

**ACT
CONCERNING
THE CONDITIONS OF ACCESSION
AND
THE ADJUSTMENTS TO THE TREATIES**

22 January 1972

PART ONE

PRINCIPLES

ARTICLE 1

For the purposes of this Act:

- the expression “original Treaties” means the Treaty establishing the European Coal and Steel Community, the treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community, as supplemented or amended by treaties or other acts which entered into force before accession; the expressions “ECSC Treaty” and “Euratom Treaty” mean the relevant original Treaties thus supplemented or amended;
- the expression “original Member States” means the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;
- the expression “new Member States” means the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 2

From the date of accession, the provisions of the original Treaties and the acts adopted by the institutions of the Communities shall be binding on the new Member States and shall apply in those States under the conditions laid down in those Treaties and in this Act.

ARTICLE 3

1. The new Member States accede by this Act to the decisions and agreements adopted by the representatives of the Governments of the Member States meeting in Council. They undertake to accede from the date of accession to all other agreements concluded by the original Member States relating to the functioning of the Communities or connected with their activities.

2. The new Member States undertake to accede to the conventions provided for in Article 220 of the EEC Treaty, and to the protocols on the interpretation of those conventions by the Court of Justice, signed by the original Member States and to this end they undertake to enter into negotiations with the original Member States in order to make the necessary adjustments thereto.

3. The new Member States are in the same situation as the original Member States in respect of declarations or resolutions of, or other positions taken up by, the Council and in respect of those concerning the European Communities adopted by common agreement of the Member States; they will accordingly observe the principles and guidelines deriving from those declarations, resolutions or other positions and will take such measures as may be necessary to ensure their implementation.

ARTICLE 4

1. The agreements or conventions entered into by any of the Communities with one or more third States, with an international organisation or with a national of a third

State, shall, under the conditions laid down in the original Treaties and in this Act, be binding on the new Member States.

2. The new Member States undertake to accede, under the conditions laid down in this Act, to agreements or conventions concluded by the original Member States and any of the Communities, acting jointly, and to agreements concluded by the original Member States which are related to those agreements or conventions. The Community and the original Member States shall assist the new Member States in this respect.

3. The new Member States accede by this Act and under the conditions laid down therein to the internal agreements concluded by the original Member States for the purpose of implementing the agreements or conventions referred to in paragraph 2.

4. The new Member States shall take appropriate measures, where necessary, to adjust their positions in relation to international organisations and international agreements to which one of the Communities or to which other Member States are also parties, to the rights and obligations arising from their accession to the Communities.

ARTICLE 5

Article 234 of the EEC Treaty and Articles 105 and 106 of the Euratom Treaty shall apply, for the new Member States, to agreements or conventions concluded before accession.

ARTICLE 6

The provisions of this Act may not, unless otherwise provided herein, be suspended, amended or repealed other than by means of the procedure laid down in the original Treaties enabling those Treaties to be revised.

ARTICLE 7

Acts adopted by the institutions of the Communities to which the transitional provisions laid down in this Act relate shall retain their status in law; in particular, the procedures for amending those acts shall continue to apply.

ARTICLE 8

Provisions of this Act the purpose or effect of which is to repeal or amend acts adopted by the institutions of the Communities, otherwise than as a transitional measure, shall have the same status in law as the provisions which they repeal or amend and shall be subject to the same rules as those provisions.

ARTICLE 9

1. In order to facilitate the adjustments of the new Member States to the rules in force within the Communities, the application of the original Treaties and acts adopted by the institutions shall, as a transitional measure, be subject to the derogations provided for in this Act.

2. Subject to the dates, time limits and special provisions provided for in this Act, the application of the transitional measures shall terminate at the end of 1977.

PART TWO

ADJUSTMENTS TO THE TREATIES

ARTICLES 10 - 126

These Articles refer to the adjustments to the Treaties arising from the accession of the new Member States and have been consolidated into the main part of the Consolidated Treaties. Articles 10 27 are not reproduced here.

TITLE I

PROVISIONS GOVERNING THE INSTITUTIONS

CHAPTER 1

THE ASSEMBLY

ARTICLE 10

[This Article amends the ECSC Treaty, Art. 21 (2), the EEC Treaty, Art. 188 (2), and the Euratom Treaty, Art. 108 (2), and is incorporated therein.]

CHAPTER 2

THE COUNCIL

ARTICLE 11

[This Article amends the Merger Treaty, Art. 2 (2), and is incorporated therein.]

ARTICLE 12

[This Article amends the ECSC Treaty, Art. 28, and is incorporated therein.]

ARTICLE 13

[This Article amends the ECSC Treaty, Art. 95 (4), and is incorporated therein.]

ARTICLE 14

[This Article amends the ECSC Treaty, Art. 148 (2), and the Euratom Treaty, Art. 118 (2), and is incorporated therein.]

CHAPTER 3

THE COMMISSION

ARTICLE 15

[This Article amends the Merger Treaty, Art. 10 (1), sub-para. 1, and is incorporated therein.]

ARTICLE 16

[This Article amends the Merger Treaty, Art. 14 (1), and is incorporated therein.]

CHAPTER 4

THE COURT OF JUSTICE

ARTICLE 17

[This Article amends the ECSC Treaty, Art. 82a (1), the EEC Treaty, Art. 165 (1), and the Euratom Treaty, Art. 187 (1), and is incorporated therein.]

ARTICLE 18

[This Article amends the ECSC Treaty, Art. 32a (1), the EEC Treaty Art. 166 (1), and the Euratom Treaty, Art. 188 (1), and is incorporated therein.]

ARTICLE 19

[This Article amends the ECSC Treaty, Art. 82b (2) and (8), the EEC Treaty, Art. 167 (2) and (8), and the Euratom Treaty, Art. 189 (2) and (8), and is incorporated therein.]

ARTICLE 20

[This Article amends the Protocol on the Statute of the Courts of Justice of the ECSC, Art. 18, the Protocol on the Statute of the Court of Justice of the EEC, Art. 15, and the Protocol on the Statute of the Court of Justice of the Euratom, Art. 15, and is incorporated therein.]

CHAPTER 5

THE ECONOMIC AND SOCIAL COMMITTEE

ARTICLE 21

[This Article amends the EEC Treaty, Art. 194 (1), and the Euratom Treaty, Art. 166 (1), and is incorporated therein.]

CHAPTER 6

THE ECSC CONSULTATIVE COMMITTEE

ARTICLE 22

[This Article amends the ECSC Treaty; Art. 18 (1), and is incorporated therein.]

CHAPTER 7

THE SCIENTIFIC AND TECHNICAL COMMITTEE

ARTICLE 23

[This Article amends the Euratom Treaty, Art. 184 (1), sub-para. 1, and is incorporated therein.]

TITLE II

OTHER ADJUSTMENTS

ARTICLE 24

1. *[This paragraph amends the EEC Treaty, Art. 181, and is incorporated therein.]*

2. *[This paragraph amends the EEC Treaty, Annex IV, and is incorporated therein.]*

ARTICLE 25

[This Article amends the ECSC Treaty, Art. 79 (1), and is incorporated therein.]

ARTICLE 26

[This Article amends the EEC Treaty, Art. 227, and is incorporated therein.]

ARTICLE 27

[This Article amends the Euratom Treaty, Art. 198, and is incorporated therein.]

ARTICLE 28

Acts of the institutions of the Community relating to the products in Annex II to the EEC Treaty and the products subject, on importation into the Community, to specific rules as a result of the implementation of the common agricultural policy, as well as the acts on the harmonisation of legislation of Member States concerning turnover taxes, shall not apply to Gibraltar unless the Council, acting unanimously on a proposal from the Commission, provides otherwise.

PART THREE

ADAPTATIONS TO ACTS ADOPTED BY THE INSTITUTIONS

ARTICLE 29

The acts listed in Annex I to this Act shall be adapted as specified in that Annex.

ARTICLE 30

The adaptations to the acts listed in Annex II to this Act made necessary by accession shall be⁷ drawn up in conformity with the guidelines set out in that Annex and in accordance with the procedure and under the conditions laid down in Article 153.

PART FOUR
TRANSITIONAL MEASURES

TITLE I

FREE MOVEMENT OF GOODS

CHAPTER 1

TARIFF PROVISIONS

ARTICLE 31

1. The basic duty to which the successive reductions provided for in Articles 32 and 59 are to be applied shall, for each product, be the duty actually applied on January 1, 1972.

The basic duty used for the moves towards the Common Customs Tariff and the ECSC unified tariff provided for in Articles 39 and 59 shall, for each product, be the duty actually applied by the new Member States on January 1, 1972.

For the purposes of this Act, "ECSC unified tariff" means the customs nomenclature and the existing customs duties for the products in Annex I to the ECSC Treaty, other than coal.

2. If, after January 1, 1972, any tariff reductions deriving from the Agreement Relating Principally to Chemicals supplementary to the Geneva (1967) Protocol to the General Agreement on Tariffs and Trade become applicable, the reduced duties shall replace the basic duties referred to in paragraph 1.

ARTICLE 32

1. Customs duties on imports between the Community as originally constituted and the new Member States and between the new Member States themselves shall be progressively abolished in accordance with the following timetable:

- on 1 April 1978, each duty shall be reduced to 80 per cent. of the basic duty;
- four other reductions of 20 per cent. each shall be made on:
 - 1 January 1974;
 - 1 January 1975;
 - 1 January 1976;
 - 1 July 1977.

2. Notwithstanding paragraph 1:

- (a) customs duties on imports of coal within the meaning of Annex I to the ECSC Treaty shall be abolished between Member States from the date of accession;
- (b) customs duties on imports of products listed in Annex III to this Act shall be abolished on 1 January 1974;
- (c) duty-free entry shall, from the date of accession, apply to imports which benefit from the provisions relating to tax exemptions applicable to persons travelling from one Member State to another.

3. As regards the products listed in Annex IV to this Act which are subject to contractual margins of preference between the United Kingdom and certain other

countries enjoying Commonwealth preference, the United Kingdom may defer until 1 July 1978 the first of the tariff reductions referred to in paragraph 1.

4. Paragraph 1 shall not preclude the possibility of opening tariff quotas for certain iron and steel products which are not manufactured or the manufacture of which is inadequate in quantity or quality in the Community as originally constituted.

