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II

(Acts whose publication is not obligatory)

COUNCIL AND COMMISSION

DECISION OF THE COUNCIL AND THE COMMISSION

of 26 January 1998

on the conclusion of a Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part

(98/238/EC, ECSC)

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238 in conjunction with the second sentence of Article 228(2), and the second subparagraph of Article 228(3) thereof,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 95 thereof,

After consultation of the Consultative Committee and on the assent of the Council,

Having regard to the assent of the European Parliament,

Whereas the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, signed in Brussels on 17 July 1995, should be approved,

HAVE DECIDED AS FOLLOWS:

Article 1

The Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, the Protocols annexed thereto and the declarations attached to the Final Act are hereby approved on behalf of the European Community and the European Coal and Steel Community.

The texts of the Agreement, the Protocols annexed thereto and the Final Act are attached to this Decision.

Article 2

1. The position to be taken by the Community within the Association Council and the Association Committee shall be laid down by the Council, on a proposal from the Commission, or, where appropriate, by the Commission, each in accordance with the corresponding provisions of the Treaties establishing the European Community and the European Coal and Steel Community.

2. The President of the Council shall in accordance with Article 79 of the Agreement, preside over the Association Council and present the position of the Community. A representative of the President of the Council shall preside over the Association Committee, in accordance with Article 82 of the Agreement, and present the position of the Community.

Article 3

The President of the Council shall deposit the act of notification provided for in Article 96 of the Agreement on behalf of the European Community. The President of the Commission shall deposit that act on behalf of the European Coal and Steel Community.

Done at Brussels, 26 January 1998.

For the Commission

The President

J. SANTER

For the Council

The President

R. COOK

EURO-MEDITERRANEAN AGREEMENT

**establishing an association between the European Communities and their Member States,
of the one part, and the Republic of Tunisia, of the other part**

THE KINGDOM OF BELGIUM,
THE KINGDOM OF DENMARK,
THE FEDERAL REPUBLIC OF GERMANY,
THE HELLENIC REPUBLIC,
THE KINGDOM OF SPAIN,
THE FRENCH REPUBLIC,
IRELAND,
THE ITALIAN REPUBLIC,
THE GRAND DUCHY OF LUXEMBOURG,
THE KINGDOM OF THE NETHERLANDS,
THE REPUBLIC OF AUSTRIA,
THE PORTUGUESE REPUBLIC,
THE REPUBLIC OF FINLAND,
THE KINGDOM OF SWEDEN,
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Community and the Treaty establishing the European Coal and Steel Community, hereinafter referred to as the 'Member States', and

THE EUROPEAN COMMUNITY,
THE EUROPEAN COAL AND STEEL COMMUNITY,

hereinafter referred to as 'the Community', of the one part, and

THE REPUBLIC OF TUNISIA,
hereinafter referred to as 'Tunisia', of the other part,

CONSIDERING the importance of the existing traditional links between the Community, its Member States and Tunisia and the common values that the Contracting Parties share;

CONSIDERING that the Community, its Member States and Tunisia wish to strengthen those links and to establish lasting relations, based on reciprocity, partnership and co-development;

CONSIDERING the importance which the Parties attach to the principles of the United Nations Charter, particularly the observance of human rights and political and economic freedom, which form the very basis of the Association;

CONSIDERING recent political and economic developments both on the European continent and in Tunisia;

CONSIDERING the considerable progress made by Tunisia and its people towards achieving their objectives of full integration of the Tunisian economy in the world economy and participation in the community of democratic nations;

CONSCIOUS of the importance of this Agreement, based on cooperation and dialogue, for lasting stability and security in the Euro-Mediterranean region;

CONSCIOUS, on the one hand, of the importance of relations in an overall Euro-Mediterranean context and, on the other, of the objective of integration between the countries of the Maghreb;

BEARING IN MIND the economic and social disparities between the Community and Tunisia and desirous of achieving the objectives of this association through the appropriate provisions of this Agreement;

DESIROUS of establishing and developing regular political dialogue on bilateral and international issues of mutual interest;

TAKING ACCOUNT of the Community's willingness to provide Tunisia with decisive support in its endeavours to bring about economic reform, structural adjustment and social development;

CONSIDERING the commitment of both the Community and Tunisia to free trade, in compliance with the rights and obligations arising out of the General Agreement on Tariffs and Trade (GATT);

DESIROUS of establishing cooperation sustained by regular dialogue on economic, social and cultural issues in order to achieve better mutual understanding;

CONVINCED that this Agreement will create a climate conducive to the development of their economic relations, in particular in the fields of trade and investment, the key sectors for economic restructuring and technological modernisation,

HAVE AGREED AS FOLLOWS:

Article 1

1. An association is hereby established between the Community and its Member States, of the one part, and Tunisia, of the other part.
2. The aims of this Agreement are to:
 - provide an appropriate framework for political dialogue between the Parties, allowing the development of close relations in all areas they consider relevant to such dialogue,
 - establish the conditions for the gradual liberalisation of trade in goods, services and capital,
 - promote trade and the expansion of harmonious economic and social relations between the Parties, notably through dialogue and cooperation, so as to

foster the development and prosperity of Tunisia and its people,

- encourage integration of the Maghreb countries by promoting trade and cooperation between Tunisia and other countries of the region,
- promote economic, social, cultural and financial cooperation.

Article 2

Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles which guide their domestic and international policies and constitute an essential element of the Agreement.

TITLE I

POLITICAL DIALOGUE

Article 3

1. A regular political dialogue shall be established between the Parties. It shall help build lasting links of solidarity between the partners which will contribute to the prosperity, stability and security of the Mediterranean region and bring about a climate of understanding and tolerance between cultures.

2. Political dialogue and cooperation are intended in particular to:

- (a) facilitate rapprochement between the Parties through the development of better mutual understanding and regular coordination on international issues of common interest;

- (b) enable each Party to consider the position and interests of the other;
- (c) contribute to consolidating security and stability in the Mediterranean region and in the Maghreb in particular;
- (d) help develop joint initiatives.

Article 4

Political dialogue shall cover all issues of common interest to the Parties, in particular the conditions required to ensure peace, security and regional development through support for cooperation, notably within the Maghreb group of countries.

Article 5

Political dialogue shall be established at regular intervals and whenever necessary notably:

- (a) at ministerial level, principally within the Association Council;
- (b) at the level of senior officials representing Tunisia, on the one hand, and the Council Presidency and the Commission on the other;
- (c) taking full advantage of all diplomatic channels including regular briefings, consultations on the occasion of international meetings and contacts between diplomatic representatives in third countries;
- (d) where appropriate, by any other means which would make a useful contribution to consolidating dialogue and increasing its effectiveness.

TITLE II

FREE MOVEMENT OF GOODS

Article 6

The Community and Tunisia shall gradually establish a free trade area over a transitional period lasting a maximum of 12 years starting from the date of the entry into force of this Agreement in accordance with the provisions of this Agreement and in conformity with those of the General Agreement on Tariffs and Trade 1994 and the other multilateral Agreements on trade in goods annexed to the Agreement establishing the WTO, hereinafter referred to as the GATT.

CHAPTER I

INDUSTRIAL PRODUCTS

Article 7

The provisions of this Chapter shall apply to products originating in the Community and Tunisia with the exception of the products referred to in Annex II to the Treaty establishing the European Community.

Article 8

No new customs duties on imports nor charges having equivalent effect shall be introduced in trade between the Community and Tunisia.

Article 9

Products originating in Tunisia shall be imported into the Community free of customs duties and charges having equivalent effect and without quantitative restrictions or measures having equivalent effect.

Article 10

1. The provisions of this Chapter shall not preclude the retention by the Community of an agricultural component on imports of the goods originating in Tunisia listed in Annex 1.

The agricultural component shall reflect differences between the price on the Community market of the agricultural products considered as being used in the production of such goods and the price of imports from third countries where the total cost of the said basic products is higher in the Community. The agricultural component may take the form of a fixed amount or an *ad valorem* duty. Such differences shall be replaced, where appropriate, by specific duties based on tariffication of the agricultural component or by *ad valorem* duties.

The provisions of Chapter 2 applicable to agricultural products shall apply *mutatis mutandis* to the agricultural component.

2. The provisions of this Chapter shall not preclude the separate specification by Tunisia of an agricultural component in the import duties in force on the products listed in Annex 2 originating in the Community. The agricultural component may take the form of a fixed amount or an *ad valorem* duty.

The provisions of Chapter 2 applicable to agricultural products shall apply *mutatis mutandis* to the agricultural component.

3. In the case of the products shown in Annex 2, list 1, originating in the Community, Tunisia shall apply

upon the entry into force of this Agreement import duties and charges having equivalent effect no greater than those in force on 1 January 1995, within the limits of the tariff quotas shown in that list.

During elimination of the industrial component of the duties pursuant to paragraph 4, the level of the duties to be applied in respect of the products for which the tariff quotas are to be abolished may not be higher than the level of the duties in force on 1 January 1995.

4. In the case of the products in Annex 2, list 2, originating in the Community, Tunisia shall eliminate the industrial component of the duties in accordance with the provisions laid down in Article 11 (3) of the Agreement in respect of products in Annex 4.

In the case of the products in Annex 2, lists 1 and 3, originating in the Community, Tunisia shall eliminate the industrial component of the duties in accordance with the provisions laid down in Article 11 (3) of the Agreement in respect of products in Annex 5.

5. The agricultural components applied pursuant to paragraphs 1 and 2 may be reduced where, in trade between the Community and Tunisia, the charge applicable to a basic agricultural product is reduced or where such reductions are the result of mutual concessions relating to processed agricultural products.

6. The reduction referred to in paragraph 5, the list of products concerned and, where appropriate, the tariff quotas within which the reduction applies shall be established by the Association Council.

Article 11

1. Customs duties and charges having equivalent effect applicable on import into Tunisia of products originating in the Community other than those listed in Annexes 3 to 6 shall be abolished upon the entry into force of this Agreement.

2. Customs duties and charges having equivalent effect applicable on import into Tunisia of the products originating in the Community listed in Annex 3 shall be progressively abolished in accordance with the following timetable:

On the date of entry into force of this Agreement each duty and charge shall be reduced to 85 % of the basic duty;

One year after the date of entry into force of this Agreement each duty and charge shall be reduced to 70 % of the basic duty;

Two years after the date of entry into force of this Agreement each duty and charge shall be reduced to 55 % of the basic duty;

Three years after the date of entry into force of this Agreement each duty and charge shall be reduced to 40 % of the basic duty;

Four years after the date of entry into force of this Agreement each duty and charge shall be reduced to 25 % of the basic duty;

Five years after the date of entry into force of this Agreement the remaining duties shall be abolished.

3. Customs duties and charges having equivalent effect applicable on import into Tunisia of the products originating in the Community listed in Annexes 4 and 5 shall be progressively abolished in accordance with the following timetables:

In the case of the list appearing in Annex 4:

On the date of entry into force of this Agreement each duty and charge shall be reduced to 92 % of the basic duty;

One year after the date of entry into force of this Agreement each duty and charge shall be reduced to 84 % of the basic duty;

Two years after the date of entry into force of this Agreement each duty and charge shall be reduced to 76 % of the basic duty;

Three years after the date of entry into force of this Agreement each duty and charge shall be reduced to 68 % of the basic duty;

Four years after the date of entry into force of this Agreement each duty and charge shall be reduced to 60 % of the basic duty;

Five years after the date of entry into force of this Agreement each duty and charge shall be reduced to 52 % of the basic duty;

Six years after the date of entry into force of this Agreement each duty and charge shall be reduced to 44 % of the basic duty;

Seven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 36 % of the basic duty;

Eight years after the date of entry into force of this Agreement each duty and charge shall be reduced to 28 % of the basic duty;

Nine years after the date of entry into force of this Agreement each duty and charge shall be reduced to 20 % of the basic duty;

Ten years after the date of entry into force of this Agreement each duty and charge shall be reduced to 12 % of the basic duty;

Eleven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 4 % of the basic duty;

Twelve years after the date of entry into force of this Agreement the remaining duties shall be abolished.

In the case of the list appearing in Annex 5:

Four years after the date of entry into force of this Agreement each duty and charge shall be reduced to 88 % of the basic duty;

Five years after the date of entry into force of this Agreement each duty and charge shall be reduced to 77 % of the basic duty;

Six years after the date of entry into force of this Agreement each duty and charge shall be reduced to 66 % of the basic duty;

Seven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 55 % of the basic duty;

Eight years after the date of entry into force of this Agreement each duty and charge shall be reduced to 44 % of the basic duty;

Nine years after the date of entry into force of this Agreement each duty and charge shall be reduced to 33 % of the basic duty;

Ten years after the date of entry into force of this Agreement each duty and charge shall be reduced to 22 % of the basic duty;

Eleven years after the date of entry into force of this Agreement each duty and charge shall be reduced to 11 % of the basic duty;

Twelve years after the date of entry into force of this Agreement the remaining duties shall be abolished.

4. In the event of serious difficulties for a given product, the relevant timetables in accordance with paragraph 3 may be reviewed by the Association Committee by common accord on the understanding that the schedule for which the review has been requested may not be extended in respect of the product concerned beyond the maximum transitional period of 12 years. If the Association Committee has not taken a decision within thirty days of its application to review the timetable, Tunisia may suspend the timetable provisionally for a period which may not exceed one year.

5. For each product the basic duty to which the successive reductions laid down in paragraphs 2 and 3 are to be applied shall be that actually applied *vis-à-vis* the Community on 1 January 1995.

6. If, after 1 January 1995, any tariff reduction is applied on an *erga omnes* basis, the reduced duties shall replace the basic duties referred to in paragraph 5 as from the date when such reductions are applied.

7. Tunisia shall communicate its basic duties to the Community.

Article 12

The provisions of Articles 10, 11 and 19(b) shall not apply to products in the list appearing in Annex 6. The arrangements to be applied to such products shall be re-examined by the Association Council four years after the Agreement's entry into force.

Article 13

The provisions concerning the abolition of customs duties on imports shall also apply to customs duties of a fiscal nature.

Article 14

1. Exceptional measures of limited duration which derogate from the provisions of Article 11 may be taken by Tunisia in the form of an increase or reintroduction of customs duties.

These measures may only concern infant industries, or certain sectors undergoing restructuring or facing serious difficulties, particularly where these difficulties produce major social problems.

Customs duties on imports applicable in Tunisia to products originating in the Community introduced by these measures may not exceed 25 % *ad valorem* and shall maintain an element of preference for products originating in the Community. The total value of imports of the products which are subject to these measures may not exceed 15 % of total imports of industrial products from the Community during the last year for which statistics are available.

These measures shall be applied for a period not exceeding five years unless a longer duration is authorised by the Association Committee. They shall cease to apply at the latest on the expiry of the maximum transitional period of twelve years.

No such measures can be introduced in respect of a product if more than three years have elapsed since the elimination of all duties and quantitative restrictions or charges or measures having equivalent effect concerning that product.

Tunisia shall inform the Association Committee of any exceptional measures it intends to take and, at the request of the Community, consultations shall be held on such measures and the sectors to which they apply before they are implemented. When taking such measures Tunisia shall provide the Committee with a timetable for the elimination of the customs duties introduced under this Article. This timetable shall provide for a phasing-out of these duties in equal annual instalments starting at the latest two years after their introduction. The Association Committee may decide on a different timetable.

2. By way of derogation from the fourth subparagraph of paragraph 1, the Association Committee may exceptionally, in order to take account of the difficulties involved in setting up a new industry, authorise Tunisia to maintain the measures already taken pursuant to paragraph 1 for a maximum period of three years beyond the twelve-year transitional period.

CHAPTER II

AGRICULTURAL AND FISHERY PRODUCTS

Article 15

The provisions of this Chapter shall apply to the products originating in the Community and Tunisia listed in Annex II to the Treaty establishing the European Community.

Article 16

The Community and Tunisia shall gradually implement greater liberalisation of their reciprocal trade in agricultural and fishery products.

Article 17

1. Agricultural and fishery products originating in Tunisia shall benefit on import into the Community from the provisions set out in Protocols Nos 1 and 2 respectively.

2. Agricultural products originating in the Community shall benefit on import into Tunisia from the provisions set out in Protocol No 3.

Article 18

1. From 1 January 2000 the Community and Tunisia shall assess the situation with a view to determining the liberalisation measures to be applied by the Community and Tunisia with effect from 1 January 2001 in accordance with the objective set out in Article 16.

2. Without prejudice to the provisions of the preceding paragraph and taking account of the patterns of trade in agricultural products between the Parties and the particular sensitivity of such products, the Community and Tunisia will examine on a regular basis in the Association Council, product by product and on a reciprocal basis, the possibilities of granting each other further concessions.

CHAPTER III

COMMON PROVISIONS

Article 19

Without prejudice to the provisions of the GATT:

(a) no new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Tunisia;

(b) quantitative restrictions on imports and measures having equivalent effect in trade between Tunisia and the Community shall be abolished upon the entry into force of this Agreement;

(c) the Community and Tunisia shall apply to the other's exports customs neither duties or charges having equivalent effect nor quantitative restrictions or measures of equivalent effect.

Article 20

1. Should specific rules be introduced as a result of implementation of their agricultural policies or modification of their existing rules, or should the provisions on the implementation of their agricultural policies be modified or developed, the Community and Tunisia may modify the arrangements laid down in the Agreement in respect of the products concerned.

The Party carrying out such modification shall inform the Association Committee thereof. At the request of the other Party, the Association Committee shall meet to take appropriate account of that Party's interests.

2. If the Community or Tunisia, in applying paragraph 1, modifies the arrangements made by this Agreement for agricultural products, they shall accord imports originating in the other Party an advantage comparable to that provided for in this Agreement.

3. Any modification of the arrangements made by this Agreement shall be the subject, at the request of the other Contracting Party, of consultations within the Association Council.

Article 21

Products originating in Tunisia shall not enjoy more favourable treatment when imported into the Community than that applied by Member States among themselves.

The provisions of this Agreement shall apply without prejudice to the provisions of Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands.

Article 22

1. The two Parties shall refrain from any measures or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Party and like products originating in the territory of the other Party.

2. Products exported to the territory of one of the Parties may not benefit from repayment of indirect internal taxation in excess of the amount of indirect taxation imposed on them directly or indirectly.

Article 23

1. This Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade insofar as they do not have the effect of altering the trade arrangements provided for in this Agreement.

2. Consultations between the Parties shall take place within the Association Committee concerning agreements establishing customs unions or free trade areas and, where appropriate, on other major issues related to their respective trade policies with third countries. In particular in the event of a third country acceding to the Community, such consultations shall take place so as to ensure that account is taken of the mutual interests of the Community and Tunisia stated in this Agreement.

Article 24

If one of the Parties finds that dumping is taking place in trade with the other Party within the meaning of Article VI of the General Agreement on Tariffs and Trade, it may take appropriate measures against this practice in accordance with the Agreement relating to the application of Article VI of the General Agreement on Tariffs and Trade, related internal legislation and the conditions and procedures laid down in Article 27.

Article 25

Where any product is being imported in such increased quantities and under such conditions as to cause or threaten to cause:

- serious injury to domestic producers of like or directly competitive products in the territory of one of the Contracting Parties, or
- serious disturbances in any sector of the economy or difficulties which could bring about serious deterioration in the economic situation of a region,

the Community or Tunisia may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 27.

Article 26

Where compliance with the provisions of Article 19(c) leads to:

- (i) re-export to a third country of a product against which the exporting Party maintains quantitative export restrictions, export duties or measures or charges having equivalent effect; or

- (ii) a serious shortage, or threat thereof, of a product essential to the exporting Party,

and where the situations referred to above give rise, or are likely to give rise, to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 27. The measures shall be non-discriminatory and shall be eliminated when conditions no longer justify their maintenance.

Article 27

1. In the event of the Community or Tunisia subjecting imports of products liable to give rise to the difficulties referred to in Article 25 to an administrative procedure having as its purpose the rapid supply of information on trade flow trends, it shall inform the other Party.

2. In the cases specified in Articles 24, 25 and 26, before taking the measures provided for therein or, in cases to which paragraph 3(d) applies, as soon as possible, the Community or Tunisia, as the case may be, shall supply the Association Committee with all relevant information with a view to seeking a solution acceptable to the two Parties.

In the selection of measures, priority shall be given to those which least disturb the functioning of this Agreement.

The safeguard measures shall be immediately notified to the Association Committee by the Party concerned and shall be the subject of periodic consultations, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

(a) as regards Article 24, the exporting Party shall be informed of the dumping case as soon as the authorities of the importing Party have initiated an investigation. When no end has been put to the dumping within the meaning of Article VI of the GATT or no other satisfactory solution has been reached within 30 days of the matter being referred, the importing Party may adopt the appropriate measures;

(b) as regards Article 25, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Association Committee, which may take any decision needed to put an end to such difficulties.

If the Association Committee or the exporting Party has not taken a decision putting an end to the difficulties or no other satisfactory solution has been reached within 30 days of the matter being referred, the importing Party may adopt the appropriate measures to remedy the problem. These measures shall not exceed the scope of what is necessary to remedy the difficulties which have arisen;

- (c) as regards Article 26, the difficulties arising from the situations referred to in that Article shall be referred for examination to the Association Committee.

The Association Committee may take any decision needed to put an end to the difficulties. If it has not taken such a decision within 30 days of the matter being referred to it, the exporting Party may apply appropriate measures to exports of the product concerned;

- (d) where exceptional circumstances requiring immediate action make prior information or examination, as the case may be, impossible, the Community or Tunisia, whichever is concerned, may, in the situations specified in Articles 24, 25 and 26, apply forthwith the precautionary measures strictly necessary to deal with the situation and shall inform the other Party immediately thereof.

Article 28

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures of artistic, historic or archaeological value or the protection of intellectual, industrial and commercial property of rules relating to gold and silver. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

Article 29

The concept of 'originating products' for the purposes of implementing this Title and the methods of administrative cooperation relating thereto are laid down in Protocol No 4.

Article 30

The Combined Nomenclature of goods shall be applied to the classification of goods in trade between the two Parties.

TITLE III

RIGHT OF ESTABLISHMENT AND SERVICES

Article 31

1. The Parties agree to widen the scope of the Agreement to cover the right of establishment of one Party's firms on the territory of the other and liberalisation of the provision of services by one Party's firms to consumers of services in the other.

2. The Association Council will make recommendations for achieving the objective described in paragraph 1.

In making such recommendations, the Association Council will take account of past experience of implementation of reciprocal most-favoured-nation treatment and of the respective obligations of each Party under the General Agreement on Trade in Services annexed to the Agreement establishing the WTO, hereinafter referred to as the 'GATS', particularly those in Article V of the latter.

3. The Association Council will make a first assessment of the achievement of this objective no later than five years after the Agreement enters into force.

Article 32

1. At the outset, each of the Parties shall reaffirm its obligations under the GATS, particularly the obligation to grant reciprocal most-favoured-nation treatment in the service sectors covered by that obligation.

2. In accordance with the GATS, such treatment shall not apply to:

- (a) advantages granted by either Party under the terms of an agreement of the type defined in Article V of the GATS or to measures taken on the basis of such an agreement;
- (b) other advantages granted in accordance with the list of exemptions from most-favoured-nation treatment annexed by either Party to the GATS.

TITLE IV

PAYMENTS, CAPITAL, COMPETITION AND OTHER ECONOMIC PROVISIONS

CHAPTER I

CURRENT PAYMENTS AND MOVEMENT OF CAPITAL

Article 33

Subject to the provisions of Article 35, the Parties undertake to allow all current payments for current transactions to be made in a freely convertible currency.

Article 34

1. With regard to transactions on the capital account of balance of payments, the Community and Tunisia shall ensure, from the entry into force of this Agreement, that capital relating to direct investments in Tunisia in companies formed in accordance with current laws can move freely and that the yield from such investments and any profit stemming therefrom can be liquidated and repatriated.

2. The Parties shall consult each other with a view to facilitating, and fully liberalising when the time is right, the movement of capital between the Community and Tunisia.

Article 35

Where one or more Member States of the Community, or Tunisia, is in serious balance of payments difficulties, or under threat thereof, the Community or Tunisia, as the case may be, may, in accordance with the conditions established under the General Agreement on Tariffs and Trade and Articles VIII and XIV of the Articles of Agreement of the International Monetary Fund, adopt restrictions on current transactions which shall be of limited duration and may not go beyond what is strictly necessary to remedy the balance of payments situation. The Community or Tunisia, as the case may be, shall inform the other Party forthwith and shall submit to it as soon as possible a timetable for the elimination of the measures concerned.

CHAPTER II

COMPETITION AND OTHER ECONOMIC PROVISIONS

Article 36

1. The following are incompatible with the proper functioning of the Agreement, insofar as they may affect trade between the Community and Tunisia:

- (a) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
- (b) abuse by one or more undertakings of a dominant position in the territories of the Community or of Tunisia as a whole or in a substantial part thereof;
- (c) any official aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods, with the exception of cases in which a derogation is allowed under the Treaty establishing the European Coal and Steel Community.

2. Any practices contrary to this Article shall be assessed on the basis of criteria arising from the application of the rules of Articles 85, 86 and 92 of the Treaty establishing the European Community and, in the case of products falling within the scope of the European Coal and Steel Community, the rules of Articles 65 and 66 of the Treaty establishing that Community, and the rules relating to state aid, including secondary legislation.

3. The Association Council shall, within five years of the entry into force of this Agreement, adopt the necessary rules for the implementation of paragraphs 1 and 2.

Until these rules are adopted, the provisions of the Agreement on interpretation and application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade shall be applied as the rules for the implementation of paragraph 1(c) and related parts of paragraph 2.

4. (a) For the purposes of applying the provisions of paragraph 1(c), the Parties recognize that during the first five years after the entry into force of this Agreement, any State aid granted by Tunisia shall be assessed taking into account the fact that Tunisia shall be regarded as an area identical to those areas of the Community described in Article 92(3)(a) of the Treaty establishing the European Community.

During the same period of time, Tunisia may exceptionally, as regards ECSC steel products, grant State aid for restructuring purposes provided that:

- it leads to the viability of the recipient firms under normal market conditions at the end of the restructuring period,
- the amount and intensity of such aid are strictly limited to what is absolutely necessary in order to restore such viability and are progressively reduced,
- the restructuring programme is linked to a comprehensive plan for rationalising capacity in Tunisia.

The Association Council shall, taking into account the economic situation of Tunisia, decide whether the period should be extended every five years.

- (b) Each Party shall ensure transparency in the area of official aid, *inter alia* by reporting annually to the other Party on the total amount and the distribution of the aid given and by providing, upon request, information on aid schemes. Upon request by one Party, the other Party shall provide information on particular individual cases of official aid.

5. With regard to products referred to in Chapter II of Title II:

- the provisions of paragraph 1(c) do not apply,
- any practices contrary to paragraph 1(a) shall be assessed according to the criteria established by the Community on the basis of Articles 42 and 43 of the Treaty establishing the European Community, and in particular those established in Council Regulation No 26/62.

6. If the Community or Tunisia considers that a particular practice is incompatible with the terms of paragraph 1, and:

- is not adequately dealt with under the implementing rules referred to in paragraph 3, or
- in the absence of such rules, and if such practice causes or threatens to cause serious prejudice to the interest of the other Party or material injury to its domestic industry, including its services industry,

it may take appropriate measures after consultation within the Association Committee or after 30 working days following referral to that Committee.

In the case of practices incompatible with paragraph 1(c) of this Article, such appropriate measures may, where the General Agreement on Tariffs and Trade applies thereto, only be adopted in accordance with the procedures and

under the conditions laid down by the General Agreement on Tariffs and Trade and any other relevant instrument negotiated under its auspices which is applicable between the Parties.

7. Notwithstanding any provisions to the contrary adopted in accordance with paragraph 3, the Parties shall exchange information taking into account the limitations imposed by the requirements of professional and business secrecy.

Article 37

The Member States and Tunisia shall progressively adjust, without affecting commitments made under the GATT, any state monopolies of a commercial character so as to ensure that, by the end of the fifth year following the entry into force of this Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States and of Tunisia. The Association Committee will be informed about the measures adopted to implement this objective.

Article 38

With regard to public enterprises and enterprises which have been granted special or exclusive rights, the Association Council shall ensure, from the fifth year following the entry into force of the Agreement, that no measures which disturbs trade between the Community and Tunisia in a manner which runs counter to the interests of the Parties is adopted or maintained. This provision shall not impede the performance in fact or in law of the specific functions assigned to those enterprises.

Article 39

1. The Parties shall provide suitable and effective protection of intellectual, industrial and commercial property rights, in line with the highest international standards. This shall encompass effective means of enforcing such rights.

2. Implementation of this Article and of Annex 7 shall be regularly assessed by the Parties. If difficulties which affect trade arise in connection with intellectual, industrial and commercial property rights, either Party may request urgent consultations to find mutually satisfactory solutions.

Article 40

1. The Parties shall take appropriate steps to promote the use by Tunisia of Community technical rules and

European standards for industrial and agri-food products and certification procedures.

2. Using the principles set out in paragraph 1 as a basis, the Parties shall, when the circumstances are right, conclude agreements for the mutual recognition of certifications.

Article 41

1. The Parties shall set as their objective a reciprocal and gradual liberalisation of public procurement contracts.

2. The Association Council shall take the steps necessary to implement paragraph 1.

TITLE V

ECONOMIC COOPERATION

Article 42

Objectives

1. The Parties undertake to step up economic cooperation in their mutual interest and in the spirit of partnership which is at the root of this Agreement.

2. The objective of economic cooperation shall be to support Tunisia's own efforts to achieve sustainable economic and social development.

Article 43

Scope

1. Cooperation will be targeted first and foremost at areas of activity suffering the effects of internal constraints and difficulties or affected by the process of liberalising Tunisia's economy as a whole, and more particularly by the liberalisation of trade between Tunisia and the Community.

2. Similarly, cooperation shall focus on areas likely to bring the economies of the Community and Tunisia closer together, particularly those which will generate growth and employment.

3. Cooperation shall foster economic integration within the Maghreb using any measures likely to further such relations within the region.

4. Preservation of the environment and ecological balances shall constitute a central component of the various fields of economic cooperation.

