ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2016 OF THE EU-REPUBLIC OF MOLDOVA ASSOCIATION COMMITTEE IN TRADE CONFIGURATION of 19 October 2016 updating Annex XVI to the Association Agreement [2016/2027]

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, and in particular Article 173 and Article 436 thereof,

Whereas:

(1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States of the one part, and the Republic of Moldova, of the other part (1) (‘the Agreement’) entered into force on 1 July 2016.

(2) In accordance with Article 173 of the Agreement the Republic of Moldova shall gradually achieve conformity with the relevant Union acquis, in accordance with the provisions of Annex XVI to the Agreement.

(3) Several Union acts listed in Annex XVI to the Agreement have been amended, recast or repealed and replaced by new Union acts since the initialling of the Agreement on 29 November 2013. In particular, the Union adopted and notified to the Republic of Moldova the following acts:

(a) Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (2);


(c) Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (4);


(f) Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (7);

(2) OJ L 96, 29.3.2014, p. 357.
(4) OJ L 96, 29.3.2014, p. 79.


Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (8);

Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (9);

Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (10);


Certain Union acts listed in Annex XVI are also listed in Annex IV (Consumer Protection) and Annex XI (Environment) to the Agreement. In the interest of clarity, the applicable deadlines for approximation of those acts listed in Annex XVI should be aligned to the deadlines specified in Annex IV (Consumer Protection) and Annex XI (Environment) to the Agreement.

It is necessary to update Annex XVI to the Agreement in order to reflect the evolution of the Union legislation listed in that Annex, in accordance with Article 436(3) of the Agreement. In the interest of clarity, the sections of Annex XVI to the Agreement affected by the changes should be updated in their entirety.

The Republic of Moldova continues the process of approximating its legislation to the Union legislation, in accordance with the timetable and priorities set out in Annex XVI to the Agreement. It is therefore appropriate to ensure that the recent updates to the Union legislation are promptly and efficiently integrated in the ongoing process of approximation and take into account the progress already made by the Republic of Moldova.

---

(8) OJ L 60, 2.3.2013, p. 52.
(7) It is appropriate to provide for transition periods to the Republic of Moldova in order to reflect the new Union acts in its national legislation and to provide an adaptation period to the manufacturers and importers. Accordingly, the deadlines for approximation of its national legislation to those new Union acts should be extended.

(8) In accordance with Article 436(3) of the Agreement the EU-Republic of Moldova the Association Council shall have the power to update or amend the Annexes to the Agreement. The Association Council empowered the Association Committee in Trade configuration by Decision No 3/2014 of 16 December 2014 to update or amend certain trade-related annexes,

HAS ADOPTED THIS DECISION:

Article 1

Section ‘Horizontal legislative framework for marketing of products’; Section ‘Legislation based on the principles of the new approach which provide for CE marking’; Section ‘Directives based on the principles of the New Approach or the Global Approach, but which do not provide for CE marking’; Subsection 2 ‘Two- or three-wheel motor vehicles’ and Subsection 3 ‘Wheeled agricultural or forestry tractors’ of Section ‘Construction of motor vehicles’; Subsection 1 ‘REACH and REACH implementation’, Subsection 2 ‘Dangerous chemicals’ and Subsection 3 ‘Classification, packaging and labelling’ of Section ‘Chemicals’ of Annex XVI to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, are replaced by the text appearing in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 19 October 2016.

For the Association Committee in Trade configuration

P. SOURMELIS

The Chair
ANNEX

UPDATE OF ANNEX XVI TO THE AGREEMENT

Section ‘Horizontal legislative framework for marketing of products’; Section ‘Legislation based on the principles of the new approach which provide for CE marking’; Section ‘Directives based on the principles of the New Approach or the Global Approach, but which do not provide for CE marking’; Subsection 2 ‘Two- or three-wheel motor vehicles’ and Subsection 3 ‘Huned agricultural or forestry tractors’ of Section ‘Construction of motor vehicles’; Subsection 1 ‘REACH and REACH implementation’, Subsection 2 ‘Dangerous chemicals’ and Subsection 3 ‘Classification, packaging and labelling’ of Section ‘Chemicals’ of Annex XVI to the Agreement are replaced by the following:

<table>
<thead>
<tr>
<th>Union legislation</th>
<th>Deadline for approximation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HORIZONTAL LEGISLATIVE FRAMEWORK FOR MARKETING OF PRODUCTS</strong></td>
<td>Approximated on the date of entry into force of the Law No 235 of 1 December 2011</td>
</tr>
</tbody>
</table>

**LEGISLATION BASED ON THE PRINCIPLES OF THE NEW APPROACH WHICH PROVIDE FOR CE MARKING**

|----------------------|--------------------------|


DIRECTIVES BASED ON THE PRINCIPLES OF THE NEW APPROACH OR THE GLOBAL APPROACH, BUT WHICH DO NOT PROVIDE FOR CE MARKING


CONSTRUCTION OF MOTOR VEHICLES

2. Two- or three-wheel motor vehicles

3. Wheeled agricultural or forestry tractors


CHEMICALS

1. REACH and REACH implementation


2. Dangerous chemicals

| --- | --- |

### 3. Classification, packaging and labelling