ARTICLE 33

In no case shall 'customs duties higher than those applied to third countries enjoying most-favoured-nation treatment be applied within the Community.

In the event of the Common Customs Tariff duties being amended or suspended or the new Member States applying Article 41, the Council, acting by a qualified majority on a proposal from the Commission, may take the necessary measures for the maintenance of Community preference.

ARTICLE 34

Any new Member State may suspend in whole or in part the levying of duties on products imported from other Member States. It shall inform the other Member States and the Commission thereof.

ARTICLE 35

Any charge having equivalent effect to a customs duty on imports, introduced after 1 January 1972 in trade between the Community as originally constituted and the new Member States or between the new Member States themselves, shall be abolished on 1 January 1973.

Any charge having equivalent effect to a customs duty on imports the rate of which on 31 December 1972 is higher than that actually applied on 1 January 1972 shall be reduced to the latter rate on 1 January 1973.

ARTICLE 36

1. Charges having equivalent effect to customs duties on imports shall be progressively abolished between the Community as originally constituted and the new Member States and between the new Member States themselves in accordance with the following timetable:

- by 1 January 1974 at the latest, each charge shall be reduced to 60 per cent. of the rate applied on 1 January 1972;
- the three other reductions of 20 per cent. each shall be made on:
 - 1 January 1975;
 - 1 January 1976 ;
 - 1 July 1977.

2. Notwithstanding paragraph 1:

- (a) charges having equivalent effect to customs duties on imports of coal within the meaning of Annex I to the ECSC Treaty, shall be abolished between Member States from the date of accession;
- (b) charges having equivalent effect to customs duties on imports on the products listed in Annex III to this Act shall be abolished on 1 January 1974.

ARTICLE 37

Customs duties on exports and charges having equivalent effect shall be abolished between the Community as originally constituted and the new Member States and between the new Member States themselves by 1 January 1974 at the latest.

ARTICLE 38

1. Without prejudice to the following paragraphs, the provisions concerning the progressive abolition of customs duties shall apply to customs duties of a fiscal nature.

2. The new Member States shall retain the right to replace a customs duty of a fiscal nature or the fiscal element of any such duty by an internal tax which is in conformity with Article 95 of the EEC Treaty. If a new Member State avails itself of this right, any element not so replaced by the internal tax shall constitute the basic duty under Article 81. This element shall be abolished in trade within the Community and brought into line with the Common Customs Tariff under the conditions laid down in Articles 32, 89 and 59.

3. Where the Commission finds that in a new Member State there is serious difficulty in replacing a customs duty of a fiscal nature or the fiscal element of any such duty, it shall authorise that State, following a request made before 1 February 1973, to retain the duty or fiscal element, provided the State abolishes it by 1 January 1976 at the latest. The decision of the Commission shall be taken before 1 March 1973.

The protective element, the amount of which shall be fixed by the Commission before 1 March 1973 after consulting the State concerned, shall constitute the basic duty provided for in Article 31. This element shall be abolished in trade within the Community and brought into line with the Common Customs Tariff under the conditions laid down in Articles 82, 39 and 59.

4. The Commission may authorise the United Kingdom to retain customs duties of a fiscal nature or the fiscal element of such duties on tobacco for two additional years if by 1 January 1976 it has not proved possible to convert those duties into internal taxes on manufactured tobacco on a harmonised basis in accordance with Article 99 of the EEC Treaty, either because there are no Community provisions in this field on 1 January 1975 or because the time limit set for the implementation of such Community provisions is later than 1 January 1976.

5. The Council Directive of 4 March 1969 on the harmonisation of provisions laid down by law, regulation or administrative action for deferred payment of customs duties, charges having equivalent effect and agricultural levies shall not apply in the new Member States to the customs duties of a fiscal nature referred to in paragraphs 3 and 4 or to the fiscal element of such duties.

6. The Council Directive of 4 March 1969 on the harmonisation of provisions laid down by law, regulation or administrative action in respect of inward processing shall not apply in the United Kingdom to the customs duties of a fiscal nature referred to in paragraphs 3 and 4 or to the fiscal element of such duties.

ARTICLE 39

1. For the purpose of the progressive introduction of the Common Customs Tariff and of the ECSC unified tariff, the new Member States shall amend their tariffs applicable to third countries as follows:

(a) in the case of tariff headings in respect of which the basic duties do not differ by more than 15 per cent. in either direction from the duties in the Common Customs Tariff or the ECSC unified tariff, these latter duties shall be applied from 1 January 1974;

(b) in other cases, each new Member State shall, from the same date, apply a duty reducing by 40 per cent. the difference between the basic duty and the duty in the Common Customs Tariff or the ECSC unified tariff.

This difference shall be further reduced by 20 per cent. On 1 January 1975 and by 20 per cent. on 1 January 1976.

The new Member States shall apply in full the Common Customs Tariff and the ECSC unified tariff from 1 July 1977.

2. From 1 January 1974, if any duties in the Common Customs Tariff are altered or suspended, the new Member States shall simultaneously amend or suspend their tariffs in the proportion resulting from the implementation of paragraph 1.

3. The new Member States shall apply the Common Customs Tariff from 1 January 1974 in respect of the products listed in Annex III to this Act.

4. [The new Member States shall apply- the Common Customs Tariff nomenclature from the date of accession., Denmark' and the United Kingdom are, however, authorised to defer their application of the nomenclature until 1 January 1974.]

The new Member States may include within this nomenclature existing national subdivisions which are indispensable in order that the progressive alignment of their customs duties with those in the Common Customs Tariff be carried out under the conditions laid down in this Act.

5. With a view to facilitating the progressive introduction of the Common Customs Tariff by the new Member States, the Commission shall determine, if necessary, the provisions whereby new Member States alter their customs duties.

ARTICLE 40

In respect of the following products in the Common Customs Tariff:

<i>CCT Heading No.</i>	<i>Description of goods (ECSC)</i>
73.01	Pig iron, cast iron and spiegeleisin, in pigs, blocks, lumps and similar forms
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2 per cent. by weight of carbon (high carbon ferro-manganese)
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel A. Blooms and billets: ex I. Rolled billets

Ireland shall, notwithstanding the provisions of Article 39 apply from 1 January 1975 duties reducing by one third the difference between the rates actually applied on 1 January 1972 and those of the ECSC unified tariff. The difference resulting from the first move towards alignment shall be further reduced by 50 per cent. on 1 January 1976.

Ireland shall apply in full the ECSC unified tariff from 1 July 1977.

ARTICLE 41

In order to bring their tariffs into line with the Common Customs Tariff and the ECSC unified tariff, the new Member States shall remain free to alter their customs duties more rapidly than is provided for in Article 39(1) and (3). They shall inform the other Member States and the Commission thereof.

CHAPTER 2

ELIMINATION OF QUANTITATIVE RESTRICTIONS

ARTICLE 42

Quantitative restrictions on imports and exports shall, from the date of accession, be abolished between the Community as originally constituted and the new Member States and between the new Member States themselves.

Measures having equivalent effect to such restrictions shall be abolished by 1 January 1975 at the latest.

ARTICLE 43

Notwithstanding Article 42, Member States may, for a period of two years, retain restrictions on exports of waste and scrap metal of iron or steel falling within Common Customs Tariff heading No. 73.03, insofar as these arrangements are not more restrictive than those applied to exports to third countries.

[For Denmark the period shall be three years and for Ireland five years.]

ARTICLE 44

1. The new Member States shall progressively adjust State monopolies of a commercial character within the meaning of Article 37(1) of the EEC Treaty so as to ensure that by 31 December 1977 no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of Member States. The original Member States shall have equivalent obligations in relation to the new Member States.

2. From the beginning of 1973 the Commission shall make recommendations as to the manner in which and the time table according to which the adjustment provided for in this Article must be carried out, it being understood that the manner and time table must be the same for the new Member States and the original Member States.

CHAPTER 3

OTHER PROVISIONS

ARTICLE 45

1. The Commission shall, before 1 April 1973 and with due regard for the provisions in force, in particular those relating to Community transit, determine the methods of administrative co-operation designed to ensure that goods fulfilling the requisite conditions benefit from the abolition of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect.

2. The Commission shall, before the expiry of that time limit, lay down the provisions applicable to trade within the Community in goods obtained in the Community in the manufacture of which have been incorporated:

- products on which the customs duties or charges having equivalent effect which were applicable to them in the Community as originally constituted or in a new Member State have not been levied, or which have benefited from a total or partial drawback of such duties or charges.
- agricultural products which do not fulfil the conditions required for admission to free movement in the Community as originally constituted or in a new Member State.

In adopting these provisions, the Commission shall take into account the rules laid down in this Act for the elimination of customs duties between the Community as original constituted and the new Member States and between the new Member States themselves, and for the progressive introduction by the new Member States of the Common Customs Tariff and the provisions relating to the common agricultural policy.

ARTICLE 46

1. Save as otherwise provided in this Act, the provisions in force with regard to customs legislation for trade with third countries shall apply under the same conditions to trade within the Community, for such time as customs duties are levied in that trade.

For the purpose of establishing the customs value in respect of that trade, the customs territory to be taken into consideration shall be that defined by the provisions existing in the Community and in the new Member States on 31 December 1972.

2. [The new Member States apply the Common Customs Tariff nomenclature in trade within the Community from the date of accession. Denmark and the United Kingdom are, however, authorised to defer their application of this nomenclature until 1 January 1974.]

The new Member States may include within this nomenclature existing national subdivisions which are indispensable in order that the progressive elimination of their customs duties within the Community be carried out under the conditions laid down in this Act.

ARTICLE 47

1. Where the compensatory amounts referred to in Article 55(1)(a) are levied in trade between the Community as originally constituted and the new Member States and between the New Member States themselves on imports of primary products considered as having been used in the manufacture of goods covered by Regulation

No. 170/67/EEC on the common system of trade for ovalbumin and lactalbumin and Regulation (EEC) No. 1059/69 determining the system of trade applicable to certain goods processed from agricultural products, a compensatory amount, calculated on the basis of the said amounts and in accordance with the rules laid down by the above Regulations for calculating either the charge or the variable component applicable to the goods under consideration, shall be applied on importation of those goods.