5. Where appropriate, the Parties shall determine by agreement other fields of economic cooperation.

Article 44

Methods

Economic cooperation shall involve methods including:

- (a) regular economic dialogue between the two Parties covering all aspects of macroeconomic policy;
- (b) communication and exchanges of information;
- (c) advice, use of the services of experts and training;
- (d) joint ventures;
- (e) assistance with technical, administrative and regulatory matters.

Article 45

Regional cooperation

In order to make the most of this Agreement, the Parties shall foster all activities which have a regional impact or involve third countries, notably:

- (a) intra-regional trade within the Maghreb;
- (b) environmental matters;
- (c) the development of economic infrastructure;
- (d) research in science and technology;
- (e) cultural matters;
- (f) customs matters;
- (g) regional institutions and the establishment of common or harmonised programmes and policies.

*Article 46***Education and training**

The aim of cooperation shall be to:

- (a) find ways to bring about a significant improvement in education and training, including vocational training;
- (b) place special emphasis on giving the female population access to education, including technical training, higher education and vocational training;
- (c) encourage the establishment of lasting links between specialist bodies on the Parties' territories in order to pool and exchange experience and methods.

*Article 47***Scientific, technical and technological cooperation**

The aim of cooperation shall be to:

- (a) encourage the establishment of permanent links between the Parties' scientific communities, notably by means of:
 - providing Tunisia with access to Community research and technological development programmes in accordance with Community rules governing non-Community countries' involvement in such programmes,
 - Tunisian participation in networks of decentralised cooperation,
 - promoting synergy in training and research;
- (b) improve Tunisia's research capabilities;
- (c) stimulate technological innovation and the transfer of new technology and know-how;
- (d) encourage all activities aimed at establishing synergy at regional level.

*Article 48***Environment**

The aim of cooperation shall be to prevent deterioration of the environment, to improve the quality of the environment, to protect human health and to achieve rational use of natural resources for sustainable development.

The Parties undertake to cooperate in areas including:

- (a) soil and water quality;
- (b) the consequences of development, particularly industrial development (especially safety of installations and waste);
- (c) monitoring and preventing pollution of the sea.

*Article 49***Industrial cooperation**

The aim of cooperation shall be to:

- (a) encourage cooperation between the Parties' economic operators, including cooperation in the context of access for Tunisia to Community business networks and decentralised cooperation networks;
- (b) back the effort to modernise and restructure Tunisia's public and private sector industry (including the agri-food industry);
- (c) foster an environment which favours private initiative, with the aim of stimulating and diversifying output for the domestic and export markets;
- (d) make the most of Tunisia's human resources and industrial potential through better use of policy in the fields of innovation and research and technological development;
- (e) facilitate access to credit to finance investment.

*Article 50***Promotion and protection of investment**

The aim of cooperation shall be to create a favourable climate for flows of investment, and to use the following in particular:

- (a) the establishment of harmonised and simplified procedures, co-investment machinery (especially to link small and medium-sized enterprises) and methods of identifying and providing information on investment opportunities;
- (b) the establishment, where appropriate, of a legal framework to promote investment, chiefly through the conclusion by Tunisia and the Member States of investment protection agreements and agreements preventing double taxation.

*Article 51***Cooperation in standardisation and conformity assessment**

The Parties shall cooperate in developing:

- (a) the use of Community rules in standardisation, metrology, quality control and conformity assessment;
- (b) the updating of Tunisian laboratories, leading eventually to the conclusion of mutual recognition agreements for conformity assessment;
- (c) the bodies responsible for intellectual, industrial and commercial property and for standardisation and quality in Tunisia.

*Article 52***Approximation of legislation**

Cooperation shall be aimed at helping Tunisia to bring its legislation closer to that of the Community in the areas covered by this Agreement.

*Article 53***Financial services**

The aim of cooperation shall be to achieve closer common rules and standards in areas including the following:

- (a) bolstering and restructuring Tunisia's financial sectors;
- (b) improving accounting, auditing, supervision and regulation of financial services and financial monitoring in Tunisia.

*Article 54***Agriculture and fisheries**

The aim of cooperation shall be to:

- (a) modernise and restructure agriculture and fisheries through methods including the modernisation of infrastructure and equipment, the development of packaging and storage techniques and the improvement of private distribution and marketing chains;
- (b) diversify output and external markets;
- (c) achieve cooperation in health, plant health and growing techniques.

*Article 55***Transport**

The aim of cooperation shall be to:

- (a) achieve the restructuring and modernisation of road, rail, port and airport infrastructure of common interest, in correlation with major trans-European communication routes;
- (b) define and apply operating standards comparable to those found in the Community;
- (c) bring equipment up to Community standards, particularly where multimodal transport, containerisation and transshipment are concerned;
- (d) gradually improve road transit and the management of airports, air traffic and railways.

*Article 56***Telecommunications and information technology**

Cooperation shall focus on:

- (a) telecommunications in general;
- (b) standardisation, conformity testing and certification for information technology and telecommunications;
- (c) dissemination of new information technologies, particularly in relation to networks and the interconnection of networks (ISDN — integrated services digital networks — and EDI — electronic data interchange);
- (d) stimulating research on and development of new communication and information technology facilities to develop the market in equipment, services and applications related to information technology and to communications, services and installations.

*Article 57***Energy**

Cooperation shall focus on:

- (a) renewable energy;
- (b) promoting the saving of energy;
- (c) applied research relating to networks of databases linking the two Parties' economic and social operators;

- (d) backing efforts to modernise and develop energy networks and the interconnection of such networks with Community networks.

Article 58

Tourism

The aim of cooperation shall be to develop tourism, particularly with regard to:

- (a) catering management and quality of service in the various fields connected with catering;
- (b) development of marketing;
- (c) promotion of tourism for young people.

Article 59

Cooperation in customs matters

1. The aim of cooperation shall be to ensure fair trade and compliance with trade rules. It shall focus on:

- (a) simplifying customs checks and procedures;
- (b) the use of the Single Administrative Document and creating a link between the Community and Tunisian transit systems.

2. Without prejudice to other forms of cooperation provided for in this Agreement, and particularly those provided for in Articles 61 and 62, the Contracting Parties' administrative authorities shall provide mutual assistance in accordance with the terms of Protocol No 5.

Article 60

Cooperation in statistics

The aim of cooperation shall be to bring the methods used by the Parties closer together and to put to use data on all areas covered by this Agreement for which statistics can be collected.

Article 61

Money laundering

1. The Parties agree on the need to work towards and cooperate on preventing the use of their financial systems to launder the proceeds of criminal activities in general and drug trafficking in particular.

2. Cooperation in this area shall include administrative and technical assistance with the purpose of establishing suitable standards against money laundering equivalent to those adopted by the Community and international fora in this field, including the Financial Action Task Force (FATF).

Article 62

Combating drug use and trafficking

1. The aim of cooperation shall be to:

- (a) improve the effectiveness of policies and measures to prevent and combat the production and supply of and trafficking in narcotics and psychotropic substances;

(b) eliminate illicit consumption of such products.

2. The Parties shall together set out appropriate strategies and methods of cooperation, in accordance with their own legislation, to attain those objectives. For any action which is not conducted jointly, there shall be consultations and close coordination.

Such action may involve the appropriate public and private sector institutions and international organisations, in collaboration with the government of the Republic of Tunisia and the relevant authorities in the Community and the Member States.

3. Cooperation shall take the following forms in particular:

- (a) the establishment or expansion of clinics/hostels and information centres for the treatment and rehabilitation of drug addicts;
- (b) the implementation of prevention, information, training and epidemiological research projects;
- (c) the establishment of standards for preventing diversion of precursors and other essential ingredients for the illicit manufacture of narcotics and psychotropic substances, which are equivalent to those adopted by the Community and the appropriate international authorities, particularly the Chemicals Action Task Force (CATF).

Article 63

The two Parties shall together establish the procedures needed to achieve cooperation in the fields covered by this Title.

TITLE VI

COOPERATION IN SOCIAL AND CULTURAL MATTERS

CHAPTER I

WORKERS

Article 64

1. The treatment accorded by each Member State to workers of Tunisian nationality employed in its territory shall be free from any discrimination based on nationality, as regards working conditions, remuneration and dismissal, relative to its own nationals.

2. All Tunisian workers allowed to undertake paid employment in the territory of a Member State on a temporary basis shall be covered by the provisions of paragraph 1 with regard to working conditions and remuneration.

3. Tunisia shall accord the same treatment to workers who are nationals of a Member State and employed in its territory.

Article 65

1. Subject to the provisions of the following paragraphs, workers of Tunisian nationality and any members of their families living with them shall enjoy, in the field of social security, treatment free from any discrimination based on nationality relative to nationals of the Member States in which they are employed.

The concept of social security shall cover the branches of social security dealing with sickness and maternity benefits, invalidity, old-age and survivors' benefits, industrial accident and occupational disease benefits and death, unemployment and family benefits.

These provisions shall not, however, cause the other coordination rules provided for in Community legislation based on Article 51 of the EC Treaty to apply, except under the conditions set out in Article 67 of this Agreement.

2. All periods of insurance, employment or residence completed by such workers in the various Member States shall be added together for the purpose of pensions and annuities in respect of old age, invalidity and survivors' benefits and family, sickness and maternity benefits and

also for that of medical care for the workers and for members of their families resident in the Community.

3. The workers in question shall receive family allowances for members of their families who are resident in the Community.

4. The workers in question shall be able to transfer freely to Tunisia, at the rates applied by virtue of the legislation of the debtor Member State or States, any pensions or annuities in respect of old age, survivor status, industrial accident or occupational disease, or of invalidity resulting from industrial accident or occupational disease, except in the case of special non-contributory benefits.

5. Tunisia shall accord to workers who are nationals of a Member State and employed in its territory, and to the members of their families, treatment similar to that specified in paragraphs 1, 3 and 4.

Article 66

The provisions of this Chapter shall not apply to nationals of the Parties residing or working illegally in the territory of their host countries.

Article 67

1. Before the end of the first year following the entry into force of this Agreement, the Association Council shall adopt provisions to implement the principles set out in Article 65.

2. The Association Council shall adopt detailed rules for administrative cooperation providing the necessary management and monitoring guarantees for the application of the provisions referred to in paragraph 1.

Article 68

The provisions adopted by the Association Council in accordance with Article 67 shall not affect any rights or obligations arising from bilateral agreements linking Tunisia and the Member States where those agreements provide for more favourable treatment of nationals of Tunisia or of the Member States.

CHAPTER II

DIALOGUE IN SOCIAL MATTERS

Article 69

1. The Parties shall conduct regular dialogue on any social matter which is of interest to them.

2. Such dialogue shall be used to find ways to achieve progress in the field of movement of workers and equal treatment and social integration for Tunisian and Community nationals residing legally in the territories of their host countries.

3. Dialogue shall cover in particular all issues connected with:

- (a) the living and working conditions of the migrant communities;
- (b) migration;
- (c) illegal immigration and the conditions governing the return of individuals who are in breach of the legislation dealing with the right to stay and the right of establishment in their host countries;
- (d) schemes and programmes to encourage equal treatment between Tunisian and Community nationals, mutual knowledge of cultures and civilizations, the furthering of tolerance and the removal of discrimination.

Article 70

Dialogue on social matters shall be conducted at the same levels and in accordance with the same procedures as provided for in Title I of this Agreement, which can itself provide a framework for that dialogue.

CHAPTER III

COOPERATION IN THE SOCIAL FIELD

Article 71

With a view to consolidating cooperation between the Parties in the social field, projects and programmes shall be carried out in any area of interest to them.

Priority will be afforded to:

- (a) reducing migratory pressure, in particular by creating jobs and developing training in areas from which emigrants come;

(b) resettling those repatriated because of their illegal status under the legislation of the state in question;

(c) promoting the role of women in the economic and social development process through education and the media in step with Tunisian policy on the matter;

(d) bolstering and developing Tunisia's family planning and mother and child protection programmes;

(e) improving the social protection system;

(f) enhancing the health cover system;

(g) improving living conditions in poor, densely populated areas;

(h) implementing and financing exchange and leisure programmes for mixed groups of Tunisian and European young people residing in the Member States, with a view to promoting mutual knowledge of their respective cultures and fostering tolerance.

Article 72

Cooperation schemes may be carried out in coordination with Member States and relevant international organisations.

Article 73

A working party shall be set up by the Association Council by the end of the first year following the entry into force of this Agreement. It shall be responsible for the continuous and regular evaluation of the implementation of Chapters 1 to 3.

CHAPTER IV

COOPERATION ON CULTURAL MATTERS

Article 74

1. In order to boost mutual knowledge and understanding, taking account of activities already carried out, the Parties shall undertake — while respecting each other's culture — to provide a firmer footing for lasting cultural dialogue and to promote continuous cultural cooperation between them, without ruling out a priori any field of activity.

2. In putting together cooperation projects and programmes and carrying out joint activities, the

Parties shall place special emphasis on young people, on written and audio-visual means of expression and communication, and on the protection of their heritage and the dissemination of culture.

3. The Parties agree that cultural cooperation programmes already under way in the Community or in one or more of its Member States may be extended to Tunisia.

TITLE VII

FINANCIAL COOPERATION

Article 75

With a view to full attainment of the Agreement's objectives, financial cooperation shall be implemented for Tunisia in line with the appropriate financial procedures and resources.

These procedures shall be adopted by mutual agreement between the Parties by means of the most suitable instruments once the Agreement enters into force.

In addition to the areas covered by the Titles V and VI of this Agreement, cooperation shall entail:

- facilitating reforms aimed at modernizing the economy,
- updating economic infrastructure,
- promoting private investment and job creation activities,
- taking into account the effects on the Tunisian economy of the progressive introduction of a free trade area, in particular where the updating and restructuring of industry is concerned,

— flanking measures for policies implemented in the social sectors.

Article 76

Within the framework of Community instruments intended to buttress structural adjustment programmes in the Mediterranean countries — and in close coordination with the Tunisian authorities and other contributors, in particular the international financial institutions — the Community will examine suitable ways of supporting structural policies carried out by Tunisia to restore financial equilibrium in all its key aspects and create an economic environment conducive to boosting growth, while at the same time enhancing social welfare.

Article 77

In order to ensure a coordinated approach to dealing with exceptional macroeconomic and financial problems which could stem from the progressive implementation of the Agreement, the Parties shall closely monitor the development of trade and financial relations between the Community and Tunisia as part of the regular economic dialogue established under Title V.

TITLE VIII

INSTITUTIONAL, GENERAL AND FINAL PROVISIONS

Article 78

An Association Council is hereby established which shall meet at ministerial level once a year and when circumstances require, on the initiative of its Chairman and in accordance with the conditions laid down in its rules of procedure.

It shall examine any major issues arising within the framework of this Agreement and any other bilateral or international issues of mutual interest.

Article 79

1. The Association Council shall consist of the members of the Council of the European Union and members of the Commission of the European Communities, on the one hand, and of members of the Government of the Republic of Tunisia, on the other.

2. Members of the Association Council may arrange to be represented, in accordance with the provisions laid down in its rules of procedure.

3. The Association Council shall establish its rules of procedure.

4. The Association Council shall be chaired in turn by a member of the Council of the European Union and a member of the Government of the Republic of Tunisia in accordance with the provisions laid down in its rules of procedure.

Article 80

The Association Council shall, for the purpose of attaining the objectives of the Agreement, have the power to take decisions in the cases provided for therein.

The decisions taken shall be binding on the Parties, which shall take the measures necessary to implement the decisions taken. The Association Council may also make appropriate recommendations.

It shall draw up its decisions and recommendations by agreement between the Parties.

Article 81

1. Subject to the powers of the Council, an Association Committee is hereby established which shall be responsible for the implementation of the Agreement.

2. The Association Council may delegate to the Association Committee, in full or in part, any of its powers.

Article 82

1. The Association Committee, which shall meet at the level of officials, shall consist of representatives of members of the Council of the European Union and of members of the Commission of the European Communities, on the one hand, and of representatives of the Government of the Republic of Tunisia, on the other.

2. The Association Committee shall establish its rules of procedure.

3. The Association Committee shall be chaired in turn by a representative of the Presidency of the Council of the European Union and by a representative of the Government of the Republic of Tunisia.

The Association Committee shall normally meet alternately in the Community and in Tunisia.

Article 83

The Association Committee shall have the power to take decisions for the management of the Agreement as well as in those areas in which the Council has delegated its powers to it.

It shall draw up its decisions by agreement between the Parties. These decisions shall be binding on the Parties, which shall take the measures necessary to implement the decisions taken.

Article 84

The Association Council may decide to set up any working group or body necessary for the implementation of the Agreement.

Article 85

The Association Council shall take all appropriate measures to facilitate cooperation and contacts between the European Parliament and the Chamber of Deputies of the Republic of Tunisia, and between the Economic and Social Committee of the Community and the Economic and Social Council of the Republic of Tunisia.

Article 86

1. Either Party may refer to the Association Council any dispute relating to the application or interpretation of this Agreement.

2. The Association Council may settle the dispute by means of a decision.

3. Each Party shall be bound to take the measures involved in carrying out the decision referred to in paragraph 2.

4. In the event of it not being possible to settle the dispute in accordance with paragraph 2, either Party may notify the other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within two months. For the application of this procedure, the Community and the Member States shall be deemed to be one Party to the dispute.

The Association Council shall appoint a third arbitrator.

The arbitrators' decisions shall be taken by majority vote.

Each party to the dispute shall take the steps required to implement the decision of the arbitrators.

Article 87

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to the production of, or trade in, arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in the event of serious internal disturbances affecting the

maintenance of law and order, in time of war or serious international tension constituting threat of war or in order to carry out obligations it has accepted for the purpose of maintaining peace and international security.

Article 88

1. In the fields covered by this Agreement, and without prejudice to any special provisions contained therein:

- the arrangements applied by the Republic of Tunisia in respect of the Community shall not give rise to any discrimination between the Member States, their nationals, or their companies or firms,
- the arrangements applied by the Community in respect of the Republic of Tunisia shall not give rise to any discrimination between Tunisian nationals or its companies or firms.

Article 89

Nothing in the Agreement shall have the effect of:

- extending the fiscal advantages granted by either Party in any international agreement or arrangement by which it is bound,
- preventing the adoption or application by either Party of any measure aimed at preventing fraud or the evasion of taxes,
- opposing the right of either Party to apply the relevant provisions of its tax legislation to taxpayers who are not in an identical situation as regards their place of residence.

Article 90

1. The Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.

2. If either Party considers that the other Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures. Before so doing, except in cases of special urgency, it shall supply the Association Council with all the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement. These measures shall be notified immediately to the Association Council and shall be the subject of

consultations within the Association Council if the other Party so requests.

Article 91

Protocols Nos 1 to 5, Annexes 1 to 7 and the declarations shall form an integral part of the Agreement.

Article 92

For the purposes of this Agreement, 'Parties' shall mean, on the one hand, the Community or the Member States, or the Community and its Member States, in accordance with their respective powers, and, on the other hand, Tunisia.

Article 93

This Agreement shall be concluded for an unlimited period.

Either Party may denounce this Agreement by notifying the other Party. The Agreement shall cease to apply six months after the date of such notification.

Article 94

This Agreement shall apply, on the one hand, to the territories in which the Treaties establishing the European Community and the European Coal And Steel Community are applied and under the conditions laid down in those Treaties and, on the other hand to the territory of the Republic of Tunisia.

Article 95

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Arabic languages, each of these texts being equally authentic.

Article 96

1. The Agreement shall be approved by the Contracting Parties in accordance with their own procedures.

It shall enter into force on the first day of the second month following the date on which the Contracting Parties notify each other that the procedures referred to in the first paragraph have been completed.

2. Upon its entry into force, the Agreement shall replace the Cooperation Agreement between the European Community and the Republic of Tunisia and the Agreement between the Member States of the European Coal and Steel Community and the Republic of Tunisia, signed in Tunis on 25 April 1976.

Hecho en Bruselas, el diecisiete de julio de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles den syttende juli nitten hundrede og fem og halvfems.

Geschehen zu Brüssel am siebzehnten Juli neunzehnhundertfünfundneunzig.

Έγινε στις Βρυξέλλες, στις δέκα εφτά Ιουλίου χίλια εννιακόσια ενενήντα πέντε.

Done at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-five.

Fait à Bruxelles, le dix-sept juillet mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì diciassette luglio millenovecentonovantacinque.

Gedaan te Brussel, de zeventiende juli negentienhonderd vijffennegentig.

Feito em Bruxelas, em dezassete de Julho de mil novecentos e noventa e cinco.

Tehty Brysselissä seitsemäntenätoista päivänä heinäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäviisi.

Som skedde i Bryssel den sjuttonde juli nittonhundraottiofem.

حرر في بروكسل في السابع عشر من شهر جويليه سنة الف وتسعمائة وخمسة وتسعون

Pour le Royaume de Belgique
Voor het Koninkrijk België
Für das Königreich Belgien

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

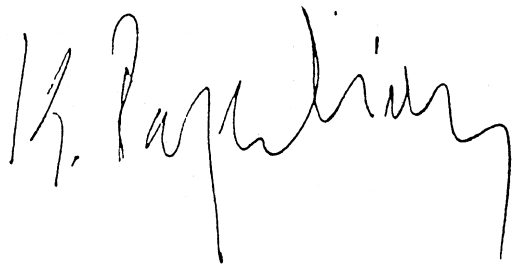
Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brusselse Hoofdstedelijke Gewest.

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

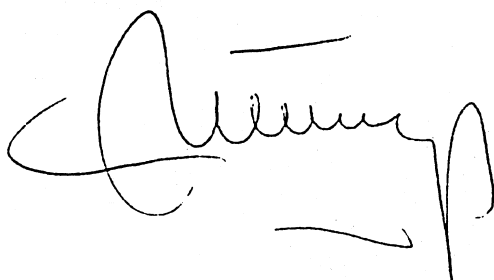
På Kongeriget Danmarks vegne

Für die Bundesrepublik Deutschland

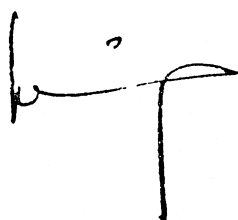
Για την Ελληνική Δημοκρατία



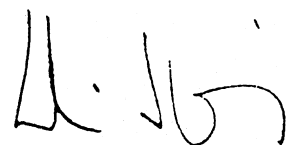
Por el Reino de España



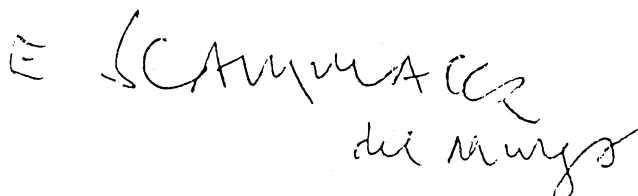
Pour la République française



Thar ceann na hÉireann
For Ireland



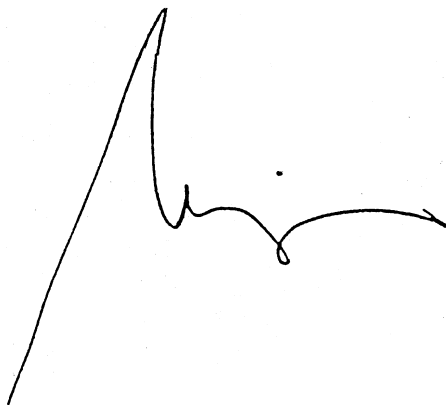
Per la Repubblica italiana



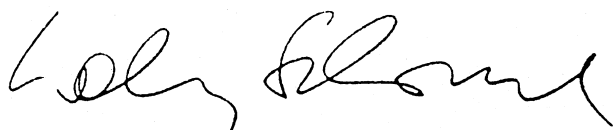
Pour le Grand-Duché de Luxembourg



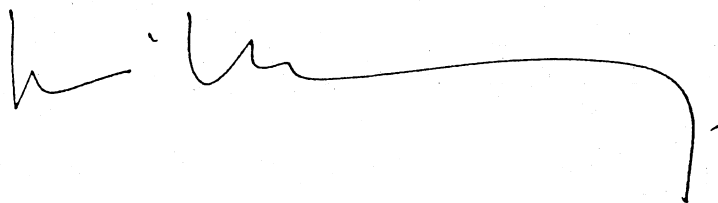
Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



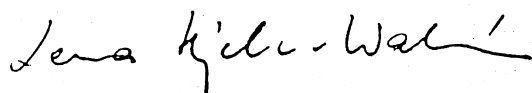
Pela República Portuguesa



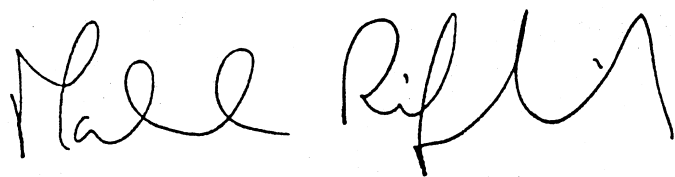
Suomen tasavallan puolesta



För Konungariket Sverige



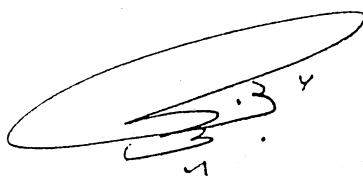
For the United Kingdom of Great Britain and Northern Ireland



Por las Comunidades Europeas
For De Europæiske Fællesskaber
Für die Europäischen Gemeinschaften
Για τις Ευρωπαϊκές Κοινότητες
For the European Communities
Pour les Communautés européennes
Per le Comunità europea
Voor de Europese Gemeenschappen
Pelas Comunidades Europeias
Euroopan yhteisöjen puolesta
På Europeiska gemenskapernas vägnar



عن الجمهورية التونسية



ANNEX 1

PRODUCTS REFERRED TO IN ARTICLE 10(1)

| CN-Code | Description |
|------------|---|
| 0403 | Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa: |
| 0403 10 51 | – Yogurt, flavoured or containing added fruit, nuts or cocoa: |
| | – – – not exceeding 1,5 % |
| 0403 10 53 | – – – exceeding 1,5 % but not exceeding 27 % |
| 0403 10 59 | – – – exceeding 27 % |
| | – – – other, of a milk fat content by weight: |
| 0403 10 91 | – – – not exceeding 3 % |
| 0403 10 93 | – – – exceeding 3 % but not exceeding 6 % |
| 0403 10 99 | – – – exceeding 6 % |
| 0403 90 71 | – Other, flavoured or containing added fruit, nuts or cocoa: |
| | – – in powder, granules or other solid forms, of a milk fat content, by weight: |
| | – – – not exceeding 1,5 % |
| 0403 90 73 | – – – exceeding 1,5 % but not exceeding 27 % |
| 0403 90 79 | – – – exceeding 27 % |
| | – – other, of a milk fat content by weight: |
| 0403 90 91 | – – – not exceeding 3 % |
| 0403 90 93 | – – – exceeding 3 % but not exceeding 6 % |
| 0403 90 99 | – – – exceeding 6 % |
| 0710 40 00 | Sweet corn, uncooked or cooked by steaming or boiling in water, frozen: |
| 0711 90 30 | Sweet corn, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption |
| 1517 | Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516: |
| 1517 10 10 | – Margarine, excluding liquid margarine, containing more than 10 % but not more than 15 % by weight of milk fats |
| 1517 90 10 | – other, containing more than 10 % but not more than 15 % by weight of milk fats |
| 1702 50 00 | Chemically pure fructose |
| 1704 | Sugar confectionery (including white chocolate), not containing cocoa, except liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, of CN code 1704 90 10 |
| 1704 10 11 | – Chewing-gum, whether or not sugar-coated: |
| | – – Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose): |
| | – – – in strips |

| CN-Code | Description |
|------------|--|
| 1704 10 19 | <ul style="list-style-type: none"> — — — other |
| | <ul style="list-style-type: none"> — — Containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose): |
| 1704 10 91 | <ul style="list-style-type: none"> — — — in strips |
| 1704 10 99 | <ul style="list-style-type: none"> — — — other |
| 1704 90 30 | <ul style="list-style-type: none"> — White chocolate — other: |
| 1704 90 51 | <ul style="list-style-type: none"> — — Pastes, including marzipan, in immediate packings of a net content of 1 kg or more |
| 1704 90 55 | <ul style="list-style-type: none"> — Throat pastilles and cough drops |
| 1704 90 61 | <ul style="list-style-type: none"> — Sugar coated (panned) goods — Other: |
| 1704 90 65 | <ul style="list-style-type: none"> — — Gum confectionery and jelly confectionery including fruit pastes in the form of sugar confectionery |
| 1704 90 71 | <ul style="list-style-type: none"> — — Boiled sweets, whether or not filled |
| 1704 90 75 | <ul style="list-style-type: none"> — — Toffees, caramels and similar sweets — — other: |
| 1704 90 81 | <ul style="list-style-type: none"> — — — compressed tablets |
| 1704 90 99 | <ul style="list-style-type: none"> — — — other |
| | |
| 1806 | Chocolate and other food preparations containing cocoa: |
| 1806 10 15 | <ul style="list-style-type: none"> — — Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose |
| 1806 10 20 | <ul style="list-style-type: none"> — — Containing 5 % or more but less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose |
| 1806 10 30 | <ul style="list-style-type: none"> — — Containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose |
| 1806 10 90 | <ul style="list-style-type: none"> — — Containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose |
| 1806 20 10 | <ul style="list-style-type: none"> — Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packing of a content exceeding 2 kg: |
| | <ul style="list-style-type: none"> — — Containing 31 % or more by weight of cocoa butter or containing a combined weight of 31 % or more of cocoa butter and milk fat |
| 1806 20 30 | <ul style="list-style-type: none"> — — Containing a combined weight of 25 % or more, but less than 31 %, of cocoa butter and milk fat — other: |
| 1806 20 50 | <ul style="list-style-type: none"> — — Containing 18 % or more by weight of cocoa butter |
| 1806 20 70 | <ul style="list-style-type: none"> — — Chocolate milk crumb |
| 1806 20 80 | <ul style="list-style-type: none"> — — Chocolate flavour coating |
| 1806 20 95 | <ul style="list-style-type: none"> — — other |
| | <ul style="list-style-type: none"> — other, in blocks, slabs or bars: |

