freezing preparations and prepared de-icing fluids	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3822	Diagnostic or laboratory reagents on a backing and prepared diagnostic or laboratory reagents, whether or not on a backing, other than those of heading No. 3002 or 3006	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols. – Industrial monocarboxylic fatty acids, acid oils from refining – Industrial fatty alcohols	Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture from materials of any heading including other materials of heading No. 3823
3824	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included: – The following of this heading: Prepared binders for foundry moulds or cores based on natural resinous products Naphthenic acids, their water insoluble salts and their esters	

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
	<p>Sorbitol other than that of heading No 2905</p> <p>Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts</p> <p>Ion exchangers</p> <p>Getters for vacuum tubes</p> <p>Alkaline iron oxide for the purification of gas</p> <p>Ammoniacal gas liquors and spent oxide produced in coal gas purification</p> <p>Sulphonaphthenic acids, their water insoluble salts and their esters</p> <p>Fusel oil and Dippel's oil</p> <p>Mixtures of salts having different anions</p> <p>Copying pastes with a basis of gelatin, whether or not on a paper or textile backing</p> <p>- Other</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product</p>
3901 à 3915	<p>Plastics in primary forms, waste, parings and scrap, of plastic; except for heading Nos ex 3907 and 3912 for which the rules are set out below:</p> <p>- Addition homopolymerization products in which a single monomer contributes more than 99% by weight to the total polymer content</p> <p>- Other</p>	<p>Manufacture in which:</p> <p>- the value of all the materials used does not exceed 50% of the ex-works price of the product;</p> <p>- the value of any materials of Chapter 39 used does not exceed 20% of the ex-works price of the product¹</p> <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p> <p>Manufacture in which the value of the materials of Chapter 39 used does not exceed 20% of the ex-works price of the product¹</p> <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
ex 3907	<p>- Copolymer, made from polycarbonate and acrylonitrile-butadiene-styrene copolymer (ABS)</p> <p>- Polyester</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50% of the ex-works price of the product¹</p> <p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 20% of the ex-works price of the product and/or manufacture from polycarbonate of tetrabromo-(bisphenol A)</p>
3912	<p>Cellulose and its chemical derivatives, not elsewhere specified or included, in primary forms</p>	<p>Manufacture in which the value of any materials classified in the same heading as the product does not exceed 20% of the ex-works price of the product</p>
3916 to 3921	<p>Semi-manufactures and articles of plastics; except for headings Nos ex 3916, ex 3917, ex 3920 and ex 3921, for which the rules are set out below:</p> <p>- Flat products, further worked than only surface-worked or cut into forms other than rectangular (including square); other products, further worked than only surface-worked</p> <p>- Other:</p>	<p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 50% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>

¹ In the case of the products composed of materials classified within both headings Nos 3901 to 3906, on the one hand, and within headings Nos 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
	<ul style="list-style-type: none"> - Addition homopolymerization products in which a single monomer contributes more than 99% by weight to the total polymer content - Other 	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - the value of all the materials used does not exceed 50% of the ex-works price of the product; - the value of any materials of Chapter 39 used does not exceed 20% of the ex-works price of the product¹ <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p> <p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 20% of the ex-works price of the product¹</p> <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
ex 3916 and ex 3917	Profile shapes and tubes	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - the value of all the materials used does not exceed 50% of the ex-works price of the product; - the value of any materials classified within the same heading as the product does not exceed 20% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
ex 3920	- Ionomer sheet or film	<p>Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralized with metals, mainly zinc and sodium</p> <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
	- Sheets of regenerated cellulose, polyamides or polyethylene	Manufacture in which the value of any materials classified in the same heading as the product does not exceed 20% of the ex-works price of the product
ex 3921	Foils of plastic, metallized	<p>Manufacture from highly transparent polyester foils with a thickness of less than 23 micron¹</p> <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
3922 to 3926	Articles of plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex Chapter 40	Rubber and articles thereof; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 4001	Laminated slabs of crepe rubber for shoes	Lamination of sheets of natural rubber
4005	Compounded rubber, unvulcanised, in primary forms or in plates, sheets or strip	Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50% of the ex-works price of the product
4012	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, interchangeable tyre treads and tyre flaps, of rubber:	
	- Retreaded pneumatic, solid or cushion tyres, of rubber	Retreading of used tyres
	- Other	Manufacture from materials of any heading, except those of heading Nos 4011 or 4012
ex 4017	Articles of hard rubber	Manufacture from hard rubber
ex Chapter 41	Raw hides and skins (other than furskins) and leather; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 4102	Raw skins of sheep or lambs, without wool on	Removal of wool from sheep or lamb skins, with wool on
4104 à 4107	Leather, without hair or wool, other than leather of heading Nos 4108 or 4109	Retanning of pre-tanned leather or Manufacture in which all the materials used are classified within a heading other than that of the product

¹ In the case of the products composed of materials classified within both headings Nos 3901 to 3906, on the one hand, and within headings Nos 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
4109	Patent leather and patent laminated leather; metallized leather	Manufacture from leather of heading Nos 4104 to 4107 provided its value does not exceed 50% of the ex-works price of the product
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 43	Furskins and artificial fur; manufactures thereof; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 4302	Tanned or dressed furskins, assembled: - Plates, crosses and similar forms - Other	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins Manufacture from non-assembled, tanned or dressed furskins
4303	Articles of apparel, clothing accessories and other articles of furskin	Manufacture from non-assembled tanned or dressed furskins of heading No 4302
ex Chapter 44	Wood and articles of wood; wood charcoal; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 4403	Wood roughly squared	Manufacture from wood in the rough, whether or not stripped of its bark or merely roughed down
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or finger-jointed	Planing, sanding or finger-jointing
ex 4408	Veneer sheets and sheets for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled of a thickness not exceeding 6 mm, planed, sanded or finger-jointed	Splicing, planing, sanding or finger-jointing
ex 4409	Wood continuously shaped along any of its edges or faces, whether or not planed, sanded or finger-jointed: - Sanded or finger-jointed - Beadings and mouldings	Sanding or finger-jointing Beading or moulding
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beading or moulding
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size
ex 4416	- Casks, barrels, vats, tubs and other cooper's products and parts thereof, of wood	Manufacture from riven staves, not further worked than sawn on the two principal surfaces
ex 4418	- Builders' joinery and carpentry of wood - Beadings and mouldings	Manufacture in which all the materials used are classified within a heading other than that of the product. However, cellular wood panels, shingles and shakes may be used Beading or moulding
ex 4421	Match splints; wooden pegs or pins for footwear	Manufacture from wood of any heading except drawn wood of heading No 4409
ex Chapitre 45	Cork and articles of cork; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
4503	Articles of natural cork	Manufacture from cork of heading No 4501

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
Chapter 46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork	Manufacture in which all the materials used are classified within a heading other than that of the product
Chapter 47	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 48	Paper and paperboard; articles of paper pulp, of paper or of paperboard; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 4811	Paper and paperboard, ruled, lined or squared only	Manufacture from paper-making materials of Chapter 47
4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading No 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes	Manufacture from paper-making materials of Chapter 47
4817	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery	Manufacturing in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 4818	Toilet paper	Manufacture from paper-making materials of Chapter 47
ex 4819	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres	Manufacture in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 4820	Letter pads	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape	Manufacture from paper-making materials of Chapter 47
ex Chapter 49	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
4909	Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings	Manufacture from materials not classified within heading Nos 4909 or 4911
4910	Calendars of any kind, printed, including calendar blocks: <ul style="list-style-type: none"> - Calendars of the "perpetual" type or with replaceable blocks mounted on bases other than paper or paperboard - Other 	Manufacture in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product Manufacture from materials not classified in heading Nos 4909 or 4911
ex Chapter 50	Silk; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock), carded or combed	Carding or combing of silk waste
5004 à ex 5006	Silk yarn and yarn spun from silk waste	Manufacture from ¹ : <ul style="list-style-type: none"> - raw silk or silk waste carded or combed or otherwise prepared for spinning, - other natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
5007	Woven fabrics of silk ¹ or of silk waste: – Incorporating rubber thread – Other	Manufacture from single yarn ¹ Manufacture from ¹ : – coir yarn, – natural fibres, – man-made staple fibres not carded or combed or otherwise prepared for spinning, – chemical materials or textile pulp, or – paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
ex Chapter 51	Wool, fine or coarse animal hair; horsehair yarn and woven fabric; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
5106 to 5110	Yarn of wool, of fine or coarse animal hair or of horsehair	Manufacture from ¹ : – raw silk or silk waste carded or combed or otherwise prepared for spinning, – de fibres naturelles non cardées ni peignées ou autrement natural fibres not carded or combed or otherwise prepared for spinning, – chemical materials or textile pulp, or – paper-making materials
5111 à 5113	Woven fabrics of wool, of fine or coarse animal hair or of horsehair: – Incorporating rubber thread – Other	Manufacture from single yarn ¹ Manufacture from ¹ : – coir yarn, – natural fibres, – man-made staple fibres not carded or combed or otherwise prepared for spinning, – chemical materials or textile pulp, or – paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
ex Chapter 52	Cotton; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
5204 à 5207	Yarn and thread of cotton	Manufacture from ¹ : – raw silk or silk waste carded or combed or otherwise prepared for spinning, – natural fibres not carded or combed or otherwise prepared for spinning, – chemical materials or textile pulp, or – paper-making materials
5208 à 5212	Woven fabrics of cotton: – Incorporating rubber thread – Other	Manufacture from single yarn ¹ Manufacture from ¹ : – coir yarn, – natural fibres, – man-made staple fibres not carded or combed or otherwise prepared for spinning, – chemical materials or textile pulp, or – paper or

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

Position SH n°	Désignation du produit	Ouvraison ou transformation appliquée à des matières non originaires conférant le caractère de produit originaire
(1)	(2)	(3) ou (4)
		Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
ex Chapter 53	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
5306 à 5308	Yarn of other vegetable textile fibres; paper yarn	Manufacture from ¹ : <ul style="list-style-type: none"> - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials
5309 à 5311	Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn: <ul style="list-style-type: none"> - Incorporating rubber thread - Other 	Manufacture from single yarn ¹ Manufacture from ¹ : <ul style="list-style-type: none"> - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
5401 to 5406	Yarn, monofilament and thread of man-made filaments	Manufacture from ¹ : <ul style="list-style-type: none"> - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials
5407 and 5408	Woven fabrics of man-made filament yarn: <ul style="list-style-type: none"> - Incorporating rubber thread - Other 	Manufacture from single yarn ¹ Manufacture from ¹ : <ul style="list-style-type: none"> - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
5501 to 5507	Man-made staple fibres	Manufacture from chemical materials or textile pulp

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
5508 to 5511	Yarn and sewing thread of man-made staple fibres	Manufacture from ¹ : <ul style="list-style-type: none"> - raw silk or silk waste carded or combed or otherwise prepared for spinning, - natural fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper-making materials
5512 to 5516	Woven fabrics of man-made staple fibres: <ul style="list-style-type: none"> - Incorporating rubber thread - Other 	Manufacture from single yarn ¹ Manufacture from ¹ : <ul style="list-style-type: none"> - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise prepared for spinning, - chemical materials or textile pulp, or - paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
ex Chapter 56	Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof; except for:	Manufacture from ¹ : <ul style="list-style-type: none"> - coir yarn, - natural fibres, - chemical materials or textile pulp, or - paper making materials
5602	Felt, whether or not impregnated, coated, covered or laminated: <ul style="list-style-type: none"> - Needleloom felt - Other 	Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres, - chemical materials or textile pulp However: <ul style="list-style-type: none"> - polypropylene filament of heading No 5402, - polypropylene fibres of heading No 5503 or 5506 or - polypropylene filament tow of heading No 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided their value does not exceed 40% of the ex-works price of the product Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres made from casein, or - chemical materials or textile pulp
5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading No 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics: <ul style="list-style-type: none"> - Rubber thread and cord, textile covered - Other 	Manufacture from rubber thread or cord, not textile covered Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres not carded or combed or otherwise processed for spinning, - chemical materials or textile pulp, or - paper-making materials

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

Position SH n°	Désignation du produit	Ouvraison ou transformation appliquée à des matières non originaires conférant le caractère de produit originaire
(1)	(2)	(3) ou (4)
5605	Metallized yarn, whether or not gimped, being textile yarn, or strip or the like of heading No 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal	Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, - chemical materials or textile pulp, or - paper-making materials
5606	Gimped yarn, and strip and the like of heading No 5404 or 5405, gimped (other than those of heading No 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn; loop wale-yarn)	Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, - chemical materials or textile pulp, or - paper-making materials
Chapter 57	Carpets and other textile floor coverings: <ul style="list-style-type: none"> - Of needleloom felt - Of other felt - Other 	Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres, or - chemical materials or textile pulp However: <ul style="list-style-type: none"> - polypropylene filament of heading No 5402, - polypropylene fibres of heading No 5503 or 5506 or - polypropylene filament tow of heading No 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided their value does not exceed 40% of the ex-works price of the product <ul style="list-style-type: none"> - jute fabric may be used as backing Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp Manufacture from ¹ : <ul style="list-style-type: none"> - coir or jute yarn, - synthetic or artificial filament yarn, - natural fibres, or - man-made staple fibres not carded or combed or otherwise processed for spinning Jute fabric may be used as backing
ex Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery; except for: <ul style="list-style-type: none"> - Combined with rubber thread - Other 	Manufacture from single yarn ¹ Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp, or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
5805	Hand-woven tapestries of the types gobelins, flanders, aubusson, beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up	Manufacture in which all the materials used are classified within a heading other than that of the product
5810	Embroidery in the piece, in strips or in motifs	Manufacture in which: <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Manufacture from yarn
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon: - Containing not more than 90 % by weight of textile materials - Other	Manufacture from yarn Manufacture from chemical materials or textile pulp
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading No 5902	Manufacture from yarn or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from yarn ¹
5905	Textile wall coverings: - Impregnated, coated, covered or laminated with rubber, plastics or other materials - Other	Manufacture from yarn Manufacture from ¹ : - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp, or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product
5906	Rubberized textile fabrics, other than those of heading No 5902: - Knitted or crocheted fabrics - Other fabrics made of synthetic filament yarn, containing more than 90% by weight of textile materials - Other	Manufacture from ¹ : - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp Manufacture from chemical materials Manufacture from yarn
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like	Manufacture from yarn or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47.5% of the ex-works price of the product

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
5908	<p>Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated:</p> <ul style="list-style-type: none"> - Incandescent gas mantles, impregnated - Other 	<p>Manufacture from tubular knitted gas mantle fabric</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p>
5909 to 5911	<p>Textile articles of a kind suitable for industrial use:</p> <ul style="list-style-type: none"> - Polishing discs or rings other than of felt of heading No 5911 - Woven fabrics, of a kind commonly used in paper-making or other technical uses, felted or not, whether or not impregnated or coated, tubular or endless with single or multiple warp and/or weft, or flat woven with multiple warp and/or weft of heading No 5911 - Other 	<p>Manufacture from yarn or waste fabrics or rags of heading No 6310</p> <p>Manufacture from¹:</p> <ul style="list-style-type: none"> - coir yarn, - the following materials: - yarn of polytetrafluoroethylene², - yarn, multiple, of polyamide, coated impregnated or covered with a phenolic resin, - yarn of synthetic textile fibres of aromatic polyamides, obtained by polycondensation of <i>m</i>-phenylenediamine and isophthalic acid, - monofil of polytetrafluoroethylene² - yarn of synthetic textile fibres of poly-<i>p</i>-phenylene terephthalamide, - glass fibre yarn, coated with phenol resin and gimped with acrylic yarn² - copolyester monofilaments of a polyester and a resin of terephthalic acid and 1,4 - cyclohexanediethanol and isophthalic acid, - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp <p>Manufacture from¹:</p> <ul style="list-style-type: none"> - coir yarn, - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp
Chapter 60	Knitted or crocheted fabrics	<p>Manufacture from¹:</p> <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp
Chapter 61	<p>Articles of apparel and clothing accessories, knitted or crocheted:</p> <ul style="list-style-type: none"> - Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form - Other 	<p>Manufacture from yarn^{1,2}</p> <p>Manufacture from¹ :</p> <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

² The use of this material is restricted to the manufacture of woven fabrics of a kind used in paper-making machinery

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted; except for:	Manufacture from yarn ^{1,2}
ex 6202, ex 6204, ex 6206, ex 6209 and ex 6211	Women's, girls' and babies' clothing and clothing accessories for babies, embroidered	Manufacture from yarn ¹ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product ¹
ex 6210 and ex 6216	Fire-resistant equipment of fabric covered with foil of aluminized polyester	Manufacture from yarn ¹ or Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40% of the ex-works price of the product ¹
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like: - Embroidered	Manufacture from unbleached single yarn ^{1,2} or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product ¹
	- Other	Manufacture from unbleached single yarn ^{1,2} or Making up followed by printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted goods of heading Nos 6213 and 6214 used does not exceed 47.5% of the ex-works price of the product
6217	Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading No 6212: - Embroidered - Fire-resistant equipment of fabric covered with foil of aluminized polyester - Interlinings for collars and cuffs, cut out - Other	Manufacture from yarn ¹ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product ¹ Manufacture from yarn ¹ or Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40% of the ex-works price of the product ¹ Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture from yarn ¹
ex Chapter 63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
6301 to 6304	Blankets, travelling rugs, bed linen etc.; curtains etc.; other furnishing articles: - Of felt, of nonwovens	Manufacture from ² : - natural fibres, or - chemical materials or textile pulp

¹ See Introductory Note 6.

² For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
6305	<ul style="list-style-type: none"> - Other: - Embroidered - Other Sacks and bags, of a kind used for the packing of goods	Manufacture from unbleached single yarn ^{1,3} or Manufacture from unembroidered fabric (other than knitted or crocheted) provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product Manufacture from unbleached single yarn ^{1,3} Manufacture from ¹ : <ul style="list-style-type: none"> - natural fibres, - man-made staple fibres not carded or combed or otherwise processed for spinning, or - chemical materials or textile pulp
6306	Tarpaulins, awnings and sunblinds; tents; sails for boats, sailboards or landcraft; camping goods: <ul style="list-style-type: none"> - Of nonwovens - Other 	Manufacture from ^{1,2} : <ul style="list-style-type: none"> - natural fibres, or - chemical materials or textile pulp Manufacture from unbleached single yarn ^{1,2}
6307	Other made-up articles, including dress patterns	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated provided their total value does not exceed 15% of the ex-works price of the set
ex Chapter 64	Footwear, gaiters and the like; except for:	Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components of heading No 6406
6406	Parts of footwear (including uppers whether or not attached to soles other than outer soles); removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 65	Headgear and parts thereof, except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
6503	Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading No 6501, whether or not lined or trimmed	Manufacture from yarn or textile fibres ¹
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed	Manufacture from yarn or textile fibres ¹
ex Chapter 66	Umbrellas, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops, and parts thereof; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
6601	Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
Chapter 67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	Manufacture in which all the materials used are classified within a heading other than that of the product

¹ For special conditions relating to products made of mixture of textile materials, see Introductory Note 5.

² See Introductory Note 6.

³ For knitted or crocheted articles, not elastic or rubberized, obtained by sewing or assembly pieces of knitted or crocheted fabrics (cut out or knitted directly to shape), see Introductory Note 6.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex Chapter 68	Articles of stone, plaster, cement, asbestos, mica or similar materials; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 6803	Articles of slate or of agglomerated slate	Manufacture from worked slate
ex 6812	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture from materials of any heading
ex 6814	Articles of mica, including agglomerated or reconstituted mica, on a support of paper, paperboard or other materials	Manufacture from worked mica (including agglomerated or reconstituted mica)
Chapter 69	Ceramic products	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 70	Glass and glassware; except for :	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 7003 ex 7004 and ex 7005	Glass with a non-reflecting layer	Manufacture from materials of heading No. 7001
7006	Glass of heading No 7003, 7004 or 7005, bent, edgeworked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials: – glass plate substrate coated with dielectric thin film, semi-conductor grade, in accordance with SEMII standards ¹ – other	Manufacture from non-coated glass plate substrate of heading) No 7006 Manufacture from materials of heading No 7001
7007	Safety glass, consisting of toughened (tempered) or laminated glass	Manufacture from materials of heading No 7001
7008	Multiple-walled insulating units of glass	Manufacture from materials of heading No 7001
7009	Glass mirrors, whether or not framed, including rear-view mirrors	Manufacture from materials of heading No 7001
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex-works price of the product
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No 7010 or 7018)	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50% of the ex-works price of the product or Hand-decoration (with the exception of silk-screen printing) of hand-blown glassware, provided the value of the hand-blown glassware does not exceed 50% of the ex-works price of the product
ex 7019	Articles (other than yarn) of glass fibres	Manufacture from: – uncoloured slivers, rovings, yarn or chopped strands, or – glass wool
ex Chapter 71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 7101	Natural or cultured pearls, graded and temporarily strung for convenience of transport	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 7102, ex 7103 and ex 7104	Worked precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture from unworked precious or semi-precious stones

¹ SEMII-Semiconductor Equipment and Materials Institute Incorporated.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
<p>7106, 7108 and 7110</p> <p>ex 7107, ex 7109 and ex 7111</p> <p>7116</p> <p>7117</p>	<p>Precious metals:</p> <p>– Unwrought</p> <p>– Semi-manufactured or in powder form</p> <p>Metals clad with precious metals, semi-manufactured</p> <p>Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)</p>	<p>Manufacture from materials not classified within heading No 7106, 7108 or 7110</p> <p>or</p> <p>Electrolytic, thermal or chemical separation of precious metals of heading No 7106, 7108 or 7110</p> <p>or</p> <p>Alloying of precious metals of heading No 7106, 7108 or 7110 with each other or with base metals</p> <p>Manufacture from unwrought precious metals</p> <p>Manufacture from metals clad with precious metals, unwrought</p> <p>Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product</p> <p>Imitation jewellery Manufacture in which all the materials used are classified within a heading other than that of the product</p> <p>or</p> <p>Manufacture from base metal parts, not plated or covered with precious metals, provided the value of all the materials used does not exceed 50% of the ex-works price of the product</p>
<p>ex Chapter 72</p> <p>7207</p> <p>7208 to 7216</p> <p>7217</p> <p>ex 7218, 7219 to 7222</p> <p>7223</p> <p>ex 7224, 7225 to 7228</p> <p>7229</p>	<p>Iron and steel; except for:</p> <p>Semi-finished products of iron or non-alloy steel</p> <p>Flat-rolled products, bars and rods, angles, shapes and sections of iron or non-alloy steel</p> <p>Wire of iron or non-alloy steel</p> <p>Semi-finished products, flat-rolled products, bars and rods, angles, shapes and sections of stainless steel</p> <p>Wire of stainless steel</p> <p>Semi-finished products, flat-rolled products, hot-rolled bars and rods, in irregularly wound coils; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel</p> <p>Wire of other alloy steel</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> <p>Manufacture from materials of heading No 7201, 7202, 7203, 7204 or 7205</p> <p>Manufacture from ingots or other primary forms of heading No 7206</p> <p>Manufacture from semi-finished materials of heading No 7207</p> <p>Manufacture from ingots or other primary forms of heading No 7218</p> <p>Manufacture from semi-finished materials of heading No 7218</p> <p>Manufacture from ingots or other primary forms of heading No 7206, 7218 or 7224</p> <p>Manufacture from semi-finished materials of heading No 7224</p>
<p>ex Chapter 73</p> <p>ex 7301</p> <p>7302</p> <p>7304, 7305 and 7306</p> <p>ex 7307</p>	<p>Articles of iron or steel; except for: heading other than that of the product</p> <p>Railway or tramway track construction materials of iron or steel, the following: rails, checkrails and rackrails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails</p> <p>Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel</p> <p>Tube or pipe fittings of stainless steel (ISO No X5CrNiMo 1712), consisting of several parts</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> <p>Sheet piling Manufacture from materials of heading No 7206</p> <p>Manufacture from materials of heading No 7206</p> <p>Manufacture from materials of heading No 7206, 7207, 7218 or 7224</p> <p>Turning, drilling, reaming, threading, deburring and sandblasting of forged blanks the value of which does not exceed 35% of the ex-works price of the product</p>

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
Chapter 77	Reserved for possible future use in HS	
ex Chapter 78	Lead and articles thereof; except for:	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
7801	Unwrought lead: <ul style="list-style-type: none"> - Refined lead - Other 	<p>Manufacture from "bullion" or "work" lead</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 7802 may not be used</p>
7802	Lead waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 79	Zinc and articles thereof; except for:	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
7901	Unwrought zinc	Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 7902 may not be used
7902	Zinc waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 80	Tin and articles thereof; except for:	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
8001	Unwrought tin	Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 8002 may not be used
8002 and 8007	Tin waste and scrap; other articles of tin	Manufacture in which all the materials used are classified within a heading other than that of the product
Chapter 81	Other base metals; cermets; articles thereof: <ul style="list-style-type: none"> - Other base metals, wrought; articles thereof - Other 	<p>Manufacture in which the value of all the materials classified within the same heading as the product used does not exceed 50% of the ex-works price of the product</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p>
ex Chapter 82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
8206	Tools of two or more of the heading Nos 8202 to 8205, put up in sets for retail sale	Manufacture in which all the materials used are classified within a heading other than heading Nos 8202 to 8205. However, tools of heading Nos 8202 to 8205 may be incorporated into the set provided their value does not exceed 15% of the ex-works price of the set
8207	Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning, or screw-driving), including dies for drawing or extruding metal, and rock drilling or earth boring tools	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
7308	Structures (excluding prefabricated buildings of heading No 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frame-works, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture in which all the materials used are classified within a heading other than that of the product. However, welded angles, shapes and sections of heading No 7301 may not be used
ex 7315	Skid chain	Manufacture in which the value of all the materials of heading No 7315 used does not exceed 50% of the ex-works price of the product
ex Chapter 74	Copper and articles thereof; except for:	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
7401	Copper mattes; cement copper (precipitated copper)	Manufacture in which all the materials used are classified within a heading other than that of the product
7402	Unrefined copper; copper anodes for electrolytic refining	Manufacture in which all the materials used are classified within a heading other than that of the product
7403	Refined copper and copper alloys, unwrought: - Refined copper - Copper alloys and refined copper containing other elements	Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture from refined copper, unwrought, or waste and scrap of copper
7404	Copper waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product
7405	Master alloys of copper	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 75	Nickel and articles thereof; except for:	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
7501 to 7503	Nickel mattes, nickel oxide sinters and other intermediate products of nickel metallurgy; unwrought nickel; nickel waste and scrap	Manufacture in which all the materials used are classified within a heading other than that of the product
ex Chapter 76	Aluminium and articles thereof; except for:	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
7601	Unwrought aluminium	Manufacture in which: - all the materials used are classified within a heading other than that of the product; and - the value of all the materials used does not exceed 50% of the ex-works price of the product or Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium
7602	Aluminium waste or scrap	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 7616	Aluminium articles other than gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, and expanded metal of aluminium	Manufacture in which: - all the materials used are classified within a heading other than that of the product. However, gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium may be used; - the value of all the materials used does not exceed 50% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
8208	Knives and cutting blades, for machines or for mechanical appliances	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 8211	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading No 8208	Manufacture in which all the materials used are classified within a heading other than that of the product. However, knife blades and handles of base metal may be used
8214	Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files)	Manufacture in which all the materials used are classified within a heading other than that of the product. However, handles of base metal may be used
8215	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware	Manufacture in which all the materials used are classified within a heading other than that of the product. However, handles of base metal may be used
ex Chapter 83	Miscellaneous articles of base metal; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 8302	Other mountings, fittings and similar articles suitable for buildings, and automatic door closers	Manufacture in which all the materials used are classified within a heading other than that of the product. However, the other materials of heading No 8302 may be used provided their value does not exceed 20% of the ex-works price of the product
ex 8306	Statuettes and other ornaments, of base metal	Manufacture in which all the materials used are classified within a heading other than that of the product. However, the other materials of heading No 8306 may be used provided their value does not exceed 30% of the ex-works price of the product
ex Chapter 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for:	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
ex 8401	Nuclear fuel elements	Manufacture in which all the materials used are classified within a heading other than that of the product ¹ Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the final product
8402	Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); super heated water boilers	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
8403 and ex 8404	Central heating boilers other than those of heading No 8402 and auxiliary plant for central heating boilers	Manufacture in which all the materials used are classified within a heading other than heading No 8403 or 8404 Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8406	Steam turbines and other vapour turbines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8409	Parts suitable for use solely or principally with the engines of heading No 8407 or 8408	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

¹ This rule shall apply until 31 December 2005.

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
8411	Turbo-jets, turbo propellers and other gas turbines	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8412	Other engines and motors	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>
ex 8413	Rotary positive displacement pumps	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
ex 8414	Industrial fans, blowers and the like	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8415	Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>
8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading No 8415	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product; - the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
ex 8419	Machines for wood, paper pulp and paperboard industries	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8423	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight operated counting or checking machines; weighing machine weights of all kinds	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
8425 to 8428	Lifting, handling, loading or unloading machinery	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8431 are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8429	<p>Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers:</p> <ul style="list-style-type: none"> - Road rollers - Other 	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8431 are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the value of the materials classified within heading No 8431 are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
ex 8431	Parts suitable for use solely or principally with road rollers	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8439E	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paper-board	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8444 to 8447	Machines of these headings for use in the textile industry	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 8448	Auxiliary machinery for use with machines of headings Nos 8444 and 8445	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
8452	<p>Sewing machines, other than book-sewing machines of heading No 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles:</p> <p>Sewing machines (lock stitch only) with heads of a weight not exceeding 16 kg without motor or 17 kg with motor</p> <p>- Other</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used in assembling the head (without motor) does not exceed the value of the originating materials used; - the thread tension, crochet and zigzag mechanisms used are already originating <p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>
8456 to 8466	Machine-tools and machines and their parts and accessories of headings Nos 8456 to 8466	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8469 to 8472	Office machines (for example, typewriters, calculating machines, automatic data processing machines, duplicating machines, stapling machines)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
8482	Ball or roller bearings	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings; mechanical seals	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8485	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles; except for:	<p>Manufacture in which</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8501	Electric motors and generators (excluding generating sets)	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8503 are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
8502	Electric generating sets and rotary converters	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8501 or 8503, taken together, are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
ex 8504	Power supply units for automatic data-processing machines	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>
ex 8518	Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; audio-frequency electric amplifiers; electric sound amplifier sets	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8519	Turntables (record-decks), record-players, cassette-players and other sound reproducing apparatus, not incorporating a sound recording device	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8520	Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8521	Video recording or reproducing apparatus, whether or not incorporating a video tuner	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8522	Parts and accessories suitable for use solely or principally with the apparatus of heading Nos 8519 to 8521	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>
8523	Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>
8524	<p>Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37:</p> <ul style="list-style-type: none"> - Matrices and masters for the production of records - Other 	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8523 are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
8525	Transmission apparatus for radio-telephony, radio-telegraphy, radio-broadcasting or television, whether recording or reproducing apparatus; television cameras; still image video cameras and other video camera recorders	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8527	Reception apparatus for radio-telephony, radio-telegraphy or radio broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8528	Reception apparatus for television, whether or not incorporating radio broadcast receivers or sound or video recording or reproducing apparatus; video monitors and video projectors	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8529	<p>Parts suitable for use solely or principally with the apparatus of heading Nos 8525 to 8528:</p> <ul style="list-style-type: none"> - Suitable for use solely or principally with video recording or reproducing apparatus - Other 	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8535 and 8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8537	Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading No 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control apparatus, other than switching apparatus of heading No 8517	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
ex 8541	Diodes, transistors and similar semi-conductor devices, except wafers not yet cut into chips	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
8542	Electronic integrated circuits and microassemblies	<p>Manufacture:</p> <ul style="list-style-type: none"> - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where, within the above limit, the materials classified within heading No 8541 or 8542, taken together, are only used up to a value of 10% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product</p>
8544	Insulated (including enamelled or anodised) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating materials apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly other than insulators of heading No 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8548	Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 86	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signaling equipment of all kinds; except for:	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8608	Railway or tramway track fixtures and fittings; mechanical (including electro-mechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
ex Chapter 87	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof; except for:	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8709	Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
8710	Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>

Position SH n°	Désignation du produit	Ouvraison ou transformation appliquée à des matières non originaires conférant le caractère de produit originaire
(1)	(2)	(3) ou (4)
8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars: - With reciprocating internal combustion piston engine of a cylinder capacity: - Not exceeding 50 cc - Exceeding 50 cc - Other	Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 20% of the ex-works price of the product Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product Manufacture: - in which the value of all the materials used does not exceed 40% of the ex-works price of the product; - where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
ex 8712	Bicycles without ball bearings	Manufacture from materials not classified in heading No 3714 Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8715	Baby carriages and parts thereof	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof	Manufacture in which: - all the materials used are classified within a heading other than that of the product - the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
ex Chapter 88	Aircraft, spacecraft, and parts thereof; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 8804	Rotocahutes	Manufacture from materials of any heading including other materials of heading No 8804 Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
8805	Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles	Manufacture in which all the materials used are classified within a heading other than that of the product Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
Chapter 89	Ships, boats and floating structures	Manufacture in which all the materials used are classified within a heading other than that of the product. However, hulls of heading No 8906 may not be used Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof; except for:	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading No 8544; sheets and plates of polarizing material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9002	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9004	Spectacles, goggles and the like, corrective, protective or other	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex 9005	Binoculars, monoculars, other optical telescopes, and mountings therefor, except for astronomical refracting telescopes and mountings therefor	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product; – the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
ex 9006	Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than electrically ignited flashbulbs	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product; – the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9007	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product; – the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9011	Compound optical microscopes, including those for photomicrography, cinephotomicrography or micro-projection	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product; – the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
ex 9014	Other navigational instruments and appliances	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
9016	Balances of a sensitivity of 5 cg or better, with or without weights	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9017	Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9018	Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments:: - Dentists' chairs incorporating dental appliances or dentists' spittoons - Other	Manufacture from materials of any heading, including other materials of heading No 9018 Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
9019	Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
9020	Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters	Manufacture in which: - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product
9024	Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics)	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9025	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9026	Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading No 9014, 9015, 9028 or 9032	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9027	Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
9028	Gas, liquid or electricity supply or production meters, including calibrating meters therefor: – Parts and accessories – Other	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product; – where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9029	Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading Nos 9014 or 9015; stroboscopes	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading No 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionizing radiations	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9031	Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9032	Automatic regulating or controlling instruments and apparatus	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9033	Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
ex Chapter 91	Clocks and watches and parts thereof; except for:	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
9105	Other clocks	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product; – where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9109	Clock movements, complete and assembled	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product; – where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9110	Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements	Manufacture: – in which the value of all the materials used does not exceed 40% of the ex-works price of the product; – where, within the above limit, the materials classified within heading No 9114 are only used up to a value of 10% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product
9111	Watch cases and parts thereof	Manufacture in which: – all the materials used are classified within a heading other than that of the product; – the value of all the materials used does not exceed 40% of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
9112	Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 40% of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product</p>
9113	<p>Watch straps, watch bands and watch bracelets, and parts thereof:</p> <ul style="list-style-type: none"> - Of base metal, whether or not gold- or silver-plated, or of metal clad with precious metal - Other 	<p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product</p>
Chapter 92	Musical instruments; parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
Chapter 93	Arms and ammunition; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex Chapter 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings; except for:	<p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p>
ex 9401 and ex 9403	Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m ² or less	<p>Manufacture in which all the materials used are classified in a heading other than that of the product</p> <p>or</p> <p>Manufacture from cotton cloth already made up in a form ready for use of heading No 9401 or 9403, provided:</p> <p>Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product</p> <ul style="list-style-type: none"> - its value does not exceed 25% of the ex-works price of the product; - all the other materials used are already originating and are classified in a heading other than heading No 9401 or 9403
9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
ex Chapter 95	Toys, games and sports requisites; parts and accessories thereof; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
9503	Other toys; reduced-size ("scale") models and similar recreational models, working or not; puzzles of all kinds	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 9506	Golf clubs and parts thereof	Manufacture in which all the materials used are classified within a heading other than that of the product. However, roughly shaped blocks for making golf club heads may be used
ex Chapter 96	Miscellaneous manufactured articles; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 9601 and ex 9602	Articles of animal, vegetable or mineral carving materials	Manufacture from "worked" carving materials of the same heading

HS heading N°	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3) or (4)
ex 9603	Brooms and brushes (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorized, paint pads and rollers, squeegees and mops	Manufacture in which the value of all the materials used does not exceed 50% of the ex-works price of the product
9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning	Each item in the set must satisfy the rule, which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided their total value does not exceed 15% of the ex-works price of the set
9606	Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
9608	Ball-points pens; felt-tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; penholders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading No 9609	Manufacture in which all the materials used are classified within a heading other than that of the product. However, nibs or nib-points classified within the same heading may be used
9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	<p>Manufacture in which:</p> <ul style="list-style-type: none"> - all the materials used are classified within a heading other than that of the product; - the value of all the materials used does not exceed 50% of the ex-works price of the product
ex 9613	Lighters with piezo-igniter	Manufacture in which the value of all the materials of heading No 9613 used does not exceed 30% of the ex-works price of the product
ex 9614	Smoking pipes and pipe bowls	Manufacture from roughly shaped blocks
Chapter 97	Works of art, collectors' pieces and antiques	Manufacture in which all the materials used are classified within a heading other than that of the product

Annex III to Protocol 1

Overseas Countries and Territories

Within the meaning of this Protocol "overseas countries and territories" shall mean the countries and territories referred to in Part Four of the Treaty establishing the European Community listed below:

(This list does not prejudice the status of these countries and territories, or future changes in their status.)

1. Country having special relations with the Kingdom of Denmark:

- Greenland.

2. Overseas territories of the French Republic:

- New Caledonia,
- French Polynesia,
- French Southern and Antarctic Territories,
- Wallis and Futuna Islands.

3. Territorial collectivities of the French Republic:

- Mayotte,
- Saint Pierre and Miquelon.

4. Overseas countries of the Kingdom of the Netherlands:

- Aruba,
- Netherlands Antilles:
 - Bonaire,
 - Curaçao,
 - Saba,
 - Sint Eustatius,
 - Sint Maarten.

5. British overseas countries and territories :

- Anguilla,
- Cayman Islands,
- Falkland Islands,
- South Georgia and South Sandwich Islands,
- Montserrat,
- Pitcairn,
- Saint Helena, Ascension Island, Tristan da Cunha
- British Antarctic Territory,
- British Indian Ocean Territory,
- Turks and Caicos Islands,
- British Virgin Islands.