When these same goods are imported from third countries into the new Member States, the charge laid down by Regulation No. 170/67/EEC and the variable component laid down by Regulation (EEC) No. 1059/69 shall be reduced or increased as the case may be, by the compensatory amount under the same conditions as those laid down in Article 55(1)(b).

2. Article 61 (2) shall apply for the determination of the customs duty constituting the fixed component of the charge applicable in the new Member States to goods covered by Regulation (EEC) No. 1059/69.

Each fixed component applied in trade between the Community as originally constituted and the new Member States and between the new Member States themselves shall be abolished in accordance with Article 32 (1).

Each fixed component applied by the new Member States to imports from third countries shall be brought into line with the Common Customs Tariff in accordance with Article 39.

3. The new Member States shall, for the goods covered by Regulations No. 170/67/EEC and (EEC) No. 1059/69, apply in full the Common Customs Tariff Nomenclature by 1 February 1973 at the latest.

4. The new Member States shall abolish customs duties and charges having equivalent effect, other than those provided for in paragraphs 1 and 2, on 1 February 1973.

On the same date, the new Member States shall abolish the measures having equivalent effect to quantitative restrictions in trade between themselves and with the Community as originally constituted.

5. The Council shall, acting by a qualified majority on a proposal from the Commission, adopt provisions to implement this Article, taking account, in particular, of the special situations which may result from the implementation for the same goods of the first sub-paragraph of paragraph 1 and of Article 97.

ARTICLE 48

1. The provisions of this Title shall not prevent Ireland from applying to products originating in the United Kingdom arrangements enabling customs duties and protective elements contained in customs duties of a fiscal nature to be eliminated more rapidly, in accordance with the Anglo Irish Free Trade Area Agreement, signed on 14 December 1965, and related Agreements.

2. The provisions adopted pursuant to Article 45 (2) shall apply from 1 January 1974 in the context of the customs arrangements in force between Ireland and the United Kingdom.

ARTICLE 49

1. Protocols Nos. 8 to 15 annexed to this Act shall not preclude any alteration to or suspension of duties decided under Article 28 of EEC Treaty.

2. The protocols annexed to the Agreement on the determination of part of the Common Customs Tariff in respect of the products in List G annexed to the EEC Treaty are hereby revoked with the exception of Protocol No. XVII.

TITLE II

AGRICULTURE

CHAPTER 1

GENERAL PROVISIONS

ARTICLE 50

Save as otherwise provided in this Title, the rules provided for in this Act shall apply to agricultural products.

ARTICLE 51

1. This Article shall apply to prices in respect of which Chapters 2 B and 8 refer to this Article.

2. Before the first move towards price alignment referred to in Article 52, the prices to be applied in each new Member State shall be fixed in accordance with the rules provided for in the common organisation of the market in the sector in question at a level which allows producers in that sector to obtain returns equivalent to those obtained under the previous national system.

3. [In respect of the United Kingdom, those prices shall, however, be fixed at a level such that the application of the Community rules results in a level of market prices comparable with the level recorded in the Member State concerned during a representative period preceding the implementation of the Community rules.]

ARTICLE 52

1. If the application of the provisions of this Title results in a price level different from that of the common prices, the prices in respect of which Chapters 2 and 8 refer to this Article shall be aligned with the level of the common prices in six stages.

2. Subject to paragraph 4, the moves towards alignment shall be carried out each year at the beginning of the marketing year according to the following provisions

- (a) when the price of a product in a new Member State is lower than the common price, the price in that Member State shall, at the time of each move towards alignment, be increased successively by a sixth, a fifth, a quarter, a third and a half of the difference between the price level in that new Member State and the common price level which are applicable before each move towards alignment; the price resulting from this calculation shall be increased proportionately to any rise in the common price for the following marketing year;
- (b) when the price of a product in a new Member State is higher than the common price, the difference between the price level applicable before each move towards

alignment in the new Member State and the common price level applicable for the next marketing year shall be reduced successively by a sixth, a fifth, a quarter, a third and a half.

3. In the interest of the smooth functioning of the process of integration, the Council, acting in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, may decide that, notwithstanding paragraph 2, the price of one or more products in one or more of the new Member States shall for one marketing year depart from the prices resulting from the application of paragraph 2.

This departure may not exceed 10 per cent. of the amount of the price move to be made.

In that event, the price level for the following marketing year shall be that which would have resulted from applying paragraph 2 if the departure had not been decided upon. A further departure from this price level may, however, be decided upon for that marketing year in accordance with the conditions in the preceding subparagraphs.

4. The common prices shall be applied in the new Member States by 1 January 1978 at the latest.

ARTICLE 53

If the difference between the price level of a product in a new Member State and the common price level is found to be minimal, the Council, acting in accordance with the procedure laid down in Article 43(2) of the EEC Treaty, may decide that the common price shall be applied in that new Member State in respect of the product concerned.

ARTICLE 54

1. For such a time as there is a difference in the United Kingdom between prices obtained under the national system of guaranteed prices and market prices resulting from the application of the mechanisms of the common agricultural policy and the provisions of this Title, that Member State is authorised to retain production subsidies.

2. The United Kingdom shall; for each of the products to which paragraph 1 applies, endeavour to abolish these subsidies as soon as possible during the period referred to in Article 9(2).

3. These subsidies may not have the effect of raising the returns of producers above the level which would have resulted from the application to these returns of the rules for the alignment of prices laid down in Article 52.

4. The Council, acting in accordance with the procedure laid down in Article 43(2) of the EEC Treaty, shall adopt the rules necessary for the application of this Article with a view to ensuring the proper functioning of the common agricultural policy and in particular of the common Organisation of the market.

ARTICLE 55

1. The difference in price levels shall be compensated as follows:

- (a) in trade between the new Member States themselves and with the Community as originally constituted, compensatory amounts shall be levied by the importing State or granted by the exporting State;
- (b) in trade between the new Member States and third countries, agricultural policy and export refunds shall be reduced or increased, as the case may be, by the compensatory amounts applicable in trade with the Community as originally

constituted. Customs duties may not, however, be reduced by the compensatory amount.

2. For products in respect of which prices are fixed in accordance with Articles 51 and 52, the compensatory amounts applicable in trade between the Community as originally constituted and the new Member States, and between those States and third countries, shall be equal to the difference between the prices fixed for the new Member State concerned and the common prices.

For the other products, the compensatory amounts shall be determined in the cases provided for in Chapters 2 and 3 and in accordance with the rules which they lay down.

3. The compensatory amounts applicable in trade between the new Member States shall be determined by direct reference to the compensatory amounts fixed for each of those States in accordance with paragraph 2.

4. No compensatory amount shall, however, be fixed if the application of paragraphs 2 and 3 results in a minimal amount.

5. For products in respect of which the duty in the common Customs Tariff is bound under the General Agreement on Tariffs and Trade, the binding shall be taken into account.

6. The compensatory amount levied or granted by a Member State in accordance with paragraph 4(a) may not exceed the total amount levied by that same Member State on imports from third countries.

The Council, acting by a qualified majority on a proposal from the Commission, may derogate from this rule, in particular in order to avoid deflections of trade and distortions of competition.

ARTICLE 56

If the world market price for a product is higher than the price used in calculating the import charge introduced under the common agricultural policy, less the compensatory amount deducted from the import charge in accordance with Article 55, or if the refund on exports to third countries is less than the compensatory amount, or if no refund is applicable, appropriate measures may be taken with a view to ensuring the proper functioning of the common organisation of the market.

ARTICLE 57

In fixing the level of the various elements of the price and intervention system, except for the prices referred to in Articles 51 and 70, account shall be taken for the new Member States, to the extent necessary for the proper functioning of the Community rules, of the difference in prices expressed by the compensatory amount.

ARTICLE 58

The compensatory amounts granted shall be financed by the Community from the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

ARTICLE 59

The following provisions shall apply to products the importation of which from third countries into the Community as originally constituted is subject to customs duties:

1. Customs duties on imports shall be progressively abolished between the Community as originally constituted and the new Member States and between the new Member States themselves in five stages. The first reduction, which shall reduce the customs duties to 80 per cent. of the basic duty, and the four other reductions of 20 per cent. each, shall be made in accordance with the following timetable:

- (a) for products covered by the common organisation of the market in beef and veal: at the start of each marketing year, the first reduction taking place in 1973;
- (b) for products covered by Regulation No. 23 on the progressive establishment of a common organisation of the market in fruit and vegetables, by Regulation (EEC) No. 234/68 on the establishment of a common organisation of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage, and by Regulation (EEC) No. 865/68 on the establishment of a common organisation of the market in products processed from fruit and vegetables: on 1 January each year, the first reduction taking place on 1 January 1974.
- (c) for other agricultural products: in accordance with the timetable laid down in Article 32(1), the first reduction, however, taking place on 1 July 1973.

2. For the purpose of the progressive introduction of the Common Customs Tariff, each new Member State shall reduce the difference between the basic duty and the duty in the Common Customs Tariff by successive amounts of 20 per cent. These moves towards alignment shall be made on the dates laid down in paragraph 1 for the products in question. For the products referred to in paragraph 1(c), the moves towards alignment shall follow the timetable laid down in Article 39(1).

However, in the case of tariff headings in respect of which the basic duties do not differ by more than 15 per cent. in either direction from the duties in the Common Customs Tariff, the latter duties shall be applied from the date of the first move towards alignment for each category of products in question.

3. In respect of the second, third and fourth reductions or moves towards alignment, the Council, acting by a qualified majority on a proposal from the Commission, may decide that, in respect of one or more of the new Member States, the duties applicable to one or more of the products referred to in paragraph 1(b) shall, for one year, depart from the duties resulting from the application of paragraph 1 or, as the case may be, paragraph 2.

This departure may not exceed 10 per cent. of the amount of the modification to be made under paragraph 1 or 2.

In that event, the duties to be applied for the following year shall be those which would have resulted from applying paragraph 1 or, as the case may be, paragraph 2, if the departure had not been decided upon. However, for that year, a further departure from those duties may be decided upon in accordance with the conditions set out in the above subparagraphs.

On 1 January 1978 the customs duties on these products shall be abolished and the new Member States shall apply in full the Common Customs Tariff.