| CN-Code | Description |
|------------|--|
| 1806 31 00 | — — filled |
| 1806 32 10 | — — not filled: — — — with added cereal, fruit or nuts |
| 1806 32 90 | — — other |
| 1806 90 11 | — other: — — Chocolate and chocolate products: — — — Chocolates, whether or not filled: — — — — containing alcohol |
| 1806 90 19 | — — — other — — other: |
| 1806 90 31 | — — filled |
| 1806 90 39 | — — not filled |
| 1806 90 50 | — Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa |
| 1806 90 60 | — Spreads containing cocoa |
| 1806 90 70 | — Preparations containing cocoa for making beverages |
| 1806 90 90 | — Other |
| 1901 | Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included |
| 1901 10 | — Preparations for infant use, put up for retail sale |
| 1901 20 | — Mixes and doughs for the preparation of bakers' wares of heading No 1905 |
| 1901 90 11 | — Malt extract: — — with a dry extract content of 90 % or more by weight |
| 1901 90 19 | — — other |
| 1901 90 99 | — other |
| 1902 | Pasta, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not cooked |
| 1902 11 | — Uncooked pasta, not stuffed or otherwise prepared: — — containing eggs |
| 1902 19 10 | — not containing flour or common wheat semolina |
| 1902 19 90 | — other — Stuffed pasta, whether or not cooked or otherwise prepared: |
| 1902 20 91 | — — cooked |
| 1902 20 99 | — — other — other pasta: |
| 1902 30 10 | — — dried |

| CN-Code | Description |
|------------|--|
| 1902 30 90 | — — other |
| 1902 40 10 | — Couscous: |
| | — — unprepared |
| 1902 40 90 | — — other |
| 1903 00 00 | Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms |
| 1904 | Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: |
| 1904 10 10 | — Prepared foods obtained by the swelling or roasting of cereals or cereal products: |
| | — — obtained from maize |
| 1904 10 30 | — — obtained from rice |
| 1904 10 90 | — — other |
| 1904 90 10 | — other: |
| | — — rice |
| 1904 90 90 | — — other |
| 1905 | Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: |
| 1905 10 00 | — Crispbread |
| 1905 20 10 | — Gingerbread and the like: |
| | — — Containing less than 30 % by weight of sucrose (including invert sugar expressed as sucrose) |
| 1905 20 30 | — — Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose) |
| 1905 20 90 | — — Containing 50 % or more by weight of sucrose (including invert sugar expressed as sucrose) |
| 1905 30 11 | — Sweet biscuits; waffles and wafers: |
| | — — Completely or partially coated or covered with chocolate or other preparations containing cocoa: |
| | — — — in immediate packings of a net content not exceeding 85 g |
| 1905 30 19 | — — — other |
| | — — other: |
| | — — — sweet biscuits |
| 1905 30 30 | — — — — containing 8 % or more by weight of milk fats |
| | — — — — other |
| 1905 30 51 | — — — — — sandwich biscuits |
| 1905 30 59 | — — — — — other |
| | — — waffles and wafers |
| 1905 30 91 | — — — salted, whether or not filled |

| CN-Code | Description |
|------------|---|
| 1905 30 99 | — — — other |
| 1905 40 10 | — Rusks, toasted bread and similar toasted products: — — rusks |
| 1905 40 90 | — — other |
| 1905 90 10 | — — Matzos |
| 1905 90 20 | — — Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: — — other: |
| 1905 90 30 | — — — Bread, not containing added honey, eggs, cheese or fruit, and containing by weight in the dry matter state not more than 5 % of sugars and not more than 5 % of fat |
| 1905 90 40 | — — — waffles and wafers with a water content not exceeding 10 % by weight |
| 1905 90 45 | — — — Biscuits |
| 1905 90 55 | — — — Extruded or expanded products, savoury or salted — — other: |
| 1905 90 60 | — — — with added sweetening matter |
| 1905 90 90 | — — — other |
| 2001 90 30 | Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved by vinegar or acetic acid |
| 2001 90 40 | Yams, sweet potatoes and similar edible parts of plants containing 5 % by weight or more of starch, prepared or preserved by vinegar or acetic acid |
| 2004 10 91 | Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, frozen |
| 2004 90 10 | Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, frozen |
| 2005 20 10 | Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen |
| 2005 80 00 | Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, not frozen |
| 2008 92 45 | Preparation of the Müsli type based on unroasted cereal flakes |
| 2008 99 85 | Maize (corn) other than sweet corn (<i>Zea mays var. saccharata</i>) otherwise prepared or preserved, not containing added sugar or spirit |
| 2008 99 91 | Yams, sweet potatoes and similar edible parts of plants containing 5 % by weight or more of starch, otherwise prepared or preserved, not containing added sugar or spirit |
| 2101 10 98 | — other |
| 2101 20 98 | — other |
| 2101 30 19 | Roasted coffee substitutes other than roasted chicory |
| 2101 30 99 | Extracts, essences and concentrates of roasted coffee substitutes other than roasted chicory |

| CN-Code | Description |
|------------|--|
| 2102 10 31 | – Bakers' yeast |
| 2102 10 39 | – other |
| 2105 | Ice cream and other edible ice, whether or not containing cocoa: |
| 2105 00 10 | – containing no milk fats or containing less than 3 % by weight of such fats |
| | – containing by weight of milk fats: |
| 2105 00 91 | – – 3 % or more but less than 7% |
| 2105 00 99 | – – 7 % or more |
| 2106 | Food preparations not elsewhere specified or included |
| 2106 10 80 | – other |
| 2106 90 10 | – Cheese fondues |
| | – Flavoured or coloured sugar syrups: |
| 2106 90 98 | – – other |
| 2202 90 91 | Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2009, containing products of CN codes 0401 to 0404 or fats obtained from products of CN codes 0401 to 0404 |
| 2202 90 95 | – other, containing by weight of fat obtained from products of CN codes 0401 to 0404 |
| | – – 0,2 % or more but less than 2 % |
| 2202 90 99 | – – 2 % or more |
| 2905 43 00 | Mannitol |
| 2905 44 | D-Glucitol (sorbitol) |
| 2905 44 11 | – in aqueous solution: |
| | – – containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content |
| 2905 44 19 | – – other |
| | – other: |
| 2905 44 91 | – – containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content |
| 2905 44 99 | – – other |
| 3501 | Casein, caseinates and other casein derivatives |
| 3505 | Dextrins and other modified starches, except esterified and etherified starches of CN code 3505 10 50: |
| 3505 10 | – Dextrins and other modified starches: |
| 3505 10 10 | – – Dextrins |
| | – – other modified starches |
| 3505 10 90 | – – – other |
| 3505 20 | Glues based on starches, or on dextrins or other modified starches |

| CN-Code | Description |
|------------|---|
| 3809 10 | Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included |
| 3823 60 | Sorbitol other than that of CN code 2905 44: |
| 3823 60 11 | – in aqueous solution: |
| | – – containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content |
| 3823 60 19 | – – other |
| | – other: |
| 3823 60 91 | – – containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content |
| 3823 60 99 | – – other |

ANNEX 2

PRODUCTS REFERRED TO IN ARTICLE 10(2)

List 1⁽¹⁾

| CN-Code | Description | Quotas (tonnes) |
|--|---|-----------------|
| 1519 1519 11 00 1519 12 00 1519 13 00 1519 19 10 1519 19 30 1519 19 90 1519 20 00 | Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols | 3 480 |
| 1520 1520 10 00 1520 90 00 | Glycerol (glycerine), whether or not pure; glycerol waters and glycerol lyes | 154 |
| 1704 1704 10 11 1704 10 19 1704 10 91 1704 10 99 1704 90 10 1704 90 30 1704 90 51 1704 90 55 1704 90 61 1704 90 65 1704 90 71 1704 90 75 1704 90 81 1704 90 99 | Sugar confectionery (including white chocolate), not containing cocoa | 186 |
| 1803 1803 10 1803 20 | Cocoa paste, whether or not defatted | 100 |
| 1805 | Cocoa powder, not containing added sugar or other sweetening matter | 431 |
| 1806 1806 10 15 1806 10 20 1806 10 30 1806 10 90 1806 20 10 1806 20 30 1806 20 50 1806 20 70 1806 20 80 1806 20 95 1806 31 00 1806 32 10 1806 32 90 1806 90 11 1806 90 19 1806 90 31 | Chocolate and other food preparations containing cocoa | 180 |

⁽¹⁾ Products for which Tunisia will maintain the level of customs charges prevailing on 1 January 1995 for four years, within the tariff quotas shown, in accordance with the first subparagraph of Article 10(3).

In accordance with the second subparagraph of Article 10(3), during the elimination of the industrial component of the duties pursuant to Article 10(4), the level of the duties to be applied in respect of the products for which the tariff quotas are to be abolished may not be higher than the level of the duties in force on 1 January 1995.

| CN-Code | Description | Quotas (tonnes) |
|--|---|--------------------|
| 1806 90 39 1806 90 50 1806 90 60 1806 90 70 1806 90 90 | | |
| 1901 1901 10 00 1901 20 00 1901 90 11 1901 90 19 1901 90 91 1901 90 99 | Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included; | 762 |
| 2106 2106 10 20 2106 10 80 2106 90 10 2106 90 92 2106 90 98 | Food preparations not elsewhere specified or including; | 370 |
| 2203 | Beer made from Malt | 255 |
| 2208 2208 20 2208 30 2208 40 2208 50 2208 90 19 2208 90 31 2208 90 33 2208 90 41 2208 90 45 2208 90 48 2208 90 52 2208 90 58 2208 90 65 2208 90 69 2208 90 73 2208 90 79 | Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages | 532 |
| 2402 2402 10 00 2402 20 10 2402 20 90 2402 90 00 | Cigars | 493 |
| 2915 90 | Other carboxylic acids | 153 |
| 3505 3505 10 10 3505 10 90 3505 20 10 3505 20 30 3505 20 50 3505 20 90 | Dextrins and other modified starches; glues based on starches, or on dextrins or other modified starches | 1 398 |
| 3809 3809 10 10 3809 10 30 3809 10 50 3809 10 90 | Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs | 990 |

List 2

| CN-Code | Description |
|------------|---|
| 0710 40 00 | Sweet corn, uncooked or cooked by steaming or boiling in water, frozen |
| 0711 90 30 | Sweet corn, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption |
| 1702 50 00 | Chemically pure fructose |
| 1903 | Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms |
| 2001 90 30 | Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved by vinegar or acetic acid |
| 2001 90 40 | Yams, sweet potatoes and similar edible parts of plants containing 5 % by weight or more of starch, prepared or preserved by vinegar or acetic acid |
| 2004 10 91 | Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, frozen |
| 2004 90 10 | Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, frozen |
| 2005 20 10 | Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen |
| 2005 80 00 | Sweet corn (<i>Zea Mays var. saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, not frozen |
| 2008 92 45 | Preparation of the Müsli type based on unroasted cereal flakes |
| 2008 99 85 | Maize (corn) other than sweet corn (<i>Zea Mays var. saccharata</i>) otherwise prepared or preserved, not containing added sugar or spirit |
| 2008 99 91 | Yams, sweet potatoes and similar edible parts of plants containing 5 % by weight or more of starch, otherwise prepared or preserved, not containing added sugar or spirit |
| 2101 10 98 | Preparations based on coffee or on coffee extracts, essences or concentrates, excluding preparations under heading NC 2101 10 91 |
| 2101 20 98 | Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, essences and concentrates, or with a basis of tea or maté, excluding products under heading NC 2101 20 10 |
| 2101 30 19 | Roasted coffee substitutes other than roasted chicory |
| 2101 30 99 | Extracts, essences and concentrates of roasted coffee substitutes other than roasted chicory |
| 2905 43 00 | Mannitol |
| 2905 44 | D-Glucitol (sorbitol) |
| 2905 44 11 | — in aqueous solution: — — containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content |

| CN-Code | Description |
|------------|--|
| 2905 44 19 | — — other |
| | — other: |
| 2905 44 91 | — — containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content |
| 2905 44 99 | — — other |
| ex 3501 | Casein, caseinates and other casein derivatives |
| 3823 60 | Sorbitol other than that of CN code 2905 44 |
| 3823 60 11 | — in aqueous solution: |
| | — — containing 2 % or less by weight D-mannitol, calculated on the D-glucitol content |
| 3823 60 19 | — — other |
| | — other: |
| 3823 60 91 | — — containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content |
| 3823 60 99 | — — other |

List 3

| CN-Code | Description |
|------------|---|
| ex 1517 | Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516: |
| 1517 10 10 | – Margarine, excluding liquid margarine, containing more than 10 % but not more than 15 % by weight of milk fats |
| 1517 90 10 | – other, containing more than 10 % but not more than 15 % by weight of milk fats |
| 1904 | Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: |
| 1904 10 10 | – Prepared foods obtained by the swelling or roasting of cereals or cereal products: – – obtained from maize |
| 1904 10 30 | – – obtained from rice |
| 1904 10 90 | – – other |
| 1904 90 10 | – other: – – rice |
| 1904 90 90 | – – other |
| 2105 | Ice cream and other edible ice, whether or not containing cocoa |
| 2105 00 10 | – containing no milk fats or containing less than 3 % by weight of such fats – containing by weight of milk fats: |
| 2105 00 91 | – – 3 % or more but less than 7% |
| 2105 00 99 | – – 7 % or more |
| 2202 90 91 | Non-alcoholic beverages, not including fruit or vegetables juices of CN code 2009, containing products of CN codes 0401 to 0404 or fats obtained from products of CN codes 0401 to 0404 |
| 2202 90 95 | – other, containing by weight of fat obtained from products of CN codes 0401 to 0404: – – 0,2 % or more but less than 2 % |
| 2202 90 99 | – – 2 % or more |

ANNEX 3

| CN Code | | | |
|---------|---------|---------|---------|
| 0505100 | 2519900 | 2707201 | 2818100 |
| 0505900 | 2520100 | 2707209 | 2818200 |
| 1302120 | 2521000 | 2707301 | 2818300 |
| 1302130 | 2523300 | 2707309 | 2819100 |
| 1302140 | 2524000 | 2707401 | 2820100 |
| 1302190 | 2525100 | 2707409 | 2820900 |
| 1302200 | 2525200 | 2707501 | 2821100 |
| 1302310 | 2525300 | 2707509 | 2821200 |
| 1505100 | 2526100 | 2707600 | 2823000 |
| 1505900 | 2526200 | 2707910 | 2824100 |
| 1515601 | 2527000 | 2707990 | 2824200 |
| 1515609 | 2528100 | 2708100 | 2824900 |
| 1516200 | 2528900 | 2708200 | 2825100 |
| 1522000 | 2529100 | 2709009 | 2825200 |
| 1702909 | 2529210 | 2712109 | 2825300 |
| 1804000 | 2529220 | 2712209 | 2825400 |
| 2001909 | 2529300 | 2712909 | 2825500 |
| 2101200 | 2530100 | 2713119 | 2825600 |
| 2101300 | 2530200 | 2713129 | 2825700 |
| 2103301 | 2530300 | 2713909 | 2825800 |
| 2106100 | 2530900 | 2714108 | 2825909 |
| 2106900 | 2601110 | 2714109 | 2826110 |
| 2403100 | 2601120 | 2714909 | 2826120 |
| 2403910 | 2601200 | 2715002 | 2826190 |
| 2403990 | 2602000 | 2715009 | 2826200 |
| 2501001 | 2603000 | 2801100 | 2826300 |
| 2501009 | 2604000 | 2801200 | 2826900 |
| 2502000 | 2605000 | 2801300 | 2827100 |
| 2504100 | 2606000 | 2802000 | 2827200 |
| 2504900 | 2607000 | 2803000 | 2827310 |
| 2505100 | 2608000 | 2804100 | 2827320 |
| 2505900 | 2609000 | 2804210 | 2827330 |
| 2506100 | 2610000 | 2804290 | 2827340 |
| 2506210 | 2611000 | 2804300 | 2827350 |
| 2506290 | 2612100 | 2804400 | 2827360 |
| 2507001 | 2612200 | 2804500 | 2827370 |
| 2507002 | 2613100 | 2804610 | 2827380 |
| 2508100 | 2613900 | 2804690 | 2827390 |
| 2508200 | 2614000 | 2804800 | 2827410 |
| 2508300 | 2615100 | 2804900 | 2827490 |
| 2508401 | 2615900 | 2805110 | 2827510 |
| 2508409 | 2616100 | 2805190 | 2827590 |
| 2508500 | 2616900 | 2805210 | 2827600 |
| 2508600 | 2617100 | 2805220 | 2828100 |
| 2508700 | 2617900 | 2805300 | 2828901 |
| 2509000 | 2618000 | 2809100 | 2828902 |
| 2511200 | 2619000 | 2810000 | 2828909 |
| 2512000 | 2620110 | 2811110 | 2829110 |
| 2513110 | 2620190 | 2811210 | 2829190 |
| 2513190 | 2620200 | 2811220 | 2829900 |
| 2513210 | 2620300 | 2811230 | 2830100 |
| 2513290 | 2620400 | 2812100 | 2830200 |
| 2514000 | 2621000 | 2812900 | 2830300 |
| 2516110 | 2701110 | 2813100 | 2830901 |
| 2516120 | 2701120 | 2813900 | 2830909 |
| 2516210 | 2701190 | 2814100 | 2831100 |
| 2516220 | 2701200 | 2814200 | 2831900 |
| 2517100 | 2702100 | 2815110 | 2832100 |
| 2517200 | 2702200 | 2815120 | 2832200 |
| 2517300 | 2703000 | 2815201 | 2832300 |
| 2517410 | 2704001 | 2815202 | 2833110 |
| 2517490 | 2704002 | 2815300 | 2833190 |
| 2518100 | 2705000 | 2816100 | 2833210 |
| 2518200 | 2706000 | 2816200 | 2833220 |
| 2518300 | 2707101 | 2816300 | 2833230 |
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ANNEX 4

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| 9405102 | 9504401 | 9608203 | 9615902 |
| 9405103 | 9504409 | 9608206 | 9615909 |
| 9405104 | 9504900 | 9608209 | 9616100 |
| 9405109 | 9505100 | 9608311 | 9616200 |
| 9405201 | 9505900 | 8608319 | 9617000 |
| 9405202 | 9506210 | 9608391 | 9618000 |
| 9405203 | 9601101 | 9608401 | 9701100 |
| 9405204 | 9601109 | 9608501 | 9701900 |
| 9405209 | 9601901 | 9608911 | 9702000 |
| 9405300 | 9601902 | 9608919 | 9703000 |
| 9405401 | 9601903 | 9608999 | 9704000 |
| 9405402 | 9601909 | 9609901 | 9705000 |
| 9405403 | 9602001 | 9609909 | 9706000 |
| 9405404 | 9602002 | 9610000 | |
| 9405405 | 9602009 | 9611000 | |
| 9405409 | 9603100 | 9612200 | |

ANNEX 5

| CN Code | | | |
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| 1212200 | 3401200 | 4202919 | 4810999 |
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| 1518000 | 3402199 | 4202929 | 4811290 |
| 2008110 | 3402200 | 4202991 | 4811909 |
| 2103200 | 3402900 | 4202999 | 4816100 |
| 2103302 | 3405100 | 4203101 | 4816200 |
| 2103900 | 3506100 | 4203102 | 4816300 |
| 2104100 | 3606100 | 4203109 | 4816900 |
| 2104200 | 3606909 | 4203210 | 4817100 |
| 2202100 | 3808101 | 4203291 | 4817200 |
| 2202900 | 3808109 | 4203299 | 4817300 |
| 2207101 | 3808201 | 4203301 | 4818100 |
| 2207109 | 3808209 | 4203309 | 4818200 |
| 2207201 | 3808401 | 4203400 | 4818300 |
| 2207209 | 3808409 | 4205009 | 4818401 |
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| 2208901 | 3808909 | 4407210 | 4818409 |
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| 2208909 | 3819000 | 4407230 | 4819100 |
| 2515121 | 3920100 | 4407910 | 4819201 |
| 2515129 | 3920300 | 4407920 | 4819209 |
| 2522200 | 3920410 | 4407990 | 4819300 |
| 2522300 | 3923212 | 4408101 | 4819400 |
| 2523100 | 3923292 | 4408109 | 4819500 |
| 2523210 | 4008110 | 4408201 | 4819600 |
| 2523290 | 4008190 | 4408209 | 4820100 |
| 2523900 | 4008210 | 4408901 | 4820200 |
| 2620500 | 4008290 | 4408909 | 4820300 |
| 2620900 | 4009101 | 4410100 | 4820400 |
| 2710007 | 4009109 | 4410900 | 4820501 |
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| 2807000 | 4011201 | 4411190 | 4820900 |
| 2809200 | 4011400 | 4411210 | 4821100 |
| 2825901 | 4011500 | 4411290 | 4821900 |
| 2834219 | 4011910 | 4411310 | 4822901 |
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| 3006100 | 4011993 | 4411990 | 4823190 |
| 3006600 | 4011994 | 4419000 | 4823519 |
| 3215110 | 4011995 | 4802100 | 4823590 |
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| 3305901 | 4016920 | 4804420 | 5208220 |
| 3305909 | 4016930 | 4804490 | 5208230 |
| 3306100 | 4016992 | 4804510 | 5208290 |
| 3306900 | 4016993 | 4804520 | 5208310 |
| 3307101 | 4202110 | 4804590 | 5208320 |
| 3307109 | 4202120 | 4805210 | 5208330 |
| 3307200 | 4202190 | 4805600 | 5208390 |
| 3307300 | 4202210 | 4805700 | 5208410 |
| 3307410 | 4202220 | 4805800 | 5208420 |
| 3307490 | 4202290 | 4808100 | 5208430 |
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| 3401191 | 4202390 | 4809900 | 5208520 |

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| 5208590 | 5515290 | 6104491 | 6112410 |
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| 5209120 | 5515920 | 6104510 | 6112499 |
| 5209190 | 5515990 | 6104520 | 6113000 |
| 5209210 | 5601100 | 6104530 | 6114100 |
| 5209220 | 5703100 | 6104591 | 6114200 |
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| 5209490 | 6002420 | 6105200 | 6115201 |
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| 5209520 | 6002491 | 6105909 | 6115209 |
| 5209590 | 6002499 | 6106100 | 6115910 |
| 5210110 | 6002910 | 6106200 | 6115929 |
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| 5210190 | 6002930 | 6106909 | 6115991 |
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| 5210220 | 6002999 | 6107120 | 6116910 |
| 5210290 | 6101100 | 6107191 | 6116920 |
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| 5212210 | 6104130 | 6110200 | 6202999 |
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| 5512290 | 6104310 | 6111909 | 6203291 |
| 5512910 | 6104320 | 6112110 | 6203299 |
| 5512990 | 6104330 | 6112120 | 6203310 |
| 5515110 | 6104391 | 6112191 | 6203320 |
| 5515120 | 6104399 | 6112199 | 6203330 |
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| 5515210 | 6104430 | 6112391 | 6203410 |

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| 6204220 | 6211121 | 6303990 | 7013299 |
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| 6204410 | 6211339 | 6305310 | 7020001 |
| 6204420 | 6211391 | 6305390 | 7020009 |
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| 6205100 | 6212209 | 6403190 | 7103999 |
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| 6205300 | 6212309 | 6403300 | 7104209 |
| 6205901 | 6212901 | 6403400 | 7104909 |
| 6205909 | 6212909 | 6403510 | 7105100 |
| 6206100 | 6213100 | 6403590 | 7105900 |
| 6206200 | 6213200 | 6403910 | 7106100 |
| 6206300 | 6213900 | 6403990 | 7106910 |
| 6206400 | 6214100 | 6404110 | 7106921 |
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| 6207110 | 6214300 | 6404199 | 7106929 |
| 6207191 | 6214400 | 6404201 | 7107001 |
| 6207199 | 6214900 | 6464209 | 7107002 |
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| 6207220 | 6215200 | 6405200 | 7108121 |
| 6207291 | 6215900 | 6405900 | 7108129 |
| 6207299 | 6216001 | 6406101 | 7108131 |
| 6207910 | 6216009 | 6406109 | 7108139 |
| 6207920 | 6301200 | 6802210 | 7108200 |
| 6207991 | 6301300 | 6802910 | 7109000 |
| 6207999 | 6301400 | 6907902 | 7110110 |
| 6208110 | 6301900 | 6907909 | 7110191 |
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| 6208199 | 6302210 | 6908902 | 7110199 |
| 6208210 | 6302220 | 6908908 | 7110210 |
| 6208220 | 6302290 | 6908909 | 7110291 |
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| 6208999 | 6302520 | 6911909 | 7110491 |
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| 6209300 | 6302601 | 6912003 | 7112100 |

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| 7112900 | 7317001 | 8302420 | 8502120 |
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| 7113112 | 7318120 | 8303000 | 8504100 |
| 7113113 | 7318159 | 8311100 | 8504210 |
| 7113114 | 7318231 | 8403101 | 8504220 |
| 7113119 | 7318232 | 8403109 | 8504319 |
| 7113191 | 7318239 | 8408100 | 8504320 |
| 7113192 | 7320101 | 8408901 | 8504330 |
| 7113193 | 7320109 | 8413301 | 8504340 |
| 7113194 | 7320201 | 8413302 | 8504401 |
| 7113195 | 7321111 | 8413309 | 8506110 |
| 7113196 | 7321119 | 8413702 | 8506120 |
| 7113197 | 7321120 | 8413709 | 8506130 |
| 7113198 | 7321810 | 8413811 | 8506190 |
| 7113199 | 7321829 | 8413812 | 8507100 |
| 7113201 | 7322110 | 8413819 | 8507200 |
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| 7114119 | 7325990 | 8418210 | 8516601 |
| 7114191 | 7326110 | 8418220 | 8517109 |
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| 7114193 | 7326909 | 8418400 | 8528200 |
| 7114199 | 7409111 | 8418500 | 8529101 |
| 7114201 | 7409191 | 8418610 | 8529102 |
| 7114209 | 7409211 | 8418691 | 8529901 |
| 7115100 | 7409291 | 8418692 | 8529904 |
| 7115901 | 7411109 | 8418693 | 8531100 |
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| 7115903 | 7419994 | 8419811 | 8536300 |
| 7115909 | 7604103 | 8421230 | 8536491 |
| 7116101 | 7604210 | 8421310 | 8536501 |
| 7116109 | 7604293 | 8422400 | 8536509 |
| 7116201 | 7608100 | 8423810 | 8536611 |
| 7116209 | 7610100 | 8423820 | 8536691 |
| 7118101 | 7610900 | 8424100 | 8536901 |
| 7118109 | 7612100 | 8424811 | 8536902 |
| 7118901 | 7615100 | 8424819 | 8537100 |
| 7118902 | 7616906 | 8425421 | 8537200 |
| 7118909 | 8202100 | 8425429 | 8539221 |
| 7207110 | 8202200 | 8426110 | 8544112 |
| 7207120 | 8202910 | 8428100 | 8544201 |
| 7207190 | 8203100 | 8432100 | 8544209 |
| 7207200 | 8203200 | 8432210 | 8544410 |
| 7213100 | 8204110 | 8432290 | 8544491 |
| 7214200 | 8204120 | 8432401 | 8544499 |
| 7216211 | 8205400 | 8432409 | 8544511 |
| 7216219 | 8205900 | 8433400 | 8544519 |
| 7306300 | 8208100 | 8436210 | 8544593 |
| 7306600 | 8211100 | 8450110 | 8544599 |
| 7306900 | 8211911 | 8450120 | 8544603 |
| 7307110 | 8211912 | 8450190 | 8544609 |
| 7307190 | 8211919 | 8452400 | 8607110 |
| 7307910 | 8211921 | 8462390 | 8609001 |
| 7307920 | 9211929 | 8465100 | 8609009 |
| 7308200 | 8211931 | 8465910 | 8701200 |
| 7308300 | 8211932 | 8465920 | 8702100 |
| 7308400 | 8211939 | 8465950 | 8704212 |
| 7308901 | 8212101 | 8474311 | 8704219 |
| 7308909 | 8215100 | 8481102 | 8704230 |
| 7311000 | 8215200 | 8481809 | 8704311 |
| 7312100 | 8215910 | 8484901 | 8708310 |
| 7314190 | 8215990 | 8501201 | 8708800 |
| 7314200 | 8301100 | 8501209 | 8708910 |
| 7314300 | 8301200 | 8501400 | 8708920 |
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| 7314500 | 8301400 | 8501521 | 8708993 |
| 7315820 | 8302100 | 8501529 | 8711101 |

| CN Code | | | |
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| 8711209 | 8716800 | 9401400 | 9404300 |
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| 8714191 | 9003900 | 9401710 | 9503490 |
| 8714192 | 9004109 | 9401790 | 9503500 |
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| 8714920 | 9028301 | 9403209 | 9608102 |
| 8714950 | 9102110 | 9403300 | 9608109 |
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| 8714992 | 9102190 | 9403500 | 9608399 |
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| 8716100 | 9102290 | 9403700 | 9608991 |
| 8716200 | 9102910 | 9403800 | 9609100 |
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ANNEX 6

| CN Code | |
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| 0403900 | 5701901 |
| 0403100 | 5701902 |
| 1902110 | 5701903 |
| 1902190 | 5701909 |
| 1902200 | 5702100 |
| 1902300 | 5702310 |
| 1902400 | 5702320 |
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| 1905300 | 5702420 |
| 1905400 | 5702490 |
| 1905901 | 5702510 |
| 1905902 | 5702520 |
| 1905909 | 5702590 |
| 2102100 | 5702910 |
| 2102200 | 5702920 |
| 2102300 | 5702990 |
| 2201100 | 5705000 |
| 2201900 | 5804300 |
| 5701101 | 5805000 |
| 5701102 | 6307100 |
| 5701103 | 6309000 |
| 5701109 | |

ANNEX 7

relating to intellectual, industrial and commercial property

1. By the end of the fourth year after the entry into force of the Agreement, Tunisia shall accede to the following multilateral conventions on the protection of intellectual, industrial and commercial property:
 - International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 1961);
 - Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure (1977, amended in 1980);
 - Patent Cooperation Treaty (1970, amended in 1979 and modified in 1984);
 - International Convention for the Protection of the New Varieties of Plant (Act of Geneva, 1991);
 - Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Geneva, 1977).
2. The Association Council may decide that paragraph 1 of this Annex applies to other multilateral conventions in this field. In this connection, Tunisia will do its utmost to accede in particular to the conventions to which the Member States of the European Community are party.
3. The Contacting Parties express their attachment to observing the obligations flowing from the following multilateral conventions:
 - Paris Convention for the Protection of Industrial Property in the 1967 Act of Stockholm (Paris Union);
 - Berne Convention for the Protection of Literary and Artistic Works in the Act of Paris of 24 July 1971.