Annex IV to Protocol 1

Form for movement certificate

1. Movement certificates EUR:1 shall be made out on the form of which a specimen appears in this Annex. This form shall be printed in one, or more of the languages in which the Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State if they are handwritten, they shall be completed in ink and in capital letters.
2. Each certificate shall measure 210 x 297mm, a tolerance of up to plus 8mm or minus 5mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.
3. The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

MOVEMENT CERTIFICATE

1. Exporter (name, full address, country)	EUR. No A 000.000	
	See notes overleaf before completing this form	
3. Consignee (name, full address, country) (Optional)	2. Certificate used in preferential trade between	
	and	
	<i>(insert appropriate countries, groups of countries or territories)</i>	
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination
6. Transport details (Optional)	7. Remarks	
8. Item number; Marks and numbers; Number and kind of package (): Description of goods	9. Gross mass (kg) or other measure (litres,m ³ ,etc.)	10. Invoices (Optional)
11. CUSTOMS ENDORSEMENT Declaration certified Export document (2) Form No..... Customs office..... Issuing country or territory..... Date..... (Signature)	Stamp	12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date..... (Signature)

(1) If goods are not packed, indicate number of articles or state "In bulk" as appropriate
 (2) Complete only where the regulations of the exporting country or territory require

<p>13. Request for verification, to:</p>	<p>14. Result of verification</p> <p>Verification carried out shows that this certificate (*)</p> <p><input type="checkbox"/></p> <p>was issued by the customs office indicated and that the information contained therein is accurate.</p> <p>does not meet the requirements as to authenticity and accuracy (see remarks appended).</p>
<p>Verification of the authenticity and accuracy of this certificate is requested</p> <p>..... (Place and date)</p> <p>..... Stamp</p> <p>..... (Signature)</p>	<p>..... (Place and date)</p> <p>..... Stamp</p> <p>..... (Signature)</p> <p>..... (Signature)</p> <p>(*) Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter <i>(name, full address, country) (Optional)</i>	EUR. No A 000.000		
	See notes overleaf before completing this form		
3. Consignee <i>(name, full address, country) (Optional)</i>	2. Application for a certificate to be used in preferential trade between <div style="text-align: center;"> " " and " " </div> <i>(insert appropriate countries or groups of countries or territories)</i>		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
	7. Remarks		
6. Transport details <i>(Optional)</i>			
8. Item number; Marks and numbers; Number and kind of packages (°); Description of goods	9. Gross mass (kg) or other measure (litres,m³,etc.)	10. Invoices <i>(Optional)</i>	

(1) If goods are not packed, indicate number of articles or state "In bulk" as appropriate

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....
.....
.....
.....

SUBMIT the following supporting documents (1)

.....
.....
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

1. For example, import documents, movement certificates, manufacturer's declarations, etc. referring to the products used in manufacture or to the goods re-exported in the same state.

Invoice declaration

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

English version

The exporter of the products covered by this document (customs authorization No ... (1)) declares that, except where otherwise clearly indicated, these products are of ... preferential origin (2).

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera n° ... (1)) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial ... (2).

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladelse nr. ... (1)), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i ... (2).

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. ... (1), der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anders angegeben, präferenzbegünstigte ... Ursprungswaren sind (2)

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ' αριθ. (1)) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής (2).

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n° ... (1)), déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ... (2).

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n. ... (1)) dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale ... (2).

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. ... (2)) verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële ... oorsprong zijn (2).

Portuguese version

O abaixo assinado, exportador dos produtos cobertos pelo presente documento (autorização aduaneira n° ... (1)), declara que, salvo expressamente indicado em contrário, estes produtos são de origem preferencial ... (2).

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupan:o ... (1)) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja ... alkuperätuotteita (2).

(1) When the invoice declaration is made out by an approved exporter within the meaning of Article 20 of the Protocol, the authorization number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

(2) Origin of products to be indicated. When the invoice declaration relates in whole or in part, to products originating in Ceuta and Melilla within the meaning of Article 39 of the Protocol, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol "CM"

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr. ... ⁽³⁾) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ... ursprung ⁽²⁾.

.....⁽³⁾

(Place and date)

.....⁽⁴⁾

(Signature of the exporter; in addition the name of the person signing the declaration has to be indicated in clear script)

⁽³⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁴⁾ See Article 19(5) of the Protocol. In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.

Supplier declaration for products having preferential origin status

I, the undersigned, declare that the goods listed on this invoice

.....(1)

were produced in(2) and satisfy the rules of origin governing preferential trade between the ACP States and the European Community..

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

.....(3)

.....(4)

.....(5)

Note

The abovementioned text, suitably completed in conformity with the footnotes below, constitutes a supplier's declaration. The footnotes do not have to be reproduced.

(1) - If only some of the goods listed on the invoice are concerned they should be clearly indicated or marked and this marking entered on the declaration as follows:"

".....

listed on this invoice and marked.....

were produced.....".

- If a document other than an invoice or an annex to the invoice is used (see Article 26(3)), the name of the document concerned shall be mentioned instead of the word "invoice"

(2) The Community, Member State, ACP State or OCT. Where an ACP State or an OCT is given, a reference must also be made to the Community customs office holding any EUR.1 (s) concerned, giving the No of the certificate(s) concerned and, if possible, the relevant customs entry No involved.

(3) Place and date

(4) Name and function in company

(5) Signature

Supplier declaration for products not having preferential original status

I, the undersigned, declare that the goods listed on this invoice (1) were produced in(2) and incorporate the following components or materials which do not have ACP, OCT or Community origin for preferential trade:

.....(3)(4)
.....(5)
.....
.....
.....(6)

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

.....(7)(8)
.....(9)

Note

The abovementioned text, suitably completed in conformity with the footnotes below, constitutes a supplier's declaration. The footnotes do not have to be reproduced.

(1) - If only some of the goods listed on the invoice are concerned they should be clearly indicated or marked and this marking entered on the declaration as follows: "..... listed on this invoice and markedwere produced.....".

If a document other than an invoice or an annex to the invoice is used (see Article 26(3)), the name of the document concerned shall be mentioned instead of the word "invoice"

- (2) The Community, Member State, ACP State, OCT or South Africa.
(3) Description is to be given in all cases. The description must be adequate and should be sufficiently detailed to allow the tariff classification of the goods concerned to be determined.
(4) Customs values to be given only if required
(5) Country of origin to be given only if required. The origin to be given must be a preferential origin, all other origins to be given as "third country".
(6) 'and have undergone the following processing in [the Community] [Member State] [ACP State] [OCT] [South Africa], to be added with a description of the processing carried out if this information is required.
(7) Place and date
(8) Name and function in company.
(9) Signature

Information Certificate

1. The form of information certificate given in this Annex shall be used and be printed in one or more of the official languages in which the Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. Information certificates shall be completed in one of those languages; if they are handwritten, they shall be completed in ink in capital letters. They shall bear a serial number, whether or not printed, by which they can be identified.
2. The information certificate shall measure 210 x 297mm, a tolerance of up to plus 8mm or minus 5mm in the length may be allowed. The paper must be white, sized for writing, not containing mechanical pulp and weighing not less than 25g/m².
3. The national administrators may reserve the right to print the forms themselves or may have them printed by printers approved by them. In the latter case, each form must include a reference to such approval. The forms shall bear the name and address of the printer or a mark by which the printer can be identified.

European Communities

1. Supplier(s)		INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the		
2. Consignee(s)		EUROPEAN COMMUNITY and THE ACP STATES		
3. Processor(s)		4. State in which the working or processing has been carried out		
6. Customs office of importation(s)		5. For official use		
7. Import document(s) Form No Series Date <input type="text"/> <input type="text"/> <input type="text"/>				
GOODS SENT TO THE MEMBER STATES OF DESTINATION				
8. Marks, numbers, quantity and kind of package		9. Harmonised Commodity Description and Coding System heading/subheading number (HS code)		10. Quantity(s)
				11. Value(s)
IMPORTED GOODS USED				
12. Harmonised Commodity Description and Coding System heading/subheading number (HS code)		13. Country of origin	14. Quantity(s)	15. Value(s)
16. Nature of the working or processing carried out				
17. Remarks				
18. CUSTOMS ENDORSEMENT Declaration certified: Document Form No Customs office Date: <input type="text"/> <input type="text"/> <input type="text"/>		19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate. _____ (Place) <input type="text"/> <input type="text"/> <input type="text"/> (Date)		
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> Official Stamp </div> _____ (Signature)		_____ (Signature)		

(1)(2)(3)(4)(5) See footnotes on verso

<p>REQUEST FOR VERIFICATION The undersigned customs official requests verification of the authenticity and accuracy of this information certificate.</p>	<p>RESULT OF VERIFICATION Verification carried out by the undersigned customs official shows that this information certificate:</p> <p>a) was issued by the customs office indicated and that the information contained therein is accurate (*)</p> <p>b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)</p>
<p>(Place and date)</p>	<p>(Place and date)</p>
<p>Official stamp</p>	<p>Official stamp</p>
<p>(Official's signature)</p>	<p>(Official's signature)</p>

(*) Delete where not applicable

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) The value must be indicated in accordance with the provisions on rules of origin.

Annex VIII to Protocol 1

Form for application for a derogation

<p>1. Commercial description of the finished product</p> <p>1.1 Customs classification (H.S. code)</p>	<p>2. Anticipated annual quantity of exports to the Community (weight, No of pieces, meters or other unit)</p>
<p>3. Commercial description of third country materials</p> <p>Customs classification (H. S. code)</p>	<p>4. Anticipated annual quantity of third country materials to be used</p>
	<p>5. Value of third country materials</p>
	<p>6. Value of finished products</p>
<p>7. Origin of third country materials</p>	<p>8. Reasons why the rule of origin for the finished product cannot be fulfilled</p>
<p>9. Commercial description of materials originating in the ACP States, EC or OCT to be used</p>	<p>10. Anticipated annual quantity of ACP, EC or OCT materials to be used</p>
<p>11. Value of ACP, EC or OCT materials</p> <p>12. Working or processing carried out in the EC or OCT on third country materials without obtaining origin</p>	<p>13. Duration requested for derogation- from to.....</p> <p>14. Detailed description of working and processing in the ACP States:</p> <p>15. Capital structure of the firm concerned</p>
<p>16. Amount of investments made/foreseen</p> <p>17. Staff employed/expected</p> <p>18. Value added by the working or processing in the ACP States:</p> <p>18.1 Labour:</p> <p>18.2 Overheads:</p> <p>18.3 Others:</p> <p>20. Possible developments to overcome the need for a derogation</p>	<p>19. Other possible sources of supply for materials</p> <p>21. Observations</p>

1. If the boxes in the form are not sufficient to contain all relevant information, additional pages may be attached to the form. In this case, the mention "see annex" shall be entered in the box concerned.
2. If possible, samples or other illustrative material (pictures, designs, catalogues, etc) of the final product and of the materials should accompany the form.
3. A form shall be completed for each product covered by the request.

Cases 3, 4, 5, 7: "third country" means any country which is not an ACP or Community State or OCT.

Case 12: If third country materials have been worked or processed in the Community or in the OCT without obtaining origin, before being further processed in the ACP State requesting the derogation, indicate the working or processing carried out in the Community or OCT.

Case 13: The dates to be indicated are the initial and final one for the period in which EUR 1 certificates may be issued under the derogation.

Case 18: Indicate either the percentage of added value in respect of the ex-works price of the product or the monetary amount of added-value for unit of product.

Case 19: If alternative sources of material exist, indicate here what they are and, if possible, the reasons of cost or other reasons why they are not used.

Case 20: Indicate possible further investments or suppliers' differentiation which make the derogation necessary for only a limited period of time.

ANNEX IX to Protocol 1

List of working or processing conferring the character of ACP origin on a product obtained when working or processing is carried out on textile materials originating in developing countries referred to in Article 6(11) of this Protocol

Textiles and textile articles falling within Section XI

CN Code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex 5101	Wool, not carded or combed – degreased, not carbonized – carbonized	Manufacture from greasy, including piece-wasted wool, the value of which does not exceed 50% of the ex-works price of the product Manufacture from degreased wool, not carbonized the value of which does not exceed 50% of the ex-works price of the product
ex 5103	Waste of wool or of fine or coarse animal hair, carbonized	Manufacture from non-carbonized waste, the value of which does not exceed 50% of the ex-works price of the product
ex 5201	Cotton, not carded or combed, bleached	Manufacture from raw cotton, the value of which does not exceed 50% of the ex-works price of the product
5501 to 5507	Man-made staple fibres – not carded or combed or otherwise processed for spinning – carded or combed or other	Manufacture from chemical materials or textile pulp Manufacture from chemical materials or textile pulp or waste falling within CN code 5505
ex Chapter 50 to Chapter 55	Yarn, monofilament and thread, other than paper yarn: – printed or dyed – other Woven fabrics, other than fabrics of paper yarn: – printed or dyed	Manufacture from: – natural fibres not carded or combed or otherwise processed for spinning, – chemical materials or textile pulp, or – paper making materials Manufacture from: – natural fibres not carded or combed or otherwise processed for spinning, – grege silk or silk waste – chemical materials or textile pulp, or man-made staple fibres. filament tow or waste of fibres, not carded or combed or otherwise prepared for spinning or Printing or dyeing of yarn or monofilaments, unbleached or prebleached (1), accompanied by preparatory or finishing operations, twisting or texturizing not being considered as such, the value of the non-originating material (including yarn), not exceeding 48% of the ex-works price of the product Manufacture from: – natural fibres not carded or combed or otherwise processed for spinning, – grege silk or silk waste – chemical materials or textile pulp, or man-made staple fibres. filament tow or waste of fibres, not carded or combed or otherwise prepared for spinning Manufacture from yarn or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2)

(1)	(2)	(3)
5601	<p>– aother</p> <p>Wadding of textile materials and articles thereof; textile fibres not exceeding 5 mm in length (flock), textile dust and mill neps</p>	<p>Manufacture from yarn</p> <p>Manufacture from fibres</p>
5602	<p>Felt, whether or not impregnated, coated, covered or laminated:</p> <p>– printed or dyed</p> <p>– impregnated, coated, covered or laminated</p> <p>– other</p>	<p>Manufacture from fibres</p> <p>or</p> <p>Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2)</p> <p>Impregnation, coating, covering or laminating of non-wovens, unbleached (3)</p> <p>Manufacture from fibres</p>
5603	<p>Non- wovens, whether or not impregnated, coated, covered or laminated</p> <p>– Printed or dyed</p> <p>– impregnated, coated, covered or laminated</p> <p>– other</p>	<p>Manufacture from fibres</p> <p>or</p> <p>Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2)</p> <p>Impregnation, coating, covering or laminating of non-wovens, unbleached (3)</p> <p>Manufacture from fibres</p>
5604	<p>Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading No 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics:</p> <p>– Rubber thread and cord, textile covered</p> <p>– other</p>	<p>Manufacture from rubber thread or cord, not textile covered</p> <p>Impregnation, coating, covering or sheathing of textile yarn and strip and the like, unbleached</p>
5607	<p>Twine cordage, rope and cables, whether or not plaited or braided and whether or not impregnated, coated, covered or sheathed with rubber or plastics</p>	<p>Manufacture from fibres, coir yarn, synthetic or artificial filament yarn or monofilament</p>
5609	<p>Articles of yarn, strip or the like falling with CN codes 5404 or 5405, twine, cordage, rope or cables, not elsewhere specified or included</p>	<p>Manufacture from fibres, coir yarn, synthetic or artificial filament yarn or monofilament</p>
5704	<p>Carpets and other textile floor coverings:</p>	<p>Manufacture from fibres</p>
ex Chapter 58	<p>Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery;</p> <p>– embroidery in the piece, in strips or in motifs (CN code 5810)</p> <p>– printed or dyed</p> <p>– impregnated, coated or covered</p> <p>– other</p>	<p>Manufacture in which the value of the materials used does not exceed 50% of the ex-works price of the product</p> <p>Manufacture from yarn</p> <p>or</p> <p>Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2)</p> <p>Manufacture from unbleached fabrics, felt or non-woven</p> <p>Manufacture from yarn</p>

(1)	(2)	(3)
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Manufacture from unbleached fabrics
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon	Manufacture from yarn
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those falling within CN code 5902	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2)
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from unbleached fabrics, felt or non-wovens
5905	Textile wall coverings	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2)
5906	Rubberized textile fabrics, other than those of heading No 5902:	Manufacture from bleached knitted or crocheted fabrics, or from other unbleached fabrics
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas, being theatrical scenery, studio backcloths or the like	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2)
5908	Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles and the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not, impregnated	Manufacture from yarn
5909	Textile noseclip and similar textile tubing with or without lining, armour or accessories or other materials	Manufacture from yarn or fibres
5910	Transmission or conveyor belts or belting, of textile material, whether or not reinforced with metal or other materials	Manufacture from yarn or fibres
5911	Textile products and articles, for technical uses, specified in Note 7 to Chapter 59 of the combined nomenclature: - polishing discs or rings other than of felt - other	Manufacture from yarn, waste fabrics or rags falling within CN code 6310 Manufacture from yarn or fibres
Chapter 60	Knitted or crocheted fabrics - printed or dyed - other	Manufacture from yarn or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations (1) (2) Manufacture from yarn
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted: - obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form	Complete making up (4)

* see also the products excluded from the derogation procedure listed in ANNEX X

(1)	(2)	(3)
	- Other	Manufacture from yarn
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted; except those falling within CN codes 6213 and 6214 for which the rules are set out below:	Manufacture from yarn**
	- finished or complete	Complete making up (4)
	- unfinished or incomplete	Manufacture from yarn
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like	Manufacture from yarn
	- embroidered	Manufacture from yarn or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product*
	- Other	Manufacture from yarn
6301 to ex 6306	Blankets and travelling rugs, bed linen, table linen, toilet linen and kitchen linen; curtains (including drapes) and interior blinds; curtain and bed valances; other furnishing articles (excluding those falling within CN code 9494); sacks and bags of a kind used for the packing of goods; tarpaulins, awnings, and camping goods:	
	- Of felt, of non-wovens: not impregnated, coated, covered or laminated	Manufacture from fibres
	impregnated, coated, covered or laminated	Impregnation, coating, covering or laminating of felt or non-wovens, unbleached (3)
	- other	
	- knitted or crocheted	Complete making up (4)
	- unembroidered	Complete making up (4)
	- embroidered	or Manufacture from unembroidered knitted or crocheted fabric provided the value of the unembroidered knitted or crocheted fabric used does not exceed 40% of the ex-works price of the product
	- not knitted or crocheted	Manufacture from yarn
	- unembroidered	Manufacture from yarn
	- embroidered	or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40% of the ex-works price of the product
6307	Other made-up textile articles, (including dress patterns), except for fans and hand screens, nonmechanical, frames and handles therefor and parts of such frames and handles	Manufacture from yarn
	- floor cloths, dish cloths, dusters and the like	Manufacture from yarn
	- other	Manufacture in which the value of all the materials used does not exceed 40% of the ex-works price of the product
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale	Incorporation in a set in which the total value of all the non-originating articles incorporated does not exceed 25% of the ex-works price of the set

* see also the products excluded from the derogation procedure listed in ANNEX X

- (1) The term "prebleached", used in the list in Annex IX to characterize the level of manufacture required when certain non-originating materials are used, applies to certain yarns, woven fabrics and knitted or crocheted fabrics which have only been washed after the spinning or weaving operation.
- (2) However, to be regarded as a working or processing conferring origin, thermoprinting has to be accompanied by printing of the transfer paper.
- (3) The term "Impregnation, coating, covering or laminating" does not cover those operations designed to bind fabrics together.
- (4) The term "complete making-up" used in the list in Annex IX means that all the operations following cutting of the fabric or knitting or crocheting of the fabric directly to shape have to be performed.

However, making-up shall not necessarily be considered as incomplete where one or more finishing operations have not been carried out.

The following is a list of examples of finishing operations:

- fitting of buttons and/or other types of fastenings,
- making of button-holes,
- finishing off the ends of trouser legs and sleeves or the bottom hemming of skirts and dresses,
- fitting of trimmings and accessories such as pockets, labels, badges, etc,
- ironing and other preparations of garments for sale "ready made".

Remarks concerning finishing operations – Special cases

It is possible that in particular manufacturing operations, the accomplishment of finishing operations, especially in the case of a combination of operations, is of such importance that these operations must be considered as going beyond simple finishing. In these particular cases, the non-accomplishing of finishing operations will deprive the making-up of its complete nature.

Textile products excluded from the cumulation procedure
with certain developing countries
referred to in Article 6(11) of this Protocol

<p>6101 10 90 6101 20 90 6101 30 90</p> <p>6102 10 90 6102 20 90 6102 30 90</p> <p>6110 10 10 6110 10 31 6110 10 35 6110 10 38 6110 10 91 6110 10 95 6110 10 98 6110 20 91 6110 20 99 6110 30 91 6110 30 99</p>	<p>Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted</p>
<p>6203 41 10 6203 41 90 6203 42 31 6203 42 33 6203 42 35 6203 42 90 6203 43 19 6203 43 90 6203 49 19 6203 49 50</p> <p>6204 61 10 6204 62 31 6204 62 33 6204 62 39 6204 63 18 6204 69 18</p> <p>6211 32 42 6211 33 42 6211 42 42 6211 43 42</p>	<p>Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man-made fibres, lower parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres</p>

Products for which the cumulation provisions with South Africa referred to in Article 6(3) apply after 3 years from the provisional application of the Agreement on Trade, Development and Cooperation between the European Community and the Republic of South Africa

Industrial Products	28352910	29034535
CN code 96	28352990	29034540
Salt (including table salt and denatured salt)	28353100	29034545
25010051	28353910	29034550
25010091	28353930	29034555
25010099	28353970	29034590
		29034610
		29034620
		29034690
Alkali or alkaline-earth metals; rare-earth metals	Carbonates; peroxocarbonates (percarbonates);	29034700
28051100	28362000	29034910
28051900	28364000	29034920
28052100	28366000	29034990
28052200		29035190
28053010	Salts of oxometallic or peroxometallic acids :	29035910
28053090	28416100	29035930
28054010		29035990
	Radioactive chemical elements	29036100
Ammonia, anhydrous or in aqueous solution:	28443011	29036200
28141000	28443019	29036910
28142000	28443051	29036990
Sodium hydroxide (caustic soda);	Isotopes other than those of heading No 2844;	Acyclic alcohols and their halogenated, sulphonated derivatives
28151100	28451000	29051100
28151200	28459010	29051200
		29051300
Zinc oxide; zinc peroxide.	Carbides, whether or not chemically defined :	29051410
28170000	28492000	29051490
	28499030	29051500
Artificial corundum,		29051610
28181000	Hydrides, nitrides, azides, silicides and borides,	29051690
28182000	28500070	29051700
28183000		29051910
		29051990
Chromium oxides and hydroxides :	Cyclic hydrocarbons :	29052210
28191000	29025000	29052290
28199000		29052910
		29052990
Manganese oxides :	Halogenated derivatives of hydrocarbons :	29053100
28201000	29031100	29053200
28209000	29031200	29053910
	29031300	29053990
Titanium oxides.	29031400	29054100
28230000	29031500	29054200
	29031600	29054910
Hydrazine and hydroxylamine	29031910	29054951
28258000	29031990	29054959
	29032100	29054990
Chlorides, chloride oxides and chloride hydroxides	29032300	29055010
28271000	29032900	29055030
	29033010	29055099
	29033031	
Sulphides; polysulphides :	29033033	Phenols; phenol-alcohols :
28301000	29033038	29071100
	29033090	29071500
Phosphinates (hypophosphites), phosphonates	29034100	29072210
28351000	29034200	
28352200	29034300	Ethers, ether-alcohols, ether-phenols,
28352300	29034410	29091100
28352400	29034490	29091900
28352510	29034510	29092000
28352590	29034515	29093031
28352610	29034520	29093039
28352690	29034525	29093090
	29034530	

29094100
29094200
29094300
29094400
29094910
29094990
29095010
29095090
29096000

Epoxides, epoxyalcohols, epoxyphenols and epoxyethols:
29102000

Aldehydes, whether or not with other oxygen functions
29124100
29126000

Ketones and quinones, whether or not with other oxygen functions
29141100
29142100

Saturated acyclic monocarboxylic acids
29151100
29151200
29151300
29152100
29152200
29152300
29152400
29152900
29153100
29153200
29153300
29153400
29153500
29153910
29153930
29153950
29153990
29154000
29155000
29156010
29156090
29157015
29157020
29157025
29157030
29157080
29159010
29159020
29159080

Unsaturated acyclic monocarboxylic acids,
29161210
29161220
29161290
29161410
29161490

Polycarboxylic acids, their anhydrides, halides
29171100
29171400
29173500
29173600
29173700

Carboxylic acids with additional oxygen function
29181400
29181500
29182200
29189000

Amine-function compounds
29211110
29211190

29211200
29211910
29211930
29211990
29212100
29212200
29212900
29213010
29213090
29214100
29214210
29214290
29214310
29214390
29214400
29214500
29214910
29214990
29215110
29215190
29215900

Oxygen-function amino-compounds
29221100
29221200
29221300
29221900
29222100
29222200
29222900
29223000
29224210
29224300
29224980
29225000

Carboxamide-function compounds;
29242110
29242190
29242930

Nitrile-function compounds :
29261000
29269090

Organo-sulphur compounds :
29302000
29309012
29309014
29309016

Other organo-inorganic compounds :
29310040

Heterocyclic compounds with oxygen hetero-atom(s)
29321200
29321300
29322100

Heterocyclic compounds with nitrogen hetero-atom(s)
29336100

Sulphonamides.
29350000

Mineral or chemical fertilizers, nitrogenous :
31021010
31021090
31022100
31022900
31023010
31023090
31024010
31024090
31025090
31026000
31027090
31028000

31029000

Mineral or chemical fertilizers, phosphatic :
31031010
31031090

Mineral or chemical fertilizers
31051000
31052010
31052090
31053010
31053090
31054010
31054090
31055100
31055900
31056010
31056090
31059091
31059099

Tanning extracts of vegetable origin;
32012000
32019020

Other colouring matter;
32061100
32061900
32062000
32063000
32064100
32064200
32064300
32064990
32065000

Activated carbon; activated natural mineral products
38021000
38029000

Insecticides, rodenticides, fungicides, herbicides
38081020
38081030
38083011
38083013
38083015
38083017
38083021
38083023
38083027
38083030
38083090

Prepared rubber accelerators; compound plasticiser
38123020

Organic composite solvents and thinners,
38140090

Mixed alkylbenzenes and mixed alkylnaphthalenes,
38171010
38171050
38171080
38172000

Prepared binders for foundry moulds or cores;
38249090

Polymers of ethylene, in primary forms :
39011010
39011090
39012000
39013000
39019000

Polymers of propylene or of other olefins,

39021000
39022000
39023000
39029000

Polymers of styrene, in primary forms :

39031100
39031900
39032000
39033000
39039000

Polymers of vinyl chloride

39041000
39042100
39042200
39043000
39044000
39045000
39046190
39046900
39049000

Polymers of vinyl acetate

39051200

Polyacetals, other polyethers and epoxide resins,

39072019
39072090
39076090
39079110
39079190
39079910
39079990

Other plates, sheets, film, foil and strip,

39201022
39201028
39201040
39201080
39202021
39202029
39202071
39202079
39202090
39203000
39204111
39204119
39204191
39204199
39204211
39204219
39204291
39204299
39205100
39205900
39206100
39206210
39206290
39206300
39206900
39207111
39207119
39207190
39207200
39207310
39207350
39207390
39207900
39209100
39209200
39209300
39209400
39209911
39209919
39209950
39209990

Other plates, sheets, film, foil and strip,

39219019

Articles for the conveyance or packing of goods,

39232100

Retreaded or used pneumatic tyres of rubber;

40121030
40121050
40121080
40122090
40129010
40129090

Inner tubes, of rubber :

40131010
40131090
40132000
40139010
40139090

Leather of bovine or equine animals, without hair

41041091
41041095
41041099
41042100
41042290
41042900
41043111
41043119
41043130
41043190
41043910
41043990

Sheep or lamb skin leather, without wool on,

41052000

Leather of other animals, without hair on,

41071010
41072910
41079010
41079090

Chamois (including combination chamois) leather :

41080010
41080090

Patent leather and patent laminated leather;

41090000

Composition leather with a basis of leather or leather

41110000

Articles of apparel and clothing accessories,

42031000
42032100
42032910
42032991
42032999
42033000
42034000

Particle board and similar board of wood

44101100
44101910
44101930
44101950
44101990
44109000

Fibreboard of wood or other ligneous materials,

44111100
44111900

44112100

44112900

44113100

44113900

44119100

44119900

Plywood; veneered panels and similar laminated wood

44121311
44121319
44121390
44121400
44121900
44122210
44122291
44122299
44122300
44122920
44122980
44129210
44129291
44129299
44129300
44129920
44129980

Builders' joinery and carpentry of wood,

44181010
44181050
44181090
44182010
44182050
44182080
44183010
44189010

Wood marquetry and inlaid wood; caskets and cases

44209011
44209019

Articles of natural cork :

45031010
45031090
45039000

Plaits and similar products of plaiting materials

46019910

Basketwork, wickerwork and other articles,

46029010

Registers, account books, note books, order books

48201030

Children's picture, drawing or colouring books.

49030000

Maps and hydrographic or similar charts of all kinds

49051000

Transfers (decalcomanias):

49081000
49089000

Printed or illustrated postcards; printed cards

49090010
49090090

Calendars of any kind, printed, including calendars

49100000

pictures
 49111010
 49111090
 49119180
 49119900

Silk yarn (other than yarn spun from silk waste)
 50040010
 50040090

Yarn spun from silk waste, not put up for retail sale
 50050010
 50050090

Silk yarn and yarn spun from silk waste, put up for retail sale :
 50060010
 50060090

Woven fabrics of silk or of silk waste :
 50071000
 50072011
 50072019
 50072021
 50072031
 50072039
 50072041
 50072051
 50072059
 50072061
 50072069
 50072071
 50079010
 50079030
 50079050
 50079090

Yarn of carded wool, not put up for retail sale :
 51061010
 51061090
 51062011
 51062019
 51062091
 51062099

Yarn of combed wool, not put up for retail sale :
 51071010
 51071090
 51072010
 51072030
 51072051
 51072059
 51072091
 51072099

Yarn of fine animal hair (carded or combed), not put up for retail sale :
 51081010
 51081090
 51082010
 51082090

Yarn of wool or of fine animal hair, put up for retail sale :
 51091010
 51091090
 51099010
 51099090

Yarn of coarse animal hair or of horsehair
 51100000

Woven fabrics of carded wool or of carded fine animal hair
 51111111

51111191
 51111199
 51111911
 51111919
 51111931
 51111939
 51111991
 51111999
 51112000
 51113010
 51113030
 51113090
 51119010
 51119091
 51119093
 51119099

Woven fabrics of combed wool or of combed fine animal hair
 51121110
 51121190
 51121911
 51121919
 51121991
 51121999
 51122000
 51123010
 51123030
 51123090
 51129010
 51129091
 51129093
 51129099

Woven fabrics of coarse animal hair or of horsehair
 51130000

Cotton sewing thread, whether or not put up for retail sale
 52041100
 52041900
 52042000

Cotton yarn (other than sewing thread),
 52051100
 52051200
 52051300
 52051400
 52051510
 52051590
 52052100
 52052200
 52052300
 52052400
 52052600
 52052700
 52052800
 52053100
 52053200
 52053300
 52053400
 52053510
 52053590
 52054100
 52054200
 52054300
 52054400
 52054600
 52054700
 52054800

Cotton yarn (other than sewing thread),
 52061100
 52061200
 52061300
 52061400
 52061510
 52061590

52062200
 52062300
 52062400
 52062510
 52062590
 52063100
 52063200
 52063300
 52063400
 52063510
 52063590
 52064100
 52064200
 52064300
 52064400
 52064510
 52064590

Cotton yarn (other than sewing thread) put up for retail sale
 52071000
 52079000

Flax yarn :
 53061011
 53061019
 53061031
 53061039
 53061050
 53061090
 53062011
 53062019
 53062090

Yarn of other vegetable textile fibres; paper yarn
 53082010
 53082090
 53083000
 53089011
 53089013
 53089019
 53089090

Woven fabrics of flax :
 53091111
 53091119
 53091190
 53091910
 53091990
 53092110
 53092190
 53092910
 53092990

Woven fabrics of jute or of other textile bast fibres
 53101010
 53101090
 53109000

Woven fabrics of other vegetable textile fibres;
 53110010
 53110090

Sewing thread of man-made filaments,
 54011011
 54011019
 54011090
 54012010
 54012090

Synthetic filament yarn (other than sewing thread)
 54021010
 54021090
 54022000
 54023110

54023190
54023200
54023310
54023390
54023910
54023990
54024110
54024130
54024190
54024200
54024310
54024390
54024910
54024991
54024999
54025110
54025130
54025190
54025210
54025290
54025910
54025990
54026110
54026130
54026190
54026210
54026290
54026910
54026990

Artificial filament yarn (other than sewing thread)

54031000
54032010
54032090
54033100
54033200
54033310
54033390
54033900
54034100
54034200
54034900

Synthetic monofilament of 67 decitex or more

54041010
54041090
54049011
54049019
54049090

Artificial monofilament of 67 decitex or more

54050000

Man-made filament yarn (other than sewing thread),

54061000
54062000

Woven fabrics of synthetic filament yarn,

54071000
54072011
54072019
54072090
54073000
54074100
54074200
54074300
54074400
54075100
54075200
54075300
54075400
54076110
54076130
54076150
54076190
54076910

54076990
54077200
54077300
54077400
54078100
54078200
54078300
54078400
54079100
54079200
54079300
54079400

Woven fabrics of artificial filament yarn,

54081000
54082100
54082210
54082290
54082310
54082390
54082400
54083100
54083200
54083300
54083400

Synthetic filament tow :

55011000
55012000
55013000
55019000

Artificial filament tow :

55020010
55020090

Synthetic staple fibres, not carded, combed or otherwise

55031011
55031019
55031090
55032000
55033000
55034000
55039010
55039090

Artificial staple fibres, not carded, combed or otherwise

55041000
55049000

Waste (including noils, yarn waste)

55051010
55051030
55051050
55051070
55051090
55052000

Synthetic staple fibres, carded, combed or otherwise

55061000
55062000
55063000
55069010
55069091
55069099

Artificial staple fibres, carded, combed or otherwise

55070000

Sewing thread of man-made staple fibres,

55081011
55081019
55081090
55082010
55082090

Yarn (other than sewing thread) of synthetic staple fibres

55091100
55091200
55092110
55092190
55092210
55092290
55093110
55093190
55093210
55093290
55094110
55094190
55094210
55094290
55095100
55095210

55095290
55095300
55095900
55096110
55096190
55096200
55096900
55099110
55099190
55099200
55099900

Yarn (other than sewing thread) of artificial staple fibres

55101100
55101200
55102000
55103000
55109000

Yarn (other than sewing thread) of man-made staple fibres

55111000
55112000
55113000

Wadding of textile materials and articles thereof,

56011010
56011090
56012110
56012190
56012210
56012291
56012299
56012900
56013000

Felt, whether or not impregnated,

56021011
56021019
56021031
56021035
56021039
56021090
56022100
56022910
56022990
56029000

Nonwovens, whether or not impregnated,

56031110
56031190
56031210
56031290
56031310
56031390
56031410
56031490
56039110
56039190

56039290
56039310
56039390
56039410
56039490

Rubber thread and cord, textile covered;
56041000
56042000
56049000

Metallised yarn, whether or not gimped,
56050000

Gimped yarn, and strip
56060010
56060091
56060099

Articles of yarn, strip
56090000

Carpets and other textile floor coverings,
57011010
57011091
57011093
57011099
57019010
57019090

Woven pile fabrics and chenille fabrics,
58011000
58012100
58012200
58012300
58012400
58012500
58012600
58013100
58013200
58013300
58013400
58013500
58013600
58019010
58019090

Terry towelling and similar woven terry fabrics,
58021100
58021900
58022000
58023000

Gauze, other than narrow fabrics
58031000
58039010
58039030
58039050
58039090

Tulles and other net fabrics, not including woven,
58041011
58041019
58041090
58042110
58042190
58042910
58042990
58043000

Hand-woven tapestries of the type Gobelins,
58050000

Narrow woven fabrics,
58061000
58062000
58063110

58063210
58063290
58063900
58064000

Labels, badges and similar articles of textile matter
58071010
58071090
58079010
58079090

Braids in the piece; ornamental trimmings
58081000
58089000

Woven fabrics of metal thread and woven fabrics
58090000

Embroidery in the piece, in strips or in motifs
58101010
58101090
58109110
58109190
58109210
58109290
58109910
58109990

Quilted textile products in the piece,
58110000

Textile fabrics coated with gum
59011000
59019000

Tyre cord fabric of high tenacity yarn of nylon
59021010
59021090
59022010
59022090
59029010
59029090

Textile fabrics impregnated, coated, covered
59031010
59031090
59032010
59032090
59039010
59039091
59039099

Linoleum, whether or not cut to shape;
59041000
59049110
59049190
59049200

Textile wall coverings :
59050010
59050031
59050039
59050050
59050070
59050090

Rubberized textile fabrics,
59061010
59061090
59069100
59069910
59069990

coated or covered
59070010
59070090

Textile wicks, woven, plaited or knitted,
59080000

Textile hosepiping and similar textile tubing,
59090010
59090090

Transmission or conveyor belts or belting,
59100000

Textile products and articles, for technical uses,
59111000
59112000
59113111
59113119
59113190
59113210
59113290
59114000
59119010
59119090

Pile fabrics, including "long pile" fabrics
60011000
60012100
60012200
60012910
60012990
60019110
60019130
60019150
60019190
60019210
60019230
60019250
60019290
60019910
60019990

Men's or boys' overcoats, car-coats, capes, cloaks
61011010
61011090
61012010
61012090
61013010
61013090
61019010
61019090

Women's or girls' overcoats, car-coats, capes, cloaks
61021010
61021090
61022010
61022090
61023010
61023090
61029010
61029090

Men's or boys' suits, ensembles, jackets, blazers,
61034110
61034190
61034210
61034290
61034310
61034390
61034910
61034991
61034999

Women's or girls' suits, ensembles, jackets, blazers

61045100
61045200
61045300
61045900
61046110
61046190
61046210
61046290
61046310
61046390
61046910
61046991
61046999

Men's or boys' underpants, briefs, nightshirts, pyjamas

61071100
61071200
61071900
61072100
61072200
61072900
61079110
61079190
61079200
61079900

Women's or girls' slippers, petticoats, briefs, panties

61081110
61081190
61081910
61081990
61082100
61082200
61082900
61083110
61083190
61083211
61083219
61083290
61083900
61089110
61089190
61089200
61089910
61089990

T-shirts, singlets and other vests, knitted or crocheted

61091000
61099010
61099030

Track suits, ski suits and swimwear, knitted or crocheted

61121100
61121200
61121900
61122000
61123110
61123190
61123910
61123990
61124110
61124190
61124910
61124990

Garments, made up of knitted or crocheted fabrics

61130010
61130090

Other garments, knitted or crocheted :

61141000
61142000
61143000

61149000

Panty hose, tights, stockings, socks and other hosiery

61151100
61151200
61151910
61151990
61152011
61152019
61152090
61159100
61159200
61159310
61159330
61159391
61159399
61159900

Gloves, mittens and mitts, knitted or crocheted :

61161020
61161080
61169100
61169200
61169300
61169900

Other made up clothing accessories, knitted or crocheted

61171000
61172000
61178010
61178090
61179000

Men's or boys' overcoats, car-coats, capes, cloaks

62011100
62011210
62011290
62011310
62011390
62011900
62019100
62019200
62019300
62019900

Women's or girls' overcoats, car-coats, capes, cloaks

62021100
62021210
62021290
62021310
62021390
62021900
62029100
62029200
62029300
62029900

Men's or boys' suits, ensembles, jackets, blazers,

62034110
62034130
62034190
62034211
62034231
62034233
62034235
62034251
62034259
62034290
62034311
62034319
62034331
62034339
62034390
62034911

62034919

62034931
62034939
62034950
62034990

Women's or girls' suits, ensembles, jackets, blazers

62045100
62045200
62045300
62045910
62045990
62046110
62046180
62046190
62046211
62046231
62046233
62046239
62046251
62046259
62046290
62046311
62046318
62046331
62046339
62046390
62046911
62046918
62046931
62046939
62046950
62046990

Men's or boys' shirts :

62051000
62052000
62053000
62059010
62059090

Men's or boys' singlets and other vests, underpants

62071100
62071900
62072100
62072200
62072900
62079110
62079190
62079200
62079900

Women's or girls' singlets and other vests, slippers,

62081100
62081910
62081990
62082100
62082200
62082900
62089111
62089119
62089190
62089210
62089290
62089900

Brassières, girdles, corsets, braces, suspenders,

62121000
62122000
62123000
62129000

Handkerchiefs :

62131000
62132000
62139000

Shawls, scarves, mufflers, mantillas, veils

62141000
62142000
62143000
62144000
62149010
62149090

Ties, bow ties and cravats :

62151000
62152000
62159000

Gloves, mittens and mitts.