4. In respect of products covered by a common organisation of the market, the new Member States may, in accordance with the procedure laid down in Article 26 of Regulation No. 120/67/EEC on the common organisation of the market in cereals or, as the case may be, laid down in the corresponding Articles of the other Regulations on the establishment of a common organisation of agricultural markets, be authorised to abolish the customs duties referred to in paragraph 1, or to align duties as provided for in paragraph 2, or both, at a more rapid rate than that laid down in the preceding paragraphs or to suspend in whole or in part the customs duties on products imported from other Member States.

In respect of other products, no authorisation shall be required for the introduction of the measures referred to in the preceding subparagraph.

The customs duties resulting from an accelerated alignment shall not be less than the customs duties on imports of the same products from other Member States.

Each new Member State shall inform the other Member States and the Commission of the measures taken.

ARTICLE 60

1. In respect of products covered, on the date of accession, by a common organisation of the market, the system applicable in the Community as originally constituted in respect of customs duties and charges having equivalent effect and quantitative restrictions and measures having equivalent effect shall, subject to Articles 55 and 59, apply in the new Member States from 1 February 1973.

2. In respect of products not covered, on the date of accession, by a common organisation of the market, the provisions of Title I concerning the progressive abolition of charges having equivalent effect to customs duties and of quantitative restrictions and measures having equivalent effect shall not apply to those charges, restrictions and measures if they form part of a national market organisation on the date of accession.

This provision shall apply only to the extent necessary to ensure the maintenance of the national organisation until the common organisation of the market for these products is implemented.

3. The new Member States shall apply the Common Customs Tariff nomenclature by 1 February 1973 at the latest, in respect of agricultural products covered by a common organisation of the market.

To the extent that no difficulties arise in the application of the Community rules and, in particular, in the functioning of the common organisation of markets and of the transitional mechanisms provided for in this Title, the Council, acting by a qualified majority on a proposal from the Commission, may authorise a new Member State to include within this nomenclature such existing national subdivisions as would be indispensable for carrying out the progressive moves towards alignment with the Common Customs Tariff or the elimination of the duties in the Community under the conditions laid down in this Act.

ARTICLE 61

1. The component for protection of the processing industry which is used in calculating the charge on imports from third countries of products covered by the common Organisation of the markets in cereals, rice and products processed from fruit and vegetables shall be levied on imports from the new Member States into the Community as originally constituted.

2. For imports into the new Member States, the amount of that component shall be determined by separating out, from the total protection applied on 1 January 1972, the component or components designed to ensure the protection of the processing industry.

Such component or components shall be levied on imports from other Member States; they shall replace, as regards the charge on imports from third countries, the Community protective component.

3. Article 59 shall apply to the component referred to in paragraphs 1 and 2. The reductions or alignments in question shall, however, in respect of cereal and rice products be made at the beginning of the marketing year fixed for the basic product concerned.

ARTICLE 62

1. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the provisions necessary for implementing this title.
2. The Council, acting unanimously on a proposal from the Commission after consulting the Assembly, may make the necessary adaptations to the provisions of Chapters 2, 3 and 4 of this Title, if made necessary as a result of a change in Community rules.

ARTICLE 63

1. If transitional measures are necessary to facilitate the passage from the existing arrangements in the new Member States to those resulting from the application of the common Organisation of the markets as provided for in this Title, particularly if for certain products the implementation to the new arrangements on the scheduled date meets with appreciable difficulties, such measures shall be adopted in accordance with the procedure provided for in Article 26 of Regulation No. 120/67/EEC or, as the case may be, in the corresponding Articles of the other Regulations on the common organisation of agricultural markets. Such measures may be taken during the period up to 31 January 1974, but their application may not extend beyond that date.
2. The Council may, acting unanimously on a proposal from the Commission after consulting the Assembly, extend the time limit in paragraph 1 up to 31 January 1975.

ARTICLE 64

The provisions of this Title shall not affect the degree of freedom of Trade in agricultural products which results from the Anglo-Irish Free Trade Area Agreement, signed on 14 December 1965, and related Agreements.

CHAPTER 2

PROVISIONS RELATING TO CERTAIN COMMON ORGANISATIONS OF MARKETS

SECTION 1

FRUIT AND VEGETABLES

ARTICLE 65

1. A compensatory amount shall be fixed for fruit and vegetables in respect of which:
 - (a) the new Member State concerned applied, during 1971, quantitative restrictions or measures having equivalent effect,

- (b) a common basic price is fixed, and
 - (c) the producer price in that new Member State appreciably exceeds the basic price applicable in the Community as originally constituted during the period preceding the application of the Community system to the new Member States.
2. The producer price referred to in paragraph 1(c) shall be calculated by applying to the national data of the new Member State concerned the principles set out in Article 4(2) of Regulation No. 159/66/EEC laying down additional provisions in respect of the common organisation of the market in fruit and vegetables.
 3. The compensatory amount shall apply only during the period for which the basic price is in force.

ARTICLE 66

1. Until the first move towards alignment, the compensatory amount applicable in trade between a new Member State in which the conditions referred to in Article 65(1) are fulfilled and the Community as originally constituted, another new Member State, with the exception of those referred to in the following subparagraph, or third countries, shall be equal to the difference between the prices referred to in Article 65(1)(c).

In trade between two new Member States in which the conditions referred to in Article 65(1) are fulfilled, the compensatory amount shall be equal to the difference between their respective producer prices. The compensatory amount shall not be applied if this difference is significant.

The differences referred to in the above subparagraphs shall be adjusted, to the extent necessary, by the incidence of customs duties.

2. Where subsequent compensatory amounts are fixed, the compensatory amount shall be reduced by one fifth of the original amount on 1 January every year, beginning on 1 January 1974.

Article 52(3) shall apply by analogy. The compensatory amount shall be abolished on 1 January 1978.

ARTICLE 67

For the purpose of determining entry prices, the price quotations recorded in the new Member States shall be reduced by

- (a) the compensatory amount, if any;
- (b) the duties applicable to imports into those Member States from third countries instead of the duties of the Common Customs Tariff.

ARTICLE 68

The provisions relating to the common quality standards shall apply to the marketing of home produce in the United Kingdom only from

- (a) 1 February 1974, in respect of artichokes, asparagus, Brussels sprouts, ribbed celery, witloof chicory, garlic and onions;
- (b) 1 February 1975, in respect of beans, round-headed cabbages, carrots, lettuces, curled-leaved endives and broad-leaved (Batavian) endives, shelling peas, spinach and strawberries.

SECTION 2

WINE

ARTICLE 69

Until 31 December 1975, Ireland and the United Kingdom are authorised to retain the use of composite names including the word wine for the designation of certain beverages in respect of which the use of such names is incompatible with Community rules. This derogation shall not, however apply to products exported to the Member States of the Community as originally constituted.

SECTION 3

OILSEEDS

ARTICLE 70

1. Article 52 shall apply to the derived intervention prices for oilseeds.
2. The intervention prices applicable in the new Member States until the first move towards alignment shall be fixed in accordance with the rules provided for within the common organisation of the market, account being taken of the normal relationship which should exist between the income to be obtained from oilseeds and that obtained from the production of the products which compete in crop rotation with oilseeds.

ARTICLE 71

The amount of aid in respect of oilseeds harvested in a new Member State shall be adjusted by the compensatory amount applicable in that State, increased by the incidence of the customs duties applied therein.

ARTICLE 72

In trade in oilseeds, the compensatory amount shall be applied only to refunds granted on exports to third countries of oilseeds harvested in a new Member State.

SECTION 4

CEREALS

ARTICLE 73

Articles 51 and 52 shall apply to the derived intervention prices for cereals.

ARTICLE 74

The compensatory amounts applicable in trade between the Community as originally constituted and the new Member States and between those States and third countries shall be fixed as follows:

1. The compensatory amount applicable until the first move towards alignment in the case of cereals for which no derived intervention price is fixed for the new Member States shall be derived from the compensatory amount applicable in the case

of a competing cereal for which a derived intervention price is fixed, account being taken of the relationship existing between the threshold prices of the cereals in question. However, if the relationship between the threshold prices differs appreciably from that between the prices recorded on the market of the new Member State concerned, the latter relationship may be taken into consideration.

The subsequent compensatory amounts shall be fixed on the basis of those referred to in the first sub-paragraph and according to the rules in Article 52 for the alignment of prices.

2. The compensatory amount for the products specified in Article 1(c) and (d) of Regulation No. 120/67/EEC shall be derived from the compensatory amount for the cereals to which they relate with the help of the coefficients or rules used in determining the levy, or the variable component of the levy, on those products.

SECTION 5

PIGMEAT

ARTICLE 75

1. The compensatory amount per kilogramme of pig carcass shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one kilogramme of pigmeat.

2. The compensatory amount for the products, other than pig carcasses, specified in Article 1(1) of Regulation No. 121/67/EEC on the common organisation of the market in pigmeat shall be derived from the compensatory amount referred to in paragraph 1 with the help of the coefficients used in calculating the levy.

ARTICLE 76

1. Until 31 December 1975, products which do not correspond to the provisions of point 23 of Annex I to Directive No. 64/433/EEC, on health protection questions in intra-Community trade in fresh meat, may be brought in by intervention agencies in Denmark, Ireland and the United Kingdom.

2. Until 31 October 1974, the United Kingdom is authorised not to apply the Community scale of classification for pig carcasses.

SECTION 6

EGGS

ARTICLE 77

1. The compensatory amount per kilogramme of eggs in shell shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one kilogramme of eggs in shell.

2. The compensatory amount per hatching egg shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one hatching egg.

3. The compensatory amount for the products specified in Article 1(1) (b) of Regulation No. 122/67/EEC on the common organisation of the market in eggs shall

be derived from the compensatory amount for eggs in shell with the help of the coefficients used in calculating the levy.

ARTICLE 78

With regard to egg-marketing standards, Ireland and the United Kingdom may retain on their markets a system of grading in four and five weight-categories respectively, on condition that the marketing of eggs which comply with Community standards shall not be subject to restrictions because of different systems of grading.