PROTOCOL No 1

on the arrangements applying to imports into the Community of agricultural products
originating in Tunisia*Article 1*

1. The products listed in the Annex, originating in Tunisia, shall be admitted for import into the Community in accordance with the conditions set out below and in the Annex.

2. Import duties shall be either eliminated or reduced by the percentage indicated in respect of each product in column (a).

Where the Common Customs Tariff provides for the application of *ad valorem* customs duties and a specific customs duty in respect of certain products, the rates of reduction shown in column (a) and in column (c), as referred to in paragraph 3, shall apply only to the *ad valorem* customs duty.

3. The customs duties shall be eliminated in respect of certain products within the limits of the tariff quotas shown against them in column (b).

The Common Customs Tariff duties in respect of the quantities imported in excess of the quotas shall be reduced by the percentage indicated in column (c).

4. The reference quantities fixed in respect of certain other products exempt from customs duties are shown in column (d).

Where imports of a product exceed the reference quantities, the Community may, having regard to an annual review of trade flows which it shall carry out, make the product concerned subject to a Community tariff quota the volume of which shall be equal to the reference quantity. In such a case, for quantities imported in excess of the quota, the common customs tariff duty shall, according to the product concerned, be applied in full or reduced, as indicated in column (c).

5. For some of the products referred to in paragraphs 3 and 4 and indicated in column (e), the quotas or reference quantities shall be increased from 1 January 1997 to 1 January 2000 on the basis of four equal instalments each corresponding to 3% of these amounts.

6. For some of the products other than those referred to in paragraphs 3 and 4 and indicated in column (e), the Community may fix a reference quantity as provided for in paragraph 4 if, in the light of the annual review of trade which it shall carry out, it establishes that the volume of imports may cause difficulties on the Community market. If, subsequently, the product is subject to a tariff quota under the conditions set out in paragraph 4, the Common Customs Tariff duty shall be applied in full or reduced, depending on the product concerned, by the percentage shown in column (c) in respect of the quantities imported in excess of the quota.

Article 2

Article 1 shall apply in respect of wines of fresh grapes of heading 2204 of the Combined Nomenclature, originating in Tunisia and entitled to a designation of origin, where such wines are put up in containers holding two litres or less and have an actual alcoholic strength of 15% volume or less.

In accordance with Tunisian law, these wines shall have the following designations: Côteaux de Teboura, Côteaux d'Utique, Sidi Salem, Kelibia, Thibar, Mornag, Grand cru Mornag.

Article 3

1. Each marketing year from 1 January 1996 to 31 December 1999, within the limits of a quantity of 46 000 tonnes per year, a customs duty of ECU 7,81/100 kg shall be levied on imports into the Community of untreated olive oil of subheadings 1509 10 10 and 1509 10 90 of the Combined Nomenclature wholly obtained in Tunisia and transported directly from Tunisia to the Community.

2. Where imports of olive oil under the above arrangements threaten to disturb the balance of the European Union market, in particular as a result of the

latter's obligations relating to this product in the WTO framework, the European Community may take the appropriate measures to remedy this situation.

3. The parties shall reassess the situation during the second half of 1999 with a view to determining the arrangements for the period from 1 January 2000.

ANNEX

| CN-code | Description | Rate of reduction of customs duties | Tariff quotas | Rate of reduction of tariff quotas in excess of existing or future tariff quotas | Reference quantities | Provisions specific to |
|--------------------------------|---|-------------------------------------|---------------|--|----------------------|------------------------|
| | | (%) | (tonnes) | (%) | (tonnes) | |
| | | a | b | c | d | e |
| 0101 19 10 | Horses for slaughter ⁽¹⁾ | 100 | | 80 | | Art. 1(6) |
| 0101 19 90 | other | 100 | | 80 | | Art. 1(6) |
| ex 0204 | Meat of sheep or goats, fresh, chilled or frozen, other than meat of domestic goats | 100 | | — | | |
| 0208 | Other meat and edible meat offal, fresh, chilled or frozen | 100 | | — | | |
| ex 0602 40 | Roses, grafted or not, other than cuttings | 100 | | — | | |
| 0603 10 | Cut flowers and flower buds, fresh | 100 | 750 | — | | Art. 1(5) |
| ex 0701 90 51 | New potatoes, from January to 31 March ⁽²⁾ | 100 | 15 000 | 40 | | Art. 1(5) |
| ex 0702 00 | Tomatoes, from 15 November to 30 April | 100(*) | | 60(*) | | Art. 1(6) |
| ex 0703 10 11 ex 0703 10 19 | Onions, from 15 February to 15 May | 100 | | 60 | | Art. 1(6) |
| ex 0703 20 00 | Garlic, from 1 November to 31 March | 100 | | 60 | | Art. 1(6) |
| ex 0706 10 00 | Carrots, from 1 January to 31 March | 100 | | 40 | | Art. 1(6) |
| ex 0707 00 | Cucumbers, from 10 November to 11 February | 100(*) | | 0 | | Art. 1(6) |
| ex 0708 10 10 | Peas (<i>Pisum sativum</i>), from 1 October to 30 April | 100 | | 60 | | Art. 1(6) |
| ex 0708 20 10 | Beans (<i>Vigna</i> spp. <i>Phaseolus</i> spp.) from 1 November to 30 April | 100 | | 60 | | Art. 1(6) |
| ex 0709 10 | Artichokes, from 1 October to 31 December | 100(*) | | 30(*) | | Art. 1(6) |
| ex 0709 20 00 | Asparagus, from 1 October to 31 March | 100 | | 0 | | Art. 1(6) |
| ex 0709 30 00 | Aubergines, from 1 December to 30 April | 60 | | — | | Art. 1(6) |
| ex 0709 40 00 | Celery other than celeriac, from 1 November to 31 March | 100 | | 0 | | Art. 1(6) |

⁽¹⁾ Entry under this subheading is subject to conditions laid down by the competent Community authorities.

⁽²⁾ Once Community rules governing potatoes come into force, the period will be extended to 15 April and the rate of duty applying to quantities in excess of the quota will be 50%.

(*) The rate of reduction applies only to the *ad valorem* customs duty.

| CN-code | Description | Rate of reduction of customs duties | Tariff quotas | Rate of reduction of tariff quotas in excess of existing or future tariff quotas | Reference quantities | Provisions specific to |
|--------------------------|--|-------------------------------------|---------------|--|----------------------|------------------------|
| | | (%) | (tonnes) | (%) | (tonnes) | |
| | | a | b | c | d | e |
| 0709 60 10 | Sweet peppers | 100 | | 40 | | Art. 1(6) |
| 0709 60 99 | Other peppers of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> | 100 | | — | | |
| ex 0709 90 50 | Fennel, from 1 November to 31 March | 100 | | 0 | | Art. 1(6) |
| ex 0709 90 | Courgettes, from 1 December to 15 March | 60(*) | | — | | |
| ex 0709 90 90 | Wild onions of the species <i>Muscari comosum</i> , from 15 February to 15 May | 100 | | 60 | | Art. 1(6) |
| | Parsley, from 1 November to 31 March | 100 | | 0 | | |
| 0710 80 59 | Other peppers of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> | 100 | | — | | |
| 0711 20 10 | Olives for uses other than the production of oil ⁽³⁾ | 60 | | — | | |
| 0711 30 00 | Capers | 100 | | 90 | | Art. 1(6) |
| 0711 90 10 | Peppers of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> other than sweet peppers | 100 | | — | | |
| 0713 10 10 | Peas for sowing | 100 | | 60 | | Art. 1(6) |
| 0713 50 10 | Broad beans and horse beans for sowing | 100 | | 60 | | Art. 1(6) |
| ex 0713 | Leguminous vegetables other than those for sowing | 100 | | — | | |
| 0802 11 90 0802 12 90 | Almonds, whether or not shelled, other than bitter almonds | 100 | | 0 | 1 000 | Art. 1(5) |
| ex 0804 10 00 | Dates, in immediate packings of a net content of 35 kg or less | 100 | | — | | |
| ex 0805 10 | Oranges, fresh | 100(*) | 31 360 | 80(*) | | Art. 1(5) |
| ex 0805 10 | Oranges, other than fresh | 100(*) | | 0 | 1 500 | Art. 1(5) |
| ex 0805 20 | Mandarins, (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh | 100(*) | | 80(*) | | Art. 1(6) |
| ex 0805 30 | Lemons, fresh | 100(*) | | 80(*) | | Art. 1(6) |

⁽³⁾ Entry under this subheading is subject to conditions to be laid down by the competent Community authorities.

(*) The rate of reduction applies only to the *ad valorem* customs duty.

| CN-code | Description | Rate of reduction of customs duties | Tariff quotas | Rate of reduction of tariff quotas in excess of existing or future tariff quotas | Reference quantities | Provisions specific to |
|--|---|-------------------------------------|---------------|--|----------------------|------------------------|
| | | (%) | (tonnes) | (%) | (tonnes) | |
| | | a | b | c | d | e |
| 0805 40 | Grapefruit | 80 | | — | | |
| ex 0806 | Table grapes, fresh, from 15 November to 30 April | 60(*) | | — | | |
| ex 0807 10 10 | Watermelons, from 1 April to 15 June | 50 | | — | | |
| ex 0807 10 90 | Melons, from 1 November to 31 May | 100 | | 50 | | Art. 1(6) |
| 0809 10 | Apricots | 100(*) | | 0 | 2 000 | Art. 1(5) |
| ex 0809 40 | Plums, from 1 November to 15 June | 60(*) | | — | | |
| ex 0810 10 90 | Strawberries, from 1 November to 31 March | 100 | | 60 | | Art. 1(6) |
| ex 0810 20 10 | Raspberries, from 15 May to 15 June | 50 | | — | | |
| ex 0812 90 20 | Oranges, finely shredded, provisionally preserved | 80 | | — | | |
| ex 0812 90 95 | Other citrus fruit, finely shredded, provisionally preserved | 80 | | — | | |
| 0904 12 00 | Pepper, crushed or ground | 100 | | — | | |
| 0904 20 31 0904 20 35 0904 20 39 | Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , neither crushed nor ground ⁽⁴⁾ | 100 | | — | | |
| 0904 20 90 | Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , crushed or ground | 100 | | — | | |
| 0909 | Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper berries | 100 | | — | | |
| 0910 | Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices | 100 | | — | | |
| 1209 91 90 | Other vegetable seeds ⁽⁵⁾ | 100 | | 60 | | Art. 1(6) |
| 1209 99 99 | Other seeds or fruit, for sowing ⁽⁵⁾ | 100 | | 60 | | Art. 1(6) |
| 1211 | Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crused or powdered | 100 | | — | | |

⁽⁴⁾ Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

⁽⁵⁾ This concession relates only to seeds complying with the directives dealing with the selling of seeds and plants.

(*) The rate of reduction applies only to the *ad valorem* customs duty.

| CN-code | Description | Rate of reduction of customs duties | Tariff quotas | Rate of reduction of tariff quotas in excess of existing or future tariff quotas | Reference quantities | Provisions specific to |
|---------------|---|-------------------------------------|---------------|--|----------------------|------------------------|
| | | (%) | (tonnes) | (%) | (tonnes) | |
| | | a | b | c | d | e |
| 1212 10 10 | Locust beans, including locust bean seeds | 100 | | — | | |
| 1212 20 00 | Seaweeds and other algae | 100 | | — | | |
| 1212 30 00 | Apricot, peach or plum stones and kernels | 100 | | — | | |
| 1212 99 90 | Other plant substances | 100 | | — | | |
| ex 1302 20 | Pectic substances and pectinates | 25 | | — | | |
| ex 2001 10 00 | Cucumbers, with no added sugar | 100 | | — | | |
| ex 2001 20 00 | Onions, with no added sugar | 100 | | — | | |
| 2001 90 20 | Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , other than sweet peppers | 100 | | — | | |
| 2001 90 50 | Mushrooms, with no added sugar | 100 | | — | | |
| ex 2001 90 65 | Olives, with no added sugar | 100 | | — | | |
| ex 2001 90 70 | Sweet peppers, with no added sugar | 100 | | — | | |
| ex 2001 90 75 | Salad beetroot, with no added sugar | 100 | | — | | |
| ex 2001 90 85 | Red cabbages, with no added sugar | 100 | | — | | |
| ex 2001 90 96 | Other, with no added sugar | 100 | | — | | |
| 2002 10 10 | Tomatoes, peeled | 100 | | 30 | | Art. 1(6) |
| ex 2002 90 | Tomato concentrate | 100 | 2 000 | 0 | | Art. 1(5) |
| 2003 10 20 | Mushrooms of the species <i>Agaricus</i> , provisionally preserved, completely cooked: | | | | | |
| | — of the species <i>Psalliota</i> | 100(*) | | 50(*) | | Art. 1(6) |
| | — other | 100(*) | | 60(*) | | Art. 1(6) |
| 2003 10 30 | Other mushrooms of the species <i>Agaricus</i> | | | | | |
| | — of the species <i>Psalliota</i> | 100(*) | | 50(*) | | Art. 1(6) |
| | — other | 100(*) | | 60(*) | | Art. 1(6) |
| 2003 10 80 | Other mushrooms | 100 | | 60 | | Art. 1(6) |
| 2003 20 00 | Truffles | 70 | | — | | |

(*) The rate of reduction applies only to the *ad valorem* customs duty.

| CN-code | Description | Rate of reduction of customs duties | Tariff quotas | Rate of reduction of tariff quotas in excess of existing or future tariff quotas | Reference quantities | Provisions specific to |
|---------------|---|-------------------------------------|---------------|--|----------------------|------------------------|
| | | (%) | (tonnes) | (%) | (tonnes) | |
| | | a | b | c | d | e |
| 2004 10 99 | Other potatoes | 100 | | 50 | | Art. 1(6) |
| ex 2004 90 30 | Capers and olives | 100 | | — | | |
| 2004 90 50 | Peas (<i>Pisum sativum</i>) and green beans | 100 | | 20 | | Art. 1(6) |
| 2004 90 95 | Artichokes | 100 | | 50 | | Art. 1(6) |
| 2004 90 99 | Other: | | | | | |
| | Asparagus, carrots and mixtures | 100 | | 20 | | Art. 1(6) |
| | Other | 100 | | 50 | | Art. 1(6) |
| 2005 10 00 | Homogenised vegetables: | | | | | |
| | Asparagus, carrots and mixtures | 100 | | 20 | | Art. 1(6) |
| | Other | 100 | | 50 | | Art. 1(6) |
| 2005 20 20 | Potatoes, thinly sliced, fried or baked, whether or not salted or flavoured, in airtight packings, suitable for immediate consumption | 100 | | 50 | | Art. 1(6) |
| 2005 20 80 | Other potatoes | 100 | | 50 | | Art. 1(6) |
| 2005 40 00 | Peas (<i>Pisum sativum</i>) | 100 | | 20 | | Art. 1(6) |
| 2005 51 00 | Beans, shelled | 100 | | 50 | | Art. 1(6) |
| 2005 59 00 | Other beans | 20 | | — | | |
| 2005 60 00 | Asparagus | 20 | | — | | |
| 2005 70 | Olives | 100 | | — | | |
| 2005 90 10 | Fruits of the genus <i>Capsicum</i> , other than sweet peppers or pimentos | 100 | | — | | |
| 2005 90 30 | Capers | 100 | | — | | |
| 2005 90 50 | Artichokes | 100 | | 50 | | Art. 1(6) |
| 2005 90 60 | Carrots | 100 | | 20 | | Art. 1(6) |
| 2005 90 70 | Mixtures of vegetables | 100 | | 20 | | Art. 1(6) |
| 2005 90 80 | Other | 100 | | 50 | | Art. 1(6) |

| CN-code | Description | Rate of reduction of customs duties | Tariff quotas | Rate of reduction of tariff quotas in excess of existing or future tariff quotas | Reference quantities | Provisions specific to |
|--|--|-------------------------------------|----------------------|--|----------------------|------------------------|
| | | (%) | (tonnes) | (%) | (tonnes) | |
| | | a | b | c | d | e |
| 2007 10 91 | Homogenised preparations of tropical fruit | 50 | | — | | |
| 2007 10 99 | Other | 50 | | — | | |
| 2007 91 90 | Citrus fruit, other | 50 | | — | | |
| 2007 99 91 | Apple purée, including compotes | 50 | | — | | |
| 2007 99 98 | Other | 50 | | — | | |
| 2008 30 51 2008 30 71 ex 2008 30 91 ex 2008 30 99 | Grapefruit segments | 80 | | — | | |
| ex 2008 30 55 | Mandarins, (including tangerines and satsumas), finely shredded; clementines, wilkings and similar citrus hybrids, finely shredded | 80 | | — | | |
| ex 2008 30 75 | Oranges and lemons, finely shredded | 80 | | — | | |
| ex 2008 30 59 ex 2008 30 79 | Oranges and lemons, finely shredded | 80 | | — | | |
| ex 2008 30 91 ex 2008 30 99 | Citrus fruit, finely shredded | 80 | | — | | |
| ex 2008 30 91 | Citrus pulp | 40 | | — | | |
| 2008 50 61 2008 50 69 | Apricots | 100 | | 20 | | Art. 1(6) |
| ex 2008 50 92 ex 2008 50 94 ex 2008 50 99 | Apricot halves | 100 | | 50 | | Art. 1(6) |
| ex 2008 50 92 ex 2008 50 94 | Apricot pulp | 100 | 5 160 | 30 | | |
| ex 2008 70 92 ex 2008 70 94 | Peach (including nectarine) halves | 50 | | — | | |
| ex 2008 70 99 | Peach (including nectarine) halves | 100 | | 50 | | Art. 1(6) |
| ex 2008 92 51 ex 2008 92 59 | Mixtures of fruit | 100 | 1 000 ⁽⁶⁾ | 55 | | |

⁽⁶⁾ Tariff quota common to the six headings relating to mixtures of fruit.

| CN-code | Description | Rate of reduction of customs duties | Tariff quotas | Rate of reduction of tariff quotas in excess of existing or future tariff quotas | Reference quantities | Provisions specific to |
|--|--|-------------------------------------|----------------------|--|----------------------|--------------------------------|
| | | (%) | (tonnes) | (%) | (tonnes) | |
| | | a | b | c | d | e |
| ex 2008 92 72 ex 2008 92 74 ex 2008 92 76 ex 2008 92 78 | Mixtures of fruit | 55 | 1 000 ⁽⁶⁾ | — | | |
| 2009 11 2009 19 | Orange juice | 70 ^(*) | | — | | |
| 2009 20 | Grapefruit juice | 70 ^(*) | | — | | |
| 2009 30 11 2009 30 19 | Juice of all other citrus fruit | 60 ^(*) | | — | | |
| ex 2009 30 31 2009 30 39 | Juice of all other citrus fruit, other than lemon juice | 60 ^(*) | | — | | |
| ex 2204 | Wine of fresh grapes | 100 | 179 200 hl. | 80 | | |
| ex 2204 | Wine of fresh grapes with a registered designation of origin | 100 | 56 000 hl. | 0 | | Conditions laid down in Art. 2 |
| 2301 | Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves | 100 | | — | | |
| ex 2302 | Brans, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants, other than maize or rice | 60 | | — | | |

⁽⁶⁾ Tariff quota common to the six headings relating to mixtures of fruit.

^(*) The rate of reduction applies only to the *ad valorem* customs duty.

PROTOCOL No 2

on the arrangements applying to imports into the Community of fishery products originating in Tunisia

Sole Article

The products listed below, originating in Tunisia, shall be imported into the Community free of customs duties

| CN Code | Description |
|---------------|---|
| Chapter 3 | Fish and crustaceans, molluscs and other aquatic invertebrates |
| 1604 11 00 | Salmon |
| 1604 12 | Herrings |
| ex 1604 13 11 | Sardines, of the species <i>Sardina pilchardus</i> in olive oil ⁽¹⁾ |
| ex 1604 13 19 | Sardines, of the species <i>Sardina pilchardus</i> other than in olive oil ⁽¹⁾ |
| 1604 14 | Tunas, skipjak and bonito (<i>Sarda</i> spp.) |
| 1604 15 | Mackerel |
| 1604 16 00 | Anchovies |
| 1604 19 10 | Salmonidae, other than salmon |
| 1604 19 31 | Fish of the genus <i>Euthymnus</i> , other than skipjack (<i>Euthymnus (Katsuwonus) pelamis</i>) |
| 1604 19 39 | |
| 1604 19 50 | Fish of the species <i>Orcynopsis unicolor</i> |
| 1604 19 91 | Other |
| to | |
| 1604 19 98 | |
| 1604 20 | Other prepared or preserved fish: |
| 1604 20 05 | Preparations of surimi |
| 1604 20 10 | of salmon |
| 1604 20 30 | of <i>salmonidae</i> , other than salmon |
| 1604 20 40 | of anchovies |
| ex 1604 20 50 | of sardines of the species <i>Sardina pilchardus</i> ⁽¹⁾ |
| 1604 20 70 | of tunas, skipjack or other fish of the genus <i>Euthymnus</i> |
| 1604 20 90 | of other fish |
| 1604 30 | caviar and caviar substitutes |
| 1605 10 00 | Crab |
| 1605 20 | Shrimps and prawns |
| 1605 30 00 | Lobster |
| 1605 40 00 | Other crustaceans |
| 1605 90 11 | Mussels (<i>Mytilus</i> spp., <i>Perna</i> spp.), in airtight containers |
| 1605 90 19 | Other mussels |
| 1605 90 30 | Other molluscs |
| 1902 20 10 | Stuffed pasta, whether or not cooked or otherwise prepared: containing more than 20 % by weight of fish, crustaceans, molluscs or other aquatic invertebrates |

⁽¹⁾ Within the limits of a Community tariff quota of 100 tonnes common to subheadings ex 1604 13 11, ex 1604 13 19 and ex 1604 20 50.

PROTOCOL No 3

on the arrangements applying to imports into Tunisia of agricultural products originating in the Community

Sole Article

The customs duties on import into Tunisia of the products originating in the Community listed in the Annex, shall not be higher than those shown in column (a) within the limits of the tariff quotas shown in column (b).

| CN Code | Description | Maximum customs duties % | Preferential tariff quotas | Specific provisions |
|---------|---|--------------------------|----------------------------|---------------------|
| | | (a) | (b) | |
| 0102 10 | Live bovine animals, pure-bred breeding animals | 17 | 2 000 | |
| 0102 90 | Other than pure-bred breeding animals | 27 | 35 | (*) |
| 0201 20 | Meat of bovine animals, fresh or chilled, other cuts with bone in | 27 | 8 000 ⁽¹⁾ | (*) |
| 0201 30 | Meat of bovine animals, fresh or chilled, boneless | 27 | 8 000 ⁽¹⁾ | (*) |
| 0202 20 | Meat of bovine animals, frozen, other cuts with bone in | 27 | 8 000 ⁽¹⁾ | (*) |
| 0202 30 | Meat of bovine animals, frozen, boneless | 27 | 8 000 ⁽¹⁾ | (*) |
| 0207 21 | Poultry not cut in pieces, frozen (fowls of the species <i>Gallus domesticus</i>) | 43 | 400 | (²) |
| 0402 10 | Milk and cream, concentrated or containing added sugar or other sweetening matter, in powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5 % | 17 | 9 700 ⁽³⁾ | (*) |
| 0402 21 | Milk and cream, not containing added sugar or other sweetening matter, in powder, granules or other solid forms, of a fat content, by weight, exceeding 1,5 % | 17 | 9 700 ⁽³⁾ | (*) |
| 0402 99 | Milk and cream, concentrated, other than in powder or other solid forms, including with added sugar or other sweetening matter | 17 | 9 700 ⁽³⁾ | (*) |
| 0405 00 | Butter and other fats and oils derived from milk | 35 | 250 | (*) |
| 0406 30 | Processed cheese, not grated or powdered | 27 | 450 | (*) |
| 0407 00 | Birds' eggs, in shell, fresh, preserved or cooked | — | 1 100 | (⁴) |
| | — for hatching | 20 | | |
| | — gamebirds' eggs | 43 | | |
| | — other | 43 | | |
| 0602 99 | Other live plants (including their roots) other than those falling within subheadings 0602 10, 0602 20, 0602 30, 0602 40 and 0602 91 | 43 | 200 | |

(*) The quantities imported under the tariff quota opened by Tunisia within the WTO framework under the current access arrangements are deducted from the preferential tariff quota.

(¹) The figure of 8 000 tonnes covers all four subheadings.

(²) From 1 July to end February.

(³) The figure of 9 700 tonnes covers all three subheadings.

(⁴) From 1 July to end February.

| CN Code | Description | Maximum customs duties % | Preferential tariff quotas | Specific provisions |
|---------|---|--------------------------|----------------------------|---------------------|
| | | (a) | (b) | |
| 0701 10 | Seed potatoes, fresh or chilled | 15 | 16 500 | |
| 0701 90 | Potatoes, fresh or chilled, other than seed potatoes | 43 | 16 500 | (⁵) |
| 0802 22 | Hazelnuts or filberts, shelled | 43 | 200 | |
| 1001 10 | Durum wheat | 17 | 17 000 | (*) |
| 1001 90 | Other than durum wheat | 17 | 230 000 | (*) |
| 1003 00 | Barley | 17 | 12 000 | (*) |
| 1005 90 | Maize (corn), other than seed | 17 | 9 000 | |
| 1103 11 | Groats and meal of wheat | 43 | 300 | |
| 1103 13 | Groats and meal of maize (corn) | 43 | 800 | |
| 1107 10 | Malt, not roasted | 43 | 2 000 | |
| 1108 12 | Maize (corn) starch | 31 | 900 | |
| 1214 10 | Lucerne (alfalfa) meal and pellets | 29 | 700 | |
| 1502 00 | Fats of bovine animals, sheep or goats, raw or rendered, whether or not pressed or solvent-extracted | 27 | 600 | |
| 1507 10 | Soya bean oil, crude, whether or not degummed | 15 | 7 500 | |
| 1511 00 | Palm oil and its fractions, whether or not refined, but not chemically modified | — | 300 | |
| | — Crude oil | 20 | | |
| | — Other | 43 | | |
| 1514 10 | Rape, colza or mustard oil, crude | — | 30 000 | |
| | — of colza | 15 | | |
| | — other | 43 | | |
| 1514 90 | Rape, colza or mustard oil, other than crude | 43 | 900 | |
| 1515 11 | Linseed oil, crude | 20 | 400 | |
| 1516 10 | Animal fats and oils and their fractions | 31 | 300 | |
| 1701 99 | Cane or beet sugar and chemically pure sucrose, other than raw sugar, not containing added flavouring or colouring matter | 15 | 72 000 | (*) |
| 1702 30 | Glucose and glucose syrup | | 650 | |
| | — Glucose containing added flavouring or colouring matter | 43 | | |
| | — Other | 20 | | |
| 1702 90 | Sugars, including invert sugar, other than lactose, maple sugar, glucose and fructose, and their syrups | | 200 | |
| | — Other sugars containing added flavouring or colouring matter | 43 | | |
| | — Other | 29 | | |
| 2309 10 | Dog or cat food, put up for retail sale | 43 | 20 | |
| 2309 90 | Other animal foods | 43 | 2 800 | |
| 2401 10 | Tobacco, not stemmed/stripped | 25 | 2 800 | |

(*) The quantities imported under the tariff quota opened by Tunisia within the WTO framework under the current access arrangements are deducted from the preferential tariff quota.

(⁵) From 1 October to 31 May.

PROTOCOL No 4

concerning the definition of originating products and methods of administrative cooperation

TITLE I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Protocol:

- (a) 'manufacture' means any kind of working or processing including assembly or specific operations;
- (b) 'material' means any ingredient, raw material, component or part, etc., used in the manufacture of the product;
- (c) 'product' means the product being manufactured, even if it is intended for later use in another manufacturing operation;
- (d) 'goods' means both materials and products;
- (e) 'customs value' means the value as determined in accordance with the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade of 1994 (WTO Agreement on customs valuation);
- (f) 'ex-works price' means the price paid for the product ex-works to the manufacturer in whose undertaking the last working or processing is carried out, including the value of all the materials used, minus all internal taxes which are, or may be, repaid when the product obtained is exported;
- (g) 'value of materials' means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the territories concerned;
- (h) 'value of originating materials' means the customs value of such materials as defined in point (g) applied *mutatis mutandis*;
- (i) 'chapters' and 'headings' means the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonised Commodity Description and Coding System, referred to in this Protocol as 'the Harmonised System' or 'HS';
- (j) 'classified' refers to the classification of a product or material under a particular heading;

- (k) 'consignment' means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice.

TITLE II

DEFINITION OF THE CONCEPT OF 'ORIGINATING PRODUCTS'

Article 2

Origin criteria

For the purpose of implementing this Agreement and without prejudice to the provisions of Articles 3, 4 and 5 of this Protocol, the following products shall be considered as:

- 1) products originating in the Community:
 - (a) products wholly obtained in the Community, within the meaning of Article 6 of this Protocol;
 - (b) products obtained in the Community which contain materials not wholly obtained there, provided that the said materials have undergone sufficient working and processing in the Community within the meaning of Article 7 of this Protocol;
- 2) products originating in Tunisia:
 - (a) products wholly obtained in Tunisia within the meaning of Article 6 of this Protocol;
 - (b) products obtained in Tunisia which contain materials not wholly obtained there, provided that the said materials have undergone sufficient working or processing in Tunisia within the meaning of Article 7 of this Protocol.

Article 3

Bilateral cumulation

- 1. Notwithstanding Article 2(1)(b), materials originating in Tunisia within the meaning of this Protocol shall be considered as materials originating in the Community and it shall not be necessary that such materials have undergone sufficient working or processing there, provided however that they have

undergone working or processing going beyond that referred to in Article 8 of this Protocol.

2. Notwithstanding Article 2(2)(b), materials originating in the Community within the meaning of this Protocol shall be considered as materials originating in Tunisia and it shall not be necessary that such materials have undergone working or processing there, provided however that they have undergone working or processing going beyond that referred to in Article 8 of this Protocol.