62160000

Other made up clothing accessories;

62171000
62179000

Blankets and travelling rugs :

63011000
63012010
63012091
63012099
63013010
63013090
63014010
63014090
63019010
63019090

Sacks and bags,

63051010
63051090
63052000
63053211
63053281
63053289
63053290
63053310
63053391
63053399
63053900
63059000

Tarpaulins, awnings and sunblinds; tents; sails

63061100
63061200
63061900
63062100
63062200
63062900
63063100
63063900
63064100
63064900
63069100
63069900

Other made up articles, including dress patterns :

63071010
63071030
63071090
63072000
63079010
63079091
63079099

Sets consisting of woven fabric and yarn,

63080000

Worn clothing and other worn articles.

63090000

Waterproof footwear with outer soles and uppers of rubber

64011010
64011090

64019110
64019190
64019210
64019290
64019910
64019990

Other footwear with outer soles and uppers of rubber

64021210
64021290
64021900
64022000
64023000
64029100
64029910
64029931
64029939
64029950
64029991
64029993
64029996
64029998

Footwear with outer soles of rubber, plastics, leather

64031200
64031900
64032000
64033000
64034000
64035111
64035115
64035119
64035191
64035195
64035199
64035911
64035931
64035935
64035939
64035950
64035991
64035995
64035999
64039111
64039113
64039116
64039118
64039191
64039193
64039196
64039198
64039911
64039931
64039933
64039936
64039938
64039950
64039991
64039993
64039996
64039998

Footwear with outer soles of rubber, plastics, leather

64041100
64041910
64041990
64042010
64042090

Other footwear :

64051010
64051090
64052010
64052091
64052099
64059010
64059090

Parts of footwear (including uppers)

64061011
64061019
64061090
64062010
64062090
64069100
64069910
64069930
64069950
64069960
64069980

Unglazed ceramic flags and paving, hearth or wall tiles

69071000
69079010
69079091
69079093
69079099

Glazed ceramic flags and paving, hearth or wall tiles

69081010
69081090
69089011
69089021
69089029
69089031
69089051
69089091
69089093
69089099

Tableware, kitchenware, other household articles

69111000
69119000

Ceramic tableware, kitchenware, other household articles

69120010
69120030
69120050
69120090

Statuettes and other ornamental ceramic articles :

69131000
69139010
69139091
69139093
69139099

Glassware of a kind used for table, kitchen,

70131000
70132111
70132119
70132191
70132199
70132910
70132951
70132959
70132991
70132999
70133110
70133190
70133200
70133910
70133991
70133999
70139110
70139190
70139910
70139990

Glass fibres (including glass wool)

70191100
70191200
70191910
70191990

70193200
70193910
70193990
70194000
70195110
70195190
70195200
70195910
70195990
70199010
70199030
70199091
70199099

Other articles of precious metal
71159010
71159090

Ferro-alloys :
72025000
72027000
72029100
72029200
72029930
72029980

Copper bars, rods and profiles :
74071000
74072110
74072190
74072210
74072290
74072900

Copper wire :
74081100
74081910
74081990
74082100
74082200
74082900

Copper plates, sheets and strip,
74091100
74091900
74092100
74092900
74093100
74093900
74094010
74094090
74099010
74099090

Copper foil (whether or not printed or backed with)
74101100
74101200
74102100
74102200

Copper tubes and pipes :
74111011
74111019
74111090
74112110
74112190
74112200
74112910
74112990

Copper tube or pipe fittings
74121000
74122000

Stranded wire, cables, plaited bands and the like,
74130091
74130099

netting
74142000
74149000

Nails, tacks, drawing pins, staples
74151000
74152100
74152900
74153100
74153200
74153900

Copper springs.
74160000

Cooking or heating apparatus
74170000

Table, kitchen or other household articles
74181100
74181900
74182000

Other articles of copper :
74191000
74199100
74199900

Aluminium bars, rods and profiles :
76041010
76041090
76042100
76042910
76042990

Aluminium wire :
76051100
76051900
76052100
76052900

Aluminium plates, sheets and strip,
76061110
76061191
76061193
76061199
76061210
76061250
76061291
76061293
76061299
76069100
76069200

Aluminium foil
76071110
76071190
76071910
76071991
76071999
76072010
76072091
76072099

Aluminium tubes and pipes :
76081090
76082030
76082091
76082099

Aluminium tube or pipe fittings
76090000

Aluminium structures
76101000
76109010
76109090

76110000
Aluminium casks, drums, cans, boxes
76121000
76129010
76129020
76129091
76129098

Aluminium containers for compressed or liquefied
76130000

Stranded wire, cables, plaited bands and the like,
76141000
76149000

Table, kitchen or other household articles
76151100
76151910
76151990
76152000

Other articles of aluminium :
76161000
76169100
76169910
76169990

Unwrought lead :
78011000
78019100
78019991
78019999

Tungsten (wolfram) and articles thereof, including waste
81011000
81019110

Molybdenum and articles thereof, including waste
81021000
81029110
81029300

Magnesium and articles thereof, including waste
81041100
81041900

Cadmium and articles thereof, including waste
81071010

Titanium and articles thereof, including waste
81081010
81081090
81089030
81089050
81089070
81089090

Zirconium and articles thereof, including waste
81091010
81099000

Antimony and articles thereof, including waste
81100011
81100019

Beryllium, chromium, germanium, vanadium, gallium,
81122031
81123020

81123090
81129110
81129131
81129930

Cermets and articles thereof, including waste
81130020
81130040

Nuclear reactors; fuel elements (cartridges),
84011000
84012000
84013000
84014010
84014090

Hydraulic turbines, water wheels, and regulators
84101100
84101200
84101300
84109010
84109090

Turbo-jets, turbo-propellers and other gas turbines
84111190
84111290
84112190
84112290
84118190
84118291
84118293
84118299
84119190
84119990

Air or vacuum pumps, air or other gas compressors
84141030
84141050
84141090
84142091
84142099
84143030
84143091
84143099
84144010
84144090
84145190
84145930
84145950
84145990
84146000
84148021
84148029
84148031
84148039
84148041
84148049
84148060
84148071
84148079
84148090
84149090

Fork-lift trucks; other works trucks
84271010
84271090
84272011
84272019
84272090
84279000

Sewing machines, other than book-sewing machines
84521011
84521019
84521090

84522100
84522900
84523010
84523090
84524000
84529000

Electro-mechanical domestic appliances,
85091010
85091090
85092000
85093000
85094000
85098000
85099010
85099090

Electric instantaneous or storage water heaters
85162991
85163110
85163190
85164010
85164090
85165000
85166070
85167100
85167200
85167980

Turntables (record-decks), record-players, cassette-players
85191000
85192100
85192900
85193100
85193900
85194000
85199331
85199339
85199381
85199389
85199912
85199918
85199990

Magnetic tape recorders and other sound recording
85201000
85203219
85203250
85203291
85203299
85203319
85203390
85203910
85203990
85209090

Video recording or reproducing apparatus,
85211030
85211080
85219000

Parts and accessories
85221000
85229030
85229091
85229098

Prepared unrecorded media for sound recording
85233000

Records, tapes and other recorded media
85241000
85243200
85243900
85245100

85245300
85246000
85249900

Reception apparatus for radio-telephony,
85271210
85271290
85271310
85271391
85271399
85272120
85272152
85272159
85272170
85272192
85272198
85272900
85273111
85273119
85273191
85273193
85273198
85273290
85273910
85273991
85273999
85279091
85279099

Reception apparatus for television,
85281214
85281216
85281218
85281222
85281228
85281252
85281254
85281256
85281258
85281262
85281266
85281272
85281276
85281281
85281289
85281291
85281298
85281300
85282114
85282116
85282118
85282190
85282200
85283010
85283090

Parts suitable for use solely or principally with
85291020
85291031
85291039
85291040
85291050
85291070
85291090
85299051
85299059
85299070
85299081
85299089

Electric sound or visual signalling apparatus
85311020
85311030
85311090
85319090
85319090

Thermionic, cold cathode or photocathode valves

85401111
85401113
85401115
85401119
85401191
85401199
85401200
85402010
85402030
85402090
85404000
85405000
85406000
85407100
85407200
85407900
85408100
85408911
85408919
85408990
85409100
85409900

Electronic integrated circuits and microassemblies

85421425

Insulated (including enamelled or anodised) wire,

85441110
85441190
85441910
85441990
85442000
85443090
85444110
85444190
85444920
85444980
85445100
85445910
85445920
85445980
85446010
85446090
85447000

Motor vehicles for the transport of ten or more persons

87021091
87021099
87029031
87029039
87029090

Motor vehicles for the transport of goods :

87041011
87041019
87041090
87042110
87042191
87042199
87042210
87042310
87043110
87043191
87043199
87043210
87049000

Special purpose motor vehicles,

87051000
87052000
87053000
87054000
87059010
87059030
87059090

Works trucks, self-propelled, not fitted with lift

87091110
87091190
87091910
87091990
87099010
87099090

Motor-cycles (including mopeds)

87111000
87112010
87112091
87112093
87112098
87113010
87113090
87114000
87115000
87119000

Bicycles and other cycles

87120010
87120030
87120080

Photocopying apparatus

90091100
90091200
90092100
90092210
90092290
90093000
90099010
90099090

Liquid crystal devices

90131000
90132000
90138011
90138019
90138030
90138090
90139010
90139090

Wrist-watches, pocket-watches and other watches,

91011100
91011200
91011900
91012100
91012900
91019100
91019900

Wrist-watches, pocket-watches and other watches,

91021100
91021200
91021900
91022100
91022900
91029100
91029900

Clocks with watch movements,

91031000
91039000

Other clocks :

91051100
91051900
91052100
91052900
91059100
91059910
91059990

Pianos, including automatic pianos; harpsichords

92011010
92011090
92012000
92019000

Revolvers and pistols,

93020010
93020090

Other firearms and similar devices

93031000
93032030
93032080
93033000
93039000

Other arms (for example, spring, air or gas guns

93040000

Parts and accessories of articles of heading Nos 9...

93051000
93052100
93052910
93052930
93052980
93059090

Bombs, grenades, torpedoes, mines, missiles

93061000
93062100
93062940
93062970
93063010
93063091
93063093
93063098
93069090

Seats (other than those of heading No 9402),

94012000
94019010
94019030
94019080

Other furniture and parts thereof :

94034010
94034090
94039010
94039030
94039090

Mattress supports; articles of bedding

94041000
94042110
94042190
94042910
94042990
94043010
94043090
94049010
94049090

Lamps and lighting fittings including searchlights

94051021
94051029
94051030
94051050
94051091
94051099
94052011
94052019
94052030
94052050
94052091

94052099
94053000
94054010
94054031
94054035
94054039
94054091
94054095
94054099
94055000
94056091
94056099
94059111
94059119
94059190
94059290
94059990

Prefabricated buildings :
94060010
94060031
94060039
94060090

Other toys; reduced-size ("scale") models
95031010
95031090
95032010
95032090
95033010
95033030
95033090
95034100
95034910
95034930
95034990
95035000
95036010
95036090
95037000
95038010
95038090
95039010
95039032
95039034
95039035
95039037
95039051
95039055
95039099

Brooms, brushes
96031000
96032100
96032910
96032930
96032990
96033010
96033090
96034010
96034090
96035000
96039010
96039091
96039099

Agricultural Products

Live horses, asses, mules and hinnies :
01011990
01012090

Other live animals :
01060020

Edible offal of bovine animals, swine, sheep, goat
02063021
02064191

02068091
02069091

Meat and edible offal,
02071391
02071491
02072691
02072791
02073591
02073689

Other meat and edible meat offal, fresh, chilled
02081011
02081019
02089010
02089050
02089060
02089080

Meat and edible meat offal, salted, in brine, drie
02109010
02109060
02109079
02109080

Birds' eggs, in shell, fresh, preserved or cooked
04070090

Edible products of animal origin, not elsewhere sp
04100000

Bulbs, tubers, tuberous roots, corms, crowns
06012030
06012090

Other live plants (including their roots), cutting
06022090
06023000
06024010
06024090
06029010
06029030
06029041
06029045
06029049
06029051
06029059
06029070
06029091
06029099

Foliage, branches and other parts of plants,
06049121
06049129
06049149
06049990

Potatoes, fresh or chilled :
07019059
07019090

Onions, shallots, garlic, leeks
07032000

Other vegetables, fresh or chilled :
07091040
07095130
07095200
07096099
07099031
07099071
07099073

Vegetables (uncooked or cooked by steaming or boiling)
07108059

Vegetables provisionally preserved
07119010

Dried vegetables, whole, cut, sliced, broken
07129005

Other nuts, fresh or dried, whether or not shelled
08021290

Dates, figs, pineapples, avocados, guavas, mangoes
08041000

Citrus fruit, fresh or dried :
08054095

Grapes, fresh or dried :
08062091
08062092
08062098

Apricots, cherries, peaches (including nectarines)
08094010 (12)
08094090

Other fruit, fresh :
08104050

Fruit and nuts, uncooked or cooked by steaming
08112019
08112051
08112090
08119031
08119050
08119085

Fruit and nuts, provisionally preserved
08129040

Fruit, dried,
08131000
08133000
08134030
08134095

Coffee, whether or not roasted or decaffeinated;
09011200
09012100
09012200
09019090

Cloves (whole fruit, cloves and stems).
09070000

Ginger, saffron, turmeric (curcuma), thyme, bay leaf
09104013
09104019
09104090
09109190
09109999

Seeds, fruit and spores, of a kind used for sowing
12091100
12091900

Locust beans, seaweeds and other algae, sugar beet
12129200

Lard stearin, lard oil, oleostearin, oleo-oil
15030090

Ground-nut oil and its fractions, whether or not refined
15081090
15089090

Palm oil and its fractions, whether or not refined
15119011
15119019
15119099

Coconut (copra), palm kernel or babassu oil
15131191
15131199
15131911
15131919
15131991
15131999
15132130
15132190
15132911
15132919
15132950
15132991
15132999

Other fixed vegetable fats and oils
15151990
15152190
15152990
15155019
15155099
15159029
15159039
15159051
15159059
15159091
15159099

Animal or vegetable fats and oils
15161010
15161090
15162091
15162096
15162098

Margarine; edible mixtures
15171090
15179091
15179099

Animal or vegetable fats and oils
15180010
15180091
15180099

Sausages and similar products, of meat, meat offal
16010010

Extracts and juices of meat, fish or crustaceans,
16030010

Molasses
17031000
17039000

Cocoa paste, whether or not defatted :
18031000
18032000

Cocoa butter, fat and oil.
18040000

18050000

Vegetables, fruit, nuts and other edible parts
20019060
20019070
20019075
20019085
20019091

Other vegetables prepared or preserved otherwise
20049030

Other vegetables prepared or preserved otherwise
20057010
20057090
20059010
20059030
20059050
20059060
20059070
20059075
20059080

Vegetables, fruit, nuts, fruit-peel and other parts
20060091

Fruit, nuts and other edible parts of plants,
20081110
20081192
20081196
20081911
20081913
20081951
20081993
20083071
20089100
20089212
20089214
20089232
20089234
20089236
20089238
20089911
20089919
20089938
20089940
20089947

Fruit juices (including grape must)
20098036
20098038
20098088
20098089
20098095
20098096

Yeasts (active or inactive);
21023000

Sauces and preparations therefor;
21031000
21033090
21039090

Soups and broths and preparations therefor;
21041010
21041090
21042000

Food preparations not elsewhere specified
21069092

Waters, including mineral waters and aerated water
22021000
22029010

22060031
22060039
22060051
22060059
22060081
22060089

Undenatured ethyl alcohol of an alcoholic strength
22085011
22085019
22085091
22085099
22086011
22086091
22086099
22087010
22087090
22089011
22089019
22089057
22089069
22089074
22089078

Preparations of a kind used in animal feeding :
23091090
23099091
23099093
23099098

Unmanufactured tobacco; tobacco refuse :
24011030
24011050
24011070
24011080
24011090
24012030
24012049
24012050
24012080
24012090
24013000

Cigars, cheroots, cigarillos and cigarettes,
24021000
24022010
24022090
24029000

Other manufactured tobacco and manufactured tobacco
24031010
24031090
24039100
24039910
24039990

Casein, caseinates and other casein derivatives;
35011090
35019010
35019090

Albumins
35029070

Industrial monocarboxylic fatty acids; acid oils
38231200
38237000

Products for which the cumulation provisions with South Africa referred to in Article 6(3) apply after 6 years from the provisional application of the Agreement on Trade, Development and Co-operation between the European Community and the Republic of South Africa

Industrial Products (1)	52095100	Woven fabrics of synthetic staple fibres
CN code 96	52095200	55121100
Woven fabrics of cotton, containing 85 % or more	52095900	55121910
52081110	Woven fabrics of cotton, containing less than 85 %	55121990
52081190	52101110	55122100
52081211	52101190	55122910
52081213	52101200	55122990
52081215	52101900	55129100
52081219	52102110	55129910
52081291	52102190	Woven fabrics of synthetic staple fibres
52081293	52102200	55131110
52081295	52102900	55131130
52081299	52103110	55131190
52081300	52103190	55131200
52081900	52103200	55131300
52082110	52103900	55131900
52082190	52104100	55132110
52082211	52104200	55132130
52082213	52104900	55132190
52082215	52105100	55132200
52082219	52105200	55132300
52082291	52105900	55132900
52082293	Woven fabrics of cotton, containing less than 85 %	55133100
52082295	52111100	55133200
52082299	52111200	55133300
52082300	52111900	55133900
52082900	52112100	55134100
52083100	52112200	55134200
52083211	52112900	55134300
52083213	52113100	55134900
52083215	52113200	Woven fabrics of synthetic staple fibres
52083219	52113900	55141100
52083291	52114100	55141200
52083293	52114200	55141300
52083295	52114300	55141900
52083299	52114910	55142100
52083300	52114990	55142200
52083900	52115100	55142300
52084100	52115200	55142900
52084200	52115900	55143100
52084300	Other woven fabrics of cotton :	55143200
52084900	52121110	55143300
52085100	52121190	55143900
52085210	52121210	55144100
52085290	52121290	55144200
52085300	52121310	55144300
52085900	52121390	55144900
Woven fabrics of cotton, containing 85 % or more	52121410	Other woven fabrics of synthetic staple fibres
52091100	52121490	55151110
52091200	52121510	55151130
52091900	52121590	55151190
52092100	52122110	55151210
52092200	52122190	55151230
52092900	52122210	55151290
52093100	52122290	55151311
52093200	52122310	55151319
52093900	52122390	55151391
52094100	52122410	55151399
52094200	52122490	55151910
52094300	52122510	55151930
52094910	52122590	55151990
52094990		55152110

55152190
55152211
55152219
55152291
55152299
55152910
55152930
55152990
55159110
55159130
55159190
55159211
55159219
55159291
55159299
55159910
55159930
55159990

Woven fabrics of artificial staple fibres

55161100
55161200
55161300
55161400
55162100
55162200
55162310
55162390
55162400
55163100
55163200
55163300
55163400
55164100
55164200
55164300
55164400
55169100
55169200
55169300
55169400

Twine, cordage, ropes and cables

56071000
56072100
56072910
56072990
56073000
56074100
56074911
56074919
56074990
56075011
56075019
56075030
56075090
56079000

Knotted netting of twine, cordage or rope

56081111
56081119
56081191
56081199
56081911
56081919
56081931
56081939
56081991
56081999
56089000

Carpets and other textile floor coverings, woven

57021000
57022000
57023110
57023130
57023190
57023210

57023910
57023990
57024110
57024190
57024210
57024290
57024910
57024990
57025100
57025200
57025900
57029100
57029200
57029900

Carpets and other textile floor coverings, tufted

57031010
57031090
57032011
57032019
57032091
57032099
57033011
57033019
57033051
57033059
57033091
57033099
57039010
57039090

Carpets and other textile floor coverings, of felt

57041000
57049000

Other carpets and other textile floor coverings,

57050010
57050031
57050039
57050090

Other knitted or crocheted fabrics

60021010
60021090
60022010
60022031
60022039
60022050
60022070
60022090
60023010
60023090
60024100
60024210
60024230
60024250
60024290
60024311
60024319
60024331
60024333
60024335
60024339
60024350
60024391
60024393
60024395
60024399
60024900
60029100
60029210
60029230
60029250
60029290
60029310
60029331

60029333
60029335
60029339
60029391
60029399
60029900

Men's or boys' suits, ensembles, jackets, blazers

61031100
61031200
61031900
61032100
61032200
61032300
61032900
61033100
61033200
61033300
61033900

Women's or girls' suits, ensembles, jackets, blazers

61041100
61041200
61041300
61041900
61042100
61042200
61042300
61042900
61043100
61043200
61043300
61043900
61044100
61044200
61044300
61044400
61044900

Men's or boys' shirts, knitted or crocheted

61051000
61052010
61052090
61059010
61059090

Women's or girls' blouses, shirts and shirt-blouses

61061000
61062000
61069010
61069030
61069050
61069090

T-shirts, singlets and other vests, knitted or crocheted

61099090

Jerseys, pullovers, cardigans, waistcoats and similar

61101010
61101031
61101035
611010381
61101091
61101095
61101098
61102010
61102091
61102099
61103010
61103091
61103099
61109010
61109090

Babies' garments and clothing accessories, knitted

61111010
61111090
61112010
61112090
61113010
61113090
61119000

Men's or boys' suits, ensembles, jackets, blazers

62031100
62031200
62031910
62031930
62031990
62032100
62032210
62032280
62032310
62032380
62032911
62032918
62032990
62033100
62033210
62033290
62033310
62033390
62033911
62033919
62033990

Women's or girls' suits, ensembles, jackets, blazers

62041100
62041200
62041300
62041910
62041990
62042100
62042210
62042280
62042310
62042380
62042911
62042918
62042990
62043100
62043210
62043290
62043310
62043390
62043911
62043919
62043990
62044100
62044200
62044300
62044400
62044910
62044990

Women's or girls' blouses, shirts and shirt-blouses

62061000
62062000
62063000
62064000
62069010
62069090

Babies' garments and clothing accessories

62091000
62092000
62093000
62099000

Garments, made up of fabrics of heading No 5602, 5

62101010
62101091
62101099
62102000
62103000
62104000
62105000

Track suits, ski suits and swimwear; other garments

62111100
62111200
62112000
62113100
62113210
62113231
62113241
62113242
62113290
62113310
62113331
62113341
62113342
62113390
62113900
62114100
62114210
62114231
62114241
62114242
62114290
62114310
62114331
62114341
62114342
62114390
62114900

Bed linen, table linen, toilet linen and kitchen linen

63021010
63021090
63022100
63022210
63022290
63022910
63022990
63023110
63023190
63023210
63023290
63023910
63023930
63023990
63024000
63025110
63025190
63025200
63025310
63025390
63025900
63026000
63029110
63029190
63029200
63029310
63029390
63029900

Curtains (including drapes) and interior blinds

63031100
63031200
63031900
63039100
63039210
63039290
63039910

63039990

Other furnishing articles

63041100
63041910
63041930
63041990
63049100
63049200
63049300
63049900

Industrial Products (2)**Hydrogen, rare gases and other non-metals :**

28046900

Colloidal precious metals; inorganic or organic

28431090
28433000
28439090

Oxygen-function amino-compounds

29224100

Pig iron and spiegeleisen in pigs, blocks or other

72011011
72011019
72011030
72012000
72015090

Ferro-alloys

72021120
72021180
72021900
72022110
72022190
72022900
72023000
72024110
72024191
72024199
72024910
72024950
72024990

Ferrous products obtained by direct reduction

72039000

Ferrous waste and scrap; remelting sci ingots

72045090

Iron and non-alloy steel in ingots or other es

72061000
72069000

Semi-finished products of iron or non-alloy steel

72071111
72071114
72071116
72071210
72071911
72071914
72071916
72071931
72072011
72072015
72072017
72072032
72072051
72072055
72072057
72072071

Flat-rolled products of iron or non-alloy steel,

72081000
72082500
72082600
72082700
72083600
72083710
72083790
72083810
72083890
72083910
72083990
72084010
72084090
72085110
72085130
72085150
72085191
72085199
72085210
72085291
72085299
72085310
72085390
72085410
72085490
72089010

Flat-rolled products of iron or non-alloy steel,

72091500
72091610
72091690
72091710
72091790
72091810
72091891
72091899
72092500
72092610
72092690
72092710
72092790
72092810
72092890
72099010

Flat-rolled products of iron or non-alloy steel,

72101110
72101211
72101219
72102010
72103010
72104110
72104910
72105010
72106110
72106910
72107031
72107039
72109031
72109033
72109038

Flat-rolled products of iron or non-alloy steel,

72111300
72111410
72111490
72111920
72111990
72112310
72112351
72112920
72119011

Flat-rolled products of iron or non-alloy steel,

72121010
72121091
72122011
72123011
72124010
72124091
72125031
72125051
72126011
72126091

Bars and rods, hot-rolled,

72131000
72132000
72139110
72139120
72139141
72139149
72139170
72139190
72139910
72139990

Other bars and rods of iron or non-alloy steel,

72142000
72143000
72149110
72149190
72149910
72149931
72149939
72149950
72149961
72149969
72149980
72149990

Other bars and rods of iron or non-alloy steel :

72159010

Angles, shapes and sections of iron or non-alloy steel :

72161000
72162100
72162200
72163111
72163119
72163191
72163199
72163211
72163219
72163291
72163299
72163310
72163390
72164010
72164090
72165010
72165091
72165099
72169910

Stainless steel in ingots or other primary forms;

72181000
72189111
72189119
72189911
72189920

Flat-rolled products of stainless steel,

72191100
72191210
72191290
72191310
72191390

72191410
72192110
72192190
72192210
72192290
72192300
72192400
72193100
72193210
72193290
72193310
72193390
72193410
72193490
72193510
72193590
72199010

Flat-rolled products of stainless steel,

72201100
72201200
72202010
72209011
72209031

Bars and rods, hot-rolled,

72210010
72210090

Other bars and rods of stainless steel;

72221111
72221119
72221121
72221129
72221191
72221199
72221910
72221990
72223010
72224010
72224030

Other alloy steel in ingots or other primary forms

72241000
72249001
72249005
72249008
72249015
72249031
72249039

Flat-rolled products of other alloy steel,

72251100
72251910
72251990
72252020
72253000
72254020
72254050
72254080
72255000
72259110
72259210
72259910

Flat-rolled products of other alloy steel,

72261110
72261910
72261930
72262020
72269110
72269190
72269210
72269320
72269420
72269920

Bars and rods, hot-rolled,
72271000
72272000
72279010
72279050
72279095

Other bars and rods of other alloy steel;
72281010
72281030
72282011
72282019
72282030
72283020
72283041
72283049
72283061
72283069
72283070
72283089
72286010
72287010
72287031
72288010
72288090

Sheet piling of iron or steel,
73011000

Railway or tramway track construction material
73021031
73021039
73021090
73022000
73024010
73029010

Tubes, pipes and hollow profiles, of cast iron :
73030010
73030090

Tube or pipe fittings (for example couplings)
73071110
73071190
73071910
73071990
73072100
73072210
73072290
73072310
73072390
73072910
73072930
73072990
73079100
73079210
73079290
73079311
73079319
73079391
73079399
73079910
73079930
73079990

Reservoirs, tanks, vats and similar containers
73090010
73090030
73090051
73090059
73090090

Tanks, casks, drums, cans, boxes and similar containers
73101000
73102110
73102191

73102199
73102910
73102990

Containers for compressed or liquefied gas,
73110010
73110091
73110099

Stranded wire, ropes, cables, plaited bands,
73121030
73121051
73121059
73121071
73121075
73121079
73121082
73121084
73121086
73121088
73121099
73129090

Barbed wire of iron or steel;
73130000

Chain and parts thereof, of iron or steel :
73151110
73151190
73151200
73151900
73152000
73158100
73158210
73158290
73158900
73159000

Screws, bolts, nuts, coach screws, screw hooks,
73181100
73181210
73181290
73181300
73181410
73181491
73181499
73181510
73181520
73181530
73181541
73181549
73181551
73181559
73181561
73181569
73181570
73181581
73181589
73181590
73181610
73181630
73181650
73181691
73181699
73181900
73182100
73182200
73182300
73182400
73182900

Sewing needles, knitting needles, bodkins, crochets
73191000
73192000
73193000
73199000

Springs and leaves for springs, of iron or steel :
73201011
73201019
73201090
73202020
73202081
73202085
73202089
73209010
73209030
73209090

Stoves, ranges, grates, cookers
73211110
73211190
73211200
73211300
73218110
73218190
73218210
73218290
73218300
73219000

Radiators for central heating,
73221100
73221900
73229090

Table, kitchen or other household articles
73231000
73239100
73239200
73239310
73239390
73239410
73239490
73239910
73239991
73239999

Sanitary ware and parts thereof, of iron or steel
73241090
73242100
73242900
73249090

Other cast articles of iron or steel :
73251020
73251050
73251091
73251099
73259100
73259910
73259991
73259999

Other articles of iron or steel :
73261100
73261910
73261990
73262030
73262050
73262090
73269010
73269030
73269040
73269050
73269060
73269070
73269080
73269091
73269093
73269095
73269097

Unwrought zinc:

79011100
79011210
79011230
79011290
79012000

Zinc dust, powders and flakes :

79031000
79039000

Motor vehicles for the transport of ten or more persons

87021011
87021019
87029011
87029019

Motor vehicles for the transport of goods :

87042131
87042139
87042291

87042299
87042391
87042399
87043131
87043139
87043291
87043299

Products to which Article 6(3) shall not be applicable

Industrial Products (1)	87089410	Dates, figs, pineapples, avocados, guavas, mangoes
CN code 96	87089490	08042090
Motor cars and other motor vehicles	87089910	08043000
87031010	87089930	08044020
87031090	87089950	08044090
87032110	87089992	08044095
87032190	87089998	
87032211	Industrial Products (2)	Grapes, fresh or dried :
87032219	Unwrought aluminium :	08061029 (3) (12)
87032290	76011000	08062011
87032311	76012010	08062012
87032319	76012091	08062018
87032390	76012099	
87032410	Aluminium powders and flakes :	Melons (including watermelons) and papaws (papayas)
87032490	76031000	08071100
87033110	76032000	08071900
87033190	Agricultural Products (1)	Apricots, cherries, peaches (including nectarines)
87033211	Live horses, asses, mules and hinnies :	08093011 (5) (12)
87033219	01012010	08093051 (6) (12)
87033290	Milk and cream, not concentrated	Other fruit, fresh :
87033311	04011010	08109040
87033319	04011090	08109085
87033390	04012011	
87039010	04012019	Fruit and nuts, provisionally preserved
87039090	04012091	08121000
Chassis fitted with engines,	04012099	08122000
87060011	04013011	08129050
87060019	04013019	08129060
87060091	04013031	08129070
87060099	04013039	08129095
Bodies (including cabs), for the motor vehicles	04013091	
87071010	04013099	Fruit, dried,
87071090	Buttermilk, curdled milk and cream, yogurt, kephir	08134010
87079010	04031011	08135015
87079090	04031013	08135019
Parts and accessories of the motor vehicles	04031019	08135039
87081010	04031031	08135091
87081090	04031033	08135099
87082110	04031039	
87082190	Potatoes, fresh or chilled :	Pepper of the genus Piper; dried or crushed
87082910	07019051	09042010
87082990	Leguminous vegetables, shelled or unshelled, fresh or chilled	Soya-bean oil and its fractions,
87083110	07081020	15071010
87083191	07081095	15071090
87083199	Other vegetables, fresh or chilled :	15079010
87083910	07095190	15079090
87083990	07096010	
87084010	Vegetables (uncooked or cooked by steaming or boiled)	Sunflower-seed, safflower or cotton-seed oil
87084090	07108095	15121110
87085010	Vegetables provisionally preserved	15121191
87085090	07111000	15121199
87086010	07113000	15121910
87086091	07119060	15121991
87086099	07119070	15121999
87087010		15122110
87087050		15122190
87087091		15122910
87087099		15122990
87088010		Rape, colza or mustard oil and fractions thereof,
87088090		15141010
87089110		15141090
87089190		15149010
87089210		15149090
87089290		
87089310		
87089390		

20081959

Fruit juices (including grape must)
 20092099
 20094099
 20098099

Unmanufactured tobacco; tobacco refuse :
 24011010
 24011020
 24011041
 24011049
 24011060
 24012010
 24012020
 24012041
 24012060
 24012070

Agricultural Products (2)

Cut flowers and flower buds
 06031055
 06031061
 06031069 (11)

Onions, shallots, garlic, leeks
 07031011
 07031019
 07031090
 07039000

Cabbages, cauliflowers, kohlrabi, kale and similar
 07041005
 07041010
 07041080
 07042000
 07049010
 07049090

Lettuce (Lactuca sativa) and chicory
 07051105
 07051110
 07051180
 07051900
 07052100
 07052900

Carrots, turnips, salad beetroot, salsify, celeriac
 07061000
 07069005
 07069011
 07069017
 07069030
 07069090

Leguminous vegetables, shelled or unshelled, fresh or chilled
 07081090
 07082020
 07082090
 07082095
 07089000

Other vegetables, fresh or chilled :
 07091030 (12)
 07093000
 07094000
 07095110
 07095150
 07097000
 07099010
 07099020
 07099040
 07099050
 07099090

Vegetables (uncooked or cooked by steaming or boiled)
 07101000
 07102100
 07102200
 07102900
 07103000
 07108010
 07108051
 07108061
 07108069
 07108070
 07108080
 07108085
 07109000

Vegetables provisionally preserved
 07112010
 07114000
 07119040
 07119090

Dried vegetables, whole, cut, sliced, broken
 07122000
 07123000
 07129030
 07129050
 07129090

Manioc, arrowroot, safep, Jerusalem artichokes,
 07149011
 07149019

Other nuts, fresh or dried, whether or not shelled
 08021190
 08022100
 08022200
 08024000

Bananas, including plantains, fresh or dried :
 08030011
 08030090

Dates, figs, pineapples, avocados, guavas, mangoes
 08042010

Citrus fruit, fresh or dried :
 08052021 (1) (12)
 08052023 (1) (12)
 08052025 (1) (12)
 08052027 (1) (12)
 08052029 (1) (12)
 08053090
 08059000

Grapes, fresh or dried :
 08061095
 08061097

Apples, pears and quinces, fresh :
 08081010 (12)
 08082010 (12)
 08082090

Apricots, cherries, peaches (including nectarines)
 08091010 (12)
 08091050 (12)
 08092019 (12)
 08092029 (12)
 08093011 (7) (12)
 08093019 (12)
 08093051 (8) (12)
 08093059 (12)
 08094040 (12)

Other fruit, fresh :
 08101005
 08102090
 08103010
 08103030
 08103090
 08104090
 08105000

Fruit and nuts, uncooked or cooked by steaming
 08112011
 08112031
 08112039
 08112059
 08119011
 08119019
 08119039
 08119075
 08119080
 08119095

Fruit and nuts, provisionally preserved
 08129010
 08129020

Fruit, dried,
 08132000

Wheat and meslin :
 10019010

Buckwheat, millet and canary seed; other cereals :
 10081000
 10082000
 10089090

Flour, meal, powder, flakes, granules and pellets
 11051000
 11052000

Flour, meal and powder of the dried leguminous vegetables
 11061000
 11063010
 11063090

Fats and oils and their fractions, of fish
 15043011

Other prepared or preserved meat, meat offal
 16022011
 16022019
 16023111
 16023119
 16023130
 16023190
 16023219
 16023230
 16023290
 16023929
 16023940
 16023980
 16024190
 16024290
 16029031
 16029072
 16029076

Vegetables, fruit, nuts and other edible parts
 20011000
 20012000
 20019050
 20019065
 20019096