SECTION 7

POULTRY MEAT

ARTICLE 79

1. The compensatory amount per kilogramme of slaughtered poultry shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain differentiated according to species of poultry, which is required for the production in the Community of one kilogramme of slaughtered poultry.
2. The compensatory amount applicable per chick shall be calculated on the basis of the compensatory amounts applicable to the quantity of feed grain required for the production in the Community of one chick.
3. The compensatory amount for the products specified in Article 1(2) (d) of Regulation No. 128/67/EEC on the common organisation of the market in poultry meat shall be derived from the compensatory amount for slaughtered poultry with the help of the coefficients used in calculating the levy.

SECTION 8

RICE

ARTICLE 80

The compensatory amounts applicable in trade between the Community as originally constituted and the new Member States and between those States and third countries shall be fixed as follows:

1. The compensatory amount applicable until the first move towards alignment for round-grained husked rice, long-grained husked rice and broken rice shall be established on the basis of the difference between the threshold price and the market prices recorded on the market of the new Member State concerned during a reference period.
The subsequent compensatory amounts shall be fixed on the basis of those provided for in the first subparagraph and according to the rules in Article 52 for the alignment of prices.
2. The compensatory amount for paddy rice, semi-milled rice, wholly-milled rice and the products specified in Article 1(1)(c) of Regulation No. 859/67/EEC on the common organisation of the market in rice shall, for each of those products, be derived from the compensatory amount for the product referred to in paragraph 1 to which it relates with the help of the coefficients used in determining the levy or the variable component of the levy.

SECTION 9

SUGAR

ARTICLE 81

Articles 51 and 53 shall apply to the derived intervention price for white sugar, the intervention price for raw sugar and to the minimum price for beet.

ARTICLE 82

The compensatory amounts applicable in trade between the Community as originally constructed and the new Member States and between those States and third countries shall:

- (a) in the case of the products, other than fresh beet, in Article 1(1)(b) of Regulation No. 1009/67/EEC on the common organisation of the market in sugar, be derived from the compensatory amount for the primary product in question, in accordance with the rules in force for calculating the levy;
- (b) in the case of the products in Article 1(1)(d) of Regulation No. 1009/67/EEC, be derived from the compensatory amount for the primary product in question, in accordance with the rules in force for calculating:
 - the levy, in respect of the compensatory amounts applicable to imports,
 - the refund, in respect of the compensatory amount applicable to exports.

ARTICLE 83

The amount referred to in Article 25(3) of Regulation No. 1009/67/EEC shall, in the new Member States, be adjusted by the compensatory amount calculated in accordance with Article 55(2).

SECTION 10

LIVE TREES AND OTHER PLANTS, BULBS, ROOTS AND THE LIKE, CUT FLOWERS AND ORNAMENTAL FOLIAGE

ARTICLE 84

The provisions relating to common quality standards shall be applicable to the marketing of home produce in the United Kingdom only from 1 February 1974 and, in respect of cut flowers only, from 1 February 1976.

SECTION 11

MILK AND MILK PRODUCTS

ARTICLE 85

Articles 51 and 52 shall apply to the intervention prices for butter and skim milk powder.

ARTICLE 86

In trade between the Community as originally constituted and the new Member States, and between those States and third countries, compensatory amounts shall be fixed as follows:

1. For pilot products other than those referred to in Article 85, the compensatory amount applicable until the first move towards alignment shall be determined on the basis of the difference between the representative market price level of the new Member State concerned and the representative market price level of the Community as originally constituted over a representative period preceding the introduction of the Community rules in the new Member State in question.
In fixing the compensatory amounts applicable from the first move towards alignment, account shall be taken of the amount fixed in accordance with the first sub-paragraph or paragraph 3 and of the rules for alignment of prices in Article 52.
2. For products other than pilot products, the compensatory amounts shall be derived from the compensatory amount for the pilot product of the group to which the product concerned belongs, in accordance with the rules in force for calculating the levy.
3. If the first subparagraph of paragraph 1 and paragraph 2 cannot be applied or if their application results in compensatory amounts leading to abnormal price relationships, the compensatory amount shall be calculated on the basis of the compensatory amounts applicable for butter and skim milk powder.

ARTICLE 87

1. If a system providing for a different valuation of milk according to its use existed in a new Member State before accession, and if the application of Article 86 leads to difficulties on the market, the compensatory amount applicable until the first move towards alignment for one or more products falling within Common Customs Tariff heading No. 04.01 shall be fixed on the basis of the difference between market prices. When subsequent compensatory amounts are fixed, the compensatory amount shall be reduced annually at the beginning of the marketing year by one-sixth of the original amount and shall be abolished on 1 January 1978.
2. Appropriate measures shall be adopted to avoid distortions of competition which might result from the application of paragraph 1, either in respect of the products in question or in respect of other milk products, and to take account of possible changes in the common price.

ARTICLE 88

1. Ireland is authorised to grant a subsidy on the direct consumption of butter to the extent necessary to allow, during the transitional period, the price paid by the consumer to be progressively adjusted to the price level obtaining in the Community as originally constituted.
In the event of Ireland making use of the authorisation referred to in the first subparagraph, it shall grant a subsidy of the same amount on the consumption of butter imported from the other Member States.
2. This subsidy shall be abolished in six stages coinciding with the stages for aligning the price of butter.

ARTICLE 89

1. Until 31 December 1975 in the United Kingdom and until 31 December 1977 in Ireland, the supply to consumers as whole milk of milk with a fat content of less than 3-5 per cent. is authorised.

Milk sold as whole milk pursuant to the first subparagraph must not, however, have been subjected to any skimming. Furthermore, the provisions in respect of whole milk shall apply) to such milk.

2. Denmark is authorised to maintain until 31 December 1977 the exclusive milk supply licences which existed in certain areas at the date of accession. Licences which expire before 1 January 1978 may not be renewed.

SECTION 12

BEEF AND VEAL

ARTICLE 90

Articles 51 and 52 shall apply to the guide prices for adult bovine animals and calves.

ARTICLE 91

1. The compensatory amount for calves and adult bovine animals calculated in accordance with Article 55 shall be corrected to the extent necessary, by the incidence of customs duties.

If the incidence of the customs duty applicable to trade between the Community as originally constituted and the new Member States and between the new Member States themselves is higher than the compensatory amount calculated in accordance with Article 55, the customs duty shall be suspended at a level such that its incidence corresponds to the compensatory amount.

2. If the third subparagraph of Article 10(1) of Regulation (EEC) No. 805/68 on the common organisation of the market in beef and veal, or if Article 11(1) of that Regulation, is applied, the appropriate measures shall be adopted in order to maintain' Community preference and avoid deflections of trade.

3. The compensatory amount for the products referred to in the Annex to Regulation (EEC) No. 805/68 shall be fixed taking account of the provisions laid down in the preceding paragraphs and with the help of the rules laid down for fixing the levies applicable to those products.

ARTICLE 92

In respect of the products specified in Article 1 (b) and (c) of Regulation (EEC) No. 805/68, the refund on exports to third countries by the new Member States shall be corrected by the incidence of the difference between the customs duties on the products listed in the Annex to the said Regulation to imports from third countries into the Community as originally constituted on the one hand and into the new Member States on the other.

ARTICLE 93

For such time as the United Kingdom, pursuant to Article 54, retains production subsidies for slaughter cattle, Ireland is authorised, in order to avoid distortion of the Irish cattle market, to retain the measures relating to the export of beef and veal which it applied before accession, in correlation with the system of subsidies applied in the United Kingdom.

SECTION 13

PRODUCTS PROCESSED FROM FRUIT AND VEGETABLES

ARTICLE 94

Compensatory amounts shall be determined on the basis of the compensatory amounts fixed for sugar, glucose, or glucose syrup, as the case may be, and in accordance with the rules applicable for calculating:

- the levy in, respect of the compensatory amount applicable to imports;
- the refund, in respect of the compensatory amount applicable to exports.

SECTION 14

FLAX

ARTICLE 95

1. The amount of aid for flax shall, for the new Member States, be fixed on the basis of the difference between the income to be obtained by flax producers and the return resulting from the foreseeable market price for this product.

2. The income to be received by flax producers shall be established taking into account the price of competing products in the crop rotation in the new Member State in question and the relationship in the Community as originally constituted between the income resulting from flax production and that resulting from the production of competing products.

SECTION 15

SEEDS

ARTICLE 96

When an aid is granted for seed production, the amount of the aid may be fixed, in respect of the new Member States, at a level different from that fixed for the Community as originally constituted if the income of producers in a new Member State was previously appreciably different from the income of producers in the Community as originally constituted.

In that event, the amount of aid in respect of the new Member State must take account of the income previously received by seed producers and of the need to avoid any distortion of production patterns, and the need to align that amount gradually with the Community amount.

SECTION 16

AGRICULTURAL PRODUCTS EXPORTED IN THE FORM OF GOODS NOT COVERED BY ANNEX II TO THE EEC TREATY

ARTICLE 97

Compensatory amounts shall be determined on the basis of the compensatory amounts fixed for the basic products and in accordance with the rules applicable for the calculation of the refunds provided for in Regulation (EEC) No. 204/69, establishing the general rules concerning the granting of export refunds and the rules for fixing the amounts thereof, with respect to certain agricultural products exported in the form of goods not covered by Annex II to the Treaty.

CHAPTER 3

PROVISIONS RELATING TO FISHERIES

SECTION 1

COMMON ORGANISATION OF THE MARKET

ARTICLE 98

Articles 51 and 52 shall apply to the guide price for fisheries products. The moves towards price alignment shall be made at the beginning of the fishing year, and for the first time on 1 February 1973.

ARTICLE 99

The compensatory amounts shall be corrected, to the extent necessary, by the incidence of the customs duties.

SECTION 2

FISHING RIGHTS

ARTICLE 100

1. Notwithstanding the provisions of Article 2 of Regulation (EEC) No. 2141/70 on the establishment of a common structural policy for the fishing industry, the Member States of the Community are authorised, until December 31, 1982, to restrict fishing in waters under their sovereignty or jurisdiction, situated within a limit of six nautical miles, calculated from the base lines of the coastal Member State, to vessels which fish traditionally in those waters and which operate from ports in that geographical coastal area; however, vessels from other regions of Denmark may continue to fish in the waters of Greenland until December 31, 1977, at the latest.