Article 4

Cumulation with materials originating in Algeria and Morocco

1. Notwithstanding Article 2(1)(b) and subject to the provisions of paragraphs 3 and 4, materials originating in Algeria or Morocco within the meaning of Protocol No 2 annexed to the Agreements between the Community and these countries shall be considered as originating in the Community and it shall not be necessary that such materials have undergone sufficient working or processing, on condition however that they have undergone working or processing beyond that referred to in Article 8 of this Protocol.

2. Notwithstanding Article 2(2)(b) and subject to the provisions of paragraphs 3 and 4, materials originating in Algeria or Morocco within the meaning of Protocol No 2 annexed to the Agreements between the Community and these countries shall be considered as originating in Tunisia and it shall not be necessary that such materials have undergone sufficient working or processing, on condition however that they have undergone working or processing beyond that referred to in Article 8 of this Protocol.

3. The provisions set out in paragraphs 1 and 2 concerning materials originating in Algeria are only applicable to the extent that trade between the Community and Algeria and between Tunisia and Algeria, is governed by identical rules of origin.

4. The provisions set out in paragraphs 1 and 2 concerning materials originating in Morocco are only applicable to the extent that trade between the Community and Morocco and between Tunisia and Morocco, is governed by identical rules of origin.

Article 5

Cumulation of working or processing

1. For the purpose of implementing Article 2(1)(b), working or processing carried out in Tunisia, or, when the conditions required by Article 4(3) and (4) are fulfilled, in Algeria or in Morocco shall be considered as having been carried out in the Community when the products obtained undergo subsequent working or processing in the Community.

2. For the purpose, of implementing Article 2(2)(b), working or processing carried out in the Community or, when the conditions required by Article 4(3) and (4) are fulfilled, in Algeria or in Morocco shall be considered as having been carried out in Tunisia when the products obtained undergo subsequent working or processing in Tunisia.

3. Where pursuant to the provisions of paragraph 1 or 2 the originating products are obtained in two or more of the States referred to in those provisions or in the Community, they shall be considered as originating products of the State or the Community according to where the last working or processing took place, provided that that working or processing went beyond that referred to in Article 8.

Article 6

Wholly obtained products

1. Within the meaning of Article 2(1)(a) and (2)(a), the following shall be considered as 'wholly obtained' either in the Community or in Tunisia.

- (a) mineral products extracted from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing there;
- (f) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials, including used tyres fit only for retreading or use as waste;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) products extracted from marine soil or subsoil outside their territorial waters provided that they have sole rights to work that soil or subsoil;
- (k) goods produced exclusively from products specified in subparagraphs (a) to (j).

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

- which are registered or recorded in a Member State or in Tunisia,
- which sail under the flag of a Member State or of Tunisia,
- which are owned to the extent of at least 50 % by nationals of Member States or of Tunisia, or by a company with its head office in a Member State or in Tunisia, of which the manager or managers, chairman of the board of directors or the supervisory board and the majority of the members of such boards are nationals of Member States or of Tunisia and of which, in addition in the case of partnerships or limited companies, at least half the capital belongs to Member States or Tunisia, to public bodies or to nationals of the Member States or Tunisia,
- of which the master and officers are nationals of Member States or of Tunisia,
- of which at least 75 % of the crew are nationals of Member States or of Tunisia.

3. Insofar as trade between Tunisia or the Community and Algeria or Morocco are covered by identical rules of origin, the terms 'their vessels' and 'their factory ships' in paragraph 1(f) shall also apply to Algerian or Moroccan vessels or factory ships within the meaning of paragraph 2.

4. The terms 'Tunisia' and the 'Community' shall also cover the territorial waters which surround Tunisia and the Member States of the Community.

Vessels operating on the high seas, including factory ships on which the fish caught is worked or processed, shall be considered as part of the territory of the Community or of Tunisia provided that they satisfy the conditions set out in paragraph 2.

Article 7

Sufficiently worked or processed products

1. For the purposes of Article 2, non-originating materials are considered to be sufficiently worked or processed when the product obtained is classified in a heading which is different from that in which all the non-originating materials used in its manufacture are classified, subject to paragraph 2 and Article 8.

2. For a product mentioned in columns 1 and 2 of the list in Annex II, the conditions set out in column 3 for the product concerned must be fulfilled instead of the rule set out in paragraph 1.

For the products falling under Chapters 84 to 91, as an alternative to satisfying the conditions set out in column 3, the exporter may opt to apply the conditions set out in column 4 instead.

Where in the list in Annex II a percentage rule is applied in determining the originating status of a product obtained in the Community or in Tunisia the value added by the working or processing shall correspond to the ex-works price of the product obtained, less the value of third-country materials imported into the Community or Tunisia.

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

Article 8

Insufficient working or processing operations

For the purpose of implementing Article 7 the following shall be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

- (a) operations to ensure the preservation of products in good conditions during transport and storage (ventilation, spreading out, drying, chilling, placing in brine, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;
- (c) (i) changes of packaging and division and assembly of packages;
- (ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packaging operations;
- (d) affixing marks, labels and other like distinguishing signs on products or their packaging;
- (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down in

this Protocol to enable them to be considered as originating in the Community or in Tunisia;

- (f) simple assembly of parts to constitute a complete product;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 9

Unit of qualification

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

Accordingly, it follows that:

- (a) when a product composed of a group assembly of articles is classified under the terms of the Harmonised System under a single heading, the whole constitutes the unit of qualification;
- (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonised System, each product must be taken individually when applying the provisions of this Protocol.

2. Where, under general rule 5 of the Harmonised System, packaging is included with the product for classification purposes, it shall be considered to form a whole with the product for the purposes of determining origin.

Article 10

Accessories, spare parts and tools

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

Article 11

Sets

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

Article 12

Neutral elements

In order to determine whether a product originates in the Community or in Tunisia it shall not be necessary to establish whether the electrical energy, fuel, plant and equipment as well as machines and tools used to obtain such product, or whether any goods, used in the course of production which do not enter and which were not intended to enter into the final composition of the product, are originating or not.

TITLE III

TERRITORIAL REQUIREMENTS

Article 13

Principle of territoriality

The conditions set out in Title II relative to the acquisition of originating status must be fulfilled without interruption in the Community or in Tunisia without prejudice to the provisions of Articles 4 and 5.

Article 14

Reimportation of goods

If originating products exported from the Community or Tunisia to another country are returned, except insofar as provided for in Article 4 or 5 they must be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:

- (a) the goods returned are the same goods as those exported; and
- (b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

Article 15

Direct transport

1. The preferential treatment provided for under the Agreement applies only to products or materials which are transported between the territories of the Community and Tunisia or, when the provisions of Articles 4 and 5 are applied, of Algeria or Morocco without entering any other territory. However, goods originating in Tunisia or in the Community and constituting one single consignment which is not split up may be transported through territory other than that of the Community or Tunisia or, when the provisions of Article 3 apply, of

Algeria or Morocco with, should the occasion arise, transshipment or temporary warehousing in such territory, provided that the goods have remained under the surveillance of the customs authorities in the country of transit or of warehousing and that they have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Products originating in Tunisia or in the Community may be transported by pipeline across territory other than that of the Community or that of Tunisia.

2. Evidence that the conditions set out in paragraph 1 have been fulfilled may be supplied to the customs authorities of the importing country by the production of:

- (a) a through bill of lading issued in the exporting country covering the passage through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
 - (i) giving an exact description of the products;
 - (ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships used; and
 - (iii) certifying the conditions under which the products remained in the transit country; or
- (c) failing these, any substantiating documents.

Article 16

Exhibitions

1. Products sent from one of the Contracting Parties for exhibition in a third country and sold after the exhibition for importation in another Contracting Party shall benefit on importation from the provisions of the Agreement on condition that the products meet the requirements of this Protocol entitling them to be recognised as originating in the Community or in Tunisia and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these product from one of the Contracting Parties to the country in which the exhibition is held and has exhibited them there;
- (b) the products have been sold or otherwise disposed of by that exporter to a person in another Contracting Party;
- (c) the products have been consigned during the exhibition or immediately thereafter to the latter Contracting Party in the state in which they were sent for exhibition; and

(d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A proof of origin must be issued or made out in accordance with the provisions of Title IV and submitted to the customs authorities of the importing country in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the products and the conditions under which they have been exhibited may be required.

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

TITLE IV

PROOF OF ORIGIN

Article 17

Movement certificate EUR.1

Evidence of originating status of products, within the meaning of this Protocol, shall be given by an EUR.1 movement certificate, a specimen of which appears in Annex III to this Protocol.

Article 18

Normal procedure for the issue of an EUR.1 movement certificate

1. An EUR.1 movement certificate shall be issued by the customs authorities of the exporting country on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative.

2. For this purpose, the exporter or his authorised representative shall fill out both the EUR.1 movement certificate and the application form, specimens of which appear in Annex III.

These forms shall be completed in one of the languages in which the Agreement is drawn up, in accordance with the provisions of the domestic law of the exporting country. If they are handwritten, they shall be completed in ink in printed characters. The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

3. The exporter applying for the issue of an EUR.1 movement certificate shall be prepared to submit at any time, at the request of the customs authorities of the exporting country where the EUR.1 movement certificate is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.

4. The EUR.1 movement certificate shall be issued by the customs authorities of a Member State of the European Community if the goods to be exported can be considered as products originating in the Community within the meaning of Article 2(1) of this Protocol. The EUR.1 movement certificate shall be issued by the customs authorities of Tunisia; if the goods to be exported can be considered as products originating in Tunisia within the meaning of Article 2(2) of this Protocol.

5. Where the cumulation provisions of Articles 2 to 5 are applied, the customs authorities of the Member States of the Community or of Tunisia may issue EUR.1 movement certificates under the conditions laid down in this Protocol if the goods to be exported can be considered as originating products within the meaning of this Protocol and provided that the goods covered by the EUR.1 movement certificate are in the Community or in Tunisia.

In these cases EUR.1 movement certificates shall be issued subject to the presentation of the proof of origin previously issued or made out. This proof of origin must be kept for at least three years by the customs authorities of the exporting State.

6. The issuing customs authorities shall take any steps necessary to verify the originating status of the products and the fulfilment of the other requirements of this Protocol. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check which they consider appropriate.

The issuing customs authorities shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.

7. The date of issue of the EUR.1 movement certificate shall be indicated in the part of the certificate reserved for the customs authorities.

8. An EUR.1 movement certificate shall be issued by the customs authorities of the exporting country when the products to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

Article 19

EUR.1 movement certificates issued retrospectively

1. Notwithstanding Article 18(8), an EUR.1 movement certificate may exceptionally be issued after exportation of the products to which it relates if:

- (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
- (b) it is demonstrated to the satisfaction of the customs authorities that an EUR.1 movement certificate was issued but was not accepted at importation for technical reasons.

2. For the implementation of paragraph 1, the exporter must indicate in this application the place and date of exportation of the products to which the EUR.1 movement certificate relates, and state the reasons for his request.

3. The customs authorities may issue an EUR.1 movement certificate retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

4. EUR.1 movement certificate issued retrospectively must be endorsed with one of the following phrases:

'NACHTRÄGLICH AUSGESTELLT', 'DELIVRE A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE', 'ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ', 'EXPEDIDO A POSTERIORI', 'EMITADO A POSTERIORI', 'ANNETTU JÄLKIKÄTEEN', 'UTFÄRDAT I EFTERHAND', 'مسلمة في وقت لاحق'.

5. The endorsement referred to in paragraph 4 shall be inserted in the 'Remarks' box of the EUR.1 movement certificate.

Article 20

Issue of a duplicate EUR.1 movement certificate

1. In the event of theft, loss or destruction of an EUR.1 movement certificate, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.

2. The duplicate issued in this way must be endorsed with one of the following words:

'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE', 'ΑΝΤΙΓΡΑΦΟ', 'DUPLICADO', 'SEGUNDA VIA', 'KAKSOISKAPPALE', 'نسخة'.

3. The endorsement referred to in paragraph 2, the date of issue and the serial number of the original certificate shall be inserted in the 'Remarks' box of the duplicate EUR.1 movement certificate.

4. The duplicate, which must bear the date of issue of the original EUR.1 movement certificate, shall take effect as from that date.

Article 21

Replacement of certificates

1. It shall at any time be possible to replace one or more EUR.1 movement certificates by one or more other certificates provided that this is done by the customs office responsible for controlling the goods.

2. The replacement certificate shall be regarded as a definite EUR.1 movement certificate for the purpose of the application of this Protocol, including the provisions of this Article.

3. The replacement certificate shall be issued on the basis of a written request from the re-exporter, after the authorities concerned have verified the information supplied in the applicant's request. The date and serial number of the original EUR.1 movement certificate shall be given in box 7.

Article 22

Simplified procedure for the issue of certificates

1. By way of derogation from Articles 18, 19 and 20 of this Protocol, a simplified procedure for the issue of EUR.1 movement certificate can be used in accordance with the following provisions.

2. The customs authorities in the exporting State may authorise any exporter, hereinafter referred to as 'approved exporter', making frequent shipments for which EUR.1 movement certificates may be issued and who offers, to the satisfaction of the competent authorities, all guarantees necessary to verify the originating status of the products, not to submit at the time of export to the customs office of the exporting State or territory either the goods or the application for an EUR.1 certificate relating to those goods, for the purpose of obtaining an EUR.1 certificate under the conditions laid down in Article 18 of this Protocol.

3. The authorisation referred to in paragraph 2 shall stipulate, at the choice of the competent authorities, that box No 11 'Customs endorsement' of the EUR.1 movement certificate must:

(a) either be endorsed beforehand with the stamp of the competent customs office of the exporting State

and the signature, which may be a facsimile, of an official of that office; or

(b) endorsed by the approved exporter with a special stamp which has been approved by the customs authorities of the exporting State and corresponds to the specimen given in Annex V of this Protocol. Such stamp may be pre-printed on the forms.

4. In the cases referred to in paragraph 3(a), one of the following phrases shall be entered in box No 7 'Remarks' of the EUR.1 movement certificate:

'PROCEDIMIENTO SIMPLIFICADO', 'FORENKLET PROCEDURE', 'VEREINFACHTES VERFAHREN', 'ΑΠΛΟΥΣΤΕΥΜΕΝΗ ΔΙΑΔΙΚΑΣΙΑ', 'SIMPLIFIED PROCEDURE', 'PROCEDURE SEMPLIFICATA', 'VEREENVOUDIGDE PROCEDURE', 'PROCEDIMENTO SIMPLIFICADO', 'YKSINKERTAISTETTU MENETTELY', 'FÖRENKLAT FÖRFARANDE', 'أصول مبسطة'.

5. Box No 11 'Customs endorsement' of the EUR.1 certificate shall be completed if necessary by the approved exporter.

6. The approved exporter shall, if necessary, indicate in box No 13 'Request for verification' of the EUR.1 certificate the name and address of the authority competent to verify such a certificate.

7. Where the simplified procedure is applied, the customs authorities of the exporting State may prescribe the use of EUR.1 certificates bearing a distinctive sign by which they may be identified.

8. In the authorisation referred to in paragraph 2 the competent authorities shall specify in particular:

(a) the conditions under which the applications for EUR.1 certificates are to be made;

(b) the conditions under which these applications are to be kept for at least three years;

(c) in the cases referred to in paragraph 3(b) the authority competent to carry out the subsequent verification referred to in Article 33 of this Protocol.

9. The customs authorities of the exporting State may declare certain categories of goods ineligible for the special treatment provided for in paragraph 2.

10. The customs authorities shall refuse the authorisation referred to in paragraph 2 to exporters who do not offer all the guarantees which they consider necessary. The competent authorities may withdraw the authorisation at any time. They must do so where the approved exporter no longer satisfies the conditions or no longer offers these guarantees.

11. The approved exporter may be required to inform the competent authorities, in accordance with the rules which they lay down, of the goods to be dispatched by him, so that such authorities may make any verification they think necessary before the departure of the goods.

12. The customs authorities of the exporting State may carry out any check on approved exporters which they consider necessary. Such exporters must allow this to be done.

13. The provisions of this Article shall be without prejudice to the application of the rules of the Community, the Member States and Tunisia concerning customs formalities and the use of customs documents.

Article 23

Information certificate and declaration

1. When Articles 3, 4 and 5 are applied for the issue of an EUR.1 movement certificate the competent customs office in the State requested to issue the certificate for products in the manufacture of which products coming from Algeria, Morocco or the Community are used, shall take into consideration the declaration, of which a specimen is given in Annex VI, given by the exporter in the State from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in paragraph 3 and of which a specimen is given in Annex VII, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

3. The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in paragraph 2, or at the initiative of this exporter, by the competent customs office in the State from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products or to the customs office where the issue of the EUR.1 movement certificate for these products has been requested. The second copy shall be preserved by the office which has issued it for at least three years.

Article 24

Validity of proof of origin

1. EUR.1 movement certificate shall be valid for four months from the date of issue in the exporting country, and must be submitted within the said period to the customs authorities of the importing country.

2. EUR.1 movement certificate which are submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to reasons of *force majeure* or exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing country may accept the EUR.1 movement certificates where the products have been submitted to them before the said final date.

Article 25

Submission of proof of origin

EUR.1 movement certificates shall be submitted to the customs authorities of the importing country in accordance with the procedures applicable in that country. The said authorities may require a translation of an EUR.1 movement certificate or an invoice declaration. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Agreement.

Article 26

Importation by instalments

Where, at the request of the importer and on the conditions laid down by the customs authorities of the importing country, dismantled or non-assembled products within the meaning of general rule 2(a) of the Harmonised System falling within Chapters 84 and 85 of the Harmonised System are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities upon importation of the first instalment.

Article 27

Invoice declaration

1. Notwithstanding Article 17, the evidence of originating status, within the meaning of this Protocol, may be given by an invoice declaration, the text of which appears in Annex IV to this Protocol, made by the exporter on an invoice, a delivery note or other commercial document (hereafter referred to as 'invoice declaration') describing the products concerned in sufficient detail as to permit the identification of consignments containing only originating products and whose value does not exceed ECU 5 110 per consignment.

2. The invoice declaration shall be completed and signed by the exporter or, under the exporter's responsibility, by his authorised representative in accordance with this Protocol.

3. An invoice declaration shall be completed for each consignment.

4. The exporter who applied for the invoice declaration shall submit at the request of the customs authorities of the exporting State all supporting documents concerning the use of this form.

5. Articles 24 and 25 shall apply *mutatis mutandis* to the invoice declaration.

Article 28

Exemptions from formal proof of origin

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a formal proof of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Protocol and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, this declaration can be made on the customs declaration C2/CP3 or on a sheet of paper annexed to that document.

2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.

3. Furthermore, the total value of these products must not exceed ECU 500 in the case of small packages or ECU 1 200 in the case of products forming part of travellers' personal luggage.

Article 29

Preservation of proof of origin and supporting documents

1. The exporter applying for the issue of an EUR.1 movement certificate shall keep for at least three years the documents referred to in Article 18(1) and (3).

2. The exporter making out an invoice declaration shall keep for at least three years a copy of this invoice declaration as well as the documents referred to in Article 27(1).

3. The exporter making out an invoice declaration shall keep for at least three years a copy of this invoice declaration as well as the documents referred to in Article 27(1).

3. The customs authorities of the exporting country issuing an EUR.1 movement certificate shall keep for at least three years the application form referred to in Article 18(2).

4. The customs authorities of the importing country shall keep for at least three years the EUR.1 movement certificate submitted to them.

Article 30

Discrepancies and formal errors

1. The discovery of slight discrepancies between the statements made in an EUR.1 movement certificate, or in an invoice declaration and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the EUR.1 movement certificate, or the invoice declaration null and void if it is duly established that this document does correspond to the products submitted.

2. Obvious formal errors such as typing errors on an EUR.1 movement certificate, or an invoice declaration should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.

Article 31

Amounts expressed in ecus

1. Amounts in the national currency of the exporting country equivalent to the amounts expressed in ecus shall be fixed by the exporting country and communicated to the other Contracting Parties. When the amounts exceed the corresponding amounts fixed by the importing country, the latter shall accept them if the products are invoiced in the currency of the exporting country or in the currency of one of the other countries referred to in Article 4 of this Protocol.

If the goods are invoiced in the currency of another Member State of the Community the importing State shall recognize the amount notified by the country concerned.

2. Up to and including 30 April 2000, the amounts to be used in any given national currency shall be the equivalent in that national currency of the amounts expressed in ecus as at 1 October 1994.

For each successive period of five years, the amounts expressed in ecus and their equivalents in the national currencies of the States shall be reviewed by the Association Council on the basis of the exchange rates of the ecu on the first working day of October in the year immediately preceding that five-year period.

When carrying out this review, the Association Council shall ensure that there will be no decrease in the amounts to be used in any national currency and shall furthermore consider the desirability of preserving the effects of the

limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in ecus.

TITLE V

ARRANGEMENTS FOR ADMINISTRATIVE COOPERATION

Article 32

Communication of stamps and addresses

The customs authorities of the Member States and of Tunisia shall provide each other, through the Commission of the European Communities, with specimen impressions of stamps used in their customs offices for the issue of EUR.1 certificates and with the addresses of the customs authorities responsible for issuing EUR.1 movement certificates and for verifying those certificates and invoice declarations.

Article 33

Verification of EUR.1 movement certificates, invoice declaration and information certificate

1. Subsequent verification of EUR.1 movement certificates and invoice declarations shall be carried out randomly or whenever the customs authorities of the importing state have reason to doubt the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Protocol.

2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the importing country shall return the EUR.1 movement certificate, the invoice declaration, or a copy of these documents, to the customs authorities of the exporting country giving, where appropriate, the reasons of substance or form for an inquiry.

In order to assist with the verification, the customs authorities shall provide all the necessary documents and any information collected which indicate that the information on the EUR.1 certificate or the invoice declaration are incorrect.

3. The verification shall be carried out by the customs authorities of the exporting country. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check which they consider appropriate.

4. If the customs authorities of the importing country decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, they shall offer to release the products to the importer subject to any precautionary measures judged necessary.

5. The customs authorities requesting the verification shall be informed of the results of this verification within a maximum of ten months. These results must indicate clearly whether the documents are authentic and whether the products concerned can be considered as originating products and fulfil the other requirements of this Protocol.

6. If in cases of reasonable doubt there is no reply within ten months or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting customs authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.

7. The subsequent verification of information certificates provided for by Article 23 shall be carried out in the cases mentioned in paragraph 1 and in accordance with the procedures laid down in paragraphs 2 to 6.

Article 34

Dispute settlement

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

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

Article 35

Penalties

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

Article 36

Free zones

1. The Member States and Tunisia shall take all necessary steps to ensure that products traded under cover of an EUR.1 movement certificate, which in the course of transport use a free zone situated in their territory, are not substituted by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

2. By means of an exemption to the provisions contained in paragraph 1, when products originating in the Community or in Tunisia and imported into a free zone under cover of an EUR.1 certificate undergo

treatment or processing, the authorities concerned must issue a new EUR.1 certificate at the exporter's request, if the treatment or processing undergone is in conformity with the provisions of this Protocol.

TITLE VI

CEUTA AND MELILLA

Article 37

Application of the Protocol

1. The term 'Community' used in this Protocol does not cover Ceuta or Melilla. The term 'products originating in the Community' does not cover products originating in these zones.

2. This protocol shall apply *mutatis mutandis* to products originating in Ceuta and Melilla, subject to particular conditions set out in Article 38.

Article 38

Special conditions

1. The following provisions shall apply instead of Articles 2 to 4(1) and (2) and references to these articles shall apply *mutatis mutandis* to this Article.

2. Providing they have been transported directly in accordance with the provisions of Article 15, the following shall be considered as:

- 1) products originating obtained in Ceuta and Melilla;
 - (a) products wholly obtained in Ceuta and Melilla;
 - (b) products obtained in Ceuta and Melilla in the manufacture of which products other than those referred to in (a) are used, provided that:
 - (i) the said products have undergone sufficient working or processing within the meaning of Article 7 of this Protocol;
 - or that
 - (ii) those products are originating in Tunisia or the Community within the meaning of this Protocol, or when the conditions required in Article 4(3) and (4) are fulfilled from Algeria or from Morocco provided that they have been submitted to working or processing which goes beyond the insufficient working or processing referred to in Article 8.

2) products originating in Tunisia:

- (a) products wholly obtained in Tunisia;

(b) products obtained in Tunisia, in the manufacture of which products other than those referred to in (a) are used, provided that:

- (i) the said products have undergone sufficient working or processing within the meaning of Article 7 of this Protocol;

or that

- (ii) those products are originating in Ceuta and Melilla or the Community within the meaning of this Protocol, or when the conditions required in Article 4(3) and (4) are fulfilled from Algeria or from Morocco provided that they have been submitted to working or processing which goes beyond the insufficient working or processing referred to in Article 8.

3. Ceuta and Melilla shall be considered as a single territory.

4. The exporter or his authorised representative shall enter 'Tunisia' and 'Ceuta and Melilla' in box 2 of EUR.1 movement certificates. In addition, in the case of products originating in Ceuta and Melilla, this shall be indicated in box 4 of EUR.1 movement certificates.

5. The Spanish customs authorities shall be responsible for the application of this Protocol in Ceuta and Melilla.

TITLE VII

FINAL PROVISIONS

Article 39

Amendments to the Protocol

The Association Council may decide to amend the provisions of this protocol at the request of one of the contracting parties or of the customs cooperation committee.

Article 40

Customs Cooperation Committee

1. A Customs Cooperation Committee shall be set up, charged with carrying out administrative cooperation with a view to the correct and uniform application of this Protocol and with carrying out any other tasks in the customs field which may be entrusted to it.

2. The Committee shall be composed, on the one hand, of experts of the Member States and of officials of the Commission of the European Communities who are responsible for customs questions and, on the other hand, of experts nominated by Tunisia.

*Article 41***Annexes**

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

*Article 42***Implementation of the Protocol**

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

*Article 43***Arrangements with Algeria and Morocco**

The Contracting Parties shall take any measures necessary for the conclusion of arrangements with

Morocco and Algeria enabling this Protocol to be applied. The Contracting Parties shall notify other of measures taken to this affect.

*Article 44***Goods in transit or storage**

The provisions of the Agreement may be applied to goods which comply with the provisions of this Protocol and which on the date of entry into force of the Agreement are either in transit or are in the Community or in Tunisia or, insofar as the provisions of Articles 3, 4 and 5 are applicable, in Algeria or Morocco in temporary storage in bonded warehouses or in free zones, subject to the submission to the customs authorities of the importing State, within four months of that date, of an EUR.1 certificate endorsed retrospectively by the competent authorities of the exporting State together with the documents showing that the goods have been transported directly.

ANNEX I

INTRODUCTORY NOTES

FOREWORD

These notes shall apply, where appropriate, to all manufactured products using non-originating materials, even if they are not subject to specific conditions contained in the list in Annex II but are subject instead to the change of heading rule set out in Article 7(1).

Note 1

- 1.1. The first two columns in the list describe the product obtained. The first column gives the heading number, or the chapter number, used in the Harmonised System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns a rule is specified in columns 3 or 4. Where, in some cases, the entry in the first column is preceded by an 'ex', this signifies that the rule in columns 3 or 4 only applies to the part of that heading or chapter as described in column 2.
- 1.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of product in column 2 is therefore given in general terms, the adjacent rule in columns 3 or 4 applies to all products which, under the Harmonised System, are classified within headings of the chapter or within any of the headings grouped together in column 1.

Note 2

- 2.1. In the case of any heading not in the list or any part of a heading that is not in the list, the 'change of heading' rule set out in Article 7(1) applies. If a 'change of heading' condition applies to any entry in the list, then it is contained in the rule in column 3.
- 2.2. The working or processing required by a rule in column 3 has to be carried out only in relation to the non-originating materials used. The restrictions contained in a rule in column 3 likewise apply only to the non-originating materials used.
- 2.3. Where a rule states that 'materials of any heading' may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression 'manufacture from materials of any heading, including other materials of heading No . . .' means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.
- 2.4. If a product made from non-originating materials which has acquired originating status during manufacture by virtue of the change of heading rule or its own list rule is used as a material in the process of manufacture of another product, then the rule applicable to the product in which it is incorporated does not apply to it.

For example:

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

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

- 2.5. Even if the change of heading rule or the other rules contained in the list are satisfied, a product shall not acquire originating status if the processing carried out, taken as a whole, is insufficient within the meaning of Article 6.

Note 3

- 3.1. The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer origin. Thus if a rule says that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.
- 3.2. When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more materials may be used. It does not require that all be used.

For example:

The rule for fabrics say that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used; one can use one or the other or both.

If, however, a restriction applies to one material and other restrictions apply to other materials in the same rule, then the restrictions only apply to the materials actually used.

For example:

The rule for sewing machines specifies that both the thread tension mechanism used and the zigzag mechanism used must originate; these two restrictions only apply if the mechanisms concerned are actually incorporated into the sewing machine.

- 3.3. When a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

For example:

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

For example:

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

See also Note 6.3 in relation to textiles.

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

Note 4

- 4.1. The term 'natural fibres' is used in the list to refer to fibres other than artificial or synthetic fibres and is restricted to the stages before spinning takes place, including waste, and, unless otherwise specified, the term 'natural fibres' includes fibres that have been carded, combed or otherwise processed but not spun.
- 4.2. The term 'natural fibres' includes horsehair of heading No 0503, silk of heading Nos 5002 and 5003 as well as the wool fibres, fine or coarse animal hair of heading Nos 5101 to 5105, the cotton fibres of heading Nos 5201 to 5203 and the other vegetable fibres of heading Nos 5301 to 5305.
- 4.3. The terms 'textile pulp', 'chemical materials' and 'paper-making materials' are used in the list to describe the materials not classified in Chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.

- 4.4. The term 'man-made staple fibres' is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of headings Nos 5501 to 5507.

Note 5

- 5.1. In the case of the products classified within those headings in the list to which a reference is made to this Note, the conditions set out in column 3 of the list shall not be applied to any basic textile materials used in their manufacture which, taken together, represent 10% or less of the total weight of all the basic textile materials used (but see also Notes 5.3 and 5.4 below).
- 5.2. However, this tolerance may only be applied to mixed products which have been made from two or more basic textile materials.