Mushrooms and truffles, prepared or preserved

20031020
20031030
20031080
20032000

Other vegetables prepared or preserved otherwise

20041010
20041099
20049050
20049091
20049098

Other vegetables prepared or preserved otherwise

20051000
20052020
20052080
20054000
20055100
20055900

Vegetables, fruit, nuts, fruit-peel

20060031
20060035
20060038
20060099

Jams, fruit jellies, marmalades, fruit or nut puree

20071091
20079993

Fruit, nuts and other edible parts of plants,

20081194
20081198
20081919
20081995
20081999
20082051
20082059
20082071
20082079
20082091
20082099
20083011
20083039
20083051
20083059
20084011
20084021
20084029
20084039
20086011
20086031
20086039
20086059
20086069
20086079
20086099
20087011
20087031
20087039
20087059
20088011
20088031
20088039
20088050
20088070
20088091
20088099
20089923
20089925
20089926
20089928
20089936
20089945
20089946

20089949
20089953
20089955
20089961
20089962
20089968
20089972
20089974
20089979
20089999

Fruit juices (including grape must)

20091119
20091191
20091919
20091991
20091999
20092019
20092091
20093019
20093031
20093039
20093051
20093055
20093091
20093095
20093099
20094019
20094091
20098019
20098050
20098061
20098063
20098073
20098079
20098083
20098084
20098086
20098097
20099019
20099029
20099039
20099041
20099051
20099059
20099073
20099079
20099092
20099094
20099095
20099096
20099097
20099098

Other fermented beverages (for example, cider)

22060010

Wine lees; argol :

23070019

Vegetable materials and vegetable waste,

23089019

Agricultural Products (3)**Live swine :**

01039110
01039211
01039219

Live sheep and goats :

01041030
01041080
01042090

Live poultry, that is to say, fowls of the species

01051111
01051119

01051191
01051199
01051200
01051920
01051990
01059200
01059300
01059910
01059920
01059930
01059950

Meat of swine, fresh, chilled or frozen :

02031110
02031211
02031219
02031911
02031913
02031915
02031955
02031959
02032110
02032211
02032219
02032911
02032913
02032915
02032955
02032959

Meat of sheep or goats, fresh, chilled or frozen :

02041000
02042100
02042210
02042230
02042250
02042290
02042300
02043000
02044100
02044210
02044230
02044250
02044290
02044310
02044390
02045011
02045013
02045015
02045019
02045031
02045039
02045051
02045053
02045055
02045059
02045071
02045079

Meat and edible offal,

02071110
02071130
02071190
02071210
02071290
02071310
02071320
02071330
02071340
02071350
02071360
02071370
02071399
02071410
02071420
02071430
02071440
02071450
02071460

02071470
 02071499
 02072410
 02072490
 02072510
 02072590
 02072610
 02072620
 02072630
 02072640
 02072650
 02072660
 02072670
 02072680
 02072699
 02072710
 02072720
 02072730
 02072740
 02072750
 02072760
 02072770
 02072780
 02072799
 02073211
 02073215
 02073219
 02073251
 02073259
 02073290
 02073311
 02073319
 02073351
 02073359
 02073390
 02073511
 02073515
 02073521
 02073523
 02073525
 02073531
 02073541
 02073551
 02073553
 02073561
 02073563
 02073571
 02073579
 02073599
 02073611
 02073615
 02073621
 02073623
 02073625
 02073631
 02073641
 02073651
 02073653
 02073661
 02073663
 02073671
 02073679
 02073690

Pig fat, free of lean meat, and poultry fat,
 02090011
 02090019
 02090030
 02090090

Meat and edible meat offal, salted, in brine,
 02101111
 02101119
 02101131
 02101139
 02101190
 02101211
 02101219
 02101290
 02101910
 02101920

02101930
 02101940
 02101951
 02101959
 02101960
 02101970
 02101981
 02101989
 02101990
 02109011
 02109019
 02109021
 02109029
 02109031
 02109039

Milk and cream, concentrated
 04029111
 04029119
 04029131
 04029139
 04029151
 04029159
 04029191
 04029199
 04029911
 04029919
 04029931
 04029939
 04029991
 04029999

Buttermilk, curdled milk and cream, yogurt, kephir
 04039051
 04039053
 04039059
 04039061
 04039063
 04039069

Whey, whether or not concentrated
 04041048
 04041052
 04041054
 04041056
 04041058
 04041062
 04041072
 04041074
 04041076
 04041078
 04041082
 04041084

Cheese and curd :
 04061020 (11)
 04061080 (11)
 04062090 (11)
 04063010 (11)
 04063031 (11)
 04063039 (11)
 04063090 (11)
 04064090 (11)
 04069001 (11)
 04069021 (11)
 04069050 (11)
 04069069 (11)
 04069078 (11)
 04069086 (11)
 04069087 (11)
 04069088 (11)
 04069093 (11)
 04069099 (11)

Birds' eggs, in shell, fresh, preserved or cooked
 04070011
 04070019
 04070030

Birds' eggs, not in shell, and egg yolks, fresh,
 04081180
 04081981
 04081989
 04089180
 04089980

Natural honey,
 04090000

Tomatoes, fresh or chilled :
 07020015 (12)
 07020020 (12)
 07020025 (12)
 07020030 (12)
 07020035 (12)
 07020040 (12)
 07020045 (12)
 07020050 (12)

Cucumbers and gherkins, fresh or chilled :
 07070010 (12)
 07070015 (12)
 07070020 (12)
 07070025 (12)
 07070030 (12)
 07070035 (12)
 07070040 (12)
 07070090

Other vegetables, fresh or chilled :
 07091010 (12)
 07091020 (12)
 07092000
 07099039
 07099075 (12)
 07099077 (12)
 07099079 (12)

Vegetables provisionally preserved
 07112090

Dried vegetables, whole, cut, sliced, broken
 07129019

Manioc, arrowroot, salep, Jerusalem artichokes,
 07141010
 07141091
 07141099
 07142090

Citrus fruit, fresh or dried :
 08051037 (2) (12)
 08051038 (2) (12)
 08051039 (2) (12)
 08051042 (2) (12)
 08051046 (2) (12)
 08051082
 08051084
 08051086
 08052011 (12)
 08052013 (12)
 08052015 (12)
 08052017 (12)
 08052019 (12)
 08052021 (10) (12)
 08052023 (10) (12)
 08052025 (10) (12)
 08052027 (10) (12)
 08052029 (10) (12)
 08052031 (12)
 08052033 (12)
 08052035 (12)
 08052037 (12)
 08052039 (12)

Grapes, fresh or dried
 08061021 (12)
 08061029 (4) (12)
 08061030 (12)
 08061050 (12)
 08061061 (12)
 08061069 (12)
 08061093

Apricots, cherries, peaches (including nectarines)
 08091020 (12)
 08091030 (12)
 08091040 (12)
 08092011 (12)
 08092021 (12)
 08092031 (12)
 08092039 (12)
 08092041 (12)
 08092049 (12)
 08092051 (12)
 08092059 (12)
 08092061 (12)
 08092069 (12)
 08092071 (12)
 08092079 (12)
 08093021 (12)
 08093029 (12)
 08093031 (12)
 08093039 (12)
 08093041 (12)
 08093049 (12)
 08094020 (12)
 08094030 (12)

Other fruit, fresh :
 08101010
 08101080
 08102010

Fruit and nuts, uncooked or cooked by steaming
 08111011
 08111019

Wheat and meslin :
 10011000
 10019091
 10019099

Rye.
 10020000

Barley :
 10030010
 10030090

Oats.
 10040000

Buckwheat, millet and canary seed; other cereals :
 10089010

Wheat or meslin flour :
 11010011
 11010015
 11010090

Cereal flours other than of wheat or meslin :
 11021000
 11029010
 11029030
 11029090

Cereal groats, meal and pellets :
 11031110
 11031190
 11031200
 11031910

11031990
 11032100
 11032910
 11032920
 11032930
 11032990

Cereal grains otherwise worked
 11041110
 11041190
 11041210
 11041290
 11041910
 11041930
 11041999
 11042110
 11042130
 11042150
 11042190
 11042199
 11042220
 11042230
 11042250
 11042290
 11042292
 11042299
 11042911
 11042915
 11042919
 11042931
 11042935
 11042939
 11042951
 11042955
 11042959
 11042981
 11042985
 11042989
 11043010

Flour, meal and powder of the dried leguminous vegetables
 11062010
 11062090

Malt, whether or not roasted :
 11071011
 11071019
 11071091
 11071099
 11072000

Locust beans, seaweeds and other algae, sugar beet
 12129120
 12129180

Pig fat (including lard) and poultry fat,
 15010019

Olive oil and its fractions, whether or not refined
 15091010
 15091090
 15099000

Other oils and their fractions,
 15100010
 15100090

Degras;
 15220031
 15220039

Sausages and similar products, of meat, meat offal
 16010091
 16010099

offal
 16021000
 16022090
 16023211
 16023921
 16024110
 16024210
 16024911
 16024913
 16024915
 16024919
 16024930
 16024950
 16024990
 16025031
 16025039
 16025080
 16029010
 16029041
 16029051
 16029069
 16029074
 16029078
 16029098

Other sugars, including chemically pure lactose
 17021100
 17021900

Pasta, whether or not cooked or stuffed
 19022030

Jams, fruit jellies, marmalades, fruit or nut puree
 20071099
 20079190
 20079991
 20079998

Fruit, nuts and other edible parts of plants,
 20082011
 20082031
 20083019
 20083031
 20083079
 20083091
 20083099
 20084019
 20084031
 20085011
 20085019
 20085031
 20085039
 20085051
 20085059
 20086019
 20086051
 20086061
 20086071
 20086091
 20087019
 20087051
 20088019
 20089216
 20089218
 20089921
 20089932
 20089933
 20089934
 20089937
 20089943

Fruit juices (including grape must)
 20091111
 20091911
 20092011
 20093011

20094011
20095010
20095090
20098011
20098032
20098033
20098035
20099011
20099021
20099031

Food preparations not elsewhere specified
21069051

Wine of fresh grapes, including fortified wines;

22041019 (11)
22041099 (11)
22042110
22042181
22042182
22042198
22042199
22042910
22042958
22042975
22042998
22042999
22043010
22043092 (12)
22043094 (12)
22043096 (12)
22043098 (12)

Undenatured ethyl alcohol
22082040

Bran, sharps and other residues,
23023010
23023090
23024010
23024090

Oil-cake and other solid residues,
23069019

Preparations of a kind used in animal feeding :

23091013
23091015
23091019
23091033
23091039
23091051
23091053
23091059
23091070
23099033
23099035
23099039
23099043
23099049
23099051
23099053
23099059
23099070

Albumins

35021190
35021990
35022091
35022099

Agricultural Products (4)

Buttermilk, curdled milk and cream, yogurt, kephir

04031051
04031053

04031091
04031093
04031099
04039071
04039073
04039079
04039091
04039093
04039099

Butter and other fats and oils derived from milk;

04052010
04052030

Vegetable saps and extracts; pectic substances,

13022010
13022090

Margarine;

15171010
15179010

Other sugars, including chemically pure lactose,

17025000
17029010

Sugar confectionery (including white chocolate),

17041011
17041019
17041091
17041099
17049010
17049030
17049051
17049055
17049061
17049065
17049071
17049075
17049081
17049099

Chocolate and other food preparations

18061015
18061020
18061030
18061090
18062010
18062030
18062050
18062070
18062080
18062095
18063100
18063210
18063290
18069011
18069019
18069031
18069039
18069050
18069060
18069070
18069090

Malt extract; food preparations of flour, meal,

19011000
19012000
19019011
19019019
19019099

Tapioca and substitutes
19030000

Prepared foods

19041010
19041030
19041090
19042010
19042091
19042095
19042099
19049010
19049090

Bread, pastry, cakes, biscuits

19051000
19052010
19052030
19052090
19053011
19053019
19053030
19053051
19053059
19053091
19053099
19054010
19054090
19059010
19059020
19059030
19059040
19059045
19059055
19059060
19059090

Vegetables, fruit, nuts

20019040

Other vegetables

20041091

Other vegetables

20052010

Fruit, nuts and other edible parts of plants,

20089985
20089991

Fruit juices (including grape must)

20098069

Extracts, essences and concentrates, of coffee,

21011111
21011119
21011292
21011298
21012098
21013011
21013019
21013091
21013099

Yeasts (active or inactive);

21021010
21021031
21021039

21021090
21022011

Sauces and preparations therefor; mixed condiments
21032000

Ice cream and other edible ice,
21050010
21050091
21050099

Food preparations not elsewhere specified or included
21061020
21061080
21069010
21069020
21069098

Waters, including mineral waters and aerated water
22029091
22029095
22029099

Vinegar and substitutes for vinegar
22090011
22090019
22090091
22090099

Acyclic alcohols and their halogenated derivative
29054300
29054411
29054419
29054491
29054499
29054500

Mixtures of odoriferous substances and mixtures
33021010
33021021
33021029

Finishing agents, dye carriers
38091010
38091030
38091050
38091090

Prepared binders for foundry moulds or cores;
38246011
38246019
38246091
38246099

Agricultural Products (5)

Cut flowers and flower buds
06031015 (11)
06031029 (11)
06031051 (11)
06031065 (11)
06039000 (11)

Fruit and nuts, uncooked or cooked by steaming
08111090 (11)

Fruit, nuts and other edible parts of plants,
20084051 (11)
20084059 (11)
20084071 (11)
20084079 (11)
20084091 (11)
20084099 (11)

20085061 (11)
20085069 (11)
20085071 (11)
20085079 (11)
20085092 (11)
20085094 (11)
20085099 (11)
20087061 (11)
20087069 (11)
20087071 (11)
20087079 (11)
20087092 (11)
20087094 (11)
20087099 (11)
20089259 (11)
20089272 (11)
20089274 (11)
20089278 (11)
20089298 (11)

Fruit juices (including grape must)
20091199 (11)
20094030 (11)
20097011 (11)
20097019 (11)
20097030 (11)
20097091 (11)
20097093 (11)
20097099 (11)

Wine of fresh grapes, including fortified wines;
22042179 (11)
22042180 (11)
22042183 (11)
22042184 (11)

Agricultural Products (6)

Live bovine animals :
01029005
01029021
01029029
01029041
01029049
01029051
01029059
01029061
01029069
01029071
01029079

Meat of bovine animals, fresh or chilled :
02011000
02012020
02012030
02012050
02012090
02013000

Meat of bovine animals, frozen :
02021000
02022010
02022030
02022050
02022090
02023010
02023050
02023090

Edible offal of bovine animals, swine, sheep, goats
02061095
02062991
02062999

Meat and edible meat offal, salted, in brine,
02102010
02102090

02109041
02109049
02109090

Milk and cream, concentrated
04021011
04021019
04021091
04021099
04022111
04022117
04022119
04022191
04022199
04022911
04022915
04022919
04022991
04022999

Buttermilk, curdled milk and cream, yogurt, kephir
04039011
04039013
04039019
04039031
04039033
04039039

Whey, whether or not concentrated
04041002
04041004
04041006
04041012
04041014
04041016
04041026
04041028
04041032
04041034
04041036
04041038
04049021
04049023
04049029
04049081
04049083
04049089

Butter and other fats and oils derived from milk;
04051011
04051030
04051050
04051090
04052090
04059010
04059090

Cut flowers and flower buds
06031011
06031013
06031021
06031025
06031053

Other vegetables, fresh or chilled :
07099060

Vegetables (uncooked or cooked by steaming or boiling)
07104000

Vegetables provisionally preserved
07119030

Bananas, including plantains, fresh or dried :
08030019

Citrus fruit, fresh or dried :

08051001 (12)
 08051005 (12)
 08051009 (12)
 08051011 (12)
 08051015 (2)
 08051019 (2)
 08051021 (2)
 08051025 (12)
 08051029 (12)
 08051031 (12)
 08051033 (12)
 08051035 (12)
 08051037 (9) (12)
 08051038 (9) (12)
 08051039 (9) (12)
 08051042 (9) (12)
 08051044 (12)
 08051046 (9) (12)
 08051051 (2)
 08051055 (2)
 08051059 (2)
 08051061 (2)
 08051065 (2)
 08051069 (2)
 08053020 (2)
 08053030 (2)
 08053040 (2)

Grapes, fresh or dried :

08061040 (12)

Apples, pears and quinces, fresh :

08081051 (12)
 08081053 (12)
 08081059 (12)
 08081061 (12)
 08081063 (12)
 08081069 (12)
 08081071 (12)
 08081073 (12)
 08081079 (12)
 08081092 (12)
 08081094 (12)
 08081098 (12)
 08082031 (12)
 08082037 (12)
 08082041 (12)
 08082047 (12)
 08082051 (12)
 08082057 (12)
 08082067 (12)

Maize (corn) :

10051090
 10059000

Rice :

10061010
 10061021
 10061023
 10061025
 10061027
 10061092
 10061094
 10061096
 10061098
 10062011
 10062013
 10062015
 10062017
 10062092
 10062094
 10062096
 10062098
 10063021
 10063023
 10063025
 10063027
 10063042

10063044
 10063048
 10063061
 10063063
 10063065
 10063067
 10063092
 10063094
 10063096
 10063098
 10064000

Grain sorghum :

10070010
 10070090

Cereal flours other than of wheat or meslin :

11022010
 11022090
 11023000

Cereal groats, meal and pellets :

11031310
 11031390
 11031400
 11032940
 11032950

Cereal grains otherwise worked

11041950
 11041991
 11042310
 11042330
 11042390
 11042399
 11043090

Starches; inulin:

11081100
 11081200
 11081300
 11081400
 11081910
 11081990
 11082000

Wheat gluten, whether or not dried.

11090000

Other prepared or preserved meat, meat offal

16025010
 16029061

Cane or beet sugar and chemically pure sucrose,

17011110
 17011190
 17011210
 17011290
 17019100
 17019910
 17019990

Other sugars, including chemically pure lactose,

17022010
 17022090
 17023010
 17023051
 17023059
 17023091
 17023099
 17024010
 17024090
 17026010
 17026090
 17029030
 17029050

17029060
 17029071
 17029075
 17029079
 17029080
 17029099

Vegetables, fruit, nuts and other edible parts

20019030

Tomatoes prepared or preserved

20021010
 20021090
 20029011
 20029019
 20029031
 20029039
 20029091
 20029099

Other vegetables prepared or preserved

20049010

Other vegetables prepared or preserved

20056000
 20058000

Jams, fruit jellies, marmalades, fruit or nut puree

20071010
 20079110
 20079130
 20079910
 20079920
 20079931
 20079933
 20079935
 20079939
 20079951
 20079955
 20079958

Fruit, nuts and other edible parts of plants,

20083055
 20083075
 20089251
 20089276
 20089292
 20089293
 20089294
 20089296
 20089297

Fruit juices (including grape must)

20094093
 20096011 (12)
 20096019 (12)
 20096051 (12)
 20096059 (12)
 20096071 (12)
 20096079 (12)
 20096090 (12)
 20098071
 20099049
 20099071

Food preparations not elsewhere specified or included

21069030
 21069055
 21069059

Wine of fresh grapes, including fortified wines;

22042194
 22042962
 22042964
 22042965
 22042983
 22042984

22042994

Vermouth and other wine of fresh grapes
 22051010
 22051090
 22059010
 22059090

Undenatured ethyl alcohol
 22071000
 22072000

Undenatured ethyl alcohol
 22084010
 22084090
 22089091
 22089099

Bran, sharps and other residues,
 23021010
 23021090
 23022010
 23022090

Residues of starch manufacture and similar residue
 23031011

Dextrins and other modified starches
 35051010
 35051090
 35052010
 35052030
 35052050
 35052090

Agricultural Products (7)

Cheese and curd :
 04062010
 04064010
 04064050
 04069002
 04069003
 04069004
 04069005
 04069006
 04069007
 04069008
 04069009
 04069012
 04069014
 04069016
 04069018
 04069019
 04069023
 04069025
 04069027
 04069029
 04069031
 04069033
 04069035
 04069037
 04069039
 04069061
 04069063
 04069073
 04069075
 04069076
 04069079
 04069081
 04069082
 04069084
 04069085

Wine of fresh grapes, including fortified wines;
 22041011
 22041091
 22042111

22042112
 22042113
 22042117
 22042118
 22042119
 22042122
 22042124
 22042126
 22042127
 22042128
 22042132
 22042134
 22042136
 22042137
 22042138
 22042142
 22042143
 22042144
 22042146
 22042147
 22042148
 22042162
 22042166
 22042167
 22042168
 22042169
 22042171
 22042174
 22042176
 22042177
 22042178
 22042187
 22042188
 22042189
 22042191
 22042192
 22042193
 22042195
 22042196
 22042197
 22042912
 22042913
 22042917
 22042918
 22042942
 22042943
 22042944
 22042946
 22042947
 22042948
 22042971
 22042972
 22042981
 22042982
 22042987
 22042988
 22042989
 22042991
 22042992
 22042993
 22042995
 22042996
 22042997

Undenatured ethyl alcohol

22082012
 22082014
 22082026
 22082027
 22082062
 22082064
 22082086
 22082087
 22083011
 22083019
 22083032
 22083038
 22083052
 22083058
 22083072

22083078
 22089041
 22089045
 22089052

Footnotes

- (1) (16/5-15/9)
- (2) (1/6-15/10)
- (3) (1/1-31/5) Excluding Emperor variety
- (4) Emperor variety or (1/6-31/12)
- (5) (1/1-31/3)
- (6) (1/10-31/12)
- (7) (1/4-31/12)
- (8) (1/1-30/9)
- (9) (16/10-31/5)
- (10) (16/9-15/5)
- (11) Under the agreement on trade, development and co-operation between the European Community and the Republic of South Africa, the annual growth factor (agf) will be applied annually to the relevant basic quantities.
- (12) Under the Agreement on Trade, Development and Co-operation between the European Community and the Republic of South Africa, the full specific duty is payable if the respective Entry Price is not reached.

**Fishery products to which Article 6(3)
shall temporarily not be applicable**

Fish Products (1)	03026550	03049059
	03026590	03049097
CN code 96	03026911	
	03026919	Fish, dried, salted or in brine; smoked fish,
Live fish	03026931	03054200
03011090	03026933	03055950
03019200	03026941	03055970
03019911	03026945	03056300
	03026951	03056930
Fish, fresh or chilled, excluding fish fillets	03026985	03056950
03021200	03026986	03056990
03023110	03026992	
03023210	03026999	Crustaceans, whether in shell or not, live,
03023310	03027000	fresh,
03023911		03061110
03023919	Fish, frozen, excluding fish fillets	03061190
03026600	03032110	03061210
03026921	03032900	03061290
	03033110	03061310
Fish, frozen, excluding fish fillets	03033130	03061390
03031000	03033300	03061410
03032200	03033910	03061430
03034111	03037200	03061490
03034113	03037300	03061910
03034119	03037520	03061990
03034212	03037550	03062100
03034218	03037590	03062210
03034232	03037911	03062291
03034238	03037919	03062299
03034252	03037935	03062310
03034258	03037937	03062390
03034311	03037945	03062410
03034313	03037951	03062430
03034319	03037960	03062490
03034921	03037962	03062910
03034923	03037983	03062990
03034929	03037985	
03034941	03037987	Molluscs, whether in shell or not, live, fresh,
03034943	03037992	03071090
03034949	03037993	03072100
03037600	03037994	03072910
03037921	03037996	03072990
03037923	03038000	03073110
03037929		03073190
	Fish fillets and other fish meat	03073910
Fish fillets and other fish meat	03041019	03073990
03041013	03041091	03074110
03042013	03042019	03074191
	03042021	03074199
Pasta, whether or not cooked or stuffed	03042029	03074901
19022010	03042031	03074911
	03042033	03074918
Fish Products (2)	03042035	03074931
	03042037	03074933
Live fish :	03042041	03074935
03019110	03042043	03074938
03019300	03042061	03074951
03019919	03042069	03074959
	03042071	03074971
Fish, fresh or chilled, excluding fish fillets	03042073	03074991
03021110	03042087	03074999
03021900	03042091	03075100
03022110	03049010	03075910
03022130	03049031	03075990
03022200	03049039	03079100
03026200	03049041	03079911
03026300	03049045	03079913
03026520	03049057	03079915

03079918
03079990

Prepared or preserved fish; caviar and caviar substitutes

16041100
16041390
16041511
16041519
16041590
16041910
16041950
16041991
16041992
16041993
16041994
16041995
16041998
16042005
16042010
16042030
16043010
16043090

Crustaceans, molluscs and other aquatic invertebra

16051000
16052010
16052091
16052099
16053000
16054000
16059011
16059019
16059030
16059090

Fish Products (3)

Live fish :
03019190

Fish, fresh or chilled, excluding fish fillets
03021190

Fish, frozen, excluding fish fillets
03032190

Fish fillets and other fish meat

03041011
03042011
03042057
03042059
03049047
03049049

Prepared or preserved fish; caviar and caviar substitutes
16041311

Fish Products (4)

Live fish :
03019990

Fish, fresh or chilled, excluding fish fillets

03022190
03022300
03022910
03022990
03023190
03023290
03023390
03023991
03023999
03024005
03024098
03025010
03025090
03026110
03026130

03026190
03026198
03026405
03026498
03026925
03026935
03026955
03026961
03026975
03026987
03026991
03026993
03026994
03026995

Fish, frozen, excluding fish fillets

03033190
03033200
03033920
03033930
03033980
03034190
03034290
03034390
03034990
03035005
03035098
03036011
03036019
03036090
03037110
03037130
03037190
03037198
03037410
03037420
03037490
03037700
03037931
03037941
03037955
03037965
03037971
03037975
03037991
03037995

Fish fillets and other fish meat

03041031
03041033
03041035
03041038
03041094
03041096
03041098
03042045
03042051
03042053
03042075
03042079
03042081
03042085
03042096
03049005
03049020
03049027
03049035
03049038
03049051
03049055
03049061
03049065

Fish, dried, salted or in brine; smoked fish,

03051000
03052000
03053011
03053019
03053030
03053050
03053090

03054100
03054910
03054920
03054930
03054945
03054950
03054980
03055110
03055190
03055911
03055919
03055930
03055960
03055990
03056100
03056200
03056910
03056920

Crustaceans, whether in shell or not, live, fresh,

03061330
03061930
03062331
03062339
03062930

Prepared or preserved fish; caviar and caviar substitutes

16041210
16041291
16041299
16041412
16041414
16041416
16041418
16041490
16041931
16041939
16042070

Fish Products (5)

Fish, fresh or chilled, excluding fish fillets
03026965
03026981

Fish, frozen, excluding fish fillets
03037810
03037890
03037981

Fish fillets and other fish meat
03042083

Prepared or preserved fish; caviar and caviar substitutes

16041319
16041600
16042040
16042050
16042090

Joint declaration on cumulation

The Parties agreed that, for the implementation of Article 6(11) of Protocol 1, the following definitions shall apply:

developing country: any country listed as such by the Development Aid Committee of the OECD except the High Income Countries (HIC) and the countries with a GNP exceeding in 1992 100 billion dollars at current prices;

the expression "neighbouring developing country belonging to a coherent geographical entity" shall refer to the following list of countries:

- Africa: Algeria, Egypt, Libya, Morocco, Tunisia;
- Caribbean: Colombia, Costa Rica, Cuba, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Venezuela;
- Pacific: Nauru.

Protocol 2

on the implementation of Article 9

1. The Parties agree that every endeavour should be made to avoid recourse being had to the safeguard measures provided for under Article 8.
2. Both Parties are guided by the conviction that the implementation of Article 9 (4) and (5) would enable them to recognize, at an early stage, problems which could arise and, taking account of all relevant factors, avoid as far as possible recourse to measures which the Community would prefer not to adopt vis-à-vis its preferential trading partners.
3. Both Parties acknowledge the need for implementation of the mechanism of advance information provided for under Article 9 (4), the objective of which is to limit, in the case of sensitive products, the risks of sudden or unforeseen recourse to safeguard measures. These arrangements will permit the maintenance of a regular flow of trade information and the simultaneous implementation of regular consultation procedures. Thus the two Parties will be in a position to follow closely the trends in the sensitive sectors and detect problems which could arise.

- a) The statistical surveillance mechanism

Without prejudice to internal arrangements that the Community may apply to control its imports, Article 9 (4) provides for the institution of a mechanism intended to ensure statistical surveillance of certain ACP exports to the Community and thus facilitate the examination of occurrences such as to cause market disturbances.

This mechanism, the sole objective of which is to facilitate the exchange of information between the parties, should apply only to products, which the Community considers, insofar as it is concerned, as sensitive.

The implementation of this mechanism will be the subject of a joint agreement on the basis of data to be furnished by the Community and with the help of statistical information to be communicated by the ACP States to the Commission at the latter's request.

For the effective implementation of this mechanism it is necessary that the ACP States concerned provide the Commission, as far as possible on a monthly basis, with statistics relating to their exports to the Community and to each of its Member States of products considered by the Community to be sensitive.

- b) A procedure for regular consultation

The statistical surveillance mechanism mentioned above will enable the two Parties better to follow the trends in trade likely to cause concern. On the basis of this information and in accordance with Article 9 (5), the Community and the ACP States will have the possibility of holding periodic consultations in order to ensure that the objectives of that Article are fulfilled. These consultations will take place at the request of either Party.

5. If the conditions of application of safeguard measures as provided for in Article 8 are fulfilled, it would be the responsibility of the Community, in accordance with Article 9(1) relating to prior consultations concerning the application of safeguard measures, to enter immediately into consultations with the ACP States concerned by providing them with all the information necessary for those consultations, especially the necessary data from which to determine to what extent imports of a specific product from an ACP State or States have caused or threatened to cause serious injury to the Community's domestic producers of like or directly competitive products or serious disturbances in a sector of the economy of the Community or difficulties which could bring about serious deterioration in the economic situation of a region of the Community.

6. If no other arrangement has been concluded in the meanwhile with the ACP State or States concerned, the competent authorities of the Community may, at the end of the twenty-one day period provided for in respect of those consultations, take the appropriate measures for the implementation of Article 8. These measures shall be communicated immediately to the ACP States and become immediately applicable.

7. This procedure would apply without prejudice to measures, which could be taken in the event of special factors within the meaning of Article 9(3). In this case all relevant information will be supplied promptly to the ACP States.
8. In this case, the interests of the least developed, landlocked and island ACP States will receive particular attention, in accordance with Article 2 of the Agreement.

Protocol 3

Containing the text of Protocol 3 on ACP sugar

appearing in the ACP-EEC Convention of Lomé signed on 28 February 1975 and the corresponding declarations annexed to that Convention

Protocol 3 on ACP sugar

ARTICLE 1

1. The Community undertakes for an indefinite period to purchase and import, at guaranteed prices, specific quantities of cane sugar, raw or white, which originate in the ACP States and which these States undertake to deliver to it.
2. The safeguard clause in Article 10 of the Convention shall not apply. The implementation of this Protocol is carried out within the framework of the management of the common organization of the sugar market which, however, shall in no way prejudice the commitment of the Community under paragraph 1.

ARTICLE 2

1. Without prejudice to Article 7, no change in this Protocol may enter into force until a period of five years has elapsed from the date on which the Convention enters into force. Thereafter, such changes as may be agreed upon will come into force at a time to be agreed.
2. The conditions for implementing the guarantee referred to in Article 1 shall be re-examined before the end of the seventh year of their application.

ARTICLE 3

1. Quantities of cane sugar referred to in Article 1, expressed in metric tons of white sugar, hereinafter referred to as "agreed quantities", for delivery in each 12-month period referred to in Article 4 (1), shall be as follows::

Barbados	49 300
Fidji	163 600
Guyana	157 700
Jamaica	118 300
Kenya	5 000
Madagascar	10 000
Malawi	20 000
Mauritius	487 200
Swaziland	116 400
Tanzania	10 000

Trinidad and Tobago	69 000
Uganda	5 000
People's Republic of Congo	10 000

2. Subject to Article 7, these quantities may not be reduced without the consent of the individual States concerned.
3. Nevertheless, in respect of the period up to 30 June 1975, the agreed quantities, expressed in metric tons of white sugar, shall be as follows:

Barbados	29 600
Fidji	25 600
Guyana	29 600
Jamaica	83 800
Madagascar	2 000
Mauritius	65 300
Swaziland	19 700
Trinidad and Tobago	54 200

1. In each 12-month period from 1 July to 30 June inclusive, hereinafter referred to as the "delivery period", the sugar-exporting ACP States undertake to deliver the quantities referred to in Article 3 (1), subject to any adjustments resulting from the application of Article 7. A similar undertaking shall apply equally to the quantities referred to in Article 3 (3) in respect of the period up to 30 June 1975, which shall also be regarded as a delivery period.
2. The quantities to be delivered up to 30 June 1975, referred to in Article 3 (3), shall include supply en route from port of shipment or, in the case of land-locked States, across frontiers.
3. Deliveries of ACP cane sugar in the period up to 30 June 1975 shall benefit from the guaranteed prices applicable in the delivery period beginning 1 July 1975. Identical arrangements may be made for subsequent delivery periods.

ARTICLE 5

1. White or raw sugar shall be marketed on the Community market at prices freely negotiated between buyers and sellers.
2. The Community shall not intervene if and when a Member State allows selling prices within its borders to exceed the Community's threshold price.
3. The Community undertakes to purchase, at the guaranteed price, quantities of white or raw sugar, within agreed quantities, which cannot be marketed in the Community at a price equivalent to or in excess of the guaranteed price.
4. The guaranteed price, expressed in units of account, shall refer to unpacked sugar, cif European ports of the Community, and shall be fixed in respect of standard quality sugar. It shall be negotiated annually, within the price range obtaining in the Community, taking into account all relevant economic factors, and shall be decided at the latest by 1 May immediately preceding the delivery period to which it will apply.

ARTICLE 6

Purchase at the guaranteed price, referred to in Article 5 (3), shall be assured through the medium of the intervention agencies or of other agents appointed by the Community.

1. If, during any delivery period, a sugar-exporting ACP State fails to deliver its agreed quantity in full for reasons of force majeure the Commission shall, at the request of the State concerned, allow the necessary additional period for delivery.
2. If a sugar-exporting ACP State informs the Commission during the course of a delivery period that it will be unable to deliver its agreed quantity in full and that it does not wish to have the additional period referred to in paragraph 1, the shortfall shall be reallocated by the Commission for delivery during the delivery period in question. Such reallocation shall be made by the Commission after consultation with the States concerned.
3. If, during any delivery period, a sugar-exporting ACP State fails to deliver its agreed quantity in full for reasons other than force majeure, that quantity shall be reduced in respect of each subsequent delivery period by the undelivered quantity.
4. It may be decided by the Commission that, in respect of subsequent delivery periods, the undelivered quantity shall be reallocated between the other States, which are referred to in Article 3. Such reallocation shall be made in consultation with the States concerned.

ARTICLE 8

1. At the request of one or more of the States supplying sugar under the terms of this Protocol, or of the Community, consultations relating to all measures necessary for the application of this Protocol shall take place within an appropriate institutional framework to be adopted by the Contracting Parties. For this purpose the institutions established by the Convention may be used during the period of application of the Convention.
2. In the event of the Convention ceasing to be operative, the sugar-supplying States referred to in paragraph 1 and the Community shall adopt the appropriate institutional provisions to ensure the continued application of the provisions of this Protocol.
3. The periodical reviews provided for under this Protocol shall take place within the agreed institutional framework.

Special types of sugar traditionally delivered to Member States by certain sugar-exporting ACP States shall be included in, and treated on the same basis as, the quantities referred to in Article 3.

ARTICLE 10

The provisions of this Protocol shall remain in force after the date specified in Article 91 of the Convention. After that date the Protocol may be denounced by the Community with respect to each ACP State and by each ACP State with respect to the Community, subject to two years' notice.

Annex to Protocol 3

Declarations on Protocol 3

1. Joint declaration concerning possible requests for participation in the provisions of Protocol 3. Any request from an ACP State Contracting Party to the Convention not specifically referred to in Protocol 3 to participate in the provisions of that Protocol shall be examined¹.
2. Declaration by the Community concerning sugar originating in Belize, St-Kitts-Nevis-Anguilla and Suriname
 - a) The Community undertakes to adopt the necessary measures to ensure the same treatment as provided for in Protocol 3, for the following quantities of cane sugar, raw or white, originating in:

Belize	39 400 tons
St-Kitts-Nevis-Anguilla	14 800 tons
Suriname	4 000 tons
 - b) Nevertheless, in respect of the period up to 30 June 1975, the quantities shall be as follows:

Belize	14 800 tons
St-Kitts-Nevis-Anguilla	7 900 tons ²
3. Declaration by the Community on Article 10 of Protocol 3.

The Community declares that Article 10 of Protocol 3 providing for the possibility of denunciation in that Protocol, under the conditions set out in that Article, is for the purposes of juridical security and does not represent for the Community any qualification or limitation of the principles enunciated in Article 1 of that Protocol 5.

(1) Annex XIII to the Final Act of the ACP - EEC Convention

(2) Annex XXI to the Final Act of the ACP - EEC Convention

Exchange of Letters between the Dominican Republic and the community concerning the Protocol on ACP sugar

Letter No 1, from the Government of the Dominican Republic

Sir,

I have the honour to confirm that the Dominican Republic wishes neither now nor in the future, to accede to the Protocol on ACP sugar annexed to the ACP-EEC Convention. The Dominican Republic accordingly undertakes not to apply to accede to the said Protocol. It will write a letter to this effect to the ACP Group of States. I should be obliged if you would acknowledge receipt of this letter. Please accept, Sir, the assurance of my highest consideration.

Letter No 2, from the President of the Council of the European Communities

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

"I have the honour to confirm that the Dominican Republic wishes neither now nor in the future, to accede to the Protocol on ACP sugar annexed to the ACP-EEC Convention. The Dominican Republic accordingly undertakes not to apply to accede to the said Protocol. It will write a letter to this effect to the ACP Group of States."."

The Community confirms its agreement on the content of that letter.

Please accept, Sir, the assurance of my highest consideration.

Agreement

In the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, the Republic of Zimbabwe and Saint Christopher and Nevis on the accession of the last-mentioned country to Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention.

Letter No 1

Brussels,

Sir,

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention and of the Commission on behalf of the European Economic Community, have agreed on the following:

- Saint Christopher and Nevis is hereby included in Article 3 (1) of the said Protocol with an agreed quantity of 14 800 tonnes with effect from the day on which it accedes to the Second ACP-EEC Convention.

Up to this date, the provisions of Annex IV to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community shall remain applicable.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the above-mentioned ACP States and the Community.

Please accept, Sir, the assurance of my highest consideration.