Member States may not, insofar as they avail themselves of this derogation, adopt provisions dealing with conditions for fishing in those waters which are less restrictive than those applied in practice at the time of accession.

2. The provisions laid down in the preceding paragraph and in Article 101 shall not prejudice the special fishing rights which each of the original Member States and the new Member States might have enjoyed on January 31, 1971, in regard to one or more other Member States; the Member States may exercise these rights for such time as derogations continue to apply in the areas concerned. As regards the waters of Greenland, however, the special rights shall expire on the dates laid down for these rights.

3. If a Member State extends its fishing limits in certain areas to twelve nautical miles, the existing fishing activities within twelve nautical miles must be so pursued that there is no retrograde change by comparison with the situation on January 31, 1971.

4. In order to permit a satisfactory overall balance of fishing operations to be established within the Community during the period referred to in, the first paragraph, the Member States need not make full use of the opportunities presented by the provisions of the first subparagraph of paragraph 1 in certain areas of the maritime waters under their sovereignty or jurisdiction.

The Member States shall inform the Commission of the measures which they adopt for this purpose; on a report from the Commission, the Council shall examine the situation and, in the light thereof, shall, where necessary, address recommendations to the Member States.

ARTICLE 101

[The limit of six nautical miles referred to in Article 100 shall be extended to twelve nautical miles for the following areas:

1. *Denmark*

- the Faroe Islands
- Greenland
- the west coast, from Thybortnn to Blaavandshuk.

2. *France*

The coasts of the departements of Manche, Ille-et-Vilaine, Cotes du Nord, Finistere and Morbihan.

3. *Ireland*

- the north and west coasts, from Lough Foyle to Cork Harbour in the south-west
- the east coast, from Carlingford Lough to Carnsore Point, for crustaceans and molluscs (shellfish).

4. *United Kingdom*

- The Shetlands and the Orkneys
- The north and east of Scotland, from Cape Wrath to Berwick.
- The north-east of England, from the river Coquet to Flamborough Head
- The south-west from Lyme Regis to Hartland Point (including twelve nautical miles around Lundy Island)
- County Down.]

ARTICLE 102

From the sixth year after Accession at the latest, the Council, acting on a proposal from the Commission, shall determine conditions for fishing with a view to ensuring protection of the fishing grounds and conservation of the biological resources of the sea.

ARTICLE 103

Before December 31, 1982, the Commission shall present a report to the Council on the economic and social development of the coastal areas of the Member States and the state of stocks. On the basis of that report, and of the objectives of the common fisheries policy, the Council, acting on a proposal from the Commission, shall examine the provisions which could follow the derogations in force until 31 December 1982.

CHAPTER 4

OTHER PROVISIONS

SECTION I

VETERINARY MEASURES

ARTICLE 104

Directive No. 64/432/EEC on veterinary health inspection questions in intra-Community trade in bovine animals and swine shall be applied account being taken of the following provisions;

1. Until December 31, 1977, the new Member States are authorised to retain, in compliance with the general rules of the EEC Treaty, their national rules on imports of bovine animals and swine for breeding, store and slaughter with the exception, in the case of Denmark, of slaughter cattle.

Adjustments will be sought, within the framework of those national rules, to ensure the progressive development of trade; to this end, those rules will be examined by the Standing Veterinary Committee.

2. Until December 31, 1977, the Member States into which cattle are imported shall grant to the Member States from which cattle are exported the derogation provided for in Article 7(1)(A)(a) of the Directive.

3. Until December 31, 1977, the New Member States are authorised to retain the methods applied in their territory for declaring a herd of cattle officially free of tuberculosis or brucellosis within the meaning of Article 2 of the Directive, subject to the application of the provisions of the Directive relating to the presence of animals vaccinated against brucellosis. The provisions relating to the tests laid down for animals traded within the Community shall continue to apply, subject to paragraphs 4 and 6.

4. Until December 31, 1977, exports of cattle from Ireland to the United Kingdom may be carried out:

- (a) by way of derogation from the provisions of the Directive relating to brucellosis; however, the provisions relating to the test laid down for animals traded within the Community shall continue to apply to exports of uncastrated cattle;
- (b) by way of derogation from the provisions of the Directive relating to tuberculosis, provided that, at the time of export a declaration is made certifying that the exported animal comes from a herd declared officially free of tuberculosis according to the methods in force in force in Ireland.

(c) by way of derogation from the provisions of the Directive relating to the obligation to separate store and breeding cattle on the one hand and slaughter cattle on the other.

5. Until 31 December 1975, Denmark is authorised to use “alttuberculin” by way of derogation from the provisions in Annex B to the Directive.

6. Until the implementation of the Community provisions concerning trade within the Member States, in respect of the matters governed by the Directive, Ireland and the United Kingdom are authorised to retain their national rules governing trade between Ireland and Northern Ireland.

The Member States concerned may take appropriate measures in order to limit this derogation exclusively to the trade referred to above.

ARTICLE 105

Directive No. 64/433/EEC on health protection questions in intra-Community trade in fresh meat shall apply, account being taken of the following provisions:

[Until 31 December 1977, Ireland and the United Kingdom in respect of Northern Ireland, are authorised to retain for the import of fresh meat their national rules relating to protection against foot-and-mouth disease, while complying with the general provisions of the EEC Treaty.]

ARTICLE 106

Before the expiry of the time limits referred to in Articles 104 and 105, a review of the situation in the Community as a whole and in its various parts will be carried out in the light of developments in the veterinary field.

By 1 July 1976 at the latest, the Commission shall submit a report to the Council and, in so far as is necessary, appropriate proposals taking account of these developments.

SECTION 2

MISCELLANEOUS PROVISIONS

ARTICLE 107

The acts listed in Annex V to this Act shall apply in respect of the new Member States under the conditions laid down in that Annex.

TITLE III
EXTERNAL RELATIONS

CHAPTER 1

AGREEMENTS OF THE COMMUNITIES WITH CERTAIN THIRD COUNTRIES

ARTICLE 108

1. From the date of accession, the new Member States shall apply the provisions of the agreements referred to in paragraph 3, taking into account the transitional measures and adjustments- which may appear necessary and which will be the subject of protocols to be concluded with the co contracting third countries and annexed to those agreements.

2. These transitional measures, which will take into account the corresponding measures adopted within the Community and which may not extend beyond the period of validity thereof, shall be designed to ensure the progressive application by the Community of a single system for its relations with the co-contracting third countries as well as the identity of the rights and obligations of the Member States.

3. Paragraphs 1 and 2 shall apply to the agreements concluded with Greece, Turkey, Tunisia, Morocco, Israel, Spain and Malta.
Paragraphs 1 and 2 shall also apply to agreements which the Community concludes with other third countries in the Mediterranean region before the entry into force of this Act.

CHAPTER 2

RELATIONS WITH THE ASSOCIATED AFRICAN AND MALAGASY STATES AND WITH CERTAIN DEVELOPING COMMONWEALTH COUNTRIES

ARTICLE 109

1. The arrangements resulting from the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, signed on 29 July 1969, and from the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, signed on 24 September 1969, shall not apply in relations between the new Member States and the States associated with the Community under the above acts.

The new Member States need not accede to the Agreement on products within the competence of the European Coal and Steel Community, signed on 29 July 1969.

2. Subject to the provisions of Articles 110 and 111, products originating in the Associated States referred to in paragraph 1 shall, on importation into the new Member States, be subject to the arrangements applied to those products before accession.

3. Subject to the provisions of Articles 110 and 111, products originating in the independent Commonwealth countries listed in Annex VI to this Act shall, on importation into the Community, be subject to the arrangements applied to those products before accession.

ARTICLE 110

For those products listed in Annex II to the EEC Treaty which are subject to a common organisation of the market and for those products subject on importation into the Community to specific rules as a result of the implementation of the common agricultural policy, which originate in the Associated States referred to in Article 109 (1) or in the independent Commonwealth countries referred to in Article 109 (8), the new Member States shall apply on importation the Community rules under the conditions laid down in this Act and subject to the following provisions

- (a) where the Community rules provide for the levying of customs duties on imports from third countries, the new Member States shall, subject to the provisions of Article 111, apply the tariff arrangements which they applied before accession;
- (b) as regards protective components other than customs duties, the Council shall, acting by a qualified majority on a proposal from the Commission, determine, should it prove necessary, adaptations to Community rules designed to ensure that those products are imported under conditions similar to those existing before accession.

ARTICLE 111

Where alignment with the Common Customs Tariff leads to the reduction of a customs duty in a new Member State, the reduced customs duty shall apply to imports covered by Articles 109 and 110.

ARTICLE 112

1. Products imported into the United Kingdom before the dates determined under Article 115 which originate in the independent Commonwealth countries referred to in Article 109(8) shall not, when they are re-exported to another new Member State or to the Community as originally constituted, be considered to be in free circulation within the meaning of Article 10 of the EEC Treaty.

2. Products imported into the Community as originally constituted during that same period which originated in the Associated States referred to in Article 109(1) shall not, when re-exported to another Member State, be considered to be in free circulation in the Community as originally constituted, within the meaning of Article 10 of the EEC Treaty.

3. Where there is no risk of deflection of trade, and in particular in the event of minimal disparities in the import arrangements, the Commission may derogate from paragraphs 1 and 2.

ARTICLE 113

1. From accession, the new Member States shall communicate to the original Member States and the Commission the provisions concerning the arrangements which they apply to imports of products originating in or coming from the

independent Commonwealth countries referred to in Article 109(3) or the Associated States referred to in Article 109(1).

2. From accession, the Commission shall communicate to the new Member States the internal or conventional provisions concerning arrangements applicable to imports into the Community as originally constituted of products originating in or coming from the independent Commonwealth countries referred to in Article 109(3) or the Associated States referred to in Article 109(1).

ARTICLE 114

When the Council takes decisions and when the Committee of the European Development Fund gives opinions within the framework of the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, signed on 29 July 1969, of the Internal Agreement on the financing and administration of Community aid, signed on 29 July 1969, and of the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, signed on 24 September 1969, only the votes of the original Member States shall be counted, as the case may be, either in accordance with the weighted voting in force before accession for calculating a qualified majority or in accordance with Article 13(3) of the above-mentioned Internal Agreement on the financing and administration of Community aid.