For the Council
of the European Communities

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

"The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention and of the Commission on behalf of the European Economic community, have agreed on the following:

- Saint Christopher and Nevis is hereby included in Article 3 (1) of the said Protocol with an agreed quantity of 14 800 tonnes with effect from the day on which it accedes to the Second ACP-EEC Convention.

Up to this date, the provisions of Annex IV to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community shall remain applicable.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community."

I have the honour to confirm that the Governments of the ACP States referred to in your letter are in agreement with the contents thereof.

Please accept, Sir, the assurance of my highest consideration.

For the Governments

Annex to Protocol 3

Agreement

In the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe on the

sugar annexed to the Second ACP-EEC Convention.

Letter No 1

Sir,

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention, of the Republic of Zimbabwe and of the Commission, on behalf of the European Economic Community, have agreed on the following.

The Republic of Zimbabwe is hereby included in Article 3(1) of the said Protocol with an agreed quantity of 25 000 tonnes with effect from 1 July 1982, and in respect of the period up to 30 June 1982 with an agreed quantity of 6 000 tonnes.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Government of the abovementioned ACP States and the Community.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council
of the European Communities

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

" The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention of the Republic of Zimbabwe and of the Commission, on behalf of the European Economic Community, have agreed on the following.

The Republic of Zimbabwe is hereby included in Article 3 (1) of the said Protocol with an agreed quantity of 25 000 tonnes with effect from 1 July 1982, and in respect of the period up to 30 June 1982 with an agreed quantity of 6 000 tonnes.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community."

Governments of the ACP States referred to in this letter with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Governments

Annex to Protocol 3

Agreement

In the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, the Republic of Zimbabwe and the Republic of the Ivory Coast on the Accession of the last-mentioned country to Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention.

Letter No 1

Sir,

The African, Caribbean and Pacific Group of States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention, the Republic of the Ivory Coast and the European Economic Community have agreed on the following.

The Republic of the Ivory Coast is hereby included in Article 3 (1) of the said Protocol with effect from 1 July 1983 with an immediate agreed quantity of 2 000 tonnes (white value).

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council
of the European Communities

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

"The African, Caribbean and Pacific Group of States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention, the Republic of the Ivory Coast and the European Economic Community have agreed on the following.

The Republic of the Ivory Coast is hereby included in Article 3 (1) of the said Protocol with effect from 1 July 1983 with an immediate agreed quantity of 2 000 tonnes (white value).

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community."

I have the honour to confirm the agreement of the Governments of the ACP States referred to in your letter with the contents thereof.

Please accept, Sir, the assurance of my highest consideration.

For the Governments

Annex to Protocol 3

Agreement

In the form of an Exchange of Letters between the European Community and Barbados, Belize, the Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Christopher and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zambia and the Republic of Zimbabwe on the accession of the Republic of Zambia to Protocol No 8 on ACP Sugar annexed to the Fourth ACP-EEC Convention.

Brussels,

Sir,

The African, Caribbean and Pacific (ACP) States referred to in Protocol No 8 on ACP Sugar annexed to the Fourth ACP-EEC Convention, the Republic of Zambia and the European Community have agreed on the following.

The Republic of Zambia is hereby included in Article 3 (1) of the said Protocol with effect from 1 January 1995 with an agreed quantity of 0 tonnes.

I should be obliged if you would acknowledge receipt of this letter confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the European Community.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council
of the European Union

B. Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows:

" The African, Caribbean and Pacific (ACP) States referred to in Protocol No 8 on ACP Sugar annexed to the Fourth ACP-EEC Convention, the Republic of Zambia and the European Community have agreed on the following.

The Republic of Zambia is hereby included in Article 3 (1) of the said Protocol with effect from 1 January 1995 with an agreed quantity of 0 tonnes.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute and Agreement between the Governments of the abovementioned ACP States and the European Community."

I have the honour to confirm the agreement of the Governments of the ACP States referred to in your letter with the contents thereof.

Please accept, Sir, the assurance of my highest consideration.

Protocol 4 on beef and veal

The Community and the ACP States agree to take the special measures set out below to enable ACP States which are traditional exporters of beef and veal to maintain their position on the Community market, thus guaranteeing a certain level of income for their producers.

ARTICLE 1

Within the limits referred to in Article 2, customs duties other than ad valorem duties applicable to beef and veal originating in the ACP States shall be reduced by 92 %.

ARTICLE 2

Without prejudice to Article 4, the reduction in customs duties provided for in Article 1 shall apply to the following quantities expressed in boneless meat per calendar year and per country

Botswana	18 916 tons
Kenya	142 tons
Madagascar	7 579 tons
Swaziland	3 363 tons
Zimbabwe:	9 100 tons
Namibia:	13 000 tons

ARTICLE 3

In the event of an actual or foreseeable recession in these exports due to disasters such as drought, cyclones or animal diseases, the Community is willing to consider appropriate measures to ensure that quantities affected for these reasons in any year can be delivered in the following year.

ARTICLE 4

If, in the course of a given year, one of the ACP States referred to in Article 2 is not in a position to supply the total quantity fixed and does not wish to benefit from the measures referred to in Article 3, the Commission may share out the amount to be made up among the

ACP States concerned shall put forward a proposal to the Commission, not later than 1 September of that year, naming the ACP State or States which will be in a position to supply the new additional quantity, at the same time indicating to it the ACP State which is not in a position to supply the full amount allocated to it, on the understanding that this new temporary allocation will not affect the initial quantities.

The Commission shall ensure that a decision is taken by 15 November at the latest.

ARTICLE 5

This Protocol shall be implemented in accordance with the common market organization in the beef and veal sector, which, however, shall not affect the obligations entered into by the Community under this Protocol.

ARTICLE 6

Should the safeguard clause in Article 8(1) of the Annex be applied in the beef and veal sector, the Community will take the necessary measures to maintain the volume of exports from the ACP States to the Community at a level compatible with its obligations under this Protocol.

Protocol 5

The Second Banana Protocol

ARTICLE 1

The Parties recognise the overwhelming economic importance to the ACP banana suppliers of their exports to the Community market. The Community agrees to examine and where necessary take measures aimed at ensuring the continued viability of their banana export industries and the continuing outlet for their bananas on the Community market.

ARTICLE 2

Each of the ACP States concerned and the Community shall confer in order to determine the measures to be implemented so as to improve the conditions for the production and marketing of bananas. This aim shall be pursued through all the means available under the arrangements of the Convention

for financial, technical, agricultural, industrial and regional co-operation. The measures in question shall be designed to enable the ACP States, particularly Somalia, account being taken of their individual circumstance, to become more competitive. Measures will be implemented at all stages from production to consumption and will cover the following fields in particular:

- Improvement of conditions of production and enhancement of quality through action in the areas of research, harvesting, packaging and handling,
- Transport and storage,
- Marketing and trade promotion.

ARTICLE 3

For the purposes of attaining these objectives, the two Parties hereby agree to confer in a permanent joint group, assisted by a group of experts, whose task shall be to keep under continuous review any specific problems brought to its attention.

ARTICLE 4

Should the banana-producing ACP States decide to set up a joint organisation for the purpose of attaining the objectives, the Community shall support such an organisation and shall give consideration to any requests it may receive for support for the organisation's activities which fall within the scope of regional schemes under the heading of development finance co-operation.

ANNEX VI

LIST OF LDLICS

The following lists comprise ACP least-developed, landlocked and Island States:

LEAST-DEVELOPED ACP STATES

ARTICLE 1

Under this Agreement, the following countries shall be considered least-developed ACP States:

Angola	Liberia
Benin	Malawi
Burkina Faso	Mali
Burundi	Mauritania
Republic of Cape Verde	Madagascar
Central African Republic	Mozambique
Chad	Niger
Comoro Islands	Rwanda
Democratic Republic of Congo	Samoa
Djibouti	SãoTome and Principe
Ethiopia	Sierra Leone
Eritrea	Solomon Islands
Gambia	Somalia
Guinea	Sudan
Guinea (Bissau)	Tanzania
Guinea (Equatorial)	Tuvalu
Haiti	Togo
Kiribati	Uganda
Lesotho	Vanuatu
	Zambia
	Zimbabwe

LANDLOCKED ACP STATES

ARTICLE 2

Specific measures and provisions have been made to support landlocked ACP States in their efforts to overcome the geographical difficulties and the other obstacles hampering their development so as to enable them to speed up their respective rates of growth.

ARTICLE 3

The landlocked ACP States are:

Botswana	Malawi
Burkina Faso	Mali
Burundi	Niger
Central African Republic	Rwanda
Chad	Swaziland
Ethiopia	Uganda
Lesotho	Zambia
	Zimbabwe

ISLAND ACP STATES

ARTICLE 4

Specific measures and provisions have been made to support island ACP States in their efforts to overcome the natural and geographical difficulties and the other obstacles hampering their development so as to enable them to speed up their respective rates of growth.

ARTICLE 5

List of island ACP States:

Antigua and Barbuda	Papua New Guinea
Bahamas	Saint Kitts and Nevis
Barbados	Saint Lucia
Cape Verde	Saint Vincent and the Grenadines
Comoros	Samoa
Dominica	São Tomé and Principe
Dominican Republic	Seychelles
Fiji	Solomon Islands
Grenada	Tonga
Haiti	Trinidad and Tobago
Jamaica	Tuvalu
Kiribati	Vanuatu
Madagascar	
Mauritius	

Protocol 1 on the operating expenditure of the Joint Institutions

1. The Member States and the Community, on the one hand, and the ACP States, on the other, shall be responsible for such expenditure as they shall incur by reason of their participation in the meetings of the Council of Ministers and its dependent bodies, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenses.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents, and the practical arrangements for meetings (such as premises, equipment and messengers) of the joint institutions of the present Agreement shall be borne by the Community or by one of the ACP States, according to whether the meetings take place in the territory of a Member State or in that of an ACP State.

2. The arbitrators appointed in accordance with Article 98 of the Agreement shall be entitled to a refund of their travel and subsistence expenditure. The latter shall be determined by the Council of Ministers.

One half of travel and subsistence expenditure incurred by the arbitrators shall be borne by the Community and the other half by the ACP States. Expenditure relating to any registry set up by the arbitrators, to preparatory inquiries into disputes, and to the organisation of hearings (such as premises, personnel and interpreting) shall be borne by the Community. Expenditure relating to special inquiries shall be settled together with the other costs and the Parties shall deposit advances as determined by an order of the arbitrators.

3. The ACP States shall set up a Fund, which will be

managed by their General Secretariat, for the purpose of contributing to the financing of the expenses incurred by ACP participants at meetings of the Joint Parliamentary Assembly and the Council of Ministers.

The ACP States shall contribute to this Fund. With the aim of encouraging the active participation of all ACP States in the dialogue conducted within the ACP-EC institutions, the Community shall make a contribution to this Fund as provided for in the Financial Protocol (EUR 4 million according to the First Financial Protocol).

To be eligible for the Fund expenses must comply with the following conditions as well as those laid down in paragraph 1:

- They must be incurred by parliamentarians or, in their absence, other such ACP representatives travelling from the country they represent in order to take part in sessions of the Joint Parliamentary Assembly, meetings of working parties or missions under their aegis, or as a result of the participation of these same representatives and representatives of ACP civil society and economic and social operators in consultation meetings held under Articles 15 and 17 of the Agreement.
- Decisions on the nature, organisation, frequency and location of meetings, missions and working groups must be taken in accordance with the rules of procedure of the Council of Ministers and the Joint Parliamentary Assembly.

4. Consultation meetings and meetings of ACP-EU economic and social operators shall be organised by the Economic and Social Committee of the European Union. In this specific instance, the Community's contribution to cover the participation of ACP economic and social operators shall be paid directly to the Economic and Social Committee.

The ACP Secretariat, the Council of Ministers and the Joint Parliamentary Assembly may, in agreement with the Commission, delegate the organisation of consultation meetings of ACP civil society to representative organisations approved by the Parties.

Protocol 2 on privileges and immunities

THE PARTIES

DESIRING, by the conclusion of a Protocol on privileges and immunities, to facilitate the smooth functioning of the Agreement, the preparation of its work and implementation of the measures adopted for its application;

WHEREAS it is therefore necessary to specify the privileges and immunities which may be claimed by persons participating in work relating to the application of the Agreement and to the arrangements applicable to official communications connected with such work, without prejudice to the provisions of the Protocol on the privileges and immunities of the European Communities, signed in Brussels on 8 April 1965;

WHEREAS it is also necessary to lay down the treatment to be accorded to the property, funds and assets of the Council of ACP Ministers, and its staff;

WHEREAS the Georgetown Agreement of 6 June 1975 constituted the ACP Group of States and instituted a Council of ACP Ministers, and a Committee of Ambassadors; whereas the organs of the ACP Group of States are to be serviced by the Secretariat of the ACP States;

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

CHAPTER 1

Persons taking part in the work of the agreement

ARTICLE 1

The representatives of the Governments of the Member States and of the ACP States and the Representatives of the Institutions of the European Communities, and also their advisers and experts and the members of the staff of the Secretariat of the ACP States taking part, in the territory of the Member States or of the ACP States, in the work either of the institutions of the Agreement or of the coordinating bodies, or in work connected with the application of the Agreement, shall enjoy the customary privileges, immunities and facilities while carrying out their duties and while travelling to or from the place at which they are required to carry out such duties.

The preceding paragraph shall also apply to members of the Joint Parliamentary Assembly of the Agreement, to the arbitrators who may be appointed under the Agreement, to members of the consultative bodies of the economic and social sectors which may be set up, to the officials and employees of these institutions, and also to the members of the agencies of the European Investment Bank and its staff, and to the staff of the Centre for the Development of Enterprise and the Centre for the Development of Agriculture.

CHAPTER 2

Property, funds and assets of the council of ACP ministers

ARTICLE 2

The premises and buildings occupied by the Council of ACP Ministers for official purposes shall be inviolable. They shall be exempt from search, requisition, confiscation or expropriation.

Except when required for the purposes of investigating an accident caused by a motor vehicle belonging to the said Council or being used on its account, or in the event of an infringement of road traffic regulations or of an accident caused by such a vehicle, the property and assets of the Council of ACP Ministers shall not be the subject of any administrative or legal measures of constraints without the authorisation of the Council of Ministers set up under the Agreement.

ARTICLE 3

The archives of the Council of ACP Ministers shall be inviolable

ARTICLE 4

The Council of ACP Ministers, its assets, income and other property shall be exempt from all direct taxes.

The host State shall, wherever possible, take the appropriate measures to remit or refund the amount of indirect taxes or sales taxes included in the price of movable or immovable property, where the Council of ACP Ministers makes, strictly for its official use, substantial purchases, the price of which includes taxes of this kind.

No exemption shall be granted in respect of taxes, charges, duties or fees which represent charges for services rendered.

ARTICLE 5

The Council of ACP Ministers shall be exempt from all customs duties, prohibitions and restrictions on imports in respect of articles intended for its official use; articles so imported may not be sold or otherwise disposed of, whether or not in return for payment, in the territory of the country into which they have been imported, except under conditions approved by the Government or that country.

CHAPTER 3

Official communications

ARTICLE 6

For their official communications and the transmission of all their documents, the European Community, the institutions of the Agreement and the coordinating bodies shall enjoy in the territory of the States party to the Agreement the treatment accorded to international organisations.

Official correspondence and other official communications of the European Community, the joint institutions of the Agreement and the coordinating bodies shall not be subject to censorship.

CHAPTER 4

Staff of the secretariat of the ACP states

ARTICLE 7

1. The Secretary or Secretaries and Deputy Secretary or Deputy Secretaries of the Council of ACP Ministers and the other permanent members of the staff of senior rank as designated by the ACP States, of the Council of ACP Ministers shall enjoy, in the State in which the Council of ACP Ministers is established, under the responsibility of the Chairman-in-Office of the Committee of ACP Ambassadors, the advantages accorded to the diplomatic staff of diplomatic missions. Their spouses and their children under age living in their household shall be entitled, under the same conditions, to the advantages accorded to the spouses and children under age of such diplomatic staff.
2. Permanent ACP staff members not referred to in paragraph 1 shall be exempted by their host country from any taxes on salaries, emoluments or allowances paid to them by the ACP States from the day on which such income becomes subject to tax levied for the benefit of the ACP States.

The above provision shall not apply either to pensions paid the ACP Secretariat to its former staff

General provisions

ARTICLE 8

The State in which the Council of ACP Ministers is established shall grant immunity from legal proceedings to permanent members of the staff of the Secretariat of the ACP States, apart from those referred to in paragraph 1 of Article 7, only in respect of acts done by them in the performance of their official duties. Such immunity shall not, however, apply to infringements of road traffic regulations by a permanent member of the staff of the Secretariat of the ACP States or to damage caused by a motor vehicle belonging to, or driven by, him or her.

ARTICLE 9

The names, positions and addresses of the Chairman-in-Office of the Committee of ACP Ambassadors, the Secretary or Secretaries and Deputy Secretary or Deputy Secretaries of the Council of ACP Ministers and of the permanent members of the staff of the Secretariat of the ACP States shall be communicated periodically by the President of the Council of ACP Ministers to the Government of the State in whose territory the Council of ACP Ministers is established.

CHAPTER 5

**Commission delegations
in the ACP states**

ARTICLE 10

1. The Commission Head of Delegation and staff appointed to the Delegation, the Delegations, to the exception of locally recruited staff, shall be exempted from any direct taxes in the ACP State where they are in post.
2. Article 31(2)(g) of Annex IV, chapter 4 shall also apply to the staff referred to in paragraph 1.

ARTICLE 11

The privileges, immunities and facilities provided for in this Protocol shall be accorded to those concerned solely in the interests of the proper execution of their official duties.

Each institution or body referred to in this Protocol shall be required to waive immunity wherever its consider that the waiver of such immunity is not contrary to its own interests.

ARTICLE 12

Article 98 of the Agreement shall apply to disputes relating to this Protocol.

The Council of ACP Ministers and the European Investment Bank may be party to proceedings during an arbitration procedure.

Protocol 3

On south africa

ARTICLE 1

Qualified Status

1. The participation of South Africa in this Agreement is subject to the qualifications set out in this Protocol.
2. The provisions of the bilateral Agreement on Trade, Development and Cooperation between the European Community, its Member States and South Africa signed in Pretoria on 11 October 1999, hereinafter referred as the "TDCA", shall take precedence over the provisions of this Agreement.

ARTICLE 2

General Provisions, Political Dialogue and Joint Institutions

1. The general, institutional and final provisions of this Agreement shall apply to South Africa.
2. South Africa shall be fully associated in the overall political dialogue and participate in the joint institutions and bodies set out under this Agreement. However, in respect of decisions to be taken in relation to provisions that do not apply to South Africa under this Protocol, South Africa shall not take part in the decision-making process.

ARTICLE 3

Cooperation Strategies

The provisions on cooperation strategies of this Agreement shall apply to cooperation between the Community and South Africa.

ARTICLE 4

Financial Resources

1. The provisions of this Agreement on development finance cooperation shall not apply to South Africa.
2. However, in derogation from this principle, South Africa shall have the right to participate in the areas of ACP-EC development finance cooperation listed in Article 8 below, on the understanding that South Africa's participation will be fully financed from the resources provided for under Title VII of the TDCA. Where resources from the TDCA are deployed for participation in operations in the framework of ACP- EC financial cooperation, South Africa will enjoy the right to participate fully in the decision-making procedures governing implementation of such aid.
3. South African natural or legal persons shall be eligible for award of contracts financed from the financial resources provided for under this Agreement. In this respect, South African natural or legal persons shall, however, not enjoy the preferences accorded to natural and legal persons from ACP States.

ARTICLE 5

Trade Cooperation

1. The provisions of this Agreement on economic and trade cooperation shall not apply to South Africa.
2. Nonetheless, South Africa shall be associated as an observer in the dialogue between the Parties pursuant to Articles 34 to 40 of this Agreement.

ARTICLE 6

Applicability of Protocols and Declarations

The protocols and declarations annexed to this Agreement that relate to parts of the Agreement that are not applicable to South Africa, shall not apply to South Africa. All other declarations and protocols shall apply.

ARTICLE 7

Revision Clause

This Protocol may be revised by decision of the Council of Ministers.

Applicability

Without prejudice to the previous Articles, the table hereunder sets out those Articles of the Agreement and its Annexes which shall apply to South Africa and those which shall not apply.

<i>Applicable</i>	<i>Remarks</i>	<i>Not applicable</i>
Preamble		
Part I, Title I, Chapter 1: "Objectives, principles and actors" (Articles 1 to 7)		
Part I, Title II, "The political dimension"; Articles 8 to 13		
Part 2, "Institutional provisions"; Articles 14 to 17	<i>In accordance with Article 1 of this protocol, South Africa shall not have voting rights in any of the joint institutions or bodies in areas of the Agreement which are not applicable to South Africa.</i>	
Part 3, Title I, "Development strategies".		
	<i>In accordance with Article 5 above, South Africa shall be associated as an observer in the dialogue between the Parties pursuant to Articles 34 to 40.</i>	Part 3, Title II, <i>Economic and Trade Cooperation.</i>
Article 75(i) (<i>Investment promotion, support for the ACP-EU private sector dialogue on regional level</i>), Article 78 (<i>Investment protection</i>)	<i>In accordance with Article 4 above, South Africa shall have the right to participate in certain areas of development finance cooperation on the understanding that such participation will be fully financed from the resources provided for under Title VII of the TDCA.</i> <i>In accordance with Article 2 above, South Africa may participate in the ACP-EC Development Finance Cooperation Committee provided for in Article 83, without enjoying voting rights in relation to provisions that do not apply to South Africa.</i>	Part 4, <i>Development Finance Cooperation</i>
Part 5, <i>General Provisions for the Least Developed, Landlocked and Island ACP States</i> , Articles 84 to 90		

Part 6, Final Provisions, Articles 91 to 100		
		Annex I (Financial Protocol)
Annex II, <i>Terms and conditions of Financing</i> , Chapter 5 (link to Article 78 / investment protection)	<i>In accordance with Article 4 above, South Africa shall have the right to participate in certain areas of development finance cooperation on the understanding that South Africa's participation will be fully financed from the resources provided for under Title VII of the TDCA.</i>	Annex II, <i>Terms and conditions of Financing</i> , Chapters 1, 2, 3 and 4
Annex III <i>Institutional Support (CDE and CTA)</i>	<i>In accordance with Article 4 above, South Africa shall have the right to participate in certain areas of development finance cooperation on the understanding that South Africa's participation will be fully financed from the resources provided for under Title VII of the TDCA.</i>	
Annex IV, <i>Implementation and Management Procedures</i> : Articles 6 to 14, (<i>Regional cooperation</i>) Articles 20 to 32 (<i>Competition and preference</i>)	<i>In accordance with Article 4 above, where resources from the TDCA are deployed for participation activities in the framework of ACP-EC financial cooperation, South Africa will enjoy the right to fully participate in the decision-making procedures governing implementation of such aid. South African natural and legal persons will moreover be eligible for participation in tenders for contracts financed from the financial resources of the Agreement. In this context, South African tenderers will not enjoy the preferences provided for tenderers from the ACP States.</i>	Annex IV, Articles 1 to 5 (<i>national programming</i>); 15 to 19 (<i>provisions relating to the project cycle</i>), 27 (<i>preference to ACP contractors</i>) and 34 to 38 (<i>Executing agents</i>)
		Annex V / trade regime during the preparatory period.
Annex VI; List of Least Developed, island and landlocked ACP States.		



FINAL ACT

The plenipotentiaries of:
His Majesty the King of the Belgians,
Her Majesty the Queen of Denmark,
The President of the Federal Republic of Germany,
The President of the Hellenic Republic,
His Majesty the King of Spain,
The President of the French Republic,
The President of Ireland,
The President of the Italian Republic,
His Royal Highness the Grand Duke of Luxembourg,
Her Majesty the Queen of the Netherlands,
The Federal President of the Republic of Austria,
The President of the Portuguese Republic
The President of the Republic of Finland,
The Government of the Kingdom of Sweden,
Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland,

Contracting Parties to the Treaty establishing the European Community, hereinafter referred to as "the Community", the States of the Community being hereinafter referred to as "Member States",
and of the Council of the European Union and the Commission of the European Communities,
on the one part, and

The plenipotentiaries of:

The President of the Republic of Angola,
Her Majesty the Queen of Antigua and Barbuda,
The Head of State of the Commonwealth of the Bahamas,
The Head of State of Barbados,
Her Majesty the Queen of Belize,
The President of the Republic of Benin,
The President of the Republic of Botswana,
The President of Burkina Faso,
The President of the Republic of Burundi,
The President of the Republic of Cameroon,
The President of the Republic of Cape Verde,
The President of the Central African Republic,
The President of the Republic of Chad,
The President of the Islamic Federal Republic of the Comoros,
The President of the Democratic Republic of Congo,
The President of the Republic of Congo,
The Government of the Cook Islands
The President of the Republic of Côte d'Ivoire,
The President of the Republic of Djibouti,
The Government of the Commonwealth of Dominica,
The President of the Dominican Republic,
The President of the State of Eritrea,
The President of the Republic of Equatorial Guinea,
The President of the Federal Democratic Republic of Ethiopia,
The President of the Sovereign Democratic Republic of Fiji,
The President of the Gabonese Republic,
The President and Head of State of the Republic of The Gambia,
The President of the Republic of Ghana,
Her Majesty the Queen of Grenada,
The President of the Republic of Guinea,
The President of the Republic of Guinea-Bissau,
The President of the Republic of Guyana,
The President of the Republic of Haiti,
The Head of State of Jamaica,
The President of the Republic of Kenya,

The President of the Republic of Lesotho,
The President of the Republic of Liberia,
The President of the Republic of Madagascar,
The President of the Republic of Malawi,
The President of the Republic of Mali,
The Government of the Republic of the Marshall Islands,
The President of the Islamic Republic of Mauritania,
The President of the Republic of Mauritius,
The Government of the Federated States of Micronesia,
The President of the Republic of Mozambique,
The President of the Republic of Namibia,
The Government of the Republic of Nauru,
The President of the Republic of Niger,
The President of the Federal Republic of Nigeria,
The Government of Niue,
The Government of the Republic of Palau,
Her Majesty the Queen of the Independent State of Papua New Guinea,
The President of the Rwandese Republic,
Her Majesty the Queen of Saint Kitts and Nevis,
Her Majesty the Queen of Saint Lucia,
Her Majesty the Queen of Saint Vincent and the Grenadines,
The Head of State of the Independent State of Samoa,
The President of the Democratic Republic of São Tomé and Príncipe,
The President of the Republic of Senegal,
The President of the Republic of Seychelles,
The President of the Republic of Sierra Leone,
Her Majesty the Queen of the Solomon Islands,
The President of the Republic of South Africa,
The President of the Republic of Sudan,
The President of the Republic of Suriname,
His Majesty the King of the Kingdom of Swaziland,
The President of the United Republic of Tanzania,
The President of the Togolese Republic,
His Majesty King Taufa'ahau Tupou IV of Tonga,
The President of the Republic of Trinidad and Tobago,
Her Majesty the Queen of Tuvalu,
The President of the Republic of Uganda,
The Government of the Republic of Vanuatu,
The President of the Republic of Zambia,
The Government of the Republic of Zimbabwe,

whose States are hereinafter referred to as "ACP States",
of the other part,

meeting at Cotonou this 23rd of June in the year two thousand for the signature of the ACP-EC Partnership Agreement have adopted the following texts:

The ACP-EC Partnership Agreement, and the following Annexes and Protocols:

Annex I

Financial Protocol

Annex II

Terms and Conditions of Financing

Annex III

Institutional Support - CDE and CTA

Annex IV

Implementation and management procedures

Annex V

Trade regime applicable during the preparatory period referred to in Article 37(1)

Annex VI

List of LDLICs

on operating expenditure of the joint institutions

Protocol 2

on privileges and immunities

Protocol 3

on South Africa

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of the ACP States have adopted the texts of the declarations listed below annexed to this Final Act:

Declaration I

Joint Declaration on the actors of the Partnership (Article 6)

Declaration II

Declaration of the Commission and the Council of the European Union on the clause concerning the return and readmission of illegal immigrants (Article 13(5))

Declaration III

Joint Declaration on participation in the Joint Parliamentary Assembly (Article 17(1))

Declaration IV

Community Declaration on the financing of the ACP Secretariat

Declaration V

Community Declaration on the financing of the joint institutions

Declaration VI

Community Declaration relating to the Protocol on privileges and immunities

Declaration VII

Declaration by the Member States relating to the Protocol on privileges and immunities

Declaration VIII

Joint Declaration relating to the Protocol on privileges and immunities

Declaration IX

Joint Declaration on Article 49(2) on trade and environment

Declaration X

ACP Declaration on trade and environment

Declaration XI

Joint Declaration on the ACP cultural heritage

Declaration XII

Declaration by the ACP States on return or restitution of cultural property

Declaration XIII

Joint Declaration on copyright

Declaration XIV

Joint Declaration on regional cooperation and the outermost regions (Article 28)

Declaration XV

Joint Declaration on accession

Declaration XVI

Joint Declaration on accession of the overseas countries and territories referred to in Part Four of the EC Treaty

Declaration XVII

Joint Declaration on Article 66 (debt relief) of the Agreement

Declaration XVIII

EU Declaration on the Financial Protocol

Declaration XIX

Declaration by the Council and the Commission on the Programming Process

Declaration XX

Joint Declaration on the impact of Export Revenue Fluctuations on Vulnerable Small, Island and Landlocked ACP States

Declaration XXI

Community Declaration on Article 3 of Annex IV

Joint Declaration concerning agricultural products referred to in Article 1(2)(a) of Annex V

Declaration XXIII

Joint Declaration on market access in the EC-ACP Partnership

Declaration XXIV

Joint Declaration on rice

Declaration XXV

Joint Declaration on rum

Declaration XXVI

Joint Declaration on beef and veal

Declaration XXVII

Joint Declaration on the arrangements governing access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 1(2) of Annex V

Declaration XXVIII

Joint Declaration on cooperation between ACP States and the neighbouring overseas countries and territories and French overseas departments

Declaration XXIX

Joint Declaration on products covered by the common agricultural policy

Declaration XXX

ACP Declaration on Article 1 of Annex V

Declaration XXXI

Community Declaration on Article 5(2)(a) of Annex V

Declaration XXXII

Joint Declaration on non-discrimination

Declaration XXXIII

Community Declaration on Article 8(3) of Annex V

Declaration XXXIV

Joint Declaration on Article 12 of Annex V

Declaration XXXV

Joint Declaration relating to Protocol 1 on Article 7 of Annex V

Declaration XXXVI

Joint Declaration relating to Protocol 1 of Annex V

Declaration XXXVII

Joint Declaration relating to Protocol 1 of Annex V on the origin of fishery products

Declaration XXXVIII

Community Declaration relating to Protocol 1 of Annex V on the extent of territorial waters

Declaration XXXIX

ACP Declaration relating to Protocol 1 of Annex V on the origin of fishery products

Declaration XL

Joint Declaration on the application of the value tolerance rule in the tuna sector

Declaration XLI

Joint Declaration on Article 6(11) of Protocol 1 of Annex V

Declaration XLII

Joint Declaration on rules of origin: cumulation with South Africa

Declaration XLIII

Joint Declaration on Annex 2 to Protocol 1 of Annex V

Joint Declaration on the actors of the partnership (Article 6)

The Parties agree that the definition of civil society may differ significantly according to the socio-economic and cultural conditions of each ACP country. However, they believe that this definition may include inter alia the following organisations: human rights groups and agencies, grassroots organisations, women's associations, youth organisations, child-protection organisations, environmental movements, farmers' organisations, consumers' associations, religious organisations, development support structures (NGOs, teaching and research establishments), cultural associations and the media.

DECLARATION II

Declaration of the Commission and the Council of the European Union on the clause concerning the return and readmission of illegal immigrants (Article 13(5))

Article 13(5) shall be without prejudice to the internal division of powers between the Community and its Member States for the conclusion of readmission agreements.

DECLARATION III

Joint Declaration on participation in the Joint Parliamentary Assembly (Article 17(1))

The Parties reaffirm the role of the Joint Parliamentary Assembly in promoting and defending democratic processes through dialogue between members of parliament, and agree that the participation of representatives who are not members of a parliament, as set out in Article 17, shall be allowed only in exceptional circumstances. Such participation shall be subject to the approval of the Joint Parliamentary Assembly before each session.

DECLARATION IV

Community Declaration on the financing of the ACP Secretariat

The Community shall contribute to the cost of running the ACP Secretariat from intra-ACP cooperation resources.

DECLARATION V

Community Declaration on the financing of the Joint Institutions

The Community, being aware that expenditure in connection with interpreting at meetings and the translation of documents is expenditure incurred essentially for its own requirements, is prepared to

cover the cost of the installations of the Agreement which take place in the territory of a Member State and those which take place in the territory of an ACP State.

DECLARATION VI

Community Declaration relating to the Protocol on privileges and immunities

The Protocol on privileges and immunities is a multi-lateral act from the point of view of international law. However, any specific problems that may arise in the host State regarding the application of this Protocol should be settled by bilateral agreement with that State.

The Community has noted the ACP States' requests that certain provisions of Protocol 2 be modified, notably as regards the status of the staff of the ACP Secretariat, the Centre for the Development of Enterprise (CDE) and the Centre for the Development of Agriculture (CTA).

The Community is willing to seek jointly appropriate solutions in respect of the ACP States' requests with a view to establishing a separate legal instrument as referred to above.

In this context, the host country will, without derogating from the present benefits enjoyed by the ACP Secretariat, the CDE, the CTA and their staff:

- 1) Show understanding as regards the interpretation of the expression "staff of senior rank", such an interpretation to be arrived at by mutual agreement;
- 2) Recognise the powers delegated by the President of the Council of ACP Ministers to the Chairman of the ACP-EC Committee of Ambassadors, in order to simplify implementation of Article 9 of the Protocol;
- 3) Agree to grant certain facilities to the staff of the ACP Secretariat, the CDE and the CTA to facilitate initial installation in the host country;
- 4) Examine in an appropriate way tax-related questions concerning the ACP Secretariat, the CDE and the CTA and their staff.

DECLARATION VII

Declaration by the Member States relating to the Protocol on privileges and immunities

The Member States shall strive, in the context of their respective regulations, to facilitate throughout their respective territories, the movement in pursuit of their official duties of ACP diplomats accredited to the Community, members of the ACP Secretariat referred to in Article 7 of Protocol 2, whose names and positions shall be communicated in accordance with Article 9 of that Protocol, and the ACP executives of the CDE and the CTA.

Joint Declaration relating to the Protocol on privileges and immunities

Within the context of their respective regulations, the ACP States shall grant Commission delegations privileges and immunities similar to those granted to diplomatic missions so that they are able to carry out the functions incumbent on them under the Agreement in a satisfactory and effective manner.

DECLARATION IX

Joint Declaration on Article 49 (2) on trade and environment

Keenly aware of the specific risks attaching to radioactive waste, the Parties will refrain from any practice of discharging such waste which would encroach upon the sovereignty of States or threaten the environment or public health in other countries. They attach the greatest importance to developing international cooperation to protect the environment and public health against such risks. They accordingly affirm their determination to play an active part in the work being done in the IAEA to produce an internationally approved code of good practice.

Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community defines the term "radioactive waste" as any material, which contains or is contaminated by radio-nuclides and for which no use is foreseen. The Directive is applicable to shipments of radioactive waste between Member States and into and out of the Community whenever the quantities and concentration exceed the levels laid down in Article 3(2)(a) and (b) of the Council Directive 96/29/Euratom of 13 May 1996. The defined levels ensure basic safety standards for the protection of health of workers and the general public against the dangers arising from ionising radiation.

Shipments of radioactive waste are subject to a system of prior authorisation as defined in Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community. Article 11(1)b of the Directive stipulates that the competent authorities of Member States shall not authorise shipments of radioactive waste to a State party to the Fourth ACP-EEC Convention which is not a member of the Community, taking account, however, of Article 14. The Community ensures that Article 11 of Directive 92/3/Euratom will be revised to cover all Parties of this Agreement which are not members of the Community. Until then, the Community will act, as if the abovementioned parties would already be covered.

The Parties shall make every effort to sign and ratify as quickly as possible the Basle Convention on the Control of Transboundary Movements of Hazardous

wastes and their Disposal, as well as the 1995 amendment to the Convention, as laid down in Decision III/1.

DECLARATION X ACP Declaration on trade and environment

The ACP States are seriously concerned about environmental problems in general and the transboundary movement of hazardous, nuclear and other radioactive wastes in particular.

In interpreting and implementing the provisions of Article 32(1)(d) of the Agreement, the ACP States have expressed their determination to be guided by the principles and the provisions of the OAU Resolution on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in Africa as contained in AHG 182 (XXV).

DECLARATION XI

Joint Declaration on the ACP cultural heritage

1. The Parties express their common will to promote the preservation and enhancement of the cultural heritage of each ACP country, at the international, bilateral and private level and in the context of this Agreement.
2. The Parties acknowledge the need to facilitate the access of ACP historians and researchers to archives with a view to promoting the development of exchange of information on the cultural heritage of ACP States.
3. They acknowledge the usefulness of providing assistance for the appropriate activities conducted especially in the area of training, for the preservation, protection and exhibition of cultural properties, monuments and objects, including the promulgation and implementation of appropriate legislation.
4. They underpin the importance of undertaking common cultural activities, facilitating the mobility of ACP and European artists, as well as the exchanges of cultural objects which are symbolic of their cultures and civilisations with a view to enhancing mutual understanding and solidarity between their respective populations.

DECLARATION XII

Declaration by the ACP States on return or restitution of cultural property

The ACP States urge the Community and its Member States, insofar as they acknowledge the legitimate right of the ACP States to cultural identity, to promote the return or restitution of cultural property taken from ACP States and now to be found in Member States.

Joint Declaration on copyright

The Parties acknowledge that promotion of copyright protection is an integral part of cultural cooperation, the aim of which is to enhance all forms of human expression. Furthermore, such protection is a prerequisite for nurturing and developing production, dissemination and publishing activities.

Consequently, the two Parties shall, in the context of ACP-EC cultural cooperation, seek to promote and foster respect for copyright and related rights.

In this context, and in accordance with the rules and procedures laid down by the Agreement, the Community may offer financial and technical support for disseminating copyright information, training economic operators in the protection of such rights and drafting national legislation for their better protection.

DECLARATION XIV

Joint Declaration on regional cooperation and the outermost regions (Article 28)

The reference to the outermost regions concerns the Spanish autonomous community of the Canary Islands, the four French overseas departments, namely Guadeloupe, Guyana, Martinique and Réunion, and the Portuguese autonomous regions of the Azores and Madeira.

DECLARATION XV

Joint Declaration on accession

Any accession of a third State to this Agreement shall be made in compliance with the provisions of Article 1 and the objectives of Article 2 laid down by the ACP Group in the Georgetown Agreement as amended in November 1992..

DECLARATION XVI

Joint Declaration on accession of the overseas countries and territories referred to in Part Four of the EC Treaty

The Community and the ACP States are prepared to allow the overseas countries and territories referred to in Part Four of the Treaty which have become independent to accede to this Agreement, if they wish to continue their relations with the Community in this form.

DECLARATION XVII

Joint Declaration on Article 66 (debt relief) of the Agreement

The Parties agree on the following principles:

- a) In the longer-term, the Parties will seek an improvement of the Heavily Indebted Poor Countries ini-

speeding up debt relief to ACP Countries;

- b) The Parties will also seek the mobilisation and establishment of support mechanisms for debt reduction in favour of ACP countries who are not yet eligible for the HIPC initiative.

DECLARATION XVIII

EU Declaration on the Financial Protocol

Within the overall amount of EUR 13 500 million of the 9th EDF, EUR 12 500 million shall be made available immediately upon the entry into force of the Financial Protocol. The remaining EUR 1 000 million shall be released on the basis of the performance review referred to in paragraph 7 of the Financial Protocol that shall be undertaken in 2004.

In evaluating the need for new resources, full account shall be taken of this performance review as well as of a date beyond which the funds of the 9th EDF will not be committed.

DECLARATION XIX

Declaration by the Council and the Commission on the Programming Process

The Community and its Member States reaffirm their attachment to the agreement on a reform of the programming process for implementation of assistance financed from the 9th EDF.

In this context, the Community and its Member States regard a properly implemented review mechanism as the most important tool for successful programming. The review process that has been agreed for governing the implementation of the 9th EDF will ensure continuity in the programming process while allowing for regular adjustments of the Country Support Strategy to reflect developments in needs and performance of the ACP State concerned.

In order to reap the full benefits of the reform and ensure the efficiency of the programming process, the Community and its Member States reaffirm the political commitment to the following principles:

The reviews must as far as possible be carried out in the ACP State concerned. Localising the reviews shall not imply that the Member States or the Commission Headquarters shall be prevented from following and being involved in the programming process as appropriate.

The time frames that have been set for completion of the reviews shall be respected.

The reviews must not be an isolated event in the programming process. The reviews shall be regarded as management tools, which synthesise the results of the regular (monthly) dialogue between the National

Delegation.

The reviews must not increase the administrative burden of either of the Parties concerned. The procedures and reporting requirements surrounding the programming process must therefore be managed in a disciplined manner. To this end, the respective roles of the Member States and the Commission in the decision making process will be reviewed and adapted.

DECLARATION XX
Joint Declaration on the Impact of
Export Revenue Fluctuations on
Vulnerable Small, Island and
Landlocked ACP States

The Parties note the concern of ACP States that the modalities of the mechanism for additional support to countries suffering from fluctuation of export revenues may not provide sufficient support to vulnerable small, island and landlocked States subject to volatile export revenues.

From the second year of operation of the mechanism, and on request of one or more ACP States who have met with difficulties, the Parties agree to re-examine the modalities of the mechanism on the basis of a proposal from the Commission, with a view, where necessary, to remedy the effects of such fluctuations.

DECLARATION XXI
Community Declaration on Article 3 of
Annex IV

The notification of the indicative amount referred to in Article 3 of Annex IV, will not apply to the ACP States with whom the Community has suspended its cooperation.

DÉCLARATION XXII
Joint Declaration concerning
agricultural products referred to in
Article 1(2)(a) of Annex V

The Parties have taken note that the Community intends to take the measures mentioned in the Annex, and which are laid down at the date of signing of the Agreement, with a view to granting ACP States the preferential treatment provided for in Article 1(2)(a), for certain agricultural and processed products.

They have taken note that the Community declares that it will take all the measures required to ensure that the corresponding agricultural regulations are adopted in good time and that, wherever possible, they come into force at the same time as the interim arrangements which will be introduced after the signing of the successor Agreement to the Fourth ACP-EC Convention signed in Lomé on 15 December 1989.

Code	Description	Code	Description
01	LIVE ANIMALS		
0101	LIVE HORSES, ASSES, MULES AND HINNIES		other species: within the limit of the quota (quota 1) reduction 100% specific duties
0101	exemption	0205	MEAT OF HORSES, ASSES, MULES OR HINNIES, FRESH, CHILLED OR FROZEN exemption
0102	LIVE BOVINE ANIMALS	0205	
01029005	reduction 100% ad valorem customs duties	0206	EDIBLE OFFAL OF BOVINE ANIMALS, SWINE, SHEEP, GOATS, HORSES, ASSES, MULES OR HINNIES, FRESH, CHILLED OR FROZEN exemption
01029021	reduction 100% ad valorem customs duties	02061091	exemption
01029029	reduction 100% ad valorem customs duties	02061095	reduction 100% ad valorem customs duties (1)
01029041	reduction 100% ad valorem customs duties	02061099	exemption
01029049	reduction 100% ad valorem customs duties	020621	exemption
01029051	reduction 100% ad valorem customs duties	020622	exemption
01029059	reduction 100% ad valorem customs duties	02062991	reduction 100% ad valorem customs duties (1))
01029061	reduction 100% ad valorem customs duties	02062999	exemption
01029069	reduction 100% ad valorem customs duties	02063021	within the limit of the quota (ctg 7) reduction 50%
01029071	reduction 100% ad valorem customs duties	02063031	within the limit of the quota (ctg 7) reduction 50%
01029079	reduction 100% ad valorem customs duties	02063090	exemption
0103	LIVE SWINES	02064191	within the limit of the quota (ctg 7) reduction 50%
01039110	reduction 16%	02064199	exemption
01039211	reduction 16%	02064991	within the limit of the quota (ctg 7) reduction 50%
01039219	reduction 16%	02064999	exemption
0104	LIVE SHEEP AND GOATS	020680	exemption
01041030	reduction 100% customs duties within the limit of the quota (ctg 1)	020690	exemption
01041080	reduction 100% customs duties within the limit of the quota (ctg 1)	0207	MEAT AND EDIBLE OFFAL OF FOWLS OF THE SPECIES GALLUS DOMESTICUS, DUCKS, GEESE, TURKEYS AND GUINEA FOWLS, FRESH, CHILLED OR FROZEN
01042010	exemption	0207	within the limit of the quota (ctg 3) reduction 65%
01042090	reduction 100% customs duties within the limit of the quota (ctg 1)	0208	MEAT AND EDIBLE OFFAL OF RABBITS, HARES, PIGEONS AND OTHER ANIMALS NOT ELSEWHERE SPECIFIED OR INCLUDED, FRESH, CHILLED OR FROZEN
0105	LIVE POULTRY, FOWLS OF THE SPECIES GALLUS DOMESTICUS, DUCKS, GEESE, TURKEYS AND GUINEA FOWLS	0208	exemption
0105	reduction 16%	0209	PIG FAT, FREE OF LEAN MEAT AND POULTRY FAT NOT RENDERED, FRESH, CHILLED, FROZEN, SALTED, IN BRINE, DRIED OR SMOKED
0106	LIVE ANIMALS (EXCL. HORSES, ASSES, MULES, HINNIES, BOVINE ANIMALS, SWINE, SHEEP, GOATS, POULTRY, FISH, CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC INVERTEBRATES, AND MICRO-ORGANIC CULTURES, ETC.)	02090011	within the limit of the quota (ctg 7) reduction 50%
0106	exemption	02090019	within the limit of the quota (ctg 7) reduction 50%
02	MEAT AND EDIBLE MEAT OFFAL	02090030	within the limit of the quota (ctg 7) reduction 50%
0201	MEAT OF BOVINE ANIMALS, FRESH OR CHILLED	02090090	reduction 16%
0201	reduction 100% ad valorem customs duties (1)	0210	MEAT AND EDIBLE OFFAL, SALTED, IN BRINE, DRIED OR SMOKED; EDIBLE FLOURS AND MEALS OF MEAT OR MEAT OFFAL
0202	MEAT OF BOVINE ANIMALS, FROZEN	02101111	within the limit of the quota (ctg 7) reduction 50%
0202	reduction 100% ad valorem customs duties (1)	02101119	within the limit of the quota (ctg 7) reduction 50%
0203	MEAT OF SWINE, FRESH, CHILLED OR FROZEN	02101131	within the limit of the quota (ctg 7) reduction 50%
02031110	within the limit of the quota (ctg 7) reduction 50%	02101139	within the limit of the quota (ctg 7) reduction 50%
02031190	exemption	02101190	exemption
02031211	within the limit of the quota (ctg 7) reduction 50%	02101211	within the limit of the quota (ctg 7) reduction 50%
02031219	within the limit of the quota (ctg 7) reduction 50%	02101219	within the limit of the quota (ctg 7) reduction 50%
02031290	exemption	02101290	exemption
02031911	within the limit of the quota (ctg 7) reduction 50%	02101910	within the limit of the quota (ctg 7) reduction 50%
02031913	within the limit of the quota (ctg 7) reduction 50%	02101920	within the limit of the quota (ctg 7) reduction 50%
02031915	within the limit of the quota (ctg 7) reduction 50%	02101930	within the limit of the quota (ctg 7) reduction 50%
ex 02031955	within the limit of the quota (ctg 7) reduction 50% (excluding tenderloin presented separately)	02101940	within the limit of the quota (ctg 7) reduction 50%
02031959	within the limit of the quota (ctg 7) reduction 50%	02101951	within the limit of the quota (ctg 7) reduction 50%
02031990	exemption	02101959	within the limit of the quota (ctg 7) reduction 50%
02032110	within the limit of the quota (ctg 7) reduction 50%	02101960	within the limit of the quota (ctg 7) reduction 50%
02032190	exemption	02101970	within the limit of the quota (ctg 7) reduction 50%
02032211	within the limit of the quota (ctg 7) reduction 50%	02101981	within the limit of the quota (ctg 7) reduction 50%
02032219	within the limit of the quota (ctg 7) reduction 50%	02101989	within the limit of the quota (ctg 7) reduction 50%
02032290	exemption	02101990	exemption
02032911	within the limit of the quota (ctg 7) reduction 50%	021020	reduction 100% ad valorem customs duties
02032913	within the limit of the quota (ctg 7) reduction 50%	02109010	exemption
02032915	within the limit of the quota (ctg 7) reduction 50%	02109011	reduction 100% ad valorem customs duties; domestic sheep: within the limit of the quota (quota 2) reduction 65% specific duties; other species: within the limit of the quota (quota 1) reduction 100% specific duties
ex 02032955	within the limit of the quota (ctg 7) reduction 50% (excluding the tenderloin in one piece)	02109019	reduction 100% ad valorem customs duties; domestic sheep: within the limit of the quota (quota 2) reduction 65% specific duties; other species: within the limit of the quota (quota 1) reduction 100% specific duties
02032959	within the limit of the quota (ctg 7) reduction 50%		
02032990	exemption		
0204	MEAT OF SHEEP OR GOATS, FRESH, CHILLED OR FROZEN		
0204	reduction 100% ad valorem customs duties; domestic sheep: within the limit of the quota (quota 2) reduction 65% specific duties;		

02109029	exemption	0406	within the limit of the quota (ctg 6) reduction 65%
02109031	within the limit of the quota (ctg 7) reduction 50%		
02109039	within the limit of the quota (ctg 7) reduction 50%	0407	BIRDS' EGGS, IN SHELL, FRESH, PRESERVED OR COOKED
02109041	reduction 100% ad valorem customs duties	04070011	reduction 16%
02109049	exemption	04070019	reduction 16%
02109060	exemption	04070030	reduction 16%
02109071	reduction 16%	04070090	exemption
02109079	reduction 16%		
02109080	exemption	0408	BIRDS' EGGS, NOT IN SHELL, AND EGG YOLKS, FRESH, DRIED, COOKED BY STEAMING OR BY BOILING IN WATER, MOULDED, FROZEN OR OTHERWISE PRESERVED, WHETHER OR NOT CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER
02109090	reduction 100% ad valorem customs duties	04081180	reduction 16%
03	FISH AND CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC INVERTEBRATES	04081981	reduction 16%
03	exemption	04081989	reduction 16%
04	DAIRY PRODUCE; BIRDS' EGGS; NATURAL HONEY; EDIBLE PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED	04089180	reduction 16%
0401	MILK AND CREAM, NOT CONCENTRATED NOR CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER	04089980	reduction 16%
0401	reduction 16%	0409	NATURAL HONEY
0402	MILK AND CREAM, CONCENTRATED OR CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER	0409	exemption
0402	within the limit of the quota (ctg 5) reduction 65%	0410	TURTLES' EGGS, BIRDS' NESTS AND OTHER EDIBLE PRODUCTS OF ANIMAL ORIGIN NOT ELSEWHERE SPECIFIED OR INCLUDED
0403	BUTTERMILK, CURDLED MILK AND CREAM, YOGURT, KEPHIR AND OTHER FERMENTED OR ACIDIFIED MILK AND CREAM, WHETHER OR NOT CONCENTRATED OR FLAVOURED OR CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER, FRUITS, NUTS OR COCOA	0410	exemption
04031011	reduction 16%	05	PRODUCTS OF ANIMAL ORIGIN NOT ELSEWHERE SPECIFIED OR INCLUDED
04031013	reduction 16%	05	exemption
04031019	reduction 16%	06	LIVE TREES AND OTHER PLANTS; BULBS, ROOTS AND THE LIKE; CUT FLOWERS AND ORNAMENTAL FOLIAGE
04031031	reduction 16%	06	exemption
04031033	reduction 16%	07	EDIBLE VEGETABLES AND CERTAIN ROOTS AND TUBERS
04031051	reduction 100% ad valorem customs duties	0701	POTATOES, FRESH OR CHILLED
04031053	reduction 100% ad valorem customs duties	0701	exemption
04031059	reduction 100% ad valorem customs duties	0702	TOMATOES, FRESH OR CHILLED
04031091	reduction 100% ad valorem customs duties	0702	tomatoes other than cherry tomatoes 15/11-30/4: reduction 60% ad valorem customs duties within the limit of the quota (quota 13a); cherry tomatoes 15/11-30/4: reduction 100% ad valorem customs duties within the limit of the quota (quota 13b)
04031093	reduction 100% ad valorem customs duties	0703	ONIONS, SHALLOTS, GARLIC, LEEKS AND OTHER ALLIACEOUS VEGETABLES, FRESH OR CHILLED
04031099	reduction 100% ad valorem customs duties	07031019	reduction 15% from 16/5-31/1, exemption 1/2-15/5
04039011	reduction 16%	07031090	reduction 16%
04039013	reduction 16%	070320	reduction 15% from 1/6-31/1, exemption 1/2-31/5
04039019	reduction 16%	070390	reduction 16%
04039031	reduction 16%	0704	CABBAGES, CAULIFLOWERS, KOHLRABI, KALE AND SIMILAR EDIBLE BRASSICAS, FRESH OR CHILLED
04039033	reduction 16%	070410	reduction 16%
04039039	reduction 16%	070420	reduction 16%
04039051	reduction 16%	07049010	reduction 16%
04039053	reduction 16%	07049090	Chinese cabbage: reduction 15% 1/1-30/10, exemption 1/11-31/12; other cabbages: reduction 16%
04039059	reduction 16%	0705	LETTUCE "LACTUCA SATIVA" AND CHICORY "CICHORIUM SPP.", FRESH OR CHILLED
04039061	reduction 16%	070511	Iceberg salad: reduction 15% 1/11-30/6, exemption 1/7-31/10; other salads: reduction 16%
04039063	reduction 16%	070519	reduction 16%
04039069	reduction 16%	070521	reduction 16%
04039071	reduction 100% ad valorem customs duties	070529	reduction 16%
04039073	reduction 100% ad valorem customs duties	0706	CARROTS, TURNIPS, SALAD BEETROOT, SALSIFY, CELERIAC, RADISHES AND SIMILAR EDIBLE ROOTS, FRESH OR CHILLED
04039079	reduction 100% ad valorem customs duties		
04039091	reduction 100% ad valorem customs duties		
04039093	reduction 100% ad valorem customs duties		
04039099	reduction 100% ad valorem customs duties		
0404	WHEY, WHETHER OR NOT CONCENTRATED OR CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER; PRODUCTS CONSISTING OF NATURAL MILK CONSTITUENTS, WHETHER OR NOT CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER, NOT ELSEWHERE SPECIFIED OR INCLUDED		
0404	reduction 16%		
0405	BUTTER AND OTHER FATS AND OILS DERIVED FROM MILK		
0405	reduction 16%		

	31/3; turnips: reduction-16%
07069005	reduction 16%
07069011	reduction 16%
07069017	reduction 16%
07069030	exemption
ex 07069090	salad beetroot and radishes (raphanus sativus); exemption
0707	CUCUMBERS AND GHERKINS, FRESH OR CHILLED
ex 07070005	small winter cucumbers 1/11-15/5: reduction 100% ad valorem customs duties; winter cucumbers other than small cucumbers: reduction 16% ad valorem customs duties
07070090	reduction 16%
0708	LEGUMINOUS VEGETABLES, SHELLED OR UNSHELLED, FRESH OR CHILLED
0708	exemption
0709	OTHER VEGETABLES, FRESH OR CHILLED
070910	reduction 15% from 1/1-30/9, reduction 100% ad valorem customs duties 1/10-31/12
070920	reduction 15% from 1/2-14/8, reduction 40% from 16/1-31/1, exemption 15/8-15/1
070930	exemption
070940	exemption
07095110	reduction 16%
0095130	reduction 16%
07095150	reduction 16%
07095190	exemption
070952	reduction 16%
070960	exemption
070970	reduction 16%
07099010	reduction 16%
07099020	reduction 16%
07099040	reduction 16%
07099050	reduction 16%
07099060	reduction 1,81 EUR/t
07099070	reduction 100% ad valorem customs duties
07099090	exemption
0710	VEGETABLES, UNCOOKED OR COOKED BY STEAMING OR BOILING IN WATER, FROZEN
071010	exemption
071021	exemption
071022	exemption
071029	exemption
071030	exemption
071040	reduction 100% ad valorem customs duties
07108051	exemption
07108059	exemption
07108061	exemption
07108069	exemption
07108070	exemption
07108080	exemption
07108085	exemption
07108095	exemption
071090	exemption
0711	VEGETABLES PROVISIONALLY PRESERVED, E.G. BY SULPHUR DIOXIDE GAS, IN BRINE, IN SULPHUR WATER OR IN OTHER PRESERVATIVE SOLUTIONS, BUT UNSUITABLE IN THAT STATE FOR IMMEDIATE CONSUMPTION
071110	exemption
071130	exemption
071140	exemption
07119010	exemption
07119030	reduction 100% ad valorem customs duties
07119040	exemption
07119060	exemption
07119070	exemption
07119090	exemption
0712	DRIED VEGETABLES, WHOLE, CUT, SLICED, BROKEN OR IN POWDER, BUT NOT FURTHER PREPARED
071220	exemption
071230	exemption

07129019	reduction 1,81- EUR/t
07129030	exemption
07129050	exemption
07129090	exemption except olives
0713	DRIED LEGUMINOUS VEGETABLES, SHELLED, WHETHER OR NOT SKINNED OR SPLIT
0713	exemption
0714	MANIOC, ARROWROOT, SALEP, JERUSALEM ARTICHOKES, SWEET POTATOES AND SIMILAR ROOTS AND TUBERS WITH HIGH STARCH OR INULIN CONTENT, FRESH OR DRIED, WHETHER OR NOT SLICED OR IN THE FORM OF PELLETS; SAGO PITH
07141010	reduction 8,38 EUR/t
07141091	exemption
07141099	reduction 6,19 EUR/t
071420	exemption
07149011	exemption
07149019	reduction 6,19 EUR/t; arrow-root: exemption
07149090	exemption
08	EDIBLE FRUIT AND NUTS; PEEL OF CITRUS FRUITS OR MELONS
0801	COCONUTS, BRAZIL NUTS AND CASHEW NUTS, FRESH OR DRIED, WHETHER OR NOT SHELLED OR PEELED
0801	exemption
0802	OTHER NUTS, FRESH OR DRIED, WHETHER OR NOT SHELLED OR PEELED (EXCL. COCONUTS, BRAZIL NUTS AND CASHEW NUTS)
08021190	reduction 16%
08021290	reduction 16%
080221	reduction 16%
080222	reduction 16%
080231	exemption
080232	exemption
080240	reduction 16%
080250	exemption
080290	exemption
0803	BANANAS, INCL. PLANTAINS, FRESH OR DRIED
08030011	exemption
08030019	The Community import regime for bananas is presently under review. The Parties agree to provide appropriate preferential access for ACP bananas in the context of the Community's future banana regime.
08030090	exemption
0804	DATES, FIGS, PINEAPPLES, AVOCADOS, GUAVAS, MANGOES AND MANGOSTEENS, FRESH OR DRIED
080410	exemption
08042010	exemption from 1/11-30/4 within the limit of the ceiling (ceiling 3)
08042090	exemption
080430	exemption
080440	exemption
080450	exemption
0805	CITRUS FRUIT, FRESH OR DRIED
080510	reduction 80% ad valorem customs duties; within the framework of the reference quantity (rq 1) 15/5-30/9 reduction 100% ad valorem customs duties (4)
080520	reduction 80% ad valorem customs duties; within the framework of the reference quantity (rq 2) 15/5-30/9 reduction 100% ad valorem customs duties (4)
08053090	exemption
080540	exemption
080590	exemption
0806	GRAPES, FRESH OR DRIED
ex 08061010	seedless table grapes: within the limit of the quota (quota 14) 1/12-31/1 exemption; within the framework of the reference quantity (rq 3) 1/2- 31/3 exemption (4) from 1/2-31/3 exemption (4)

0807 MELONS, INCL. WATERMELONS, AND PAPAWS
"PAPAYAS", FRESH
0807 exemption

0808 APPLES, PEARS AND QUINCES, FRESH
080810 within the limit of the quota (ctg 15) reduction
50% ad valorem customs duties
08082010 within the limit of the quota (ctg 16) reduction
65% ad valorem customs duties
08082050 within the limit of the quota (ctg 16) reduction
65% ad valorem customs duties
08082090 reduction 16%

0809 APRICOTS, CHERRIES, PEACHES INCL.
NECTARINES, PLUMS AND SLOES, FRESH
080910 from 1/5-31/8 reduction 15% ad valorem customs
duties, 1/9-30/4 exemption
08092005 from 1/11-31/3: exemption
080930 from 1/4-30/11 reduction 15% ad valorem
customs duties, 1/12-31/3 exemption
08094005 from 1/4-14/12 reduction 15% ad valorem
customs duties, 15/12-31/3 exemption
08094090 exemption

0810 STRAWBERRIES, RASPBERRIES,
BLACKBERRIES, BLACK, WHITE OR RED
CURRANTS, GOOSEBERRIES AND OTHER
EDIBLE FRUIT, NOT ELSEWHERE SPECIFIED OR
INCLUDED, FRESH
08101005 within the limit of the quota (ctg 17) from 1/11-
29/2 exemption
08101080 within the limit of the quota (ctg 17) from 1/11-
29/2 exemption
081020 reduction 16%
081030 reduction 16%
08104030 exemption
08104050 duty = 3%
08104090 duty = 5%
081090 exemption

0811 FRUIT AND NUTS, UNCOOKED OR COOKED BY
STEAMING OR BOILING IN WATER, FROZEN,
WHETHER OR NOT CONTAINING ADDED
SUGAR OR OTHER SWEETENING MATTER
08111011 reduction 100% ad valorem customs duties
08111019 exemption
08111090 exemption
08112011 reduction 100% ad valorem customs duties
08112019 exemption
08112031 exemption
08112039 exemption
08112051 exemption
08112059 exemption
08112090 exemption
08119011 reduction 100% ad valorem customs duties
08119019 reduction 100% ad valorem customs duties
08119031 exemption
08119039 exemption
08119050 exemption
08119070 exemption
08119075 exemption
08119080 exemption
08119085 exemption
08119095 exemption

0812 FRUIT AND NUTS, PROVISIONALLY
PRESERVED, E.G. BY SULPHUR DIOXIDE GAS,
IN BRINE, IN SULPHUR WATER OR IN OTHER
PRESERVATIVE SOLUTIONS, BUT UNSUITABLE
IN THAT STATE FOR IMMEDIATE
CONSUMPTION
081210 exemption
081220 exemption
08129010 exemption
08129020 exemption
08129030 exemption
08129040 exemption
08129050 exemption
08129060 exemption

08129095 exemption

0813 APRICOTS, PRUNES, APPLES, PEACHES,
PEARS, PAWPAWS, TAMARINDS AND OTHER
DRIED FRUIT NOT ELSEWHERE SPECIFIED OR
INCLUDED; MIXTURES OF EDIBLE NUTS OR
DRIED FRUITS
0813 exemption

0814 PEEL OF CITRUS FRUIT OR MELONS, INCL.
WATERMELONS, FRESH, FROZEN, DRIED OR
PROVISIONALLY PRESERVED IN BRINE, OR IN
WATER WITH OTHER ADDITIVES
0814 exemption

09 COFFEE, TEA, MATE AND SPICES
09 exemption

10 CEREALS
1001 WHEAT AND MESLIN
100110 within the limit of the quota (ctg 10) reduction
50%
10019010 exemption
10019091 within the limit of the quota (ctg 10) reduction
50%
10019099 within the limit of the quota (ctg 10) reduction
50%

1002 RYE
1002 within the limit of the quota (ctg 10) reduction
50%

1003 BARLEY
1003 within the limit of the quota (ctg 10) reduction
50%

1004 OATS
1004 within the limit of the quota (ctg 10) reduction
50%

1005 MAIZE OR CORN
10051090 reduction 1,81 EUR/t
100590 reduction 1,81 EUR/t

1006 RICE
10061010 exemption
10061021 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
10061023 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
10061025 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
10061027 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
10061092 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
10061094 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
10061096 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
10061098 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
100620 within the limit of the quota (ctg 11) reduction
65% and 4,34 EUR/t (2)
100630 within the limit of the quota (ctg 11) reduction of
16,78 EUR/t, then reduced by 65% and 6,52
EUR/t (2)
100640 within the limit of the quota (ctg 12) reduction
65% and 3,62 EUR/t (2)

1007 GRAIN SORGHUM
1007 reduction 60% within the limit of the ceiling
(ceiling 3) (3)

1008 BUCKWHEAT, MILLET, CANARY SEED AND
OTHER CEREALS (EXCL. WHEAT AND MESLIN,
RYE, BARLEY, OATS, MAIZE, RICE AND GRAIN
SORGHUM)
100810 within the limit of the quota (ctg 10) reduction
50%

	(ceiling 2) (3)
100890	within the limit of the quota (ctg 10) reduction 50%
11	PRODUCTS OF THE MILLING INDUSTRY; MALT; STARCHES; INULIN; WHEAT GLUTEN
1101	WHEAT OR MESLIN FLOUR
1101	reduction 16%
1102	CEREAL FLOURS (EXCL. WHEAT OR MESLIN)
110210	reduction 16%
11022010	reduction 7,3 EUR/t
11022090	reduction 3,6 EUR/t
110230	reduction 3,6 EUR/t
11029010	reduction 7,3 EUR/t
11029030	reduction 7,3 EUR/t
11029090	reduction 3,6 EUR/t
1103	CEREAL GROATS, MEAL AND PELLETS
110311	reduction 16%
110312	reduction 7,3 EUR/t
11031310	reduction 7,3 EUR/t
11031390	reduction 3,6 EUR/t
110314	reduction 3,6 EUR/t
11031910	reduction 7,3 EUR/t
11031930	reduction 7,3 EUR/t
11031990	reduction 3,6 EUR/t
110321	reduction 7,3 EUR/t
11032910	reduction 7,3 EUR/t
11032920	reduction 7,3 EUR/t
11032930	reduction 7,3 EUR/t
11032940	reduction 7,3 EUR/t
11032950	reduction 3,6 EUR/t
11032990	reduction 3,6 EUR/t
1104	CEREAL GRAINS OTHERWISE WORKED, E.G. HULLED, ROLLED, FLAKED, PEARLED, SLICED OR KEBBLED; GERM OF CEREALS, WHOLE, ROLLED, FLAKED OR GROUND (EXCL. CEREAL FLOURS, AND HUSKED AND SEMI- OR WHOLLY MILLED RICE AND BROKEN RICE)
11041110	reduction 3,6 EUR/t
11041190	reduction 7,3 EUR/t
11041210	reduction 3,6 EUR/t
11041290	reduction 7,3 EUR/t
110419	reduction 7,3 EUR/t
11042110	reduction 3,6 EUR/t
11042130	reduction 3,6 EUR/t
11042150	reduction 7,3 EUR/t
11042190	reduction 3,6 EUR/t
11042199	reduction 3,6 EUR/t
110422	reduction 3,6 EUR/t
110423	reduction 3,6 EUR/t
110429	reduction 3,6 EUR/t
110430	reduction 7,3 EUR/t
1105	FLOUR, MEAL, FLAKES, GRANULES AND PELLETS OF POTATOES
1105	exemption
1106	FLOUR, MEAL AND POWDER OF THE DRIED LEGUMINOUS VEGETABLES OF HEADING 0713, OF SAGO OR OF ROOTS AND TUBERS OF HEADING 0714 OR OF THE PRODUCTS OF CHAPTER 8
110610	exemption
11062010	reduction 7,98 EUR/t; arrow-root: exemption
11062090	reduction 29,18 EUR/t; arrow-root: exemption
110630	exemption
1108	STARCHES; INULIN
110811	reduction 24,8 EUR/t
110812	reduction 24,8 EUR/t
110813	reduction 24,8 EUR/t
110814	reduction 50% + reduction 24,8 EUR/t
11081910	reduction 37,2 EUR/t
11081990	reduction 50% + reduction 24,8 EUR/t; arrow-root: exemption
110820	exemption

1109	reduction 219-EUR/t
12	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL OR MEDICAL PLANTS; STRAW AND FODDER
1208	FLOURS AND MEALS OF OIL SEEDS OR OLEAGINOUS FRUITS (EXCL. MUSTARD)
120810	exemption
1209	SEEDS, FRUITS AND SPORES, FOR SOWING (EXCL. LEGUMINOUS VEGETABLES AND SWEETCORN, COFFEE, TEA, MATE AND SPICES, CEREALS, OIL SEEDS AND OLEAGINOUS FRUITS, AND SEEDS AND FRUIT USED PRIMARILY IN PERFUMERY)
1209	exemption
1210	HOP CONES, FRESH OR DRIED, WHETHER OR NOT GROUND, POWDERED OR IN THE FORM OF PELLETS; LUPULIN
1210	exemption
1211	PLANTS AND PARTS OF PLANTS, INCL. SEEDS AND FRUITS, OF A KIND USED PRIMARILY IN PERFUMERY, MEDICAMENTS OR FOR INSECTICIDAL, FUNGICIDAL OR SIMILAR PURPOSES, FRESH OR DRIED, WHETHER OR NOT CUT, CRUSHED OR POWDERED
1211	exemption
1212	LOCUST BEANS, SEAWEEDS AND OTHER ALGAE, SUGAR BEET AND SUGAR CANE, FRESH OR DRIED, WHETHER OR NOT GROUND; FRUIT STONES AND KERNELS AND OTHER VEGETABLE PRODUCTS, INCL. UNROASTED CHICORY ROOTS OF THE VARIETY CICHORIUM INTYBU
121210	exemption
121230	exemption
121291	reduction 16% (5)
121292	reduction 16% (5)
12129910	exemption
1214	SWEDES, MANGOLDS, FODDER ROOTS, HAY, ALFALFA, CLOVER, SAINFOIN, FORAGE KALE, LUPINES, VETCHES AND SIMILAR FORAGE PRODUCTS, WHETHER OR NOT IN THE FORM OF PELLETS
12149010	exemption
13	LACS; GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXTRACTS
13	exemption
15	ANIMAL OR VEGETABLE FATS AND OILS AND THEIR CLEAVAGE PRODUCTS; PREPARED EDIBLE FATS: ANIMAL OR VEGETABLE WAXES
1501	LARD; OTHER PIG FAT AND POULTRY FAT, RENDERED, WHETHER OR NOT PRESSED OR SOLVENT-EXTRACTED
1501	reduction 16%
1502	FATS OF BOVINE ANIMALS, SHEEP OR GOATS, RAW OR RENDERED, WHETHER OR NOT PRESSED OR SOLVENT-EXTRACTED
1502	exemption
1503	LARD STEARIN, LARD OIL, OLEOSTEARIN, OLEO-OIL AND TALLOW OIL (EXCL. EMULSIFIED, MIXED OR OTHERWISE PREPARED)
1503	exemption
1504	FATS AND OILS AND THEIR FRACTIONS OF FISH OR MARINE MAMMALS, WHETHER OR NOT REFINED (EXCL. CHEMICALLY MODIFIED)
1504	exemption

DERIVED THEREFROM, INCL. LANOLIN
 1505 exemption
 1506 OTHER ANIMAL FATS AND OILS AND THEIR FRACTIONS, WHETHER OR NOT REFINED, BUT NOT CHEMICALLY MODIFIED (EXCL. PIG FAT, POULTRY FAT, FATS OF BOVINE ANIMALS, SHEEP AND GOATS, FATS OF FISH AND OTHER MARINE ANIMALS, LARD STEARIN, exemption
 1506 exemption
 1507 SOYA-BEAN OIL AND ITS FRACTIONS, WHETHER OR NOT REFINED (EXCL. CHEMICALLY MODIFIED)
 1507 exemption
 1508 GROUND-NUT OIL AND ITS FRACTIONS, WHETHER OR NOT REFINED, BUT NOT CHEMICALLY MODIFIED
 1508 exemption
 1511 PALM OIL AND ITS FRACTIONS, WHETHER OR NOT REFINED (EXCL. CHEMICALLY MODIFIED)
 1511 exemption
 1512 SUNFLOWER-SEED, SAFFLOWER OR COTTON-SEED OIL AND FRACTIONS THEREOF, WHETHER OR NOT REFINED, BUT NOT CHEMICALLY MODIFIED
 1512 exemption
 1513 COCONUT "COPRA", PALM KERNEL OR BABASSU OIL AND FRACTIONS THEREOF, WHETHER OR NOT REFINED, BUT NOT CHEMICALLY MODIFIED
 1513 exemption
 1514 RAPE, COLZA OR MUSTARD OIL AND FRACTIONS THEREOF, WHETHER OR NOT REFINED, BUT NOT CHEMICALLY MODIFIED
 1514 exemption
 1515 OTHER FIXED VEGETABLE FATS AND OILS, INCL. JOJOBA OIL, AND THEIR FRACTIONS, WHETHER OR NOT REFINED, BUT NOT CHEMICALLY MODIFIED
 1515 exemption
 1516 ANIMAL OR VEGETABLE FATS AND OILS AND THEIR FRACTIONS, PARTLY OR WHOLLY HYDROGENATED, INTER-ESTERIFIED, RE-ESTERIFIED OR ELAIDINISED, WHETHER OR NOT REFINED, BUT NOT FURTHER PREPARED
 1516 exemption
 1517 MARGARINE, OTHER EDIBLE MIXTURES OR PREPARATIONS OF ANIMAL OR VEGETABLE FATS OR OILS AND EDIBLE FRACTIONS OF DIFFERENT FATS OR OILS
 15171010 reduction 100% ad valorem customs duties
 15171090 exemption
 15179010 reduction 100% ad valorem customs duties
 15179091 exemption
 15179093 exemption
 15179099 exemption
 1518 ANIMAL OR VEGETABLE FATS AND OILS AND THEIR FRACTIONS, BOILED, OXIDISED, DEHYDRATED, SULPHURISED, BLOWN, POLYMERISED BY HEAT IN VACUUM OR IN INERT GAS OR OTHERWISE CHEMICALLY MODIFIED; INEDIBLE MIXTURES OR PREPARATIONS OF ANIMAL OR VEGETABLE FATS OR OILS OR FRACTIONS OF DIFFERENT FATS OR OILS, NOT ELSEWHERE SPECIFIED OR INCLUDED
 1518 exemption
 1520 GLYCEROL "GLYCERINE", WHETHER OR NOT PURE; GLYCEROL WATERS AND GLYCEROL LYES
 1520 exemption

1521 exemption
 1522 DEGRAS; RESIDUES RESULTING FROM THE TREATMENT OF FATTY SUBSTANCES OR ANIMAL OR VEGETABLE WAXES
 15220010 exemption
 15220091 exemption
 15220099 exemption
 16 PREPARATIONS OF MEAT, FISH OR CRUSTACEANS, MOLLUSCS OR OTHER AQUATIC INVERTEBRATES
 1601 SAUSAGES AND SIMILAR PRODUCTS, OF MEAT, OFFAL OR BLOOD; FOOD PREPARATIONS BASED ON THESE PRODUCTS within the limit of the quota (ctg 8) reduction 65%
 1601 within the limit of the quota (ctg 8) reduction 65%
 1602 PREPARED OR PRESERVED MEAT, OFFAL OR BLOOD (EXCL. SAUSAGES AND SIMILAR PRODUCTS, AND MEAT EXTRACTS AND JUICES)
 160210 reduction 16%
 16022011 exemption
 16022019 exemption
 16022090 réduction 16%
 160231 within the limit of the quota (ctg 4) reduction 65%
 160232 within the limit of the quota (ctg 4) reduction 65%
 160239 within the limit of the quota (ctg 4) reduction 65%
 16024110 reduction 16%
 16024190 exemption
 16024210 reduction 16%
 16024290 exemption
 160249 reduction 16%
 16025031 exemption
 16025039 exemption
 16025080 exemption
 16029010 reduction 16%
 16029031 exemption
 16029041 exemption
 16029051 reduction 16%
 16029069 exemption
 16029072 exemption
 16029074 exemption
 16029076 exemption
 16029078 exemption
 16029098 exemption
 1603 EXTRACTS AND JUICES OF MEAT, FISH OR CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC INVERTEBRATES
 1603 exemption
 1604 PREPARED OR PRESERVED FISH; CAVIAR AND CAVIAR SUBSTITUTES PREPARED FROM FISH EGGS
 1604 exemption
 1605 CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC INVERTEBRATES, PREPARED OR PRESERVED
 1605 exemption
 17. SUGARS AND SUGAR CONFECTIONERY
 1702 OTHER SUGARS, INCL. CHEMICALLY PURE LACTOSE, MALTOSE, GLUCOSE AND FRUCTOSE, IN SOLID FORM; SUGAR SYRUPS NOT CONTAINING ADDED FLAVOURING OR COLOURING MATTER; ARTIFICIAL HONEY, WHETHER OR NOT MIXED WITH NATURAL HONEY; CARAMEL
 170211 reduction 16%
 170219 reduction 16%
 170220 reduction 16% (5)
 17023010 reduction 16% (5)
 17023051 reduction 117 EUR/t
 17023059 reduction 81 EUR/t
 17023091 reduction 117 EUR/t
 17023099 reduction 81 EUR/t