ARTICLE 115

1. Articles 109 to 114 shall apply until 31 January 1975.

2. However, imports originating in any independent Commonwealth country referred to in Article 109(3) which has before that date established its relations with the Community on a basis other than association shall be subject in the new Member States from the date of entry into force of its agreement with the Community and in respect of matters not covered by that agreement to the third country arrangements applicable to those imports taking into account the transitional provisions of this Act.

3. The Council may, acting unanimously after consulting the Commission, decide to defer the date laid down in paragraph 1 in the event of implementation of the transitional provisions laid down in the second paragraph of Article 62 of the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, signed on 29 July 1969, or in the second paragraph of Article 36 of the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, signed on 24 September 1969, for the period during which such transitional provisions are being implemented.

CHAPTER 3

RELATIONS WITH PAPUA-NEW GUINEA

ARTICLE 116

1. Articles 109(3) and 110 to 113 apply until 31 December 1977 to products originating in or coming from Papua-New Guinea imported into the United Kingdom.
2. These arrangements may be reviewed, in particular if that territory becomes independent before 1 January 1978. The council shall, acting by a qualified majority on a proposal from the Commission, adopt, if the need arises, such provisions as are appropriate and may prove necessary.

TITLE IV

ASSOCIATION OF OVERSEAS COUNTRIES AND TERRITORIES

ARTICLE 117

1. [The association of the non-European territories maintaining special relations with the United Kingdom and of the Anglo-French Condominium of the New Hebrides, listed in Article 24(2), shall take effect on 1 February 1975 at the earliest upon a decision of the Council taken under Article 136 of the EEC Treaty.]
2. The new Member States need not accede to the Agreement on trade with overseas countries and territories in products within the province of the European Coal and Steel Community, signed on 14 December 1970.

ARTICLE 118

The provisions of the third part of Protocol No. 22 on relations between the European Economic Community and the Associated African and Malagasy States and the independent developing Commonwealth countries situated in Africa, the Indian Ocean, the Pacific Ocean and the Caribbean shall apply both to the overseas countries and territories referred to in Article 117 and to the non-European countries and territories maintaining special relations with the original Member States.

ARTICLE 119

1. The arrangements resulting from the Council Decision of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community shall not apply in relations between those countries and territories and the new Member States.
2. Products originating in the countries and territories associated, with the Community shall, on importation into the new Member States, be subject to the arrangements applied to those products before accession. [Products originating in the non-European territories maintaining special relations with the United Kingdom and in the Anglo-French Condominium of the New Hebrides, listed in Article 24 (2), shall, on importation into the Community, be subject to the arrangements applied to those products before accession.]
Articles 110 to 114 shall apply.

3. This Article shall apply until 81 January 1975. If Article 115 (3) is applied, this date may be deferred in accordance with the procedure and under the conditions laid down in that Article

TITLE V

CAPITAL MOVEMENTS

ARTICLE 120

1. The new Member States may, under the conditions and within the time limits in Articles 121 to 126, defer the liberalisation of capital movements provided for in the First Council Directive of 11 May 1960 for the implementation of Article 67 of the EEC Treaty and in the Second Council Directive of 18 December 1962 adding to and amending the First Directive for the implementation of Article 67 of the EEC Treaty.
2. Appropriate consultations shall take place in due course between the new Member States and the Commission about procedures for applying measures of liberalisation or relaxation, the implementation of which may be deferred under the following provisions.

ARTICLE 121

1. Denmark may
 - (a) for a period of two years after accession, defer the liberalisation of purchases by non-residents of bonds denominated in Danish kroner and dealt in on the stock exchange in Denmark, including physical transfers of the securities in question;
 - (b) for a period of five years after accession, defer the liberalisation of purchases by persons resident in Denmark of foreign securities dealt in on the stock exchange and of repurchases from abroad of Danish securities dealt in on the stock exchange, denominated entirely or partly in foreign currency, including physical transfers of the securities in question.
2. From the date of accession, Denmark will proceed to a progressive liberalisation of the operations referred to in paragraph 1 (a).

ARTICLE 122

1. Ireland may
 - (a) for a period of two years after accession, defer the liberalisation of direct investments in Member States by persons resident in Ireland and the liberalisation of the liquidation of direct investments in Member States by persons resident in Ireland;
 - (b) for a period of thirty months after accession, defer the liberalisation of the following capital movements of a personal nature
 - transfers of capital belonging to persons resident in Ireland who are emigrating, other than transfers connected with freedom of movement for workers which shall be liberalised from the date of accession;

- gifts and endowments, dowries, succession duties, and real estate investments other than those connected with freedom of movement for workers which shall be liberalised from the date of accession;
 - (c) for a period of five years after accession, defer the liberalisation of the operations set out in List B annexed to the Directives referred to in Article 120 and carried out by persons resident in Ireland.
2. Recognising that it is desirable to proceed, from the date of accession, to a substantial relaxation in the rules concerning the operations referred to in paragraph 1 (a), Ireland will endeavour to take appropriate measures to this end.

ARTICLE 123

[This Article has lapsed by virtue of the Adaptation Decision, Art. 25.]

ARTICLE 124

1. The United Kingdom may
- (a) for a period of two years after accession, defer the liberalisation of direct investments in Member States by persons resident in the United Kingdom and the liberalisation of the liquidation of direct investments in Member States by persons resident in the United Kingdom;
 - (b) for a period of thirty months after accession, defer the liberalisation of the following capital movements of a personal nature
 - transfers of capital belonging to persons resident in the United Kingdom who are emigrating, other than transfers connected with freedom of movement for workers which shall be liberalised from the date of accession;
 - gifts and endowments, dowries, succession duties, and real estate investments other than those connected with freedom of movement for workers which shall be liberalised from the date of accession;
 - (c) for a period of five years after accession, defer the liberalisation of the operations set out in List B annexed to the Directives referred to in Article 120, and carried out by persons resident in the United Kingdom.
2. From the date of accession, the United Kingdom will proceed to a substantial relaxation in the rules concerning the operations referred to in paragraph 1 (a).

ARTICLE 125

The new Member States will, circumstances permitting, carry out the liberalisation of capital movements referred to in Articles 121 to 124 before the expiry of the time limits laid down in those Articles.

ARTICLE 126

For the purpose of implementing the provisions of this Title, the Commission may consult the Monetary Committee and submit appropriate proposals to the Council.

TITLE VI

FINANCIAL PROVISIONS

ARTICLE 127

The decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources, hereinafter referred to as the "Decision of 21 April 1970", shall be applied, account being taken of the following provisions.

ARTICLE 128

The revenue referred to in Article 2 of the Decision of 21 April 1970 shall also include:

- (a) among those designated as agricultural levies, the revenue from any compensatory amount levied on imports under Articles 47 and 55, and from the fixed components applied in trade between the Community as originally constituted and the new Member States and between the new Member States themselves under Article 61;
- (b) among those designated as customs duties, the customs duties levied by the new Member States in trade with non-member States, and also customs duties levied in trade between the Community as originally constituted and the new Member States and between the new Member States themselves.

ARTICLE 129

1. The financial contributions from Member States referred to in Article 3(2) of the Decision of 21 April 1970 shall be apportioned as follows:

- for the new Member States:

Denmark	2.46%,
Ireland	0.61%,
United Kingdom	19.32%.
- and for the original Member States, in accordance with the scale laid down in Article 3(2) of the Decision of 21 April 1970, after the financial contributions of the new Member States specified above have been deducted.

2. For 1973, the basis for calculating the variations referred to in Article 3(3) of the Decision of 21 April 1970 shall be:

- for the new Member States, the percentage referred to in paragraph 1;
- for the original Member States, their relative share for the preceding year, account being taken of the percentages for the new Member States specified above.

ARTICLE 130

The Communities' own resources and also the financial contributions and, where appropriate, the contributions referred to in Article 4(2), (3) and (4) of the Decision of 21 April 1970 shall be due from the new Member States to the following extent only:

- 45.0% in 1973,
- 56.0% in 1974,
- 67.5% in 1975,

- 79.5% in 1976,
- 92.0% in 1977.

ARTICLE 131

1. From 1 January 1978, the Communities' own resources and, where appropriate, the financial contributions referred to in Article 4(2), (3) and (4) of the decision of 21 April 1970, shall be due from the new Member States, in full, subject to the following provisions:

- (a) the increase in the relative share to be paid by each new Member State under the head of the Communities' own resources and of the financial contributions for 1978 in comparison with the relative share due for 1977, shall not exceed two fifths of the difference between the relative share due under the head of the Communities' own resources and of the financial contributions for 1977 and the relative share which each new Member State would have had to pay under the same head for the same year, if this relative share had been calculated in accordance with the arrangements laid down for the original Member States from 1978 by the decision of 21 April 1970;
- (b) for 1979, the increase in the relative share of each new Member State in comparison with 1978 shall not exceed that for 1978 in comparison with 1977.

2. The Commission shall carry out the calculations necessary for the application of this Article.

ARTICLE 132

Until 31 December 1979, that part of the Communities' budget which is not covered as a result of applying Articles 130 and 131 shall be incorporated into the amount apportioned for the original Member States in accordance with Article 129. The total amount thus determined shall be apportioned among the original Member States in accordance with the Decision of 21 April 1970.

TITLE VII

OTHER PROVISIONS

ARTICLE 133

The acts listed in Annex VII to this Act shall apply in respect of the new Member States under the conditions laid down in that Annex.

ARTICLE 134

1. During the five years following accession, the Commission will examine, with the Governments concerned, whether existing measures arising from provisions laid down by law, regulation or administrative action in force in the new Member States, which had they been introduced after accession would have fallen within the scope of Article 67 of the ECSC Treaty, could, by comparison with the measures in force in the original Member States, give rise to serious distortions in conditions of

competition in the coal and steel industries whether within the common market or in export markets.

The Commission may, after consulting the Council, propose to the governments concerned any action which it considers appropriate to correct such measures or to offset their effects.