170250	exemption	190120	reduction 100% ad valorem customs duties;
170260	reduction 16% (5)		exemption EA under the condition (c 1)
17029010	exemption	19019011	reduction 100% ad valorem customs duties
17029030	reduction 16% (5)	19019019	reduction 100% ad valorem customs duties
17029050	reduction 81 EUR/t	19019091	exemption
17029060	reduction 16% (5)	19019099	reduction 100% ad valorem customs duties;
17029071	reduction 16% (5)		exemption EA under the condition (c 1)
17029075	reduction 117 EUR/t		
17029079	reduction 81 EUR/t	1902	PASTA, WHETHER OR NOT COOKED OR
17029080	reduction 16% (5)		STUFFED WITH MEAT OR OTHER SUBSTANCES
17029099	reduction 16% (5)		OR OTHERWISE PREPARED, SUCH AS
			SPAGHETTI, MACARONI, NOODLES, LASAGNE,
			GNOCCHI, RAVIOLI, CANNELLONI; COUSCOUS,
			WHETHER OR NOT PREPARED
1703	MOLASSES RESULTING FROM THE	190211	reduction 100% ad valorem customs duties
	EXTRACTION OR REFINING OF SUGAR	190219	reduction 100% ad valorem customs duties
1703	within the limit of the quota (ctg 9) reduction	19022010	exemption
	100%	19022030	reduction 16%
		19022091	reduction 100% ad valorem customs duties
1704	SUGAR CONFECTIONERY NOT CONTAINING	19022099	reduction 100% ad valorem customs duties
	COCOA, INCL. WHITE CHOCOLATE	190230	reduction 100% ad valorem customs duties
170410	reduction 100% ad valorem customs duties	190240	reduction 100% ad valorem customs duties
17049010	exemption		
17049030	exemption	1903	TAPIOCA AND SUBSTITUTES THEREFOR
17049051	reduction 100% ad valorem customs duties		PREPARED FROM STARCH, IN THE FORM OF
17049055	reduction 100% ad valorem customs duties		FLAKES, GRAINS, PEARLS, SIFTINGS OR
17049061	reduction 100% ad valorem customs duties		SIMILAR FORMS
17049065	reduction 100% ad valorem customs duties	1903	exemption
17049071	reduction 100% ad valorem customs duties		
17049075	reduction 100% ad valorem customs duties	1904	PREPARED FOODS OBTAINED BY THE
17049081	reduction 100% ad valorem customs duties		SWELLING OR ROASTING OF CEREALS OR
17049099	reduction 100% ad valorem customs duties		CEREAL PRODUCTS, E.G. CORN FLAKES;
			CEREALS, OTHER THAN MAIZE "CORN", IN
18	COCOA AND COCOA PREPARATIONS		GRAIN FORM, PRE-COOKED OR OTHERWISE
			PREPARED
1801	COCOA BEANS, WHOLE OR BROKEN, RAW OR	1904	reduction 100% ad valorem customs duties
	ROASTED		
1801	exemption	1905	BREAD, PASTRY, CAKES, BISCUITS AND OTHER
			BAKERS' WARES, WHETHER OR NOT
1802	COCOA SHELLS, HUSKS, SKINS AND OTHER		CONTAINING COCOA; COMMUNION WAFERS,
	COCOA WASTE		EMPTY CACHETS OF A KIND SUITABLE FOR
1802	exemption		PHARMACEUTICAL USE, SEALING WAFERS,
			RICE PAPER AND SIMILAR PRODUCTS
1803	COCOA PASTE, WHETHER OR NOT DEFATTED	190510	reduction 100% ad valorem customs duties
		190520	reduction 100% ad valorem customs duties
1803	exemption	19053011	réduction 100% droits de douane ad valorem;
			biscuits: exemption
1804	COCOA BUTTER, FAT AND OIL	19053019	reduction 100% ad valorem customs duties;
			biscuits: exemption
1804	exemption	19053030	reduction 100% ad valorem customs duties
		19053051	reduction 100% ad valorem customs duties
1805	COCOA POWDER, NOT CONTAINING ADDED	19053059	reduction 100% ad valorem customs duties
	SUGAR OR OTHER SWEETENING MATTER	19053091	reduction 100% ad valorem customs duties
	exemption	19053099	reduction 100% ad valorem customs duties
		190540	reduction 100% ad valorem customs duties
1806	CHOCOLATE AND OTHER FOOD	190590	reduction 100% ad valorem customs duties
	PREPARATIONS CONTAINING COCOA		
18061015	exemption	20	PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER
18061020	reduction 100% ad valorem customs duties		PARTS OF PLANTS
18061030	reduction 100% ad valorem customs duties	2001	VEGETABLES, FRUIT, NUTS AND OTHER EDIBLE
18061090	reduction 100% ad valorem customs duties		PARTS OF PLANTS, PREPARED OR PRESERVED
180620	exemption		BY VINEGAR OR ACETIC ACID
180631	exemption	200110	exemption
180632	exemption	200120	exemption
18069011	exemption	20019020	exemption
18069019	exemption	20019030	reduction 100% ad valorem customs duties
18069031	exemption	20019040	reduction 100% ad valorem customs duties
18069039	exemption	20019050	exemption
18069050	exemption	20019060	exemption
18069060	reduction 100% ad valorem customs duties	20019065	exemption
18069070	reduction 100% ad valorem customs duties	20019070	exemption
18069090	reduction 100% ad valorem customs duties	20019075	exemption
		20019085	exemption
		20019091	exemption
		ex 20019096	exemption except vine leaves
19	PREPARATIONS OF CEREALS, FLOUR, STARCH OR MILK;	2002	TOMATOES, PREPARED OR PRESERVED
	PASTRYCOOKS' PRODUCTS		OTHERWISE THAN BY VINEGAR OR ACETIC
1901	MALT EXTRACT; FOOD PREPARATIONS OF		ACID
	FLOUR, MEAL, STARCH OR MALT EXTRACT,		
	NOT CONTAINING COCOA POWDER OR		
	CONTAINING COCOA POWDER IN A		
	PROPORTION BY WEIGHT OF < 40% NOT		
	ELSEWHERE SPECIFIED OR INCLUDED; FOOD		
	PREPARATIONS OF GOODS OF HEADINGS 04		
	01 TO 04 04		

2003	MUSHROOMS AND TRUFFLES, PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID	20083031	grapefruit: exemption
		20083039	exemption
2003	exemption	20083051	exemption
		20083055	exemption
2004	OTHER VEGETABLES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID, FROZEN (EXCL. TOMATOES, MUSHROOMS AND TRUFFLES)	20083059	exemption
20041010	exemption	20083071	exemption
20041091	reduction 100% ad valorem customs duties	20083075	exemption
20041099	exemption	20083079	exemption
20049010	reduction 100% ad valorem customs duties	20083091	exemption
ex 20049030	exemption except olives	20083099	exemption
20049050	exemption	200840	exemption
20049091	exemption	20085011	exemption
20049098	exemption	20085019	reduction 100% ad valorem customs duties
		20085031	exemption
2005	OTHER VEGETABLES PREPARED OR PRESERVED OTHERWISE THAN BY VINEGAR OR ACETIC ACID (EXCL. FROZEN, AND TOMATOES, MUSHROOMS AND TRUFFLES)	20085039	exemption
		20085051	reduction 100% ad valorem customs duties
200510	exemption	20085059	exemption
20052010	reduction 100% ad valorem customs duties	20085061	exemption
20052020	reduction 16%	20085069	exemption
20052080	reduction 16%	20085071	exemption
200540	exemption	20085079	exemption
200551	exemption	20085092	exemption
200559	exemption	20085094	exemption
200560	exemption	20085099	exemption
200570	exemption	20086011	exemption
200580	reduction 100% ad valorem customs duties	20086019	reduction 100% ad valorem customs duties
200590	exemption	20086031	exemption
		20086039	exemption
2006	FRUIT, NUTS, FRUIT-PEEL AND OTHER PARTS OF PLANTS, PRESERVED BY SUGAR, DRAINED, GLACE OR CRYSTALLIZED	20086051	exemption
		20086059	exemption
20060031	reduction 100% ad valorem customs duties	20086061	exemption
20060035	reduction 100% ad valorem customs duties	20086069	exemption
20060038	reduction 100% ad valorem customs duties	20086071	exemption
20060091	exemption	20086079	exemption
20060099	exemption	20086091	exemption
2007	JAMS, FRUIT JELLIES, MARMALADES, FRUIT OR NUT PUREE AND FRUIT OR NUT PASTES, BEING COOKED PREPARATIONS, WHETHER OR NOT CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER	20086099	exemption
		20087011	exemption
20071010	exemption	20087019	reduction 100% ad valorem customs duties
20071091	exemption	20087031	exemption
20071099	exemption	20087039	exemption
20079110	reduction 100% ad valorem customs duties	20087051	reduction 100% ad valorem customs duties
20079130	reduction 100% ad valorem customs duties	20087059	exemption
20079190	exemption	20087061	exemption
20079910	exemption	20087069	exemption
20079920	exemption	20087071	exemption
20079931	exemption	20087079	exemption
20079933	exemption	20087092	exemption
20079935	exemption	20087094	exemption
20079939	exemption	20087099	exemption
20079951	exemption	200880	exemption
20079955	exemption	200891	exemption
20079958	exemption	20089212	exemption
20079991	exemption	20089214	exemption
20079993	exemption	20089216	exemption
20079998	exemption	20089218	exemption
		20089232	exemption
2008	FRUITS, NUTS AND OTHER EDIBLE PARTS OF PLANTS, PREPARED OR PRESERVED, WHETHER OR NOT CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER OR SPIRIT, NOT ELSEWHERE SPECIFIED OR INCLUDED	20089234	exemption
		20089236	exemption
200811	exemption	20089238	exemption
200819	exemption	20089251	exemption
200820	exemption	20089259	exemption
20083011	exemption	20089272	exemption
		20089274	exemption
		20089276	exemption
		20089278	exemption
		20089292	exemption
		20089293	exemption
		20089294	exemption
		20089296	exemption
		20089297	exemption
		20089298	exemption
		20089911	exemption
		20089919	exemption
		20089921	exemption
		20089923	exemption
		20089925	exemption
		20089926	exemption

20089928	exemption
20089932	exemption
20089933	reduction 100% ad valorem customs duties
20089934	reduction 100% ad valorem customs duties
20089936	exemption
20089937	exemption
20089938	exemption
20089940	exemption
20089943	exemption
20089945	exemption
20089946	exemption
20089947	exemption
20089949	exemption
20089953	exemption
20089955	exemption
20089961	exemption
20089962	exemption
20089968	exemption
20089972	exemption
20089974	exemption
20089979	exemption
ex 20089985	exemption except sweet corn
20089991	reduction 100% ad valorem customs duties
ex 20089999	exemption except vine leaves
2009	FRUIT JUICES, INCL. GRAPE MUST, AND VEGETABLE JUICES, UNFERMENTED, NOT CONTAINING ADDED SPIRIT, WHETHER OR NOT CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER
20091111	reduction 100% ad valorem customs duties
20091119	exemption
20091191	reduction 100% ad valorem customs duties
20091199	exemption
20091911	reduction 100% ad valorem customs duties
20091919	exemption
20091991	reduction 100% ad valorem customs duties
20091999	exemption
200920	exemption
20093011	reduction 100% ad valorem customs duties
20093019	exemption
20093031	exemption
20093039	exemption
20093051	reduction 100% ad valorem customs duties
20093055	exemption
20093059	exemption
20093091	reduction 100% ad valorem customs duties
20093095	exemption
20093099	exemption
200940	exemption
200950	exemption
200960	exemption
20097011	reduction 100% ad valorem customs duties
20097019	exemption
20097030	exemption
20097091	reduction 100% ad valorem customs duties
20097093	exemption
20097099	exemption
20098011	reduction 100% ad valorem customs duties
20098019	exemption
20098032	exemption
20098033	reduction 100% ad valorem customs duties
20098035	reduction 100% ad valorem customs duties
20098036	exemption
20098038	exemption
20098050	exemption
20098061	reduction 100% ad valorem customs duties
20098063	exemption
20098069	exemption
20098071	exemption
20098073	exemption
20098079	exemption
20098083	exemption
20098084	reduction 100% ad valorem customs duties
20098086	reduction 100% ad valorem customs duties
20098088	exemption
20098089	exemption
20098095	exemption
20098096	exemption
20098097	exemption
20098099	exemption

20099019	exemption
20099021	reduction 100% ad valorem customs duties
20099029	exemption
20099031	reduction 100% ad valorem customs duties
20099039	exemption
20099041	exemption
20099049	exemption
20099051	exemption
20099059	exemption
20099071	reduction 100% ad valorem customs duties
20099073	exemption
20099079	exemption
20099092	exemption
20099094	reduction 100% ad valorem customs duties
20099095	exemption
20099096	exemption
20099097	exemption
20099098	exemption
21	MISCELLANEOUS EDIBLE PREPARATIONS
2101	EXTRACTS, ESSENCES AND CONCENTRATES, OF COFFEE, TEA OR MATE AND PREPARATIONS WITH A BASIS OF THESE PRODUCTS OR WITH A BASIS OF COFFEE, TEA OR MATE; ROASTED CHICORY AND OTHER ROASTED COFFEE SUBSTITUTES, AND EXTRACTS, ESSENCE
210111	exemption
210112	exemption
210120	exemption
21013011	exemption
21013019	reduction 100% ad valorem customs duties
21013091	exemption
21013099	reduction 100% ad valorem customs duties
2102	YEASTS, ACTIVE OR INACTIVE, OTHER DEAD SINGLE-CELL MICRO-ORGANISMS, PREPARED BAKING POWDERS (EXCL. SINGLE-CELL MICRO-ORGANISMS PACKAGED AS MEDICAMENTS)
21021010	exemption
21021031	reduction 100% ad valorem customs duties
21021039	reduction 100% ad valorem customs duties
21021090	exemption
210220	exemption
210230	exemption
2103	SAUCE AND PREPARATIONS THEREFOR; MIXED CONDIMENTS AND MIXED SEASONINGS; MUSTARD FLOUR AND MEAL, WHETHER OR NOT PREPARED, AND MUSTARD
2103	exemption
2104	SOUPS AND BROTHS AND PREPARATIONS THEREFOR; FOOD PREPARATIONS CONSISTING OF FINELY HOMOGENIZED MIXTURES OF TWO OR MORE BASIC INGREDIENTS, SUCH AS MEAT, FISH, VEGETABLES OR FRUIT, PUT UP FOR RETAIL SALE AS INFANT FOOD
2104	exemption
2105	ICE CREAM AND OTHER EDIBLE ICE, WHETHER OR NOT CONTAINING COCOA
2105	reduction 100% ad valorem customs duties
2106	FOOD PREPARATIONS NOT ELSEWHERE SPECIFIED OR INCLUDED
210610	reduction 100% ad valorem customs duties
21069020	exemption
21069030	reduction 16% (5)
21069051	reduction 16%
21069055	reduction 81 EUR/t
21069059	reduction 16% (5)
21069092	exemption
21069098	reduction 100% ad valorem customs duties

2201	WATERS, INCL. NATURAL OR ARTIFICIAL MINERAL WATERS AND AERATED WATERS, NOT CONTAINING ADDED SUGAR, OTHER SWEETENING MATTER OR FLAVOURED; ICE AND SNOW
2201	exemption
2202	WATERS, INCL. MINERAL WATERS AND AERATED WATERS, CONTAINING ADDED SUGAR OR OTHER SWEETENING MATTER OR FLAVOURED, AND OTHER NON-ALCOHOLIC BEVERAGES (EXCLUDING FRUIT OR VEGETABLE JUICES AND MILK)
220210	exemption
22029010	exemption
22029091	reduction 100% ad valorem customs duties
22029095	reduction 100% ad valorem customs duties
22029099	reduction 100% ad valorem customs duties
2203	BEER MADE FROM MALT
2203	exemption
2204	WINE OF FRESH GRAPES, INCL. FORTIFIED WINES; GRAPE MUST, PARTLY FERMENTED, OF ACTUAL ALCOHOLIC STRENGTH OF > 0,5% VOL, WHETHER OR NOT WITH ADDED ALCOHOL
22043092	exemption
22043094	exemption
22043096	exemption
22043098	exemption
2205	VERMOUTH AND OTHER WINE OF FRESH GRAPES, FLAVOURED WITH PLANTS OR AROMATIC SUBSTANCES
2205	exemption
2206	OTHER FERMENTED BEVERAGES AND MIXTURES OF FERMENTED BEVERAGES (CIDER, PERRY, MEAD); MIXTURES OF FERMENTED BEVERAGES AND NON-ALCOHOLIC BEVERAGES, NOT ELSEWHERE SPECIFIED OR INCLUDED.
22060031	exemption
22060039	exemption
22060051	exemption
22060059	exemption
22060081	exemption
22060089	exemption
2207	UNDENATURED ETHYL ALCOHOL OF AN ALCOHOLIC STRENGTH BY VOLUME OF >= 80%; ETHYL ALCOHOL AND OTHER SPIRITS, DENATURED, OF ANY STRENGTH
2207	exemption
2208	UNDENATURED ETHYL ALCOHOL OF AN ALCOHOLIC STRENGTH BY VOLUME OF < 80%; SPIRITS, LIQUEURS AND OTHER SPIRITUOUS BEVERAGES; COMPOUND ALCOHOLIC PREPARATIONS OF A KIND USED FOR THE MANUFACTURE OF BEVERAGES
2208	exemption
2209	VINEGAR AND SUBSTITUTES FOR VINEGAR OBTAINED FROM ACETIC ACID
22090091	exemption
22090099	exemption
23	RESIDUES AND WASTE FROM THE FOOD INDUSTRIES; PREPARED ANIMAL FODDER
2302	BRAN, SHARPS AND OTHER RESIDUES, WHETHER OR NOT IN THE FORM OF PELLETS, DERIVED FROM THE SIFTING, MILLING OR OTHER WORKING OF CEREALS OR OF LEGUMINOUS PLANTS
230210	reduction 7,2 EUR/t
230220	reduction 7,2 EUR/t
230230	reduction 7,2 EUR/t
230240	reduction 7,2 EUR/t

2303	RESIDUES OF STARCH MANUFACTURE AND SIMILAR RESIDUES, BEET-PULP, BAGASSE AND OTHER WASTE OF SUGAR MANUFACTURE, BREWING OR DISTILLING DREGS AND WASTE, WHETHER OR NOT IN THE FORM OF PELLETS
23031011	reduction 219 EUR/t
2308	ACORNS, HORSE-CHESTNUTS, MARC AND OTHER VEGETABLE MATERIALS AND VEGETABLE WASTE, VEGETABLE RESIDUES AND BY-PRODUCTS OF A KIND USED IN ANIMAL FEEDING, WHETHER OR NOT IN THE FORM OF PELLETS, NOT ELSEWHERE SPECIFIED OR INCLUDED
23089090	exemption
2309	PREPARATIONS OF A KIND USED IN ANIMAL FEEDING
23091013	reduction 10,9 EUR/t
23091015	reduction 16%
23091019	reduction 16%
23091033	reduction 10,9 EUR/t
23091039	reduction 16%
23091051	reduction 10,9 EUR/t
23091053	reduction 10,9 EUR/t
23091059	reduction 16%
23091070	reduction 16%
23091090	exemption
23099010	exemption
23099031	reduction 10,9 EUR/t
23099033	reduction 10,9 EUR/t
23099035	reduction 16%
23099039	reduction 16%
23099041	reduction 10,9 EUR/t
23099043	reduction 10,9 EUR/t
23099049	reduction 16%
23099051	reduction 10,9 EUR/t
23099053	reduction 10,9 EUR/t
23099059	reduction 16%
23099070	reduction 16%
23099091	exemption
24	TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES
24	exemption (6)
29	ORGANIC CHEMICALS
2905	ACYCLIC ALCOHOLS AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES
2905	reduction 100% ad valorem customs duties
33	ESSENTIAL OILS AND RESINOIDS; PERFUMERY, COSMETIC OR TOILET PREPARATIONS COSMÉTIQUES
3301	ESSENTIAL OILS, WHETHER OR NOT TERPENELESS, INCL. CONCRETES AND ABSOLUTES; RESINOIDS; CONCENTRATES OF ESSENTIAL OILS IN FATS, FIXED OILS, WAXES OR THE LIKE, OBTAINED BY ENFLEURAGE OR MACERATION; TERPENIC BY-PRODUCTS
3301	exemption
3302	MIXTURES OF ODORIFEROUS SUBSTANCES AND MIXTURES, INCL. ALCOHOLIC SOLUTIONS, BASED ON ONE OR MORE OF THESE SUBSTANCES, OF A KIND USED AS RAW MATERIALS IN INDUSTRY
33021029	exemption
35	ALBUMINOUS SUBSTANCES; MODIFIED STARCHES; GLUES; ENZYMES
3501	CASEIN, CASEINATES AND OTHER CASEIN DERIVATIVES; CASEIN GLUES (EXCL. THOSE PACKAGED AS GLUE FOR RETAIL SALE AND WEIGHING =< 1 KG)
3501	exemption

	MORE WHEY PROTEINS CONTAINING BY WEIGHT > 80% WHEY PROTEINS, CALCULATED ON THE DRY MATTER, ALBUMINATES AND OTHER ALBUMIN DERIVATIVES
35021190	reduction 100% ad valorem customs duties
35021990	reduction 100% ad valorem customs duties
35022091	reduction 100% ad valorem customs duties
35022099	reduction 100% ad valorem customs duties
3503	GELATIN, WHETHER OR NOT IN SQUARE OR RECTANGULAR SHEETS, WHETHER OR NOT SURFACE-WORKED OR COLOURED, AND GELATIN DERIVATIVES; ISINGLASS; OTHER GLUES OF ANIMAL ORIGIN (EXCL. CASEIN GLUES OF HEADING No 3501)
3503	exemption
3504	PEPTONES AND THEIR DERIVATIVES; OTHER ALBUMINOUS SUBSTANCES AND THEIR DERIVATIVES NOT ELSEWHERE SPECIFIED OR INCLUDED; HIDE POWDER, WHETHER OR NOT CHROMED
3504	exemption
3505	DEXTRINS AND OTHER MODIFIED STARCHES, E.G. PRE-GELATINISED OR ESTERIFIED STARCHES; GLUES BASED ON STARCHES, DEXTRINS OR OTHER MODIFIED STARCHES (EXCL. THOSE PUT UP FOR RETAIL SALE AND WEIGHING =< 1 KG)
35051010	reduction 100% ad valorem customs duties
35051050	exemption
35051090	reduction 100% ad valorem customs duties
350520	reduction 100% ad valorem customs duties

3809	FINISHING AGENTS, DYE CARRIERS TO ACCELERATE THE DYEING OR FIXING OF DYES AND OTHER PRODUCTS AND PREPARATIONS SUCH AS DRESSINGS AND MORDANTS OF A KIND USED IN THE TEXTILE, PAPER, LEATHER OR LIKE INDUSTRIES NOT ELSEWHERE SPECIFIED OR INCLUDED
380910	reduction 100% ad valorem customs duties
3824	PREPARED BINDERS FOR FOUNDRY MOULDS OR CORES; CHEMICAL PRODUCTS AND PREPARATIONS FOR THE CHEMICAL OR ALLIED INDUSTRIES, INCL. MIXTURES OF NATURAL PRODUCTS NOT ELSEWHERE SPECIFIED OR INCLUDED; RESIDUAL PRODUCTS OF THE CHEMICAL OR ALLIED INDUSTRIES
382460	reduction 100% ad valorem customs duties
50	SILK
50	exemption
52	COTTON
52	exemption

overseas departments

1. Customs duties shall not be levied on imports into the French overseas departments of the following products originating in the ACP States or the overseas countries and territories:

NC Code	Description
0102	Live bovine animals of domesticated species other than pure-bred breeding animals
0102 90	
0102 90 05	
0102 90 21	
0102 90 29	
0102 90 41	
0102 90 49	
0102 90 51	
0102 90 59	
0102 90 61	
0102 90 69	
0102 90 71	
0102 90 79	
0201	
0202	Meat of bovine animals, fresh, chilled or frozen
0206 10 95	
0206 29091	
0709 90 60	
0712 10 90	Sweet corn
1005 90 00	
0714 10 91	
0714 90 11	Manioc roots, including yams

2. The customs-duty shall not be levied on direct imports of rice falling within CN heading 1006, excluding rice for sowing of CN heading 1006 10 10 imported into Réunion.

3. If imports into the French overseas départements of sweet corn originating in the ACP States or the overseas countries and territories exceed 25 000 tonnes within a given year, and if these imports threaten to seriously disturb these markets, the Commission shall take the necessary measures.

References

quota 1	100 tons
quota 2	500 tons
quota 3	400 tons
quota 4	500 tons
quota 5	1000 tons
quota 6	1000 tons
quota 7	500 tons
quota 8	500 tons
quota 9	600 000 tons
quota 10	15 000 tons
quota 11	125 000 tons
quota 12	20 000 tons
quota 13a	2 000 tons
quota 13b	2 000 tons
quota 14	800 tons
quota 15	1 000 tons
quota 16	2 000 tons
quota 17	1 600 tons
ceiling 1	100 000 tons
ceiling 2	60 000 tons
ceiling 3	200 tons
rq 1	25 000 tons
rq 2	4 000 tons
rq 3	100 tons

4. Within the limit of an annual quota of 2000 tonnes, no customs duties shall be levied on products falling within CN codes 0714 10 91 and 0714 90 11.

Live sheep and goats
Meat of sheep or goats
Poultrymeat
Prepared poultrymeat
Milk and cream
Cheese and curd
Pigmeat
Prepared pigmeat
Molasses
Wheat and meslin
Husked rice
Broken rice
Tomatoes other than cherry tomatoes
Cherry tomatoes
Seedless table grapes
Apples
Pears
Strawberries
Sorghum
Millet
Fresh figs
Oranges
Mandarins
Seedless table grapes

(c) where, in the course of a year, imports into the Community of products falling within CN codes 0201, 0206 10 95, 0206 29 91, 1602 50 10 or 1602 90 61, originating in an ACP State exceed a quantity equivalent to imports into the Community during whichever year between 1969 and 1974 Community imports of products of that origin were highest, plus an annual growth rate of 7%, exemption from customs duties on the products of that origin shall be partially or totally suspended.

In that event the Community shall determine the arrangements to be applied to the imports in question.

- (2). The reduction shall apply only to imports for which the importer provides proof that an export charge of an amount equivalent to the reduction has been collected by the exporting country.
 - (3). If, in the course of a year, the ceiling is reached, the Community may, by means of a Regulation, reintroduce the application of normal customs duties until the end of the period of validity; the duties applicable shall be reduced by 50%.
 - (4). If imports of a product exceed the reference quantity, a decision may be taken to make it subject to a ceiling equal to the reference quantity, having regard to the annual balance of trade in the product.
 - (5). This reduction shall not be applied when the Community, in accordance with its Uruguay Round commitments, applies additional duties.
 - (6). If serious disturbances occur as a result of a large increase in duty-free imports of products falling within CN code 2401, originating in the ACP States, or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, the Community may take measures to counteract any deflection of trade.
- (c1) Whether or not containing less than 1,5% by weight of milk fat, with a starch or flour content of 50% or over but of less than 75% by weight.

Joint Declaration on market access in the ACP-EC Partnership

The Parties accept the fact that both sides expect to take part in the negotiations and implementation of agreements leading to further multilateral and bilateral trade liberalisation.

The Parties note the Community's commitment to provide least developed countries with free market access for essentially all products by 2005.

At the same time they recognise, with respect to ACP preferential access to the Community market, that this wider process of liberalisation could lead to a deterioration in the relative competitive position of the ACP States which would threaten their development efforts, which the Community is concerned to support.

The Parties therefore agree to examine all necessary measures in order to maintain the competitive position of the ACP States on the Community market during the preparatory period. This examination may include, inter alia, calendar requirements, rules of origin, sanitary and phytosanitary measures and implementation of specific measures addressing supply side constraints in the ACP countries. The objective will be to offer ACP countries possibilities to exploit their existing and potential comparative advantage on the Community market. Bearing in mind their commitment to cooperation in the WTO, the Parties agree that this examination will also take into account any extension within the WTO of the trade advantages which may be offered by member countries to developing countries.

To this end, the Joint Ministerial Trade Committee should make recommendations on the basis of an initial review to be prepared by the Commission and the ACP Secretariat. The EC Council will examine these recommendations on the basis of a proposal from the Commission, with a view to preserving the benefits of the ACP-EC trade arrangement.

The Council of the European Union, for its part, underlines its obligation to take into account the effect of any agreement or other measures to be taken by the EC on ACP-EC trade. It requests the Commission to carry out the necessary impact assessments on a systematic basis.

The measures will relate to the preparatory period and will take due account of the Community's common agricultural policy.

the implementation of this Declaration and make appropriate reports to the Council of Ministers.

DECLARATION XXIV

Joint Declaration on rice

1. The Parties recognise the importance of rice for the economic development of a number of ACP countries in terms of employment, foreign exchange and social and political stability.
2. They further recognise the importance of the Community market for rice. The Community reaffirms its commitment to enhance the competitiveness and efficiency of the ACP rice sector in order to maintain a viable and sustainable industry and thereby contribute to the smooth integration of ACP countries into the world economy.
3. The Community is prepared to provide sufficient funds to finance during the preparatory period, in consultation with the ACP sector concerned, an integrated sector-specific programme for the development of ACP exporters of rice which could in particular include the following measures:
 - improvement of conditions of production and enhancement of quality through action in the areas of research, harvesting and handling;
 - transport and storage;
 - enhancing the competitiveness of existing exporters of rice;
 - assisting ACP rice producers to meet environmental and waste management standards and other norms in the international markets, including the Community;
 - marketing and trade promotion;
 - programmes designed to develop value added by-products.

This package of measures will be financed in ACP rice exporting nations on a national basis, by agreement of both Parties, through specific sectoral programmes in accordance with programming rules and methods and in the short term through unallocated EDF resources after a decision of the Council of Ministers.

rate closely in order to ensure that the ACP States can benefit fully from the Community trade preferences for rice. They agree on the importance of effective and transparent implementation of all rice exports to the Community of ACP origin.

5. The Community will examine after the entry into force of the agreement the position of the ACP rice sector in the light of future changes occurring on the Community's rice market. To this end, the Parties agree to create with the ACP and representatives of the sector concerned, a joint working party, which shall meet annually. The Community further undertakes to consult the ACP States on any bilateral or multilateral decisions which may have an impact on the competitive position of the ACP rice industry in the Community market.

DECLARATION XXV

Joint Declaration on rum

The Parties recognise the importance of the rum sector for the economic and social development of several ACP countries and regions and its major contribution in providing employment, export earnings and Government revenues. They acknowledge that rum is a value added agro-industrial ACP product capable, if appropriate efforts are undertaken, of competing in a global economy. They therefore acknowledge the need to take all measures that might be necessary to overcome the competitive disadvantage, which ACP producers are presently facing. In this context they also note the undertaking contained in the Council and Commission Declaration of 24 March 1997 to fully take into account in any future negotiations and arrangements related to the rum sector, the impact of the EC-US agreement to eliminate the duty on certain spirituous beverages of the same date. They also recognise the urgent need for ACP producers to become less dependent on the commodity rum market.

The Parties therefore agree on the need for the rapid development of the ACP rum industry so as to allow exporters of ACP rum to compete on the Community and the international spirits markets. To this end, they agree to implement the following measures:

1. Rum, arak and tafia originating in the ACP countries or regions falling under HS Code 22 08 40 shall be imported under this Agreement and any successor agreement to this Agreement, duty free and without quantitative limitations.
2. The Community undertakes to ensure fair competition in the Community market and that ACP rum is not disadvantaged or discriminated against in the EU market, in relation to third country rum producers.

request for derogation to the provisions of Article 1.4(1) and (2) of Council Regulation (EC) No 1576/1989 of 29 March 1989 consult with and take account of the particular interests of ACP countries.

4. The Community is prepared to provide sufficient funds to finance during the preparatory period, in consultation with the ACP sector concerned, an integrated sector-specific programme for the development of ACP exporters of rum, which could in particular include the following measures:

- enhancing the competitiveness of existing exporters of rum;
- assist in creation of rum marques or brands by ACP region or country;
- enabling marketing campaigns to be designed and implemented;
- assist ACP rum producers to meet environmental and waste management standards and other norms in the international markets including the Community market;
- assist the ACP rum industry to move out of bulk commodity production into higher value branded rum products.

This package of measures will be financed on a national and regional basis, by agreement of both parties, through specific sectoral programmes in accordance with programming rules and methods and, in the short term, through unallocated EDF resources after a decision of the Council of Ministers.

5. The Community commits itself to examine the impact on the ACP industry of the indexation of the price point incorporated in the Memorandum of Understanding on rum in the agreement on white spirits of March 1997 at which duties on non-ACP rum are applied. In this light it will take, where necessary, appropriate measures.
6. The Community undertakes to conduct appropriate consultations with the ACP through a joint working party, which shall meet regularly, on specific issues arising from these undertakings. The Community further undertakes to consult the ACP States on any bilateral or multilateral decisions, including tariff reductions and the enlargement of the Community, which may impact on the competitive position of the ACP rum industry in the Community market.

DECLARATION XXVI Joint Declaration on beef and veal

1. The Community undertakes to ensure that the ACP States, beneficiaries of the Protocol on beef and veal, derive full benefits therefrom. To this end, it commits itself to give effect to the provisions of this protocol by enacting in a timely fashion appropriate rules and procedures.
2. The Community further undertakes to implement the protocol so that ACP States can market their beef and veal throughout the year without undue restrictions. In addition, the EC will assist the ACP beef and veal exporters to improve their competitiveness through, inter alia, addressing supply-side constraints, in accordance with the development strategies set out in this Agreement and within the context of National and Regional Indicative Programmes.
3. The Community will examine the requests of ACP Least-Developed-Countries to export their beef and veal under preferential conditions in the context of the actions it intends to take under the WTO's Integrated Framework for Least-Developed-Countries.

DECLARATION XXVII Joint Declaration on the arrangements governing access to the markets of the French overseas departments for products originating in the ACP States referred to in Article 1(2) of Annex V

The Parties reaffirm that the provisions of Annex V apply to the relations between the French overseas departments and the ACP States.

The Community shall have the right during the life of the Agreement to amend, in the light of the economic development requirements of the French overseas departments, the arrangements governing access to the latter's markets for products originating in the ACP States referred to in Article 1(2) of Annex V.

When examining the possible application of this right, the Community will take into consideration the direct trade between the ACP States and the French overseas departments. Information and consultation procedures shall apply between the parties concerned in accordance with Article 12 of Annex V.

DECLARATION XXVIII
Joint Declaration on cooperation
between ACP States and the
neighbouring overseas countries and
territories and French overseas
departments

The Parties shall encourage greater regional cooperation in the Caribbean, the Pacific and the Indian Ocean involving ACP States and the neighbouring overseas countries and territories and French overseas departments.

The Parties call upon interested Parties to consult each other on the procedure for promoting such cooperation and, in this context, to take measures, in line with their respective policies and their specific situation in the region, which will permit initiatives in the economic field, including the development of trade, as well as in the social and cultural fields.

Where there are trade agreements involving French overseas departments, such agreements may provide for specific measures in favour of products from those departments.

Issues relating to cooperation in these different areas shall be brought to the attention of the Council of Ministers, so that it can be duly informed of the progress achieved.

DECLARATION XXIX
Joint Declaration on products covered
by the common agricultural policy

The Parties recognise that products covered by the common agricultural policy follow specific rules and regulations, in particular with regard to safeguard measures. The provisions of the Agreement concerning the safeguard clause may be applied to these products only insofar as they are consistent with the specific nature of these rules and regulations.

DECLARATION XXX
ACP Declaration on Article 1
of Annex V

Conscious of the imbalance and the discriminatory effect resulting from the most-favoured-nation treatment applicable to products originating in the ACP States on the Community market under Article 1(2)(a) of Annex V, the ACP States reaffirm their understanding that the consultations provided for under this Article shall ensure that the ACP States' main export

table products benefit from treatment at least as favourable as that granted by the Community to countries enjoying the most-favoured-third-state treatment.

In addition similar consultations shall take place in cases where:

- a) one or more ACP States show potentialities for one or more specific products for which preferential third states enjoy more favourable treatment;
- b) one or more ACP States envisage exporting to the Community one or more specific products for which preferential third states enjoy more favourable treatment.

DECLARATION XXXI
Community Declaration on Article
5(2)(a) of Annex V

While agreeing to the reproduction of the text of Article 9(2)(a) of the Second ACP-EEC Convention in Article 5(2)(a) of Annex V, the Community reaffirms the interpretation of that text, namely that the ACP States shall grant to the Community treatment no less favourable than that which they grant to developed States under trade agreements where those States do not grant the ACP States greater preferences than those granted by the Community.

DECLARATION XXXII
Joint Declaration on non-discrimination

The Parties agree that notwithstanding specific provisions of Annex V to this Agreement, the Community shall not discriminate between ACP States in the trade regime provided for in the framework of that Annex, taking account however of the provisions of this Agreement and of specific autonomous initiatives in the multilateral context, such as that in favour of the least developed countries pursued by the Community.

DECLARATION XXXIII
Community Declaration on Article 8(3)
of Annex V

Were the Community to adopt the strictly necessary measures referred to in this Article, it would endeavour to seek those which, by reason of their geographical scope or the types of products concerned, would least disturb the exports of the ACP States.

DÉCLARATION XXXIV
Joint Declaration on Article 12
of Annex V

The Parties agree that the consultations referred to in Article 12 of Annex V should take place in accordance with the following procedures:

- i) the two Parties will provide all necessary and relevant information on the specific issue(s) in good time to enable an early initiation of the discussions, and in any event not later than one month after the request for consultation is received,
- ii) the three-month consultation period will start from the date of receipt of this information. Within these three months, technical examination of such information shall be completed within one month, and joint consultations at the level of the Committee of Ambassadors shall be completed within two further months,
- iii) if the conclusion arrived at is not mutually acceptable, the matter shall be referred to the Council of Ministers,
- iv) in the event that no mutually acceptable solution is adopted by the Council of Ministers, the Council will decide what other steps should be taken in order to resolve the differences identified in the consultations.