2. Until 31 December 1977, the prices charged by undertakings for sales of steel on the Irish market, reduced to their equivalent at the point chosen for their price list, may not be below the prices shown in the price list in question for comparable transactions, save when authorisation has been given by the Commission, in agreement with the Government of Ireland, without prejudice to the last subparagraph of Article 60(2)(b) of the ECSC Treaty.

3. If Decision No 1/64 of the High Authority of 15 January 1964 prohibiting alignment on quotations for seed products and pig iron from State-trading countries or territories is extended after accession, that prohibition shall not apply until 31 December 1975 to products for the Danish market.

ARTICLE 135

1. If, before 31 December 1977, difficulties arise which are serious and liable to persist in any sector of the economy or which could bring about serious deterioration in the economic situation of a given area, a new Member State may apply for authorisation to take protective measures in order to rectify the situation and adjust the sector concerned to the economy of the Common Market.

2. On application by the State concerned, the Commission shall, by emergency procedure, determine without delay the protective measures which it considers necessary, specifying the circumstances and the manner in which they are to be put into effect.

3. The measures authorised under paragraph 2 may involve derogations from the rules of the EEC Treaty and of this Act to such an extent and for such periods as are strictly necessary in order to attain the objective referred to in paragraph 1. Priority shall be given to such measures as will least disturb the functioning of the Common Market.

4. In the same circumstances and according to the same procedure, any original Member State may apply for authorisation to take protective measures in regard to one or more new Member States.

ARTICLE 136

1. If, before 31 December 1977, the Commission, on application by a Member State or by any other interested party, finds that dumping is being practised between the Community as originally constituted and the new Member States or between the new Member States themselves, it shall address recommendations to the person or persons with whom such practices originate for the purpose of putting an end to them. Should the practices continue, the Commission shall authorise the injured Member State or States to take protective measures, the conditions and details of which the Commission shall determine.

2. For the application of this Article to the products listed in Annex II to the EEC Treaty, the Commission shall evaluate all relevant factors, in particular the level of prices at which these products are imported into the market in question from

elsewhere, account being taken of the provisions of the EEC Treaty relating to agriculture, in particular Article 39.

ARTICLE 137

1. Notwithstanding Article 136, Ireland may, until 31 December 1977, take the necessary measures in cases of extreme urgency. It shall forthwith notify such measures to the Commission, which may decide to abolish or modify them.
2. This provision shall not apply to the products in Annex II to the EEC Treaty.

ARTICLE 138

Notwithstanding the second paragraph of Article 95 of the EEC Treaty, Denmark may retain until 30 June 1974 the special excise duties on table wines imported in bottles or other similar containers.

PART FIVE

PROVISIONS RELATING TO THE IMPLEMENTATION OF THIS ACT

TITLE I

SETTING UP OF THE INSTITUTIONS

ARTICLE 139

1. The Parliaments of the new Member States shall, upon accession, designate their delegates to the Assembly [*the European Parliament*].
2. The Assembly [*the European Parliament*] shall meet at the latest one month after accession. It shall make such adaptations to its rules of procedure as are made necessary by accession.

ARTICLE 140

1. Upon accession, the office of president of the Council shall be held by the member of the Council who would have held that office in accordance with the original text of Article 2 of the Treaty establishing a Single Council and a Single Commission of the European Communities. On expiry of this term of office, the office of President shall then be held in the order of Member States laid down in the Article referred to above as amended by Article 11.
2. The Council shall make such adaptations to its rules of procedure as are made necessary by accession.

ARTICLE 141

1. The President, the Vice-presidents and the members of the Commission shall be appointed upon accession. The Commission shall take up its duties on the fifth day after its members have been appointed. The terms of office of the members in office at the time of accession shall terminate at the same time.
2. The Commission shall make such adaptations to its rules of procedure as are made necessary by accession.

ARTICLE 142

1. Upon accession, new judges shall be appointed to the Court of justice in order to bring the number of judges up to nine as provided for in Article 17 of this Act.
2. The term of office of one of the judges appointed in accordance with paragraph 1 shall expire on 6 October 1976. That judge shall be chosen by lot. The term of office of the other judge shall expire on 6 October 1979.
3. Upon accession, a third Advocate-General shall be appointed. His term of office shall expire on 6 October 1979.

4. The court shall make such adaptations to its rules of procedure as are made necessary by accession. The rules of procedure as adapted shall require the unanimous approval of the Council.

5. In order to give judgement in cases pending before the court on 1 January 1973 in respect of which oral proceedings have started before that date, the full Court and the Chambers shall be composed as before accession and shall apply the rules of procedure in force on 31 December 1972.

ARTICLE 143

Upon accession, the Economic and Social Committee shall be enlarged by the appointment of forty-two members representing the various categories of economic and social activity in the new Member States. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

ARTICLE 144

Upon accession, the Consultative Committee of the European coal and Steel Community shall be enlarged by the appointment of additional members. The terms of office of the members thus appointed shall expire at the same time as those of the members in office at the time of accession.

ARTICLE 145

Upon accession, the members of the Scientific and Technical Committee shall be appointed in accordance with the procedure laid down in Article 134 of the Euratom Treaty. The Committee shall take up its duties on the fifth day after its members have been appointed. The terms of office of the members in office at the time of accession shall expire at that time.

ARTICLE 146

Upon accession, the Monetary Committee shall be enlarged by the appointment of members representing the new Member States. Their terms of office shall expire at the same time as those of the members in the office at the time of accession.

ARTICLE 147

Adaptations to the Rules of the Committees established by the original Treaties and to their rules of procedure, necessitated by accession, shall be made as soon as possible after accession.

ARTICLE 148

1. The terms of office of the new members of the committees listed in Annex VIII shall expire at the same time as those of the members in office at the time of accession.

2. Upon accession, the membership of the Committees listed in Annex IX shall be completely renewed.

TITLE II

APPLICABILITY OF THE ACTS OF THE INSTITUTIONS

ARTICLE 149

From accession, the new Member States shall be considered as being addressees of and as having received notification of directives and decisions within the meaning of Article 189 of the EEC Treaty and of Article 61 of the Euratom Treaty, and of recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, provided that those directives, recommendations and decisions have been notified to all the original Member States.

ARTICLE 150

The application in each new Member State of the acts listed in Annex X to this Act shall be deferred until the dates specified in that list.

ARTICLE 151

1. The following shall be deferred until February 1973:
 - (a) the application to the new Member States of the Community rules established for production of and trade in agricultural products and for trade in certain goods processed from agricultural products which are the subject of special arrangements;
 - (b) the application to the Community as originally constituted of the amendments made to these rules by this Act, including those arising from Article 153.
2. Paragraph 1 shall not apply to the adaptations referred to in Part II, point A, of Annex I, referred to in Article 29 of this Act.
3. Until 31 January 1973, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other hand, the Community as originally constituted, the other new Member States or third countries shall be those applied before accession.

ARTICLE 152

The new Member States shall put into effect the measures necessary for them to comply from the date of accession with the provisions of directives and decisions within the meaning of Article 189 of the EEC Treaty and of Article 161 of the Euratom Treaty, and with recommendations and decisions within the meaning of Article 14 of the ECSC Treaty, unless a time limit is provided for in the list in Annex XI or in any other provisions of this Act.

ARTICLE 153

1. Adaptations to the acts of the institutions of the Communities not included in this Act or its Annexes, made by the institutions before accession in accordance with the procedure in paragraph 2 to bring those acts into line with the provisions of this Act, in particular those of Part Four, shall enter into force on accession.

2. The Council, acting by a qualified majority on a proposal from the Commission, or the Commission, according to which of these two institutions adopted the original act, shall to this end draw up the necessary texts.

ARTICLE 154

Notwithstanding Article 3(3), the principles concerning the general arrangements for regional aid, elaborated within the framework of the application of Articles 92 to 94 of the EEC Treaty and contained in the communication of the Commission of 23 June 1971 and also in the resolution of the Representatives of the Governments of the Member States, meeting in Council, of 20 October 1971, shall apply to the new Member States on 1 July 1973 at the latest.

These texts will be supplemented to take account of the new situation of the Community after accession, so that all the Member States are in the same situation in regard to them.

ARTICLE 155

The texts of the acts of the institutions of the Communities adopted before accession and drawn up by the council, or the Commission in the Danish and English languages shall, from the date of accession, be authentic under the same conditions as the texts drawn up in the four original languages. They shall be published in the *Official Journal of the European Communities* if the texts in the original languages were so published.

ARTICLE 156

Agreements, decisions and concerted practices in existence at the time of accession which come within the scope of Article 65 of the ECSC Treaty by reason of accession must be notified to the Commission within three months of accession. Only agreements and decisions which have been notified shall remain provisionally in force until a decision has been taken by the Commission.

ARTICLE 157

Provisions laid down by law, regulation or administrative action designed to ensure the protection of the health of the workers and the general public in the territories of the new Member States against the dangers arising from ionising radiations shall, in accordance with Article 33 of the Euratom Treaty, be communicated by those States to the Commission within three months of accession.

TITLE III

FINAL PROVISIONS

ARTICLE 158

Annexes I to XI, Protocols Nos 1 to 30 and the Exchange of Letters on Monetary Questions, which are attached to this Act, shall form an integral part thereof.

ARTICLE 159

The Government of the French Republic shall transmit a certified copy of the Treaty establishing the European Coal and Steel Community and the Treaties amending that Treaty to the Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 160

The Government of the Italian Republic shall transmit a certified copy of the Treaty establishing the European Economic Community, the Treaty establishing the European Atomic Energy Community and the Treaties amending or supplementing them in the Dutch, French, German and Italian languages to the Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland.

The texts of the Treaty establishing the European Economic Community and the Treaty establishing the European Atomic Energy Community, and the Treaties amending or supplementing them, drawn up in the Danish, English and Irish languages, shall be annexed to this Act. The texts drawn up in the Danish, English and Irish languages shall be authentic under the same conditions as the original texts of the Treaties referred to above.

ARTICLE 161

A certified copy of the international agreements deposited in the archives of the Secretariat of the Council of the European Communities shall be transmitted to the Governments of the new Member States by the Secretary-General.

There are 11 Annexes attached to the Treaty, covering products and committees mentioned in the text of the Treaty. For the sake of brevity, these have not been included. In addition, there are 30 Protocols, of which one is shown, relating to the Channel Islands.