DECLARATION XXXV
Joint Declaration relating to Protocol 1
of Annex V

If special tariff treatment were to be applied by the ACP States to imports of products originating in the Community, including Ceuta and Melilla, the provisions of Protocol 1 would apply mutatis mutandis. In all other cases where the treatment applied to imports by the ACP States necessitates the provision of proof of origin, those States shall accept certificates of origin drawn up in accordance with the relevant international agreements.

DECLARATION XXXVI
Joint Declaration relating to Protocol 1
of Annex V

1. For the purposes of applying Article 12(2)(c) of the Protocol, the shipping certificate, issued in the first port of embarkation for the Community, shall be equivalent to the through bill of lading for products covered by movement certificates issued in landlocked ACP States.

2. Products exported from landlocked ACP States which are warehoused elsewhere than in the ACP States or the countries and territories referred to in Annex III to the Protocol may be the subject of movement certificates issued under the circumstances referred to in Article 16 thereof.
3. For the purposes of Article 15(4) of the Protocol, certificates EUR.1 issued by a competent authority and endorsed by the customs authorities will be accepted.
4. In order to help ACP enterprises in their efforts to find new sources of supply with a view to benefiting to the maximum extent from the provisions of the Protocol as regards cumulation of origin, steps will be taken to ensure that the Centre for the Development of Enterprise provides assistance to ACP operators in the establishment of appropriate contacts with suppliers in the ACP States, the Community and the countries and territories, as well as to promote relations in the field of industrial cooperation among the operators concerned.

DECLARATION XXXVII
Joint Declaration relating to Protocol 1
of Annex V on the origin of
fishery products

The Community acknowledges the right of the coastal ACP States to the development and rational exploitation of the fishery resources in all waters within their jurisdiction.

The Parties agree that the existing rules of origin have to be examined in order to determine what possible changes may have to be made in the light of the first paragraph.

Conscious of their respective concerns and interests, the ACP States and the Community agree to continue examining the problem posed by the entry, onto Community markets, of fishery products from catches made in zones within the national jurisdiction of the ACP States, with a view to arriving at a solution satisfactory to both sides. This examination will take place in the Customs Cooperation Committee, assisted, when necessary, by the appropriate experts, after entry into force of the Agreement. The results of this examination shall be submitted, within the first year of application of the Agreement, to the Committee of Ambassadors and, at the latest during the second year, to the Council of Ministers for their consideration with a view to arriving at a solution satisfactory to both sides.

For the time being, as regards the processing of fishery products in the ACP States, the Community declares that it is willing to examine with an open mind requests for derogations from the rules of origin for processed products in this production sector based on the existence of compulsory landing requirements provided for in fishery agreements with third countries. The examination the Community is to make will take into account in particular the fact that the third countries concerned should ensure the normal market for such productions, following processing, insofar as the latter are not intended for national or regional consumption.

DECLARATION XXXVIII
Community Declaration relating to Protocol 1 of Annex V on the extent of territorial waters

The Community, recalling that the relevant acknowledged principles of international law restrict the maximum extent of territorial waters to 12 nautical miles, declares that it will take account of this limit in applying the provisions of the Protocol wherever the latter refers to this concept.

DECLARATION XXXIX
ACP Declaration relating to Protocol 1 of Annex V on the origin of fishery products

The ACP States reaffirm the point of view they expressed throughout the negotiations on the rules of origin in respect of fishery products and consequently maintain that following the exercise of their sovereign rights over fishery resources in the waters within their national jurisdiction, including the exclusive economic zone, as defined in the United Nations Convention on the Law of the Sea, all catches effected in those waters and obligatorily landed in ports of the ACP States for processing should enjoy originating status.

DECLARATION XL
Joint Declaration on the application of the value tolerance rule in the tuna sector

The European Community undertakes to implement adequate provisions to give full effect to the application in the tuna sector of the value tolerance rule, provided for in Article 4(2) of Protocol 1 of Annex V. To this end, the Community will submit by the date of signature of this Agreement the conditions under which the 15% non-originating tuna may be used pursuant to this Article.

The Community proposal will specify how the method of calculation shall be based on the EUR. 1 movement certificate.

The two Parties agree, if difficulties arise in achieving the flexibility aimed at by the application of this method, to undertake a revision of the method after two years of its application.

DECLARATION XLII
Joint Declaration on Article 6(11) of Protocol 1 of Annex V

The Community agrees to consider, in the light of Article 40 of Protocol 1, and on a case-by-case basis, any substantiated requests presented after the signing of the Agreement regarding textile products excluded from cumulation with neighbouring developing countries (Article 6(11) of Protocol 1).

DECLARATION XLIII
Joint Declaration on rules of origin: cumulation with South Africa

The ACP-EC Customs Cooperation Committee is prepared to examine as soon as possible any requests for cumulation of working and processing under Article 6(10) of Protocol 1 of Annex V coming from regional bodies representing a high level of regional economic integration.

DECLARATION XLIV
Joint Declaration on Annex 2 to Protocol 1 of Annex V

If in the application of the rules contained in Annex II, ACP States' exports are adversely affected, the Community will examine and, where necessary, adopt appropriate corrective measures to remedy the situation with a view to re-establishing the ex-ante situation (Decision 2/97 of the Council of Ministers).

The Community has noted the requests made by ACP States on rules of origin in the context of the negotiations. The Community agrees to consider any substantiated requests for improvement of the rules of origin contained in Annex II in the light of Article 40 of Protocol 1 and on a case-by-case basis.

Information for readers

The blue pages contain the list of countries which have signed the ACP-EU Partnership Agreement on 23 June 2000; the yellow pages, the consolidated text of the Agreement; the green pages, the annexes and protocols and the grey pages, the Final Act.

The Compendium will be published separately.

Please note that only the text of the Agreement published in the paper edition of the Official Journal of the European Communities is deemed authentic.

LIST OF COUNTRIES SIGNATORIES OF THE ACP-EU PARTNERSHIP AGREEMENT

in

COTONOU

23 June 2000

HIS MAJESTY THE KING OF THE BELGIANS,
HER MAJESTY THE QUEEN OF DENMARK,
THE PRESIDENT OF THE FEDERAL REPUBLIC OF
GERMANY,
THE PRESIDENT OF THE HELLENIC REPUBLIC,
HIS MAJESTY THE KING OF SPAIN,
THE PRESIDENT OF THE FRENCH REPUBLIC,
THE PRESIDENT OF IRELAND,
THE PRESIDENT OF THE ITALIAN REPUBLIC,
HIS ROYAL HIGHNESS THE GRAND DUKE OF
LUXEMBOURG,
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,
THE PRESIDENT OF THE PORTUGUESE REPUBLIC,
THE PRESIDENT OF THE REPUBLIC OF FINLAND,
THE GOVERNMENT OF THE KINGDOM OF SWEDEN,
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,

Contracting parties to the Treaty establishing the European
Community, hereafter named "Community," and the States of the
Community being hereinafter referred to as "Member States,"

and

THE COUNCIL OF THE EUROPEAN UNION AND THE
COMMISSION OF THE EUROPEAN COMMUNITIES,

of the one part and,

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA,
THE PRESIDENT OF THE REPUBLIC OF ANGOLA,
HER MAJESTY THE QUEEN OF ANTIGUA AND BARBUDA,
THE HEAD OF STATE OF THE COMMONWEALTH OF THE
BAHAMAS,
THE HEAD OF STATE OF BARBADOS,
HER MAJESTY THE QUEEN OF BELIZE,
THE PRESIDENT OF THE REPUBLIC OF BENIN,
THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,
THE PRESIDENT OF BURKINA FASO,
THE PRESIDENT OF THE REPUBLIC OF BURUNDI,
THE PRESIDENT OF THE REPUBLIC OF CAMEROON,
THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,
THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,
THE PRESIDENT OF THE ISLAMIC FEDERAL REPUBLIC OF
THE COMOROS,
THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF
CONGO,
THE PRESIDENT OF THE REPUBLIC OF THE CONGO,
THE GOVERNMENT OF THE COOK ISLANDS,

THE PRESIDENT OF THE REPUBLIC OF CÔTE D'IVOIRE,
THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,
THE GOVERNMENT OF THE COMMONWEALTH OF
DOMINICA,
THE PRESIDENT OF THE DOMINICAN REPUBLIC,
THE PRESIDENT OF THE STATE OF ERITREA,
THE PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC
OF ETHIOPIA,
THE PRESIDENT OF THE SOVEREIGN DEMOCRATIC
REPUBLIC OF FIJI,
THE PRESIDENT OF THE REPUBLIC OF GABON,
THE PRESIDENT AND HEAD OF STATE OF THE REPUBLIC
OF THE GAMBIA,
THE PRESIDENT OF THE REPUBLIC OF GHANA,
HER MAJESTY THE QUEEN OF GRENADA,
THE PRESIDENT OF THE REPUBLIC OF GUINEA,
THE PRESIDENT OF THE REPUBLIC OF GUINEA-BISSAU
THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL
GUINEA,
THE PRESIDENT OF THE COOPERATIVE REPUBLIC OF
GUYANA,
THE PRESIDENT OF THE REPUBLIC OF HAITI,
THE HEAD OF STATE OF JAMAICA,
THE PRESIDENT OF THE REPUBLIC OF KENYA,
THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,
HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO,
THE PRESIDENT OF THE REPUBLIC OF LIBERIA,
THE PRESIDENT OF THE REPUBLIC OF MADAGASCAR,
THE PRESIDENT OF THE REPUBLIC OF MALAWI,
THE PRESIDENT OF THE REPUBLIC OF MALI,
THE GOVERNMENT OF THE REPUBLIC OF THE MARSHALL
ISLANDS,
THE PRESIDENT OF THE ISLAMIC REPUBLIC OF
MAURITANIA,
THE PRESIDENT OF THE REPUBLIC OF MAURITIUS,
THE GOVERNMENT OF THE FEDERAL STATES OF
MICRONESIA,
THE PRESIDENT OF THE REPUBLIC OF MOZAMBIQUE,
THE PRESIDENT OF THE REPUBLIC OF NAMIBIA,
THE GOVERNMENT OF THE REPUBLIC OF NAURU,
THE PRESIDENT OF THE REPUBLIC OF NIGER,
THE PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA,
THE GOVERNMENT OF NIUE,
THE GOVERNMENT OF THE REPUBLIC OF PALAU,
THE PRESIDENT OF THE REPUBLIC OF UGANDA,
HER MAJESTY THE QUEEN OF THE INDEPENDENT STATE
OF PAPUA NEW GUINEA,
THE PRESIDENT OF THE RWANDAN REPUBLIC,
HER MAJESTY THE QUEEN OF SAINT KITTS AND NEVIS,
HER MAJESTY THE QUEEN OF SAINT LUCIA,

HER MAJESTY THE QUEEN OF SAINT VINCENT AND THE
GRENADINES,
THE HEAD OF STATE OF THE INDEPENDENT STATE OF
SAMOA,
THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF
SÃO TOMÉ AND PRÍNCIPE,
THE PRESIDENT OF THE REPUBLIC OF SENEGAL,
THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES,
THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,
HER MAJESTY THE QUEEN OF THE SOLOMON ISLANDS,
THE PRESIDENT OF THE REPUBLIC OF THE SUDAN,
THE PRESIDENT OF THE REPUBLIC OF SURINAME,
HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND,
THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,
THE PRESIDENT OF THE REPUBLIC OF CHAD,
THE PRESIDENT OF THE TOGOLESE REPUBLIC,
HIS MAJESTY KING TAUFA 'AHAU TUPOU IV OF TONGA,
THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND
TOBAGO,
HER MAJESTY THE QUEEN OF TUVALU,
THE GOVERNMENT OF THE REPUBLIC OF VANUATU,
THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,
THE GOVERNMENT OF THE REPUBLIC OF ZIMBABWE,

whose States are hereinafter referred to as "ACP states,"

of the other part

HAVE DECIDED to conclude this Agreement
And to this end have designated their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS,
Mr Eddy BOUTMANS
State Secretary for cooperation with developing countries
HER MAJESTY THE QUEEN OF DENMARK,
Mr Michael GORMSEN
Chief Adviser, Ministry for Foreign Affairs
THE PRESIDENT OF THE FEDERAL REPUBLIC OF
GERMANY,
Mr Erich STATHER
Secretary of State, [[Staatsminister]], Ministry for Development
Cooperation
THE PRESIDENT OF THE HELLENIC REPUBLIC,
Mr Nikolaos PATAKIAS
Adviser to the Greek Permanent Representative in Brussels
HIS MAJESTY THE KING OF SPAIN,
Mr Jesus Manuel GRACIA ALDAZ
Secretary-General, Spanish Agency for International Cooperation
THE PRESIDENT OF THE FRENCH REPUBLIC,
Mr Charles JOSSELIN
Minister with responsibility for Cooperation and
the French-speaking areas

THE PRESIDENT OF IRELAND,
Mr Robert MOLLOY T.D.
Minister of State to the Government and National Minister for the
Environment and Local Government
THE PRESIDENT OF THE ITALIAN REPUBLIC,
Mr. Rino SERRI
State Secretary for Foreign Affairs
HIS ROYAL HIGHNESS THE GRAND DUKE OF
LUXEMBOURG,
Mr Jean FEYDER
Ambassador, Department of Cooperation and Humanitarian Aid
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
Mr S.N. BAKKER
Diplomatic service, Republic of Benin
THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,
Dr Gregor WOSCHNAGG,
Ambassador
THE PRESIDENT OF THE PORTUGUESE REPUBLIC,
Mr Luis Filipe AMADO
State Secretary for Foreign Affairs and Cooperation
THE PRESIDENT OF THE REPUBLIC OF FINLAND,
Mr Kirsti LINTONEN
State under-Secretary, Ministry for Foreign Affairs
THE GOVERNMENT OF THE KINGDOM OF SWEDEN,
Mr Lars EKSTRÖM
Ambassador to Nigeria, Ghana, Togo and Benin in Lagos
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND,
Mr Roger KAESHAW
Deputy High Commissioner for Nigeria

THE COUNCIL OF THE EUROPEAN UNION AND THE
COMMISSION OF THE EUROPEAN COMMUNITIES,

Mr Luis Filipe AMADO
State Secretary for Foreign Affairs and Cooperation
Mr Poul NIELSON
Member of the Commission of the European Communities

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA,
Mrs Susan SHABANGU
Deputy Minister for Minerals and Energy

THE PRESIDENT OF THE REPUBLIC OF ANGOLA,
Mrs Ana AfONSO DIAZ LOURENCO
Minister for Planning, National Authorising Officer

HER MAJESTY THE QUEEN OF ANTIGUA AND BARBUDA,
Will sign later

THE HEAD OF STATE OF THE COMMONWEALTH OF THE
BAHAMAS,

Mr Carl Wilshire BETHEL,
Minister for Economic Development

THE HEAD OF STATE OF BARBADOS,
Mr Michael KING
Ambassador to the European Union

HER MAJESTY THE QUEEN OF BELIZE,
Mrs Keisha DIEGO-GREY
Belize Diplomatic Mission in Brussels

THE PRESIDENT OF THE REPUBLIC OF BENIN,
Mr Sévérin ADJOVI
Minister for Trade, Craft Industry and Tourism

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,
M. Mompoti MERAFHE
Minister for Foreign Affairs

THE PRESIDENT OF BURKINA FASO,
Mrs Anne KONATE
Deputy Minister for Economic Development, Minister for
Economic and Financial Affairs

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,
Mr Léon NIMBONA
Minister for Planning, Development and Reconstruction

THE PRESIDENT OF THE REPUBLIC OF CAMEROON,
Mr Shey JONES YEMBE
State Secretary, Ministry for Public Investments and Regional
Planning

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,
Mr Wahnon FERREIRA
Ambassador in Belgium

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,
Mr Anicet George DOLOGUELE
President of the ACP Council of Ministers

THE PRESIDENT OF THE ISLAMIC FEDERAL REPUBLIC OF
THE COMOROS,
Mr Assoumany ABOUDOU
Minister for Economy, Trade and the Craft Industry

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE
CONGO,
Mr Yerodia Abdoulaye NDOMBASI
State Minister of State for Foreign Affairs and International
Cooperation

THE PRESIDENT OF THE REPUBLIC OF THE CONGO,
Mr Mathias DZON
Minister of State

THE GOVERNMENT OF THE COOK ISLANDS,
Mr Robert WOONTON
Minister for Foreign Affairs and Immigration

THE PRESIDENT OF THE REPUBLIC OF CÔTE D'IVOIRE,
Seydou DIARRA
Minister for Planning and Development

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,
M. Yacin Elmi BOUH
Minister for Economy and Finance, Head of Department for
Privatisation

THE GOVERNMENT OF THE COMMONWEALTH OF
DOMINICA,
Mr Edwin P. J. LAURENT
Ambassador in Brussels

THE PRESIDENT OF THE DOMINICAN REPUBLIC,
Mr Max PIG
State Secretary, National Authorising Officer

THE PRESIDENT OF THE STATE OF ERITREA,
Mr Berhane ABREHE
Minister of State

THE PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC
OF ETHIOPIA,
Mr Girma BIRU
Minister for Development and Economic Cooperation

THE PRESIDENT OF THE SOVEREIGN DEMOCRATIC
REPUBLIC OF FIJI,
M. Isikeli MATAITOGA
Ambassador in Brussels

THE PRESIDENT OF THE REPUBLIC OF GABON,
Mr Casimir OYE MBA
Minister of State, Minister for Planning, for Development
Programming and Regional planning

PRESIDENT AND HEAD OF STATE OF THE REPUBLIC OF
THE GAMBIA,
Mr Famara L. JATTA
State Secretary for Finance and Economic Affairs

THE PRESIDENT OF THE REPUBLIC OF GHANA,
Mr Victor SELORMEY
Minister for Finance

HER MAJESTY THE QUEEN OF GRENADA,
Mr Anthony BOATSWAIN
Minister for Finance, Trade and Planning

THE PRESIDENT OF THE REPUBLIC OF GUINEA,
Mr Amadou Camara CHEIKH
Minister for the Economy, Finance and Planning

THE PRESIDENT OF THE REPUBLIC OF GUINEA BISSAU,
M. Rui BARAI
State Secretary, International Cooperation and Regional
Integration

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL
GUINEA,
M. Fortunato OFA MBO NCHAMA
Minister for Planning and Economic Development

THE PRESIDENT OF THE REPUBLIC OF GUYANA,
Mr Havelock BREWSTER
Ambassador to the European Union

THE PRESIDENT OF THE REPUBLIC OF HAITI,
Mr Jean-Marie CHERESTAL
Minister, National Authorising Officer

THE HEAD OF STATE OF JAMAICA,
Mr Anthony HYLTON
Member of Parliament, Minister for Foreign Trade

THE PRESIDENT OF THE REPUBLIC OF KENYA,
Mr Gideon NDAMBUKI
Minister for Planning

THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,
Mr Serge VOHOR
Foreign Minister, Vanuatu

HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO,
Mr Mpho MALIE
Minister for Industry, Trade and Marketing

THE PRESIDENT OF THE REPUBLIC OF LIBERIA,
Mr Lami KWAH
Minister for Planning and Economic Affairs

THE PRESIDENT OF THE REPUBLIC OF MADAGASCAR,
Mr Alphonse RANDRIANAMBININA
Minister for Trade and Consumers

THE PRESIDENT OF THE REPUBLIC OF MALAWI,
Mr Samuel D. KALIYOMA PHUMISA
Member of Parliament, Minister for Trade and Industry

THE PRESIDENT OF THE REPUBLIC OF MALI,
Mr Modibo SIDIBE
Minister for Foreign Affairs and External Relations

THE GOVERNMENT OF THE REPUBLIC OF THE
MARSHALL ISLANDS,
M. Alvin JACKLICH
Minister for Foreign Affairs

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF
MAURITANIA,
Mr Mohamed OULD NANI
Minister for Economic Affairs and Development

THE PRESIDENT OF THE REPUBLIC OF MAURITIUS,
Mr Rajkeswur PURRYAG
Vice Prime Minister, Minister for Foreign Affairs and International
Trade

THE GOVERNMENT OF THE FEDERAL STATES OF
MICRONESIA,
Will sign later

THE PRESIDENT OF THE REPUBLIC OF MOZAMBIQUE
Mrs Frances RODRIGUES
Deputy Minister for Foreign Affairs and Cooperation

THE PRESIDENT OF THE REPUBLIC OF NAMIBIA,
Mr Tuliameni KALOMOH
Member of Parliament, Minister for Foreign Affairs, Information
and Diffusion

THE GOVERNMENT OF THE REPUBLIC OF NAURU,
Mr Isikeli MATAITOGA
Ambassador for Fiji to Brussels

THE PRESIDENT OF THE REPUBLIC OF NIGER,
Mr Ali ABDJO GAMATIE
Finance Minister, EDF National Authorising Officer

THE PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA,
Mr Philip C. ASIODU
Chief Economic Adviser to the President

THE GOVERNMENT OF NIUE,
Mr Sani LAKATANI
Prime Minister

THE GOVERNMENT OF THE REPUBLIC OF PALAU,
Will sign later

THE PRESIDENT OF THE REPUBLIC OF UGANDA,
Mr Gerald M SSENDAULA
Minister for Finance, Planning and Economic Development

HER MAJESTY THE QUEEN OF THE INDEPENDENT STATE
OF PAPUA NEW GUINEA,
Mr John KAPUTIN
Minister of State

THE PRESIDENT OF THE RWANDAN REPUBLIC,
Mr Jacques BIHOZAGARA
Extraordinary plenipotentiary ambassador in Brussels

HER MAJESTY THE QUEEN OF SAINT KITTS AND NEVIS,
Mr Cédric Roy LIBURD
Minister for Agriculture, Fishing and Cooperatives,

HER MAJESTY THE QUEEN OF SAINT LUCIA,
Mr George William Johnson ODLUM
Minister of Foreign Affairs and International Trade

HER MAJESTY THE QUEEN OF SAINT VINCENT AND THE
GRENADINES,
Mr John HORNE
Minister for Trade, Industry and Consumers

THE HEAD OF STATE OF THE INDEPENDENT STATE OF
SAMOA,
Mr Tau'iliili Uili MEREDITH
Ambassador in Brussels

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF
SÃO TÓME AND PRÍNCIPE,
Mr Armindo DE BRITO FERNANDES
Chargé d'affaires in the Embassy in Brussels

THE PRESIDENT OF THE REPUBLIC OF SENEGAL
M. Diop MACTAR
Minister for Economic and Financial Affairs

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES,
Mr Jérémie BONNELAME
Foreign Minister

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,
Will sign later

HER MAJESTY THE QUEEN OF THE SOLOMON ISLANDS,
Mr Robert SISILO
Ambassador to the EU

THE PRESIDENT OF THE REPUBLIC OF SUDAN,
Mr Mohamed KHEIR EL ZUHEAR
Minister for Finance and National Economy

THE PRESIDENT OF THE REPUBLIC OF SURINAME,
Mr Carlo Reinold SPIER
Ambassador plenipotentiary, Chargé d'affaires ad interim of the
Surinam Mission to the European Union

HIS MAJESTY THE KING OF THE GOVERNMENT OF
SWAZILAND;
MR Vincent MAJOZI SITHOLE
Minister for Economic Planning and Development

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,
Mr C. HAULI
Deputy Minister for Finance

THE PRESIDENT OF THE REPUBLIC OF CHAD,
Mr Ahmed Lamine ALI
Minister for Economic Promotion and Development,
EDF National Authorising Officer

THE PRESIDENT OF THE TOGOLESE REPUBLIC,
Mr Simfeitchéou PRE
Minister for Planning and Development

Για τον Πρόεδρο της Ελληνικής Δημοκρατίας

Pour son Altesse Royale le Grand-Duc de Luxembourg

Michael Gausser

Por Su Majestad el Rey de España

Voor Hare Majesteit de Koningin der Nederlanden

Für den Bundespräsidenten der Republik Österreich

Für den Bundespräsidenten der Republik Österreich

Gregor Wondracz

Gregor Wondracz

Pelo Presidente da República Portuguesa

Pour le président de la République d'Angola

Suomen Tasavallan Presidentin puolesta
För Republiken Finlands President

For Her Majesty the Queen of Antigua and Barbuda

På svenska regeringens vägnar

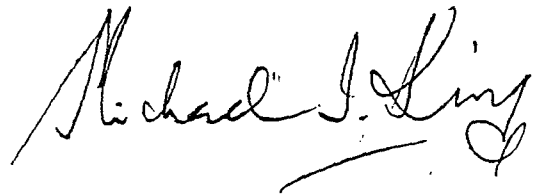
For the Head of State of the Commonwealth of the Bahamas

Lars Ekström

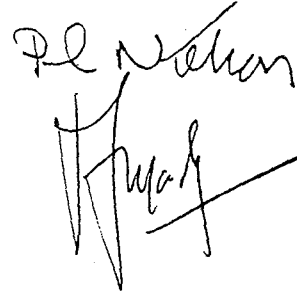
For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



For the Head of State of Barbados



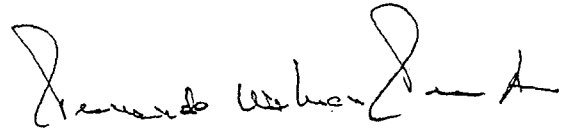
Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



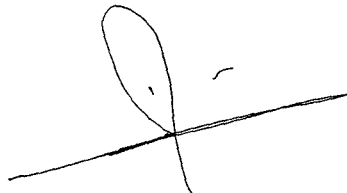
For the Government of Belize



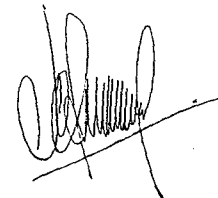
Pour le Président de la République du Cap-Vert



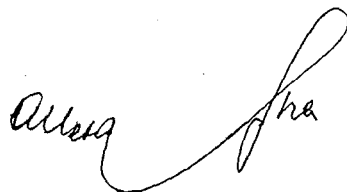
Pour le Président de la République du Bénin



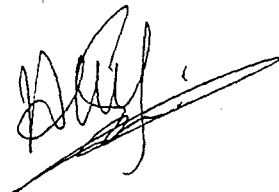
Pour le Président de la République Centrafricaine



For the President of the Republic of Botswana



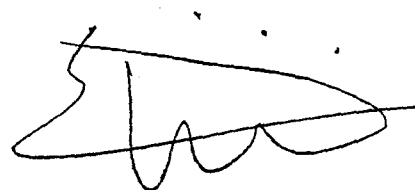
Pour le Président de la République Fédérale Islamique des Comores



Pour le Président du Burkina Faso



Pour le Président de la République démocratique du Congo



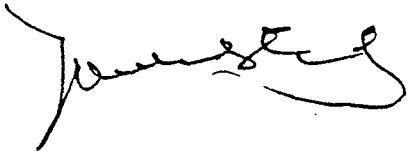
Pour le Président de la République du Burundi



Pour le Président de la République du Congo



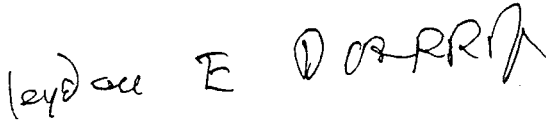
Pour le Président e la République du Cameroun



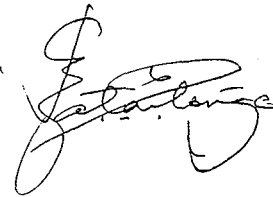
For the Government of the Cook Islands



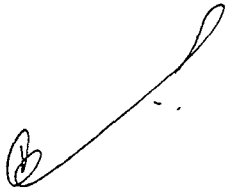
Pour le Président de la République de Côte Ivoire



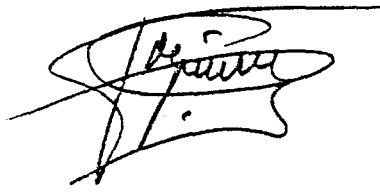
For the President of the Sovereign Democratic Republic of Fiji



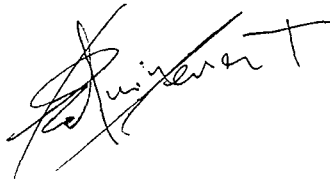
Pour le Président de la République de Djibouti



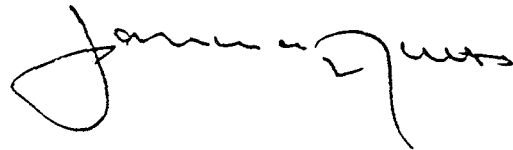
Pour le Président de la République gabonaise



For the Government of the Commonwealth of Dominica



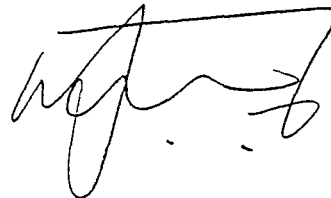
For the President and Head of State of the Republic of The Gambia



For the President of the Dominican Republic



For the President of the Republic of Ghana



For the President of the State of Eritrea



For Her Majesty the Queen of Grenada



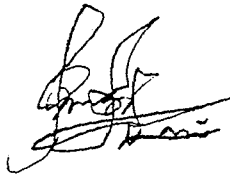
For the President of the Federal Democratic Republic of Ethiopia



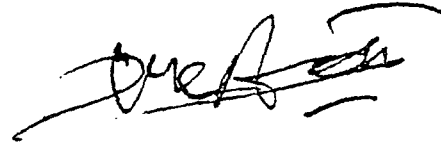
Pour le Président de la République de Guinée



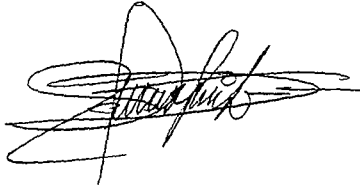
Pour le Président de la République de Guinée-Bissau



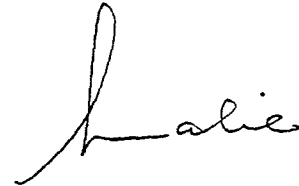
For the President of the Republic of Kiribati



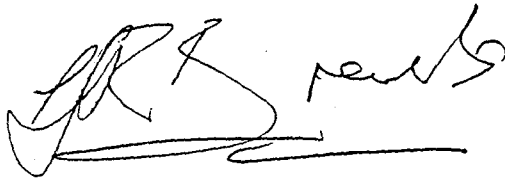
Pour le Président de la République de Guinée équatoriale



For His Majesty the King of the Kingdom of Lesotho



For the President of the Republic of Guyana




For the President of the Republic of Liberia



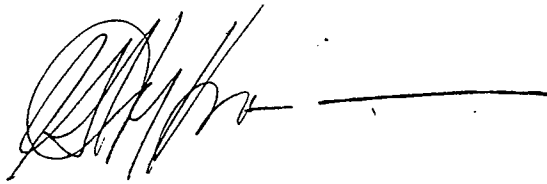
Pour le Président de la République d'Haïti



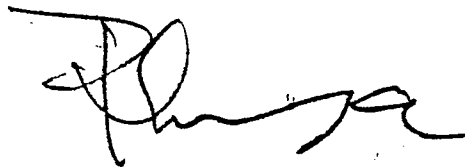
Pour le Président de la République de Madagascar



For the Head of State of Jamaica



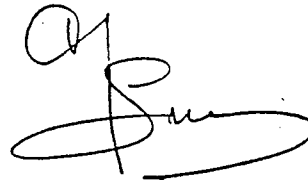
For the President of the Republic of Malawi



For the President of the Republic of Kenya

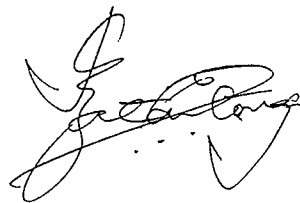


Pour le Président de la République du Mali



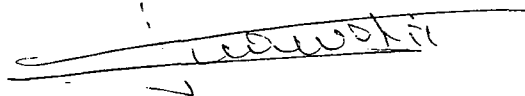
For the Government of the Republic of the Marshal Islands

For the Government of the republic of Nauru



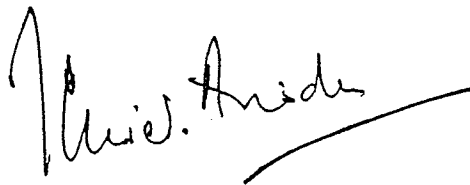
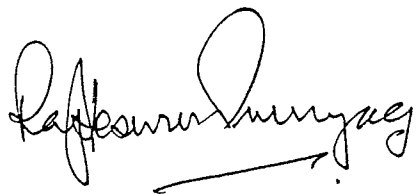
Pour le Président de la République Islamique de Maurétanie

Pour le Président de la République du Niger



For the President of the Republic of Mauritius

For the President of the Federal Republic of Nigeria



For the Government of the Federated States of Micronesia

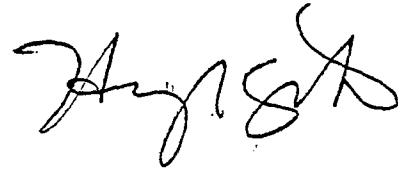
For the Government of Niue



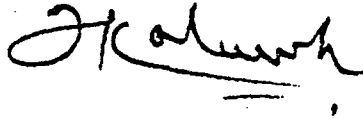
Pour le Président de la République du Mozambique




For the Government of the Republic of Palau



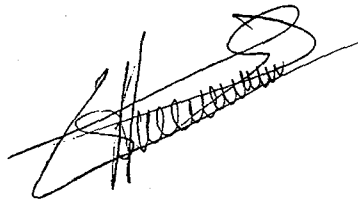
For the President of the Republic of Namibia



For Her Majesty the Queen of the Independent State of Papua New Guinea



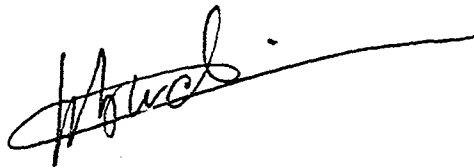
Pour le Président de la République Rwandaise



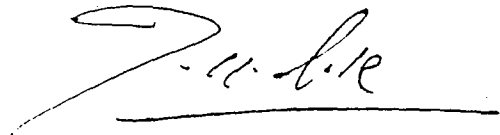
Pour le Président de la République du Sénégal



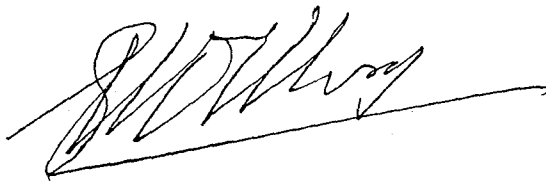
For Her majesty the Queen of Saint Kitts and Nevis



Pour le Président de la République des Seychelles



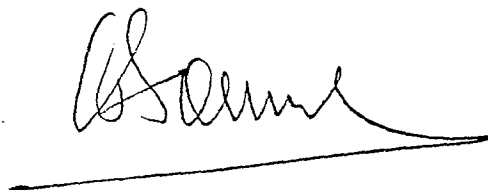
For Her majesty the Queen of Saint Lucia



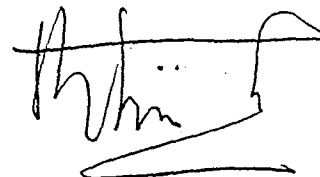
For the President of the Republic of Sierra Leone



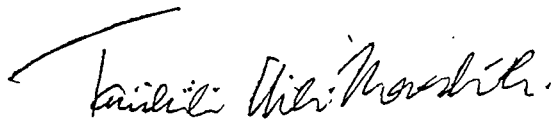
For Her majesty the Queen of Saint Vincent and the Grenadines



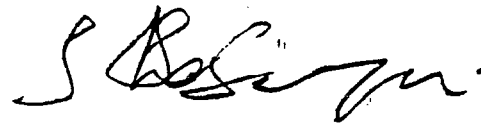
For Her Majesty the Queen of the Solomon Islands



For the Head of State of the Independent State of Samoa



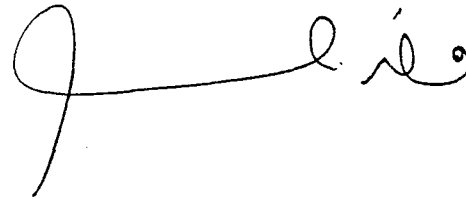
For the President of the Republic of South Africa



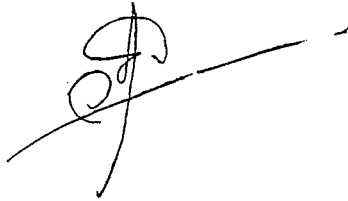
Pour le Président de la République démocratique de São Tomé et Príncipe



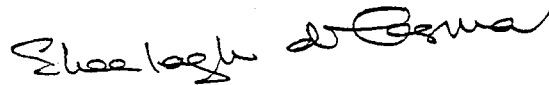
For the President of the Republic of the Sudan




For the Government of the Republic of Suriname



For the President of the republic of Trinidad and Tobago



For His Majesty the King of the Kingdom of Swaziland



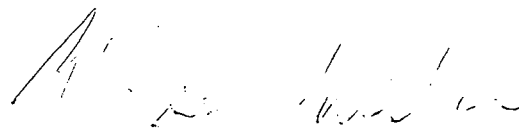
For Her Majesty the Queen of Tuvalu




For the President of the United Republic of Tanzania



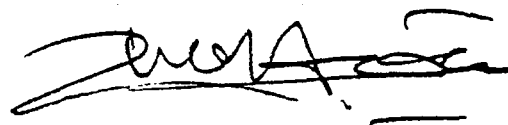
For the President of the Republic of Uganda



Pour le Président de la République du Tchad

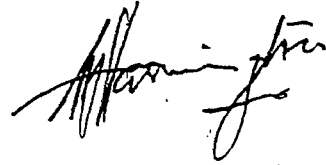
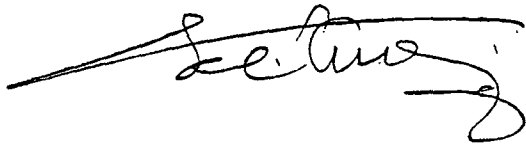


For the Government of the Republic of Vanuatu



Pour le Président de la République togolaise

For the President of the Republic of Zambia



For His Majesty King Taufa'ahau Tupou IV of Tonga

For the Government of the Republic of Zimbabwe