The following are the basic textile materials:

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

For example:

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

For example:

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

For example:

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

For example:

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

For example:

A carpet with tufts made from both artificial yarns and cotton yarns and with a jute backing is a mixed product because three basic textile materials are used. Thus, any non-originating materials that are at a later stage of manufacture than the rule allows may be used, provided their total weight taken together does not exceed 10 % of the weight of the textile materials in the carpet. Thus, both the jute backing and/or the artificial yarns could be imported at that stage of manufacture, provided the weight conditions are met.

- 5.3. In the case of fabrics incorporating 'yarn made of polyurethane segmented with flexible segments of polyether whether or not gimped' this tolerance is 20 % in respect of this yarn.
- 5.4. In the case of fabrics incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of an adhesive between two films of plastic film, this tolerance is 30 % in respect of this strip.

Note 6

- 6.1. In the case of those textile products which are marked in the list by a footnote referring to this note, textile materials with the exception of linings and interlinings which do not satisfy the rule set out in the list in column 3 for the made up products concerned may be used provided that they are classified in a heading other than that of the product and that their value does not exceed 8 % of the ex-works price of the product.
- 6.2. Materials which are not classified within Chapters 50 to 63 may be used freely, whether or not they contain textiles.

For example:

If a rule in the list provides that for a particular textile item, such as trousers, yarn must be used, this does not prevent the use of metal items, such as buttons, because buttons are not classified within Chapters 50 to 63. For the same reason, it does not prevent the use of slide-fasteners even though slide-fasteners normally contain textiles.

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

Note 7

- 7.1. For the purposes of heading Nos ex 2707, 2713, ex 2901, ex 2902 and ex 3403, the 'specific processes' are the following:
 - (a) vacuum distillation;
 - (b) redistillation by a very thorough fractionation process⁽¹⁾;
 - (c) cracking;
 - (d) reforming;
 - (e) extraction by means of selective solvents;
 - (f) the process comprising all the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolorisation and purification with naturally active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerisation;
 - (h) alkylation;
 - (i) isomerisation.
- 7.2. For the purposes of heading Nos 2710, 2711 and 2712, the 'specific processes' are the following:
 - a) vacuum distillation;
 - (b) redistillation by a very thorough fractionation process;
 - (c) cracking;
 - (d) reforming;

⁽¹⁾ See Additional Explanatory Note 4(b) to Chapter 27 of the Combined Nomenclature.

- (e) extraction by means of selective solvents;
 - (f) the process comprising all the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolorisation and purification with naturally active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerisation;
 - (h) alkylation;
 - (ij) isomerisation;
 - (k) (in respect of heavy oils falling within heading No ex 2710 only) desulphurisation with hydrogen resulting in a reduction of at least 85% of the sulphur content of the products processed (ASTM D 1 266-59 T method);
 - (l) (in respect of products falling within heading No 2710 only) deparaffining by a process other than filtering;
 - (m) (in respect of heavy oils falling within heading No ex 2710 only) treatment with hydrogen at a pressure of more than 20 bar and a temperature of more than 250 °C with the use of a catalyst, other than to effect desulphurisation, when the hydrogen constitutes an active element in a chemical reaction. The further treatment with hydrogen of lubricating oils of heading No ex 2710 (e.g. hydrofinishing or decolorisation) in order, more especially, to improve colour or stability shall not, however, be deemed to be a specific process;
 - (n) (in respect of fuel oils falling within heading No ex 2710 only) atmospheric distillation, on condition that less than 30% of these products distils, by volume, including losses, at 300 °C by the ASTM D 86 method;
 - (o) (in respect of heavy oils other than gas oils and fuel oils falling within heading No ex 2710 only) treatment by means of a high-frequency electrical brush-discharge.
- 7.3. For the purposes of heading Nos ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, simple operations such as cleaning, decanting, desalting, water separation, filtering, colouring, marketing obtaining a sulphur content as a result of mixing products with different sulphur contents, any combination of these operations or like operations do not confer origin.
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ANNEX II

LIST OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON NON-ORIGINATING MATERIALS IN ORDER THAT THE PRODUCT MANUFACTURED CAN OBTAIN ORIGINATING STATUS

| HS heading No | Description of product | Working or processing carried out on non-originating materials that confers originating status | |
|--------------------|--|--|--------|
| (1) | (2) | (3) | or (4) |
| 0201 | Meat of bovine animals, fresh or chilled | Manufacture from materials of any heading except meat of bovine animals, frozen of heading No 0202 | |
| 0202 | Meat of bovine animals, frozen | Manufacture from materials of any heading except meat of bovine animals, fresh or chilled of heading No 0201 | |
| 0206 | Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen | Manufacture from materials of any heading except carcasses of headings Nos 0201 to 0205 | |
| 0210 | Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal | Manufacture from materials of any heading except meat and offal of heading Nos 0201 to 0206 and 0208 or poultry liver of heading No 0207 | |
| 0302 to 0305 | Fish, other than live fish | Manufacture in which all the materials of Chapter 3 used must be wholly obtained | |
| 0402, 0404 to 0406 | Dairy products | Manufacture from materials of any heading except milk or cream of heading No 0401 or 0402 | |
| 0403 | Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa | Manufacture in which: <ul style="list-style-type: none"> — all the materials of Chapter 4 used must be wholly obtained, — any fruit juice (except those of pineapple, lime or grapefruit) of heading No 2009 used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product | |
| 0408 | Birds' eggs, not in shell and egg yolks, fresh, dried, cooked, by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter | Manufacture from materials of any heading except birds' eggs of heading No 0407 | |

| (1) | (2) | (3) | or (4) |
|-----------------------|---|--|--------|
| ex 0502 | Prepared pigs', hogs' or boars' bristles and hair | Cleaning, disinfecting, sorting and straightening of bristles and hair | |
| ex 0506 | Bones and horn-cores unworked | Manufacture in which all the materials of Chapter 2 used must be wholly obtained | |
| ex 0710 to ex 0713 | Edible vegetables, frozen or dried, provisionally preserved except for heading Nos ex 0710 and ex 0711 for which the rules are set out below | Manufacture in which all the vegetable materials used must be wholly obtained | |
| ex 0710 | Sweet corn (uncooked or cooked by steaming or boiling in water), frozen | Manufacture from fresh or chilled sweet corn | |
| ex 0711 | Sweet corn, provisionally preserved | Manufacture from fresh or chilled sweet corn | |
| 0811 | Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter: — containing added sugar | Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the value of the ex-works price of the product | |
| | — other | Manufacture in which all the fruit or nuts used must be wholly obtained | |
| 0812 | Fruit and nuts provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption | Manufacture in which all the fruit or nuts used must be wholly obtained | |
| 0813 | Fruit, dried, other than that of heading Nos 0801 to 0806; mixtures of nuts or dried fruits of this chapter | Manufacture in which all the fruit or nuts used must be wholly obtained | |
| 0814 | Peel of citrus fruit or melons (including water-melons), fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions | Manufacture in which all the fruit or nuts used must be wholly obtained | |
| ex Chap. 11 | Products of the milling industry; malt, starches; inulin; wheat gluten, except for heading No ex 1106 for which the rule is set out below | Manufacture in which all the cereals, edible vegetables, roots and tubers of heading No 0714 or fruit used must be wholly obtained | |

| (1) | (2) | (3) | or (4) |
|---------|--|---|--------|
| ex 1106 | Flour and meal of the dried, shelled leguminous vegetables of heading No 0713 | Drying and milling of leguminous vegetables of heading No 0708 | |
| 1301 | Lac; natural gums, resins, gum-resins and balsams | Manufacture in which the value of any materials of heading No 1301 used may not exceed 50 % of the ex-works price of the product | |
| 1501 | Lard; other pig fat and poultry fat, rendered, whether or not presented or solvent-extracted: | | |
| | — Fats from bones or waste | Manufacture from materials of any heading except those of heading Nos 0203, 0206 or 0207 or bones of heading No 0506 | |
| | — Other | Manufacture from meat or edible offal of swine of heading No 0203 or 0206 or of meat and edible offal of poultry of heading No 0207 | |
| 1502 | Fats of bovine animals; sheep or goats, raw or rendered, whether or not pressed or solvent-extracted: | | |
| | — Fats from bones or waste | Manufacture from materials of any heading except those of heading Nos 0201, 0202, 0204 or 0206 or bones of heading No 0506 | |
| | — Other | Manufacture in which all the animal materials of Chapter 2 used must be wholly obtained | |
| 1504 | Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified: | | |
| | — Solid fractions of fish oils and fats and oils of marine mammals | Manufacture from materials of any heading including other materials of heading No 1504 | |
| | — Other | Manufacture in which all the animal materials of Chapters 2 and 3 used must be wholly obtained | |
| ex 1505 | Refined lanolin | Manufacture from crude wool crease of heading No 1505 | |

| (1) | (2) | (3) | or (4) |
|-----------------|--|--|--------|
| 1506 | <p>Other animal fats and oils and their fractions, whether or not refined, but not chemically modified:</p> <p>— Solid fractions</p> <p>— Other</p> | <p>Manufacture from materials of any heading including other materials of heading No 1506</p> | |
| ex 1507 to 1515 | <p>Fixed vegetable oils and their fractions, whether or not refined, but not chemically modified:</p> <p>— Solid fractions, except for that of Jojoba oil</p> <p>— Other, except for:</p> <p>— Lung oil; myrtle wax and Japan wax</p> <p>— Those for technical or industrial uses other than the manufacture of foodstuffs for human consumption</p> | <p>Manufacture from other materials of heading Nos 1507 to 1515</p> | |
| ex 1516 | <p>Animal or vegetable fats and oils and their fractions, re-esterified, whether or not refined but not further prepared</p> | <p>Manufacture in which all the animal and vegetable materials used must be wholly obtained</p> | |
| ex 1517 | <p>Edible liquid mixtures of vegetable oils of heading Nos 1507 to 1515</p> | <p>Manufacture in which all the vegetable materials used must be wholly obtained</p> | |
| ex 1519 | <p>Industrial fatty alcohols having the character of artificial waxes</p> | <p>Manufacture from materials of any heading including fatty acids of heading No 1519</p> | |
| 1601 | <p>Sausages and similar products, of meat, meat offal or blood; food preparations based on these products</p> | <p>Manufacture from animals of Chapter 1</p> | |
| 1602 | <p>Other prepared or preserved meat, meat offal or blood</p> | <p>Manufacture from animals of Chapter 1</p> | |
| 1603 | <p>Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates</p> | <p>Manufacture from animals of Chapter 1. However, all fish, crustaceans, molluscs or other aquatic invertebrates used must be wholly obtained</p> | |

| (1) | (2) | (3) | or (4) |
|---------|--|---|--------|
| 1604 | Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs | Manufacture in which all the fish or fish eggs used must be wholly obtained | |
| 1605 | Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved | Manufacture in which all the crustaceans, molluscs or other aquatic invertebrates used must be wholly obtained | |
| ex 1701 | Cane or beet sugar and chemically pure sucrose, in solid form, flavoured or coloured | Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product | |
| 1702 | Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel: | | |
| | — Chemically pure maltose and fructose | | |
| | — Other sugars in solid form, flavoured or coloured | | |
| | — Other | Manufacture in which all the materials used must already be originating | |
| ex 1703 | Molasses resulting from the extraction of refining of sugar, flavoured or coloured | Manufacture in which the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product | |
| 1704 | Sugar confectionery (including white chocolate), not containing cocoas | Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any other materials of Chapter 17 used does not exceed 30% of the ex-works price of the product | |
| 1806 | Chocolate and other food preparations containing cocoa | Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any other materials of Chapter 17 used does not exceed 30% of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|------|---|--|--------|
| 1901 | <p>Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included:</p> <p>— Malt extract</p> <p>— Other</p> | <p>Manufacture from cereals of Chapter 10</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any other materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product</p> | |
| 1902 | <p>Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared</p> | <p>Manufacture in which all the cereals (except durum wheat), meat, meat offal, fish, crustaceans or molluscs used must be wholly obtained</p> | |
| 1903 | <p>Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms</p> | <p>Manufacture from materials of any heading except potato starch of heading No 1108</p> | |
| 1904 | <p>Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:</p> <p>— Not containing cocoa</p> <p>— Containing cocoa</p> | <p>Manufacture in which:</p> <p>— all the cereals and flour (except maize of the species <i>Zea mays</i> and durum wheat and their derivatives) used must be wholly obtained</p> <p>and</p> <p>— the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product</p> <p>Manufacture from materials not classified in heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product</p> | |

| (1) | (2) | (3) | or (4) |
|---------------|--|--|--------|
| 1905 | Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products | Manufacture from materials of any heading, except those of Chapter 11 | |
| 2001 | Vegetables, fruit nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid | Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained | |
| 2002 | Tomatoes prepared or preserved otherwise than by vinegar or acetic acid | Manufacture in which all the tomatoes used must be wholly obtained | |
| 2003 | Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid | Manufacture in which all the vegetables used must be wholly obtained | |
| 2004 and 2005 | Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen or not frozen | Manufacture in which all the vegetables used must be wholly obtained | |
| 2006 | Fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallised) | Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product | |
| 2007 | Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter | Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product | |
| 2008 | Fruit, nuts and other edible parts of plants otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included: | | |
| | — Fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen | Manufacture in which all the fruit and nuts used must be wholly obtained | |
| | — Nuts, not containing added sugar or spirits | Manufacture in which the value of the originating nuts and oil seeds of heading Nos 0801, 0802 and 1202 to 1207 used exceeds 60 % of the ex-works price of the product | |
| — Others | Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product | | |

| (1) | (2) | (3) | or (4) |
|---------|--|---|--------|
| ex 2009 | Fruit juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter | Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product | |
| ex 2101 | Roasted chicory and extracts, essences and concentrates thereof | Manufacture in which all the chicory used must be wholly obtained | |
| ex 2103 | Sauces and preparations therefor; mixed condiments and mixed seasonings: | Manufacture in which all the materials used are classified in a heading other than that of the product. However, mustard flour or meal or prepared mustard may be used | |
| | — Prepared mustard | Manufacture from mustard flour or meal | |
| ex 2104 | — Soups and broths and preparations therefor: | Manufacture from materials of any heading, except prepared or preserved vegetables of heading Nos 2002 to 2005 | |
| | — Homogenised composite food preparations | The rule for the heading in which the product would be classified in bulk shall apply | |
| ex 2106 | Sugar syrups, flavoured or coloured | Manufacture in which the value of any materials of Chapter 17 used must not exceed 30% of the ex-works price of the product | |
| 2201 | Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow | Manufacture in which all the water used must be wholly obtained | |
| 2202 | Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009 | Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30% of the ex-works price of the product and any fruit juice used (except for pineapple, lime and grapefruit juices) must be wholly obtained | |
| ex 2204 | Wine of fresh grapes, including fortified wines, and grape must with the addition of alcohol | Manufacture from other grape must | |

| (1) | (2) | (3) | or (4) |
|---|---|--|--------|
| 2205, ex 2207, ex 2208 and ex 2209 | The following, containing grape materials: Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances; ethyl alcohol and other spirits, denatured or not; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages; vinegar | Manufacture from materials of any heading, except grapes or any material derived from grapes | |
| ex 2208 | Whiskies of an alcoholic strength by volume of less than 50 % vol | Manufacture in which the value of any cereal based spirits used does not exceed 15 % of the ex-works price of the product | |
| ex 2303 | Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight | Manufacture in which all the maize used must be wholly obtained | |
| ex 2306 | Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3 % of olive oil | Manufacture in which all the olives used must be wholly obtained | |
| 2309 | Preparations of a kind used in animal feeding | Manufacture in which all the cereals, sugar or molasses, must or milk used must be wholly obtained | |
| 2402 | Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes | Manufacture in which at least 70 % by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must be wholly obtained | |
| ex 2403 | Smoking tobacco | Manufacture in which at least 70 % by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must be wholly obtained | |
| ex Chap. 25 | Salt; sulphur; earths and stone; plastering materials; lime and cement; except for heading Nos ex 2504, ex 2515, ex 2516, ex 2518, ex 2519, ex 2520, ex 2524, ex 2525 and ex 2530 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |

| (1) | (2) | (3) | or (4) |
|-------------|---|--|--------|
| ex 2504 | Natural crystalline graphite, which enriched carbon content, purified and ground | Enriching of the carbon content, purifying and grinding of crude crystalline graphite | |
| ex 2515 | Marble, merely cut by sawing or otherwise into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm | Cutting, by sawing or otherwise, of marble (even if already sawn) of a thickness exceeding 25 cm | |
| ex 2516 | Granite, porphyry, basalt, sandstone and other monumental and building stone, merely cut by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm | Cutting, by sawing or otherwise, of stone (even if already sawn) of a thickness exceeding 25 cm | |
| ex 2518 | Calcined dolomite | Calcination of dolomite not calcined | |
| ex 2519 | Crushed natural magnesium carbonate (magnesite), in hermetically sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead burned (sintered) magnesia | Manufacture in which all the materials used are classified within a heading other than that of the product. However, natural magnesium carbonate (magnesite) may be used | |
| ex 2520 | Plasters specially prepared for dentistry | Manufacture in which all the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 2524 | Natural asbestos fibres | Manufacture from asbestos concentrate | |
| ex 2525 | Mica powder | Grinding of mica or mica waste | |
| ex 2530 | Earth colours, calcined or powdered | Calcination or brinding of earth colours | |
| Chap. 26 | Ores, slag and ash | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 27 | Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes; except for heading Nos ex 2707 and 2709 to 2715 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |

| (1) | (2) | (3) | or (4) |
|--------------|---|--|--------|
| ex 2707 | Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65 % by volume distils at a temperature of up to 250 °C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels | Operations of refining and/or one or more specific process(es) ⁽¹⁾ Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50 % of the ex-works price of the product | |
| ex 2709 | Crude oils obtained from bituminous minerals | Destructive distillation of bituminous materials | |
| 2710 to 2712 | Petroleum oils and oils obtained from bituminous materials, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous materials, these oils being the basic constituents of the preparations Petroleum gases and other gaseous hydrocarbons Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes and similar products obtained by synthesis or by other processes, whether or not coloured | Operations of refining and/or one or more specific process(es) ⁽¹⁾ Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50 % of the ex-works price of the product | |
| 2713 to 2715 | Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous materials Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch | Operations of refining and/or one or more specific process(es) ⁽¹⁾ Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 28 | Inorganic chemicals; organic or inorganic compounds or precious metals, of rare-earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2805, ex 2811, ex 2833 and ex 2840 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product | |

⁽¹⁾ See Introductory Note 7 — Annex I.

| (1) | (2) | (3) | or (4) |
|-------------|--|---|--------|
| ex 2805 | 'Mischmetall' | Manufacture by electrolytic or thermal treatment in which the value of all the materials used does not exceed 20 % of the ex-works price of the product | |
| ex 2811 | Sulphur trioxide | Manufacture from sulphur dioxide | |
| ex 2833 | Aluminium sulphate | Manufacture in which all the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 2840 | Sodium perborate | Manufacture from disodium tetraborate pentahydrate | |
| ex Chap. 29 | Organic chemicals; except for heading Nos ex 2901, ex 2902, ex 2905, 2915, 2932, 2933 and 2934, for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product | |
| ex 2901 | Acyclic hydrocarbons for use as power or heating fuels | Operations of refining and/or one or more specific process(es) ⁽¹⁾ Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50 % of the ex-works price of the product | |
| ex 2902 | Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels | Operations of refining and/or one or more specific process(es) ⁽¹⁾ Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used, provided their value does not exceed 50 % of the ex-works price of the product | |
| ex 2905 | Metal alcoholates of alcohols of this heading and of ethanol or glycerol | Manufacture from materials of any heading, including other materials of heading No 2905. However, metal alcoholates of this heading may be used, provided their value does not exceed 20 % of the ex-works price of the product | |

⁽¹⁾ See Introductory Note 7 — Annex I.

| (1) | (2) | (3) | or (4) |
|-------------|--|---|--------|
| 2915 | Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives | Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2915 and 2916 used may not exceed 20 % of the ex-works price of the product | |
| 2932 | <p>Heterocyclic compounds with oxygen heteroatom(s) only:</p> <p>— Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives</p> <p>— Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives</p> <p>— Other</p> | <p>Manufacture from materials of any heading. However, the value of all the materials of heading No 2909 used may not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product</p> | |
| 2933 | Heterocyclic compounds with nitrogen hetero-atom(s) only: nucleic acids and their salts | Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2932 and 2933 used may not exceed 20 % of the ex-works price of the product | |
| 2934 | Other heterocyclic compounds | Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2932, 2933 and 2934 used may not exceed 20 % of the ex-works price of the product | |
| ex Chap. 30 | Pharmaceutical products; except for heading Nos 3002, 3003 and 3004, for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|------|---|--|--------|
| 3002 | <p>Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products:</p> <p>— Products consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses or unmixed products for these uses, put up in measured doses or in forms or packings for retail sale</p> <p>— Other:</p> <p>— human blood</p> <p>— animal blood prepared for therapeutic or prophylactic uses</p> <p>— blood fractions other than antisera, haemoglobin and serum globulin</p> <p>— haemoglobin, blood globulin and serum globulin</p> <p>— other</p> | <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex-works price of the product</p> | |

| (1) | (2) | (3) | or (4) |
|---------------|--|--|--------|
| 3303 and 3004 | Medicaments (excluding goods of heading No 2003, 3005 and 3006) | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product. However, materials of heading No 3003 or 3004 may be used provided their value, taken together, does not exceed 20 % of the ex-works price of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 31 | Fertilisers; except for heading No ex 3105 for which the rule is set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 200 % of the ex-works price of the product | |
| ex 3105 | Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorous and potassium; other fertilisers; goods of this Chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, except for: <ul style="list-style-type: none"> — sodium nitrate — calcium cyanamide — potassium sulphate — magnesium potassium sulphate | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 32 | Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks; except for: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product | |
| ex 3201 | Tannins and their salts, esters, ethers, and other derivatives | Manufacture from tanning extracts of vegetable origin | |
| 3205 | Colour lakes; preparations as specified in Note 3 to this Chapter based on colour lakes ⁽¹⁾ | Manufacture from materials of any heading, except heading Nos 3203, 3204 and 3205. However, materials from heading No 3205 may be used provided their value does not exceed 20 % of the ex-works price of the product | |

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

| (1) | (2) | (3) | or (4) |
|-------------|--|---|--------|
| ex Chap. 33 | Essential oils and resinoids; perfumery, cosmetic or toilet preparations; except for heading No 3301, for which the rule is set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product | |
| 3301 | Essential oils (terpeneless or not), including concretes and absolutes; resinoids; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils | Manufacture from materials of any heading, including materials of a different 'group' ⁽¹⁾ in this heading. However, materials of the same group may be used, provided their value does not exceed 20 % of the ex-works price of the product | |
| ex Chap. 34 | Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster; except for heading Nos ex 3403 and 3404, for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product | |
| ex 3403 | Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70 % by weight | Operations of refining and/or one or more specific process(es) ⁽²⁾ | |
| 3404 | Artificial waxes and prepared waxes: — Artificial waxes and prepared waxes with a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax | Other operations in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50 % of the ex-works price of the product Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50 % of the ex-works price of the product | |

⁽¹⁾ A 'group' is regarded as any part of the heading separated from the rest by a semi-colon.

⁽²⁾ See Introductory Note 7 — Annex I.

| (1) | (2) | (3) | or (4) |
|---------------------------|---|---|--------|
| 3404 (<i>cont'd</i>) | — Other | <p>Manufacture from materials of any heading, except:</p> <ul style="list-style-type: none"> — hydrogenated oils having the character of waxes of heading No 1516 — fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading No 1519 — materials of heading No 3404 <p>However, these materials may be used provided their value does not exceed 20 % of the ex-works price of the product</p> | |
| ex Chap. 35 | Albuminoidal substances; modified starches; glues; enzymes; except for heading Nos 3505 and ex 3507 for which the rules are set out below: | <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product</p> | |
| 3505 | <p>Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches:</p> <ul style="list-style-type: none"> — Starch ethers and esters — Other | <p>Manufacture from materials of any heading, including other materials of heading No 3505</p> <p>Manufacture from materials of any heading, except those of heading No 1108</p> | |
| ex 3507 | Prepared enzymes not elsewhere specified or included | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| Chap. 36 | Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations | <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product</p> | |
| ex Chap. 37 | Photographic or cinematographic goods; except for heading Nos 3701, 3702 and 3704 for which the rules are set out below: | <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product</p> | |

| (1) | (2) | (3) | or (4) |
|-------------|---|--|--------|
| 3701 | <p>Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitized, unexposed, whether or not in packs:</p> <p>— Instant print film for colour photography, in packs</p> <p>— Other</p> | <p>Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 or 3702. However, materials from heading No 3702 may be used provided their value does not exceed 30 % of the ex-works price of the product</p> <p>Manufacture in which all the materials used are classified within a heading other than heading No 3701 or 3702. However, materials from heading Nos 3701 and 3702 may be used provided their value taken together, does not exceed 20 % of the ex-works price of the product</p> | |
| 3702 | Photographic film in rolls, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitised, unexposed | Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 or 3702 | |
| 3704 | Photographic plates, film paper, paperboard and textiles, exposed but not developed | Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 to 3704 | |
| ex Chap. 38 | Miscellaneous chemical products; except for heading Nos 3801, ex 3801, ex 3803, ex 3805, ex 3806, ex 3807, 3808 to 3814, 3818 to 3820, 3822 and 3823 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product | |
| ex 3801 | <p>Artificial graphite; colloidal or semi-colloidal graphite; preparations based on graphite or other carbon in the form of pastes or other semi-manufactures:</p> <p>— Colloidal graphite in suspension in oil and semi-colloidal graphite; carbonaceous pastes for electrodes</p> | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|---------------------|--|---|--------|
| ex 3801 (cont'd) | <p>— Graphite in paste form, being a mixture of more than 30 % by weight of graphite with mineral oils</p> <p>— Other</p> | <p>Manufacture in which the value of all materials of heading No 3403 used does not exceed 20 % of the ex-works price of the product</p> | |
| | | <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product</p> | |
| ex 3803 | Refined tall oil | Refining of crude tall oil | |
| ex 3805 | Spirits of sulphate turpentine, purified | Purification by distillation or refining of raw spirits of sulphate turpentine | |
| ex 3806 | Ester gums | Manufacture from resin acids | |
| ex 3807 | Wood pitch (wood tar pitch) | Distillation of wood tar | |
| 3808 | <p>Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms of packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly-papers)</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3809 | <p>Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3810 | <p>Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding electrodes or rods</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |

| (1) | (2) | (3) | or (4) |
|------|---|---|--------|
| 3811 | <p>Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils:</p> <p>— Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals</p> <p>— Other</p> | <p>Manufacture in which the value of all the materials of heading No 3811 used does not exceed 50 % of the ex-works price of the product</p> <p>Manufacture in which all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3812 | <p>Prepared rubber accelerators; compound plasticisers for rubber or plastics, not elsewhere specified or included; anti-oxidising preparations and other compound stabilisers for rubber or plastics</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3813 | <p>Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3814 | <p>Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or vanish removers</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3818 | <p>Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3819 | <p>Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70 % by weight of petroleum oils or oils obtained from bituminous minerals</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 3820 | <p>Anti-freezing preparations and prepared de-icing fluids</p> | <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |

| (1) | (2) | (3) | or (4) |
|------|---|---|--------|
| 3822 | Composite diagnostic or laboratory reagents, other than those of heading No 3002 or 3006 | Manufacture in which the value of all the materials used does not exceed 50 of the ex-works price of the product | |
| 3823 | <p>Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:</p> <ul style="list-style-type: none"> — The following of this heading: <ul style="list-style-type: none"> — Prepared binders for foundry moulds or cores based on natural resinous products — Naphthenic acids, their water insoluble salts and their esters — Sorbitol other than that of heading No 2905 — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts — Ion exchangers — Getters for vacuum tubes — Alkaline iron oxide for the purification of gas — Ammoniacal gas liquors and spent oxide produced in coal gas purification — Sulfonaphthenic acids, their water insoluble salts and their esters — Fusel oil and Dippel's oil — Mixtures of salts having different anions — Copying pastes with a basis of gelatin, whether or not on a paper or textile backing | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20% of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|--------------------|--|---|--------|
| 3823 (cont'd) | — Other | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 3901 to 3915 | Plastics in primary forms, waste, parings and scrap, of plastic; except for heading No ex 3907 for which the rule is set out below: | | |
| | — Addition homopolymerisation products | Manufacture in which: — the value of all the materials used does not exceed 50 % of the ex-works price of the product, and — the value of any materials of Chapter 39 used does not exceed 20 % of the ex-works price of the product ⁽¹⁾ | |
| | — Other | Manufacture in which the value of the materials of Chapter 39 used does not exceed 20 % of the ex-works price of the product ⁽¹⁾ | |
| ex 3907 | Copolymer, made from polycarbonate and acrylonitrile-butadiene-styrene copolymer (ABS) | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 50 % of the ex-works price of the product ⁽¹⁾ | |
| ex 3916 to 3921 | Semi-manufactures and articles of plastics; except for heading Nos ex 3916, ex 3917, ex 3920 and ex 3921, for which the rules are set out below: | | |
| | — Flat products, further worked than only surface-worked or cut into forms other than rectangular or square; other products, further worked than only surface-worked | Manufacture in which the value of any materials of Chapter 39 used does not exceed 50 % of the ex-works price of the product | |

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

| (1) | (2) | (3) | or (4) |
|-----------------------------|--|--|--------|
| ex 3916 to 3921 (cont'd) | — Other: — Addition homopolymerisation products — Other | Manufacture in which: — the value of all the materials used does not exceed 50 % of the ex-works price of the product, and — the value of any materials of Chapter 39 used does not exceed 20 % of the ex-works price of the product ⁽¹⁾ Manufacture in which the value of any materials of Chapter 39 used does not exceed 50 % of the ex-works price of the product, and — the value of any materials of Chapter 39 used does not exceed 20 % of the ex-works price of the product ⁽¹⁾ | |
| ex 3916 and ex 3917 | Profile shapes and tubes | Manufacture in which: — the value of all the materials used does not exceed 50 % of the ex-works price of the product, and — the value of any materials classified within the same heading as the product does not exceed 20 % of the ex-works price of the product | |
| ex 3920 | Ionomer sheet or film | Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralised with metal ions, mainly zinc and sodium | |
| ex 3921 | Foils of plastic, metallised | Manufacture from highly transparent polyester foils with a thickness of less than 23 micron ⁽²⁾ | |
| 3922 to 3826 | Articles of plastics | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 40 | Rubber and articles thereof; except for heading Nos ex 4001, 4005, 4012 and ex 4017 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |

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

⁽²⁾ The following foils shall be considered as highly transparent: foils, the optical dimming of which — measured according to ASTM-D 1003-16 by Gardner Hazemeter (i.e. Hazefactor) — is less than 2 %.

| (1) | (2) | (3) | or (4) |
|--------------|--|--|--------|
| ex 4001 | Laminated slabs or crepe rubber for shoes | Lamination of sheets of natural rubber | |
| 4105 | Compound rubber, unvulcanised, in primary forms or in plates, sheets or strip | Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50% of the ex-works price of the product | |
| 4012 | Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, interchangeable tyre treads and tyre flaps, of rubber: — Retreaded pneumatic, solid or cushion tyres, of rubber — Other | Retreading of used tyres Manufacture from materials of any heading, except those of heading Nos 4011 or 4012 | |
| ex 4017 | Articles of hard rubber | Manufacture from hard rubber | |
| ex Chap. 41 | Raw hides and skins (other than furskins) and leather; except for heading Nos ex 4102, 4104 to 4107 and 4109 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 4102 | Raw skins of sheep or lambs, without wool on | Removal of wool from sheep or lamb skins, with wool on | |
| 4104 to 4107 | Leather, without hair or wool, other than leather of heading Nos 4108 or 4109 | Retanning of pre-tanned leather or Manufacture in which all the materials used are classified within a heading other than that of the of the ex-works price of the product | |
| 4109 | Patent leather and patent laminated leather; metallised leather | Manufacture from leather of heading Nos 4104 to 4107 provided its value does not exceed 50% of the ex-works price of the product | |
| Chap. 42 | Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut) | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 43 | Furskins and artificial fur; manufactures thereof; except for heading Nos ex 4302 and 4303 for which the rules are set out below | Manufacture in which all the materials used are classified within a heading other than that of the product | |

| (1) | (2) | (3) | or (4) |
|-------------|---|---|--------|
| ex 4302 | <p>Tanned or dressed furskins, assembled:</p> <p>— Plates, crosses and similar forms</p> <p>— Other</p> | <p>Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins</p> <p>Manufacture from non-assembled, tanned or dressed furskins</p> | |
| 4303 | Articles of apparel, clothing accessories and other articles of fur skin | Manufacture from non-assembled tanned or dressed furskins of heading No 4302 | |
| ex Chap. 44 | Wood and articles of wood; wood charcoal; except for heading Nos ex 4403, ex 4407, ex 4408, 4409, ex 4410 to ex 4413, ex 4415, ex 4416, 4418 and ex 4421 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 4403 | Wood roughly squared | Manufacture from wood in the rough, whether or not stripped of its bark or merely roughed down | |
| ex 4407 | Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 65 mm, planed, sanded or finger-jointed | Planing, sanding or finger-jointing | |
| ex 4408 | Veneer sheets and sheets for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled of a thickness not exceeding 6 mm, planed, sanded or finger-jointed | Splicing, planing, sanding or finger-jointing | |
| 4409 | <p>Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed:</p> <p>— Sanded or finger-jointed</p> <p>— Beadings and mouldings</p> <p>— Other</p> | <p>Sanding or finger-jointing</p> <p>Beading or moulding</p> <p>Manufacture in which all the materials used are classified within a heading other than of the product</p> | |

| (1) | (2) | (3) | or (4) |
|-----------------------|---|--|--------|
| ex 4410 to ex 4413 | Beadings and mouldings, including moulded skirting and other moulded boards | Beading or moulding | |
| ex 4415 | Packing cases, boxes, crates, drums and similar packings, of wood | Manufacture from boards not cut to size | |
| ex 4416 | Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood | Manufacture from riven staves, not further worked than sawn on the two principal surfaces | |
| 4418 | Builders' joinery and carpentry of wood, including cellular wood panels, assembled parquet panels, shingles and shakes: | | |
| | — Builders' joinery and carpentry of wood | Manufacture in which all the materials used are classified within a heading other than that of the product. However, cellular wood panels, shingles and shakes may be used | |
| | — Beadings and mouldings | Beading or moulding | |
| | — Other | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 4421 | Match splints; wooden pegs or pins for footwear | Manufacture from wood of any heading except drawn wood of heading No 4409 | |
| ex Chap. 45 | Cork and articles of cork; except for heading No 4503 for which the rule is set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 4503 | Articles of natural cork | Manufacture from cork of heading No 4501 | |
| Chap. 46 | Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| Chap. 47 | Pulp of wood or of other fibrous cellulosic material; waste and scrap of paper or paperboard | Manufacture in which all the materials used are classified within a heading other than that of the product | |

| (1) | (2) | (3) | or (4) |
|-------------|--|--|--------|
| ex Chap. 48 | Paper and paperboard; articles of paper pulp, of paper or of paperboard; except for heading Nos ex 4811, 4816, 4817, ex 4818, ex 4819, ex 4820 and ex 4823 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 4811 | Paper and paperboard, ruled, lined or squared only | Manufacture from paper-making materials of Chapter 47 | |
| 4816 | Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading No 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes | Manufacture from paper-making materials of Chapter 47 | |
| 4817 | Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 4818 | Toilet paper | Manufacture from paper-making materials of Chapter 47 | |
| ex 4819 | Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 4820 | Letter pads | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 4823 | Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape | Manufacture from paper-making materials of Chapter 47 | |
| ex Chap. 49 | Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans; except for heading Nos 4909 and 4910 for which the rules are set out below | Manufacture in which all the materials used are classified within a heading other than that of the product | |

| (1) | (2) | (3) | or (4) |
|-----------------|---|---|--------|
| 4909 | Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings | Manufacture from materials not classified within heading Nos 4909 to 4911 | |
| 4910 | Calendars of any kind, printed, including calendar blocks: | <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used, does not exceed 50 % of the ex-works price of the product | |
| | — Calendars of the 'perpetual' type or with replaceable blocks mounted on bases other than paper or paperboard | Manufacture from materials not classified in heading Nos 4909 or 4911 | |
| | — Other | | |
| ex Chap. 50 | Silk; except for heading Nos ex 5003, 5004 to ex 5006 and 5007 for which the rules are set out below | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 5003 | Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock), carded or combed | Carding or combing of silk waste | |
| 5004 to ex 5006 | Silk yarn and yarn spun from silk waste | <p>Manufacture from⁽¹⁾:</p> <ul style="list-style-type: none"> — raw silk or silk waste carded or combed or otherwise prepared for spinning, — other natural fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials | |
| 5007 | Woven fabrics of silk or of silk waste: | Manufacture from single yarn ⁽¹⁾ | |
| | — incorporating rubber thread | | |

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

| (1) | (2) | (3) | or (4) |
|------------------|--|---|--------|
| 5007 (cont'd) | — Other | Manufacture from ⁽¹⁾ : — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product | |
| ex Chap. 51 | Wool, fine or coarse animal hair; horsehair yarn and woven fabric; except for heading Nos 5106 to 5110 and 5111 to 5113 for which the rules are set out below: | | |
| 5106 to 5110 | Yarn of wool, of fine or coarse animal hair or of horsehair | Manufacture from ⁽¹⁾ : — raw silk or silk waste carded or combed or otherwise prepared for spinning, — natural fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials | |
| 5111 to 5113 | Woven fabrics of wool, of fine or coarse animal hair or of horsehair — incorporating rubber thread — Other | Manufacture from single yarn ⁽¹⁾ Manufacture from ⁽¹⁾ : — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper or | |

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

| (1) | (2) | (3) | or (4) |
|-----------------------------|---|---|--------|
| 5111 to 5113 (cont'd) | | Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product | |
| ex Chap. 52 | Cotton; except for heading Nos 5204 to 5207 and 5208 to 5212 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 5204 to 5207 | Yarn and thread of cotton | Manufacture from ⁽¹⁾ : — raw silk or silk waste carded or combed or otherwise prepared for spinning, — natural fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials | |
| 5208 to 5212 | Woven fabrics of cotton: — incorporating rubber thread — Other | Manufacture from single yarn ⁽¹⁾ Manufacture from ⁽¹⁾ : — coir yarn, — natural fibres, — non-made staple fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product | |

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

| (1) | (2) | (3) | or (4) |
|--------------|---|--|--------|
| ex Chap. 53 | Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn; except for heading Nos 5306 to 5308 and 5309 to 5311 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 5306 to 5308 | Yarn of other vegetable textile fibres; paper yarn | Manufacture from ⁽¹⁾ : — raw silk or silk waste carded or combed or otherwise prepared for spinning, — natural fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials | |
| 5309 to 5311 | Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn: — incorporating rubber thread — Other | Manufacture from single yarn ⁽¹⁾ Manufacture from ⁽¹⁾ : — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product | |
| 5401 to 5406 | Yarn, monofilament and thread of man-made filaments | Manufacture from ⁽¹⁾ : — raw silk or silk waste carded or combed or otherwise prepared for spinning, | |

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

| (1) | (2) | (3) | or (4) |
|-----------------------------|---|--|--------|
| 5401 to 5406 (cont'd) | | <ul style="list-style-type: none"> — natural fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials | |
| 5407 to 5408 | <p>Woven fabrics of man-made filament yarn</p> <ul style="list-style-type: none"> — incorporating rubber thread — Other | <p>Manufacture from single yarn⁽¹⁾</p> <p>Manufacture from⁽¹⁾:</p> <ul style="list-style-type: none"> — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p> | |
| 5501 to 5507 | Man-made staple fibres | Manufacture from chemical materials or textile pulp | |
| 5508 to 5511 | Yarn and sewing thread | <p>Manufacture from⁽¹⁾:</p> <ul style="list-style-type: none"> — raw silk or silk waste carded or combed or otherwise prepared for spinning, — natural fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials | |

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

| (1) | (2) | (3) | or (4) |
|-----------------|---|---|--------|
| 5512 to 5516 | <p>Woven fabrics of man-made staple fibres:</p> <p>— incorporating rubber thread</p> <p>— Other</p> | <p>Manufacture from single yarn ⁽¹⁾</p> <p>Manufacture from ⁽¹⁾:</p> <p>— coir yarn,</p> <p>— natural fibres,</p> <p>— man-made staple fibres not carded or combed or otherwise prepared for spinning,</p> <p>— chemical materials or textile pulp, or</p> <p>— paper</p> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p> | |
| ex Chap. 56 | <p>Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof; except for heading Nos 5602, 5604, 5605 and 5606, for which the rules are set out below:</p> | <p>Manufacture from ⁽¹⁾:</p> <p>— coir yarn,</p> <p>— natural fibres,</p> <p>— chemical materials or textile pulp, or</p> <p>— paper making materials</p> | |
| 5602 | <p>Felt, whether or not impregnated, coated, covered or laminated:</p> <p>— Needleloom felt</p> | <p>Manufacture from ⁽¹⁾:</p> <p>— natural fibres,</p> <p>— chemical materials or textile pulp</p> <p>However:</p> <p>— polypropylene filament of heading No 5402,</p> <p>— polypropylene fibres of heading No 5503 or 5506 or</p> <p>— polypropylene filament tow of heading No 5501,</p> | |

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see introductory Note 5.

| (1) | (2) | (3) | or (4) |
|------------------|--|---|--------|
| 5602 (cont'd) | | of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided their value does not exceed 40% of the ex-works price of the product | |
| 5604 | <p>Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading No 5404 of 5405, impregnated, coated, covered or sheathed with rubber or plastics:</p> <p>— Rubber thread and cord, textile covered</p> <p>— Other</p> | <p>Manufacture from⁽¹⁾:</p> <p>— natural fibres,</p> <p>— man-made staple fibres made from casein, or</p> <p>— chemical materials or textile pulp</p> | |
| 5605 | Metallised yarn, whether or not gimped, being textile yarn, or strip or the like of heading No 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal | <p>Manufacture from⁽¹⁾:</p> <p>— natural fibres,</p> <p>— man-made staple fibres not carded or combed or otherwise processed for spinning,</p> <p>— chemical materials of textile pulp, or</p> <p>— paper-making materials</p> | |
| 5606 | Gimped yarn, and strip and the like of heading No 5404 or 5405, gimped, other than those of heading No 5605 and gimped horsehair yarn; chenille yarn; loop wale-yarn | <p>Manufacture from⁽¹⁾:</p> <p>— natural fibres,</p> <p>— man-made staple fibres not carded or combed or otherwise processed for spinning,</p> <p>— chemical materials of textile pulp, or</p> <p>— paper-making materials</p> | |

⁽¹⁾ For special conditions relating to products made of a mixture of textile materials, see introductory Note 5.

| (1) | (2) | (3) | or (4) |
|-------------|--|---|--------|
| Chap. 57 | <p>Carpets and other textile floor coverings:</p> <p>— Of needleloom felt</p> <p>— Of other felt</p> <p>— Other textile coverings</p> | <p>Manufacture from⁽¹⁾:</p> <p>— natural fibres, or</p> <p>— chemical materials or textile pulp</p> <p>However:</p> <p>— polypropylene filament of heading No 5402,</p> <p>— polypropylene fibres of heading No 5503 or 5506 or</p> <p>— polypropylene filament tow of heading No 5501,</p> <p>of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided their values does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture from⁽¹⁾:</p> <p>— natural fibres not carded or combed or otherwise processed for spinning, or</p> <p>— chemical materials or textile pulp</p> <p>Manufacture from⁽¹⁾:</p> <p>— coir yarn,</p> <p>— synthetic or artificial filament yarn,</p> <p>— natural fibres, or</p> <p>— man-made staple fibres not carded or combed or otherwise processed for spinning</p> | |
| ex Chap. 58 | <p>Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery; except for heading Nos 5805 and 5810 for which the rules are set out below:</p> <p>— Combined with rubber thread</p> <p>— Other</p> | <p>Manufacture from single yarn⁽¹⁾</p> <p>Manufacture from⁽¹⁾:</p> <p>— natural fibres,</p> <p>— man-made staple fibres not carded or combed or otherwise processed for spinning, or</p> | |

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

| (1) | (2) | (3) | or (4) |
|-------------------------|--|--|--------|
| ex Chap. 58 (cont'd) | | <p>— chemical materials or textile pulp,</p> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p> | |
| 5805 | Hand-woven tapestries of the types gobelins, flanders, aubusson, beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 5810 | Embroidery in the piece, in strips or in motifs | <p>Manufacture in which:</p> <p>— all the materials used are classified within a heading other than that of the product, and</p> <p>— the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> | |
| 5901 | Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffed textile fabrics of a kind used for hat foundations | Manufacture from yarn | |
| 5902 | Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon: | | |
| | — containing not more than 90 % by weight of textile materials | Manufacture from yarn | |
| | — Other | Manufacture from chemical materials or textile pulp | |
| 5903 | Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading No 5902 | Manufacture from yarn | |

| (1) | (2) | (3) | or (4) |
|------|---|--|--------|
| 5904 | Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape | Manufacture from yarn ⁽¹⁾ | |
| 5905 | Textile wall coverings: — Impregnated, coated, covered or laminated with rubber, plastics or other materials — Other | Manufacture from yarn: Manufacture from ⁽¹⁾ : — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5% of the ex-works price of the product | |
| 5906 | Rubberised textile fabrics, other than those of heading No 5902: — Knitted or crocheted fabrics — Other fabrics made of synthetic filament yarn, containing more than 90% by weight of textile materials — Other | Manufacture from ⁽¹⁾ : — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp Manufacture from chemical materials Manufacture from yarn | |
| 5907 | Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio backcloths or the like | Manufacture from yarn | |

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

| (1) | (2) | (3) | or (4) |
|--------------|---|--|--------|
| 5908 | <p>Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated:</p> <ul style="list-style-type: none"> — Incandescent gas mantles, impregnated — Other | <p>Manufacture from tubular knitted gas mantle fabric</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> | |
| 5909 to 5911 | <p>Textile articles of a kind suitable for industrial use:</p> <ul style="list-style-type: none"> — Polishing discs or rings other than of felt of heading No 5911 — Other | <p>Manufacture from yarn or waste fabrics or rags of heading No 6310</p> <p>Manufacture from⁽¹⁾:</p> <ul style="list-style-type: none"> — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp | |
| Chap. 60 | Knitted or crocheted fabrics | <p>Manufacture from⁽¹⁾:</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp | |
| Chap. 61 | <p>Articles of apparel and clothing accessories, knitted or crocheted:</p> <ul style="list-style-type: none"> — Obtained by sewing together, or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form — Other | <p>Manufacture from yarn⁽²⁾:</p> <p>Manufacture from⁽¹⁾:</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp | |

⁽¹⁾ See Introductory Note 5.

⁽²⁾ See Introductory Note 6.

| (1) | (2) | (3) | or (4) |
|--|---|---|--------|
| ex Chap. 62 | Articles of apparel and clothing accessories, not knitted or crocheted; except for heading Nos ex 6202, ex 6204, ex 6206, ex 6209, ex 6210, 6213, 6214, ex 6216 and 6217 for which the rules are set out below: | Manufacture from yarn ⁽¹⁾ ⁽²⁾ : | |
| ex 6202, ex 6204, ex 6206 and ex 6209 | Women's, girls' and babies' clothing and clothing accessories for babies, embroidered | Manufacture from yarn ⁽²⁾ : or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product ⁽²⁾ | |
| ex 6210 and ex 6216 | Fire-resistant equipment of fabric covered with foil of aluminized polyester | Manufacture from yarn ⁽²⁾ or Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40 % of the ex-works price of the product ⁽²⁾ | |
| 6213 and 6214 | Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like: | Manufacture from unbleached single yarn ⁽²⁾ ⁽¹⁾ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product ⁽²⁾ | |
| | — Embroidered | Manufacture from unbleached single yarn ⁽²⁾ ⁽¹⁾ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product ⁽²⁾ | |
| | — Other | Manufacture from unbleached single yarn ⁽²⁾ ⁽¹⁾ | |
| 6217 | Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading No 6212: | Manufacture from yarn ⁽²⁾ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product ⁽²⁾ | |
| | — Embroidered | Manufacture from yarn ⁽²⁾ or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product ⁽²⁾ | |

⁽¹⁾ See Introductory Note 6.

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

| (1) | (2) | (3) | or (4) |
|--------------|---|---|--------|
| | <ul style="list-style-type: none"> — Fire resistant equipment of fabric covered with foil of aluminised polyester — Interlinings for collars and cuffs, cut out — Other | <p>Manufacture from yarn⁽¹⁾</p> <p>or</p> <p>Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40 % of the ex-works price of the product⁽¹⁾</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product <p>Manufacture from yarn⁽¹⁾</p> | |
| ex Chap. 63 | Other made-up textile articles; sets; worn clothing and worn textile articles; rags; except for heading Nos 6301 to 6304, 6305, 6306, ex 6307 and 6308 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 6301 to 6304 | <p>Blankets, travelling rugs, bed linen etc.; curtains etc.; other furnishing articles:</p> <ul style="list-style-type: none"> — Of felt, of non-wovens — Other: <ul style="list-style-type: none"> — — Embroidered — — Other | <p>Manufacture from:⁽²⁾</p> <ul style="list-style-type: none"> — natural fibres, or — chemical materials or textile pulp <p>Manufacture from unbleached single yarn⁽¹⁾⁽²⁾</p> <p>or</p> <p>Manufacture from unembroidered fabric (other than knitted or crocheted) provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture from unbleached single yarn⁽¹⁾⁽²⁾</p> | |

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

⁽²⁾ See Introductory Note 6.

| (1) | (2) | (3) | or (4) |
|--------------|--|---|--------|
| 6305 | Sacks and bags, of a kind used for the packing of goods | Manufacture from ⁽¹⁾ : — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp | |
| 6306 | Tarpaulins, awnings and sunblinds; tents; sails for boats, sailboards or landcraft; camping goods: | Manufacture from ⁽¹⁾ : — natural fibres, or — chemical materials or textile pulp | |
| | — Of non-wovens | | |
| | — Other | Manufacture from unbleached single yarn ⁽¹⁾ | |
| 6307 | Other made-up articles, including dress patterns | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 6308 | Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale | Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated provided their total value does not exceed 15 % of the ex-works price of the set | |
| 6401 to 6405 | Footwear | Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components of heading No 6406 | |
| 6406 | Parts of footwear; removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 65 | Headgear and parts thereof, except for heading Nos 6503 and 6505 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |

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

| (1) | (2) | (3) | or (4) |
|-------------|--|--|--------|
| 6503 | Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading No 6501, whether or not lined or trimmed | Manufacture from yarn or textile fibres ⁽¹⁾ | |
| 6505 | Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed | Manufacture from yarn or textile fibres ⁽¹⁾ | |
| ex Chap. 66 | Umbrellas, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops and parts thereof; except for heading No 6601 for which the rule is set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 6601 | Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas) | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| Chap. 67 | Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 68 | Articles of stone, plaster, cement, asbestos, mica or similar materials; except for heading Nos ex 6803, ex 6812 and ex 6814 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 6803 | Articles of slate or of agglomerated slate | Manufacture from worked slate | |
| ex 6812 | Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate | Manufacture from materials of any heading | |
| ex 6814 | Articles of mica, including agglomerated or reconstituted mica, on a support of paper, paperboard or other materials | Manufacture from worked mica (including agglomerated or reconstituted mica) | |
| Chap. 69 | Ceramic products | Manufacture in which all the materials used are classified within a heading other than that of the product | |

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

| (1) | (2) | (3) | or (4) |
|-------------|---|--|--------|
| ex Chap. 70 | Glass and glassware; except for heading Nos 7006, 7007, 7008, 7009, 7010, 7013 and ex 7019 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 7006 | Glass of heading Nos 7003, 7004 or 7005, bent, edgeworked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials | Manufacture from materials of heading No 7001 | |
| 7007 | Safety glass, consisting of toughened (tempered) or laminated glass | Manufacture from materials of heading No 7001 | |
| 7008 | Multiple-walled insulating units of glass | Manufacture from materials of heading No 7001 | |
| 7009 | Glass mirrors, whether or not framed, including rear-view mirrors | Manufacture from materials of heading No 7001 | |
| 7010 | Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass | Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50 % of the ex-works price of the product | |
| 7013 | Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No 7010 or 7018) | Manufacture in which all the materials used are classified within a heading other than that of the product, or Cutting of glassware, provided the value of the uncut glassware does not exceed 50 % of the ex-works price of the product or Hand-decoration (with the exception of silk-screen printing) of hand-blown glassware, provided the value of the hand-blown glassware does not exceed 50 % of the ex-works price of the product | |
| ex 7019 | Articles (other than yarn) of glass fibres | Manufacture from: — uncoloured slivers, rovings, yarn or chopped strands, or — glass wool | |

| (1) | (2) | (3) | or (4) |
|------------------------------|---|--|--------|
| ex Chap. 71 | Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin; except for heading Nos ex 7102, ex 7103, ex 7104, 7106, ex 7107, 7108, ex 7109, 7110, ex 7111, 7116 ad 7117 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 7102, ex 7103 and ex 7104 | Worked precious or semi-precious stones (natural, synthetic or reconstructed) | Manufacture from unworked precious or semi-precious stones | |
| 7106, 7108 and 7110 | Precious metals: — Unwrought — Semi-manufactured or in powder form | Manufacture from materials not classified within heading No 7106, 7108 or 7110 or Electrolytic, thermal or chemical separation of precious metals of heading No 7106, 7108 or 7110 or Alloying of precious metals of heading No 7106, 7108 or 7110 with each other or with base metals Manufacture from unwrought precious metals | |
| ex 7107, ex 7109 and ex 7111 | Metals clad with precious metals, semi-manufactured | Manufacture from metals clad with precious metals, unwrought | |
| 7116 | Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed) | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| 7117 | Imitation jewellery | Manufacture in which all the materials used are classified within a heading other than that of the product or Manufacture from base metal parts, not plated or covered with precious metals, provided the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 72 | Iron and steel; except for heading Nos 7207, 7208 to 7216, 7217, ex 7218, 7219 to 7222, 7223, ex 7224, 7225 to 7227, 7228 and 7229 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |

| (1) | (2) | (3) | or (4) |
|-----------------------|--|--|--------|
| 7207 | Semi-finished products of iron or non-alloy steel | Manufacture from materials of heading No 7201, 7202, 7203, 7204 or 7205 | |
| 7208 to 7216 | Flat rolled products, bars and rods, angles, shapes and sections of iron or non-alloy steel | Manufacture from ingots or other primary forms of heading No 7206 | |
| 7217 | Wire of iron or non-alloy steel | Manufacture from semi-finished materials of heading No 7207 | |
| ex 7218, 7219 to 7222 | Semi-finished products, flat rolled products, bars and rods, angles, shapes and sections of stainless steel | Manufacture from ingots or other primary forms of heading No 7218 | |
| 7223 | Wire of stainless steel | Manufacture from semi-finished materials of heading No 7218 | |
| ex 7224, 7225 to 7227 | Semi-finished products, flat rolled products, in irregularly wound coils, of other alloy steel | Manufacture from ingots or other primary forms of heading No 7224 | |
| 7228 | Bars and rods of other alloy steel; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel | Manufacture from ingots or other primary forms of heading No 7206, 7218 or 7224 | |
| 7229 | Wire of other alloy steel | Manufacture from semi-finished materials of heading No 7224 | |
| ex Chap. 73 | Articles of iron or steel; except for heading Nos ex 7301, 7302, 7304, 7305, 7306, ex 7307, 7308 and ex 7315 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 7301 | Sheet piling | Manufacture from materials of heading No 7206 | |
| 7302 | Railway or tramway track construction materials of iron or steel, the following: rails, checkrails and rackrails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fishplates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for jointing or fixing rails | Manufacture from materials of heading No 7206 | |
| 7304 7305 and 7306 | Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel | Manufacture from materials of heading No 7206, 7207, 7218 or 7224 | |

| (1) | (2) | (3) | or (4) |
|-------------|---|--|--------|
| ex 7307 | Tube or pipe fittings of stainless steel (ISO No X5 CrNiMo 1712), consisting of several parts | Turning, drilling, reaming, threading, deburring and sandblasting of forged blanks the value of which does not exceed 35 % of the ex-works price of the product | |
| 7308 | Structures (excluding prefabricated buildings of heading No 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel | Manufacture in which all the materials used are classified within a heading other than that of the product. However, welded angles, shapes and sections of heading No 7301 may not be used | |
| ex 7315 | Skid chains | Manufacture in which the value of all the materials of heading No 7315 used does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 74 | Copper and articles thereof; except for heading Nos 7401, 7402, 7403, 7404 and 7405 for which the rules are set out below: | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| 7401 | Copper mattes; cement copper (precipitated copper) | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 7402 | Unrefined copper; copper anodes for electrolytic refining | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 7403 | Refined copper and copper alloys, unwrought: | | |
| | — Refined copper | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| | — Copper alloys and refined copper containing other elements | Manufacture from refined copper, unwrought, or waste and scrap | |

| (1) | (2) | (3) | or (4) |
|--------------|--|---|--------|
| 7404 | Copper waste and scrap | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 7405 | Master alloys of copper | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 75 | Nickel and articles thereof; except for heading Nos 7501 to 7503 for which the rules are set out below: | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50% of the ex-works price of the product | |
| 7501 to 7503 | Nickel mattes, nickel oxide sinters and other intermediate products of nickel metallurgy; unwrought nickel; nickel waste and scrap | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 76 | Aluminium and articles thereof; except for heading Nos 7601, 7602 and ex 7616 for which the rules are set out below: | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50% of the ex-works price of the product | |
| 7601 | Unwrought aluminium | Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium | |
| 7602 | Aluminium waste or scrap | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 7616 | Aluminium articles other than gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, and expanded metal of aluminium | Manufacture in which: — all the materials used are classified within a heading other than that of the product. However, gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium may be used, and — the value of all the materials used does not exceed 50% of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|-------------|---|---|--------|
| ex Chap. 78 | Lead and articles thereof; except for heading Nos 7801 and 7802 the rules for which are set out below: | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| 7801 | Unwrought lead: <ul style="list-style-type: none"> — Refined lead — Other | Manufacture from 'bullion' or 'work' lead Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 7802 may not be used | |
| 7802 | Lead waste and scrap | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 79 | Zinc and articles thereof; except for heading Nos 7901 and 7902 the rules for which are set out below: | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| 7901 | Unwrought zinc | Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 7902 may not be used | |
| 7902 | Zinc waste and scrap | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex Chap. 80 | Tin and articles thereof; except for heading Nos 8001, 8002 and 8007 the rules for which are set out below: | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|---------------|---|---|--------|
| 8001 | Unwrought tin | Manufacture in which all the materials used are classified within a heading other than that of the product. However, waste and scrap of heading No 8002 may not be used | |
| 8002 and 8007 | Tin waste and scrap; other articles of tin | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| Chap. 81 | <p>Other base metals; cermets; articles thereof:</p> <p>— Other base metals, wrought; articles thereof</p> <p>— Other</p> | <p>Manufacture in which the value of all the materials classified within the same heading as the product used does not exceed 50 % of the ex-works price of the product</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> | |
| ex Chap. 82 | Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for heading Nos 8206, 8207, 8208, ex 8211, 8214 and 8215 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| 8206 | Tools of two or more of the headings Nos 8202 to 8205, put up in sets for retail sale | Manufacture in which all the materials used are classified within a heading other than heading Nos 8202 to 8205. However, tools of heading Nos 8202 to 8205 may be incorporated into the set provided their value does not exceed 15 % of the ex-works price of the set | |
| 8207 | Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning, or screwdriving), including dies for drawing or extruding metal, and rock drilling or earth boring tools | <p>Manufacture in which:</p> <p>— all the materials used are classified within a heading other than that of the product, and</p> <p>— the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> | |

| (1) | (2) | (3) | or (4) |
|-------------|---|--|---|
| 8208 | Knives and cutting blades, for machines or for mechanical appliances | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40% of the ex-works price of the product | |
| ex 8211 | Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading No 8208 | Manufacture in which all the materials used are classified within a heading other than that of the product. However, knife blades and handles of base metal may be used | |
| 8214 | Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files) | Manufacture in which all the materials used are classified within a heading other than that of the product. However, handles of base metal may be used | |
| 8215 | Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware | Manufacture in which all the materials used are classified within a heading other than that of the product. However, handles of base metal may be used | |
| ex Chap. 83 | Miscellaneous articles of base metal; except for heading No ex 8306 for which the rule is set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 8306 | Statuettes and other ornaments, of base metal | Manufacture in which all the materials used are classified within a heading other than that of the product. However, the other materials of heading No 8306 may be used provided their value does not exceed 30% of the ex-works price of the product | |
| ex Chap. 84 | Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for heading Nos ex 8401, 8402, 8403, ex 8404, 8406 to 8409, 8411, 8412, ex 8413, ex 8414, 8415, 8418, ex 8419, 8420, 8423, 8425 to 8430, ex 8431, 8439, 8441, 8444 to 8447, ex 8448, 8452, 8456 to 8466, 8469 to 8472, 8480, 8482, 8484 and 8485 for which the rules are set out below: | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40% of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|------------------|--|--|--|
| ex 8401 | Nuclear fuel elements ⁽¹⁾ | Manufacture in which all the materials used are classified within a heading other than that of the product ⁽¹⁾ | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8402 | Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); super heated water boilers | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 8403 and ex 8404 | Central heating boilers other than those of heading No 8402 and auxiliary plant for central heating boilers | Manufacture in which all the materials used are classified within a heading other than heading No 8403 or 8404 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product |
| 8406 | Steam turbines and other vapour turbines | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8407 | Spark-ignition reciprocating or rotary internal combustion piston engines | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8408 | Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8409 | Parts suitable for use solely or principally with the engines of heading No 8407 and 8408 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8411 | Turbo-jets, turbo propellers and other gas turbines | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 8412 | Other engines and motors | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |

⁽¹⁾ This rule shall apply until 31 December 1998.

| (1) | (2) | (3) | or (4) |
|---------|--|---|--|
| ex 8413 | Rotary positive displacement pumps | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| ex 8414 | Industrial fans, blowers and the like | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 8415 | Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8418 | Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading No 8415 | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| ex 8419 | Machines for the wood, paper pulp and paperboard industries | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|--------------|--|---|--|
| 8420 | Calendering or other rolling machines, other than for metals or glass, and cylinders therefor | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8423 | Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight operated counting or checking machines; weighing machine weights of all kinds | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 8425 to 8428 | Lifting, handling, loading or unloading machinery | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8431 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8429 | Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers: <ul style="list-style-type: none"> — Road rollers — Other | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8431 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|--------------|---|--|--|
| 8430 | Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers | Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the value of the materials classified within heading No 8431 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| ex 8431 | Parts for road rollers | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8439 | Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard | Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8441 | Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds | Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8444 to 8447 | Machines of these headings for use in the textile industry | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| ex 8448 | Auxiliary machinery for use with machines of heading Nos 8444 and 8445 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|--------------|---|---|--|
| 8452 | <p>Sewing machines, other than book-sewing machines of heading No 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles:</p> <p>— Sewing machines (lock stitch only) with heads of a weight not exceeding 16 kg without motor or 17 kg with motor</p> <p>— Other</p> | <p>Manufacture:</p> <p>— in which the value of all the materials used does not exceed 40 % of the ex-works price of the product,</p> <p>— where the value of all the non-originating materials used in assembling the head (without motor) does not exceed the value of the originating materials used, and</p> <p>— the thread tension, crochet and zigzag mechanisms used are already originating</p> <p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> | |
| 8456 to 8466 | Machine-tools and machines and their parts and accessories of headings Nos 8456 to 8466 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8469 to 8472 | Office machines (for example, typewriters, calculating machines, automatic data processing machines, duplicating machines, stapling machines) | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8480 | Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| 8482 | Ball or roller bearings | <p>Manufacture in which:</p> <p>— all the materials used are classified within a heading other than that of the product, and</p> <p>— the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|-------------|---|---|--|
| 8484 | Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8485 | Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this Chapter | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| ex Chap. 85 | Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles; except for heading Nos 8501, 8502, ex 8518, 8519 to 8529, 8535 to 8537, ex 8541, 8542, 8544 to 8548 for which the rules are set out below: | <p>Manufacture in which</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8501 | Electric motors and generators (excluding generating sets) | <p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8503 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8502 | Electric generating sets and rotary converters | <p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8501 or 8503, taken together, are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|---------|---|--|---|
| ex 8518 | Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; audio-frequency electric amplifiers; electric sound amplifier sets | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product |
| 8519 | Turntables (record-decks), record-players, cassette-players and other sound reproducing apparatus, not incorporating a sound recording device: | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product |
| | — Electric gramophones | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product |
| | — Other | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25% of the ex-works price of the product |
| 8520 | Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product |
| 8521 | Video recording or reproducing apparatus, whether or not incorporating a video tuner | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40% of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30% of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|------|--|--|--|
| 8522 | Parts and accessories of apparatus of heading Nos 8519 to 8521 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8523 | Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37: | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8524 | Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37 | | |
| | <ul style="list-style-type: none"> — Matrices and masters for the production of records — Other | <p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8523 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8525 | Transmission apparatus for radio-telephony, radio-telegraphy, radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras | <p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 8526 | Radar apparatus, radio navigational aid apparatus and radio remote control apparatus | <p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|------|---|---|--|
| 8527 | Reception apparatus for radio-telephony, radio-telegraphy or radio broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 8528 | Television receivers (including video monitors and video projectors), whether or not incorporating radio broadcast receivers or sound or video recording or reproducing apparatus <ul style="list-style-type: none"> — Video recording or reproducing apparatus incorporating a video tuner — Other | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 8529 | Parts suitable for use solely or principally with the apparatus of heading Nos 8525 to 8528: <ul style="list-style-type: none"> — Suitable for use solely or principally with video recording or reproducing apparatus — Other | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |

| (1) | (2) | (3) | or | (4) |
|------------------|--|--|--|-----|
| 8535 and 8536 | Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product | |
| 8537 | Boards, panels (including numerical control panels), consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading No 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, other than switching apparatus of heading No 8517 | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product | |
| ex 8541 | Diodes, transistors and similar semi-conductor devices, except wafers not yet cut into chips | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product | |
| 8542 | Electronic integrated circuits and microassemblies | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 8541 or 8542, taken together, are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product | |
| 8544 | Insulated (including enamelled or anodised) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibres cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | | |

| (1) | (2) | (3) | or (4) |
|--------------|---|--|--|
| 8545 | Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8546 | Electrical insulators of any material | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8547 | Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating materials apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly other than insulators of heading No 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8548 | Electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8601 to 8607 | Railway or tramway locomotives, rolling-stock and parts thereof | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8608 | Railway or tramway track fixtures and fittings; mechanical (including electro-mechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8609 | Containers (including containers for the transport of fluids) especially designed and equipped for carriage by one or more modes of transport | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|-------------|---|---|--|
| ex Chap. 87 | Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof; except for heading Nos 8709 to 8711, ex 8712, 8715 and 8716 for which the rules are set out below: | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8709 | Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8710 | Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8711 | Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars: — With reciprocating internal combustion piston engine of a cylinder capacity: — — Not exceeding 50 cm ³ — — Exceeding 50 cm ³ | Manufacture in which: — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 20 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|---------------------------|---|---|--|
| 8711 (<i>cont'd</i>) | — Other | Manufacture in which: — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| ex 8712 | Bicycles without ball bearings | Manufacture from materials not classified in heading No 8714 | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 8715 | Baby carriages and parts thereof | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 8716 | Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| ex Chap. 88 | Aircraft, spacecraft, and parts thereof; except for heading Nos ex 8804 and 8805 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product |
| ex 8804 | Rotochutes | Manufacture from materials of any heading including other materials of heading No 8804 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product |
| 8805 | Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles | Manufacture in which all the materials used are classified within a heading other than that of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|-------------|---|--|--|
| Chap. 89 | Ships, boats and floating structures | Manufacture in which all the materials used are classified within a heading other than that of the product. However, hulls of heading No 8906 may not be used | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product |
| ex Chap. 90 | Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof; except for heading Nos 9001, 9002, 9004, ex 9005, ex 9006, 9007, 9011, ex 9014, 9015 to 9020 and 9024 to 9033 for which the rules are set out below: | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 9001 | Optical fibres and optical fibre bundles; optical fibre cables other than those of heading No 8544; sheets and plates of polarising material, lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9002 | Lenses, prisms, mirrors and other optical elements, of any materials, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9004 | Spectacles, goggles and the like, corrective, protective or other | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| ex 9005 | Binoculars, monoculars, other optical telescopes, and mountings therefor, except for astronomical refracting telescopes and mountings therefor | Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|---------|---|--|--|
| ex 9006 | Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than electrically ignited flashbulbs | <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 9007 | Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus | <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 9011 | Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection | <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| ex 9014 | Other navigational instruments and appliances | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9015 | Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|------|--|---|---|
| 9016 | Balances of a sensitivity of 5 cg or better, with or without weights | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9017 | Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9018 | <p>Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments:</p> <ul style="list-style-type: none"> — Dentists' chairs incorporating dental appliances or dentists' spittoons — Other | <p>Manufacture from materials of any heading, including other materials of heading No 9018</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | <p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p> |
| 9019 | Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus | <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |
| 9020 | Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters | <p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|------|--|---|--|
| 9024 | Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics) | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9025 | Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9026 | Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading No 9014, 9015, 9028 or 9032 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9027 | Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9028 | Gas, liquid or electricity supply or production meters, including calibrating meters therefor: | | |
| | — Parts and accessories | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| | — Other | Manufacture: <ul style="list-style-type: none"> <li data-bbox="715 1805 1061 1904">— in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and <li data-bbox="715 1930 1061 2029">— where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|-------------|---|---|--|
| 9029 | Revolution counters, production counters, taximeters, milometers, pedometers and the like; speed indicators and tachometers, other than those of heading Nos 9104 or 9015; stroboscopes | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9030 | Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading No 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionizing radiations | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9031 | Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9032 | Automatic regulating or controlling instruments and apparatus | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9033 | Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90 | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| ex Chap. 91 | Clocks and watches and parts thereof; except for heading Nos 9105 and 9109 to 9113 for which the rules are set out below: | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| 9105 | Other clocks | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |

| (1) | (2) | (3) | or (4) |
|------|--|---|--|
| 9109 | Clock movements, complete and assembled | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 9110 | Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements | Manufacture: <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — where, within the above limit, the materials classified within heading No 9114 are only used up to a value of 10 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 9111 | Watch cases and parts thereof | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 9112 | Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product |
| 9113 | Watch straps, watch bands and watch bracelets, and parts thereof: <ul style="list-style-type: none"> — Of the base metal, whether or not plated, or of clad precious metal — Other | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|---------------------|--|--|--------|
| Chap. 92 | Musical instruments; parts and accessories of such articles | Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product | |
| Chap. 93 | Arms and ammunition; parts and accessories thereof | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 94 | Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated nameplates and the like; prefabricated buildings; except for heading Nos 9401, ex 9403, 9405 and 9406 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 9401 and ex 9403 | Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m ² or less | <p>Manufacture in which all the materials used are classified in a heading other than that of the product</p> <p>or</p> <p>Manufacture from cotton cloth already made up in a form ready for use of heading No 9401 or 9403, provided:</p> <ul style="list-style-type: none"> — its value does not exceed 25 % of the ex-works price of the product, and — all the other materials used are already originating and are classified in a heading other than heading No 9401 or 9403 | |
| 9405 | Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| 9406 | Prefabricated buildings | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex Chap. 95 | Toys, games and sports requisites; parts and accessories thereof; except for heading Nos 9503 and 9606 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |

| (1) | (2) | (3) | or (4) |
|---------------------|---|---|--------|
| 9503 | Other toys; reduced-size ('scale') models and similar recreational models, working or not; puzzles of all kinds | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 9506 | Articles and equipment for gymnastics, athletics, other sports (excluding table tennis) or outdoor games not specified or included elsewhere in this chapter; swimming pools and paddling pools | Manufacture in which all the materials used are classified within a heading other than that of the product. However, roughly shaped blocks for making golf club heads may be used | |
| ex Chap. 96 | Miscellaneous manufactured articles; except for heading Nos ex 9601, ex 9602, ex 9603, 9605, 9606, 9612, ex 9613 and ex 9614 for which the rules are set out below: | Manufacture in which all the materials used are classified within a heading other than that of the product | |
| ex 9601 and ex 9602 | Articles of animal, vegetable or mineral carving materials | Manufacture from 'worked' carving materials of the same heading | |
| ex 9603 | Brooms and brushes (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorized, paint pads and rollers, squeegees and mops | Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| 9605 | Travel sets for personal toilet, sewing or shoe or clothes cleaning | Each item in the set must satisfy the rule, which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided their total value does not exceed 15 % of the ex-works price of the set | |
| 9606 | Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |

| (1) | (2) | (3) | or (4) |
|----------|---|---|--------|
| 9612 | Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes | Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex-works price of the product | |
| ex 9613 | Lighters with piezo-igniter | Manufacture in which the value of all the materials of heading No 9613 used does not exceed 30 % of the ex-works price of the product | |
| ex 9614 | Smoking pipes and pipe bowls | Manufacture from roughly shaped blocks | |
| Chap. 97 | Works of art, collectors' pieces and antiques | Manufacture in which all the materials used are classified within a heading other than that of the product | |

*ANNEX III***EUR.1 MOVEMENT CERTIFICATES**

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

MOVEMENT CERTIFICATE

(*) If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

| | |
|--|---|
| 1. Exporter (name, full address, country) | <h2 style="margin: 0;">EUR. 1 No A 000.000</h2> <p style="margin: 5px 0 0 0;">See notes overleaf before completing this form</p> |
| 3. Consignee (name, full address, country) (Optional) | 2. Certificate used in preferential trade between <p style="text-align: center;">and</p> (insert appropriate countries, groups of countries or territories) |
| | <div style="width: 45%; border-right: 1px solid black; padding: 5px;"> 4. Country, group of countries or territory in which the products are considered as originating </div> <div style="width: 45%; padding: 5px;"> 5. Country, group of countries or territory of destination </div> |
| 6. Transport details (Optional) | 7. Remarks |

(*) Complete only when the regulations of the exporting country or territory require.

| | | |
|--|--|--------------------------------|
| 8. Item number, marks and numbers, number and kind of package⁽¹⁾, description of goods | 9. Gross weight (kg) or other measure (litres, m³, etc.) | 10. Invoices (Optional) |
|--|--|--------------------------------|

| | | |
|--|---------------------------------|---|
| 11. CUSTOMS ENDORSEMENT Declaration certified Export document ⁽²⁾ Form No Customs office Issuing country or territory Date <p style="text-align: center;">(Signature)</p> | <p style="margin: 0;">Stamp</p> | 12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date <p style="text-align: center;">(Signature)</p> |
|--|---------------------------------|---|

| | |
|---|---|
| <p>13. REQUEST FOR VERIFICATION, to:</p> | <p>14. RESULT OF VERIFICATION</p> |
| <p>Verification of the authenticity and accuracy of this certificate is requested</p> <p>..... (Place and date)</p> <p style="text-align: center;">Stamp</p> <p>..... (Signature)</p> | <p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... (Place and date)</p> <p style="text-align: center;">Stamp</p> <p>..... (Signature)</p> <p>⁽¹⁾ Insert X in the appropriate box.</p> |

NOTES

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

APPLICATION FOR A MOVEMENT CERTIFICATE

(*) If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

| | | | |
|--|---|---|--|
| 1. Exporter (name, full address, country) | <h1 style="margin: 0;">EUR. 1</h1> No <h1 style="margin: 0;">A</h1> 000.000 | | |
| | See notes overleaf before completing this form | | |
| 3. Consignee (name, full address, country) (Optional) | 2. Application for a certificate to be used in preferential trade between <p style="text-align: center;">and</p> (insert appropriate countries, groups of countries or territories) | | |
| | 4. Country, group of countries or territory in which the products are considered as originating | 5. Country, group of countries or territory of destination | |
| 6. Transport details (Optional) | 7. Remarks | | |
| 8. Item number, marks and numbers, number and kind of packages (*) , description of goods | 9. Gross weight (kg) or other measure (litres, m³, etc.) | 10. Invoices (Optional) | |

DECLARATION BY THE EXPORTER

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

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

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

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

SUBMIT the following supporting documents ⁽¹⁾:

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

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

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

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

ANNEX IV

DECLARATION REFERRED TO IN ARTICLE 27

I, the undersigned, exporter of the goods covered by this document declare that except where otherwise indicated⁽¹⁾, the goods meet the conditions to obtain originating status in preferential trade with:

The European Community/Tunisia⁽²⁾

and that the country of origin of the goods is:

Tunisia/The European Community⁽²⁾⁽³⁾

.....
(Place and date)

.....
(Signature)

(The signature must be followed by the name of the signatory in clear script)

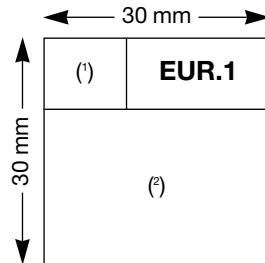
⁽¹⁾ When an invoice also includes products not originating in the Community, the exporter must clearly indicate them.

⁽²⁾ Delete where necessary.

⁽³⁾ Reference can be made to a specific column of the invoice in which the country of origin of each product is entered.

ANNEX V

Specimen impression of the stamp mentioned in Article 22(3)(b)



(1) Initials or coat of arms of the exporting State.

(2) Such information as is necessary for the identification of the approved exporter.

ANNEX VI

SPECIMEN OF DECLARATION

I, the undersigned, declare that the goods listed on this invoice were obtained in

and (as appropriate):

(a) ⁽¹⁾ satisfy the rules on the definition of the concept of 'wholly obtained products'

or

(b) ⁽²⁾ were produced from the following products:

| Description | Country of origin ⁽²⁾ | Value ⁽¹⁾ |
|-------------|----------------------------------|----------------------|
| | | |
| | | |
| | | |
| | | |

and have undergone the following processes:

..... (indicate processings)

in

.....

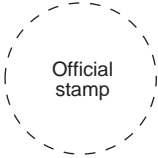
Done at

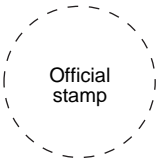
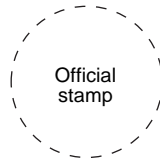
(Signature)

⁽¹⁾ Complete if necessary.

⁽²⁾ Complete if necessary. In the event that:

- the goods originate in a country covered by the Agreement: indicate the country;
- the products originate in another country: indicate 'third country'.

| | | | | | |
|--|--|---|---|---|------------------------------------|
| 1. Supplier ⁽¹⁾ | | INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE <i>for preferential trade between the</i> EUROPEAN COMMUNITY and (in block letters) | | | |
| 2. Consignee ⁽¹⁾ | | | | | |
| 3. Processor ⁽¹⁾ | | 4. State in which the working or processing has been carried out | | | |
| 6. Customs office of importation ⁽²⁾ | | 5. For official use | | | |
| 7. Import document ⁽²⁾ Form No Series Date | | | | | |
| GOODS SENT TO THE MEMBER STATE OF DESTINATION | | | | | |
| 8. Marks, numbers, quantity and kind of package | | 9. Tariff heading number and description of goods | | 10. Quantity ⁽³⁾ | |
| | | | | 11. Value ⁽⁴⁾ | |
| IMPORTED GOODS USED | | | | | |
| 12. Tariff heading number and description | | | 13. Country of origin ⁽⁵⁾ | 14. Quantity ⁽³⁾ | 15. Value ⁽²⁾⁽⁶⁾ |
| 16. Nature of the working or processing carried out | | | | | |
| 17. Remarks | | | | | |
| 18. CUSTOMS ENDORSEMENT Declaration certified Document Form No..... Customs office Date..... (Signature) | |  Official stamp | | 19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate (Place) (Date) (Signature) | |

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

CROSS REFERENCES

- (1) Name of individual or business and full address.
- (2) Optional information.
- (3) Kg, hl, m³ or other measure.
- (4) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
- (5) Complete if necessary. In the event that:
 - the goods originate in a country covered by the Agreement or Convention concerned: indicate the country,
 - the products originate in another country: indicate 'third country'
- (6) The value must be indicated in accordance with the provisions on rules of origin.

*ANNEX VIII***JOINT DECLARATION ON ARTICLE 1**

The parties agree that the provisions of Article 1(e) of the Protocol shall not prejudice the right of Tunisia to benefit from special and differential treatment and other derogations accorded to developing countries by the agreement on implementation of Article VII of the General Agreement on Tariffs and Trade.

JOINT DECLARATION ON ARTICLES 19 AND 33

The parties agree to the necessity to establish Explanatory Notes to the provisions of Article 19(1)(b) and Article 33(1) and (2) of the Protocol.

JOINT DECLARATION ON ARTICLE 39

For the implementation of Article 39 of this Protocol, the Community is prepared to examine any request from Tunisia for derogations from the rules of origin after signature of the Agreement.

—

PROTOCOL No 5

on mutual assistance in customs matters between the administrative authorities

*Article 1***Definitions**

For the purposes of this Protocol:

- (a) 'customs legislation' shall mean any statutory or regulatory provision applicable in the territory of the Contracting Parties governing the import, export, transit of goods and their placing under any customs procedure, including measures of prohibition, restriction and control adopted by the Parties concerned;
- (b) 'applicant authority' shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which makes a request for assistance in customs matters;
- (c) 'requested authority' shall mean a competent administrative authority which has been appointed by a Contracting Party for this purpose and which receives a request for assistance in customs matters;
- (d) 'personal data' shall mean any data relating to an identified or identifiable natural person.

*Article 2***Scope**

1. The Contracting Parties shall assist each other, within their areas of responsibility, according to the procedures and under the conditions laid down in this Protocol, with a view to the prevention, investigation and detection of operations that contravene customs legislation.

2. Assistance in customs matters, as provided for in this Protocol, applies to any administrative authority of the Contracting Parties which is competent for the application of this Protocol. It shall not prejudice the rules governing mutual assistance in criminal matters. Nor shall it cover information obtained under powers exercised at the request of judicial authorities, unless those authorities so agree.

*Article 3***Assistance on request**

1. At the request of the applicant authority, the requested authority shall furnish it with all relevant information to enable it to ensure that customs legislation is correctly applied, in particular information regarding detected or projected operations which contravene or would contravene such legislation.

2. At the request of the applicant authority, the requested authority shall inform it whether goods exported from the territory of one of the Contracting Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applying to the goods.

3. At the request of the applicant authority, the requested authority shall undertake surveillance, in accordance with its own legislation, of:

- (a) natural or legal persons in respect of whom there are reasonable grounds for believing that they are engaging in or have engaged in operations which contravene customs legislation;
- (b) places where stocks of goods have been assembled in such a way that there are reasonable grounds for supposing that they are intended as supplies for operations contrary to the legislation of the other Contracting Parties;
- (c) movements of goods notified as possibly involving operations that contravene customs legislation;
- (d) means of transport for which there are reasonable grounds for believing that they have been, are or may be, used for the purpose of contravening customs legislation.

*Article 4***Spontaneous assistance**

The Contracting Parties shall provide each other, in accordance with their laws, rules and other legal instruments, with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- operations which contravene or which they believe to be contravention of such legislation and which may be of interest to the other Contracting Parties,
- new means or methods employed in realising such operations,
- goods known to be involved in operations contravening customs legislation,
- natural or legal persons in respect of whom there are reasonable grounds for believing that they are engaging in or have engaged in operations which contravene customs legislation,
- means of transport for which there are reasonable grounds for believing that they have been, are or may be used in the contravening of customs legislation.

*Article 5***Delivery/Notification**

At the request of the applicant authority, the requested authority shall in accordance with its legislation take all necessary measures in order:

- to deliver any document,
- to notify any decision,

falling within the scope of this Protocol to an addressee, residing or established in its territory. In such a case Article 6(3) is applicable.

*Article 6***Form and substance of requests for assistance**

1. Requests pursuant to this Protocol shall be made in writing. Documents deemed useful to help respond to such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.

2. Requests pursuant to paragraph 1 shall include the following information:

- (a) the applicant authority making the request;
- (b) the measure requested;
- (c) the object of and the reason for the request;
- (d) the laws, rules and other legal elements involved;
- (e) indications as exact and comprehensive as possible on the natural or legal persons being the target of the investigations;
- (f) a summary of the relevant facts and of the enquiries already carried out, except in cases provided for in Article 5.

3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to such authority.

4. If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of precautionary measures may, however, take place.

*Article 7***Execution of requests**

1. In order to comply with a request for assistance, the requested authority shall proceed, within its competence

and available resources, as though it were acting on its own account or at the request of other authorities of that same Contracting Party, by supplying information already possessed, by carrying out appropriate enquiries or by arranging for them to be carried out. This provision shall apply also to the administrative department to which the request has been addressed by the requested authority when the latter cannot act on its own.

2. Requests for assistance shall be executed in accordance with the laws, rules and other legal instruments of the requested Contracting Party.

3. Duly authorised officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, obtain from the offices of the requested authority or other authority for which the requested authority is responsible, information relating to the operations contravening or likely to contravene customs legislation which the applicant authority needs for the purposes of this Protocol.

4. Officials of a Contracting Party may, with the agreement of the other Contracting Party involved and within the conditions laid down by the latter, be present at enquiries carried out in the latter's territory.

*Article 8***Form in which information is to be communicated**

1. The requested authority shall communicate results of enquiries to the applicant authority in the form of documents, certified copies of documents, reports and the like.

2. The documents provided for in paragraph 1 may be replaced by computerised information produced in any form for the same purpose.

*Article 9***Exceptions to the obligation to provide assistance**

1. The Contracting Parties may refuse to give assistance as provided for in this Protocol, where to do so would:

- (a) be likely to prejudice Tunisia's sovereignty or that of a Member State of the Community whose assistance has been requested pursuant to this Protocol; or
- (b) be likely to prejudice their public policy, security or other essential interests; or
- (c) involve legislation other than customs legislation; or
- (d) violate an industrial, commercial or professional secret.

2. Where the applicant authority asks for assistance which it would itself be unable to provide if so asked, it shall draw attention to that fact in its request. It shall then be left to the requested authority to decide how to respond to such a request.

3. If assistance is denied, the decision and the reasons therefor must be notified to the applicant authority without delay.

Article 10

Obligation to observe confidentiality

1. Any information communicated in whatsoever form pursuant to this Protocol shall be of a confidential nature. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended to like information under the relevant legislation of the Contracting Party which received it and the corresponding provisions applying to the Community authorities.

2. Personal data may be communicated only where the level of protection granted to persons laid down in the legislation of the Contracting Parties is equivalent. The Contracting Parties must ensure at least a level of protection based on the principles contained in the Annex to this Protocol.

Article 11

Use of information

1. Information obtained, including information relating to personal data, shall be used solely for the purposes of this Protocol and may be used within each Contracting Party for other purposes only with the prior written consent of the administrative authority which furnished the information and shall be subject to any restrictions laid down by that authority. These provisions shall not be applicable when the information obtained for the purposes of this Protocol could also be used for the purposes of fighting against illicit trafficking of narcotic drugs and psychotropic substances. Such information may be communicated to other authorities directly involved in combating illicit drug traffic, within the limits of Article 2.

2. Paragraph 1 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation. The competent authority which provided the information shall be informed immediately of such use.

3. The Contracting Parties may, in their records of evidence, reports and testimonies and in proceedings

and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Protocol.

Article 12

Experts and witnesses

1. An official of a requested authority may be authorised to appear, within the limitations of the authorisation granted, as expert or witness in judicial or administrative proceedings regarding the matters covered by this Protocol in the jurisdiction of the other Contracting Party, and produce such objects, documents or authenticated copies thereof, as may be needed for the proceedings. The request for an appearance must indicate specifically on what matters and by virtue of what title or qualification the official will be questioned.

2. The authorised official shall enjoy the protection guaranteed by existing legislation to officials of the applicant authority on its territory.

Article 13

Assistance expenses

The Contracting Parties shall waive all claims on each other for the reimbursement of expenses incurred pursuant to this Protocol, except, as appropriate, for expenses to experts, witnesses, interpreters and translators who are not dependent upon public services.

Article 14

Implementation

1. The implementation of this Protocol shall be entrusted to the national customs authorities of Tunisia on the one hand and the competent services of the Commission of the European Communities and, where appropriate, the customs authorities of the Member States on the other. They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection. They may, through the Customs Cooperation Committee set up by Article 40 of Protocol No 4, recommend to the Association Council, amendments which they consider should be made to this Protocol.

2. The Contracting Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Protocol.

*Article 15***Complementarity**

1. This Protocol shall complement and not impede the application of any agreements on mutual assistance which have been concluded or may be concluded

by individual or several Member States of the European Union and Tunisia. Nor shall it preclude more extensive mutual assistance granted under such agreements.

2. Without prejudice to Article 11, these agreements shall not prejudice Community provisions governing the communication between the competent services of the Commission and the customs authorities of the Member States of any information obtained in customs matters which could be of Community interest.

*Annex to the Protocol***FUNDAMENTAL PRINCIPLES APPLICABLE TO DATA PROTECTION**

1. Personal data undergoing computer processing must be:
 - (a) obtained and processed fairly and lawfully;
 - (b) kept for explicit and legitimate purposes and not further used in a way incompatible with those purposes;
 - (c) appropriate, relevant and not excessive in relation to the purposes for which they are collected;
 - (d) accurate and, where necessary, kept up to date;
 - (e) kept in a form which permits identification of the person concerned for no longer than is necessary for the procedure for which the data were collected.
2. Personal data revealing racial origin, political or religious opinions or other beliefs, and data concerning a person's health or sex life, may not undergo computer processing except where suitable safeguards are provided by national law. These provisions apply also to personal data relating to criminal convictions.
3. Appropriate security measures must be taken to ensure that personal data recorded in computer filing systems are protected against unlawful destruction or accidental loss and against unauthorised alteration, disclosure or access.
4. Any person must have the right to:
 - (a) establish whether personal data relating to him are kept in a computer filing system, the purposes for which they are mainly used and the identity and normal place of residence or work of the person responsible for the filing system;
 - (b) obtain at reasonable intervals, and without excessive delay or expense, confirmation as to the existence of a computer filing system containing personal data relating to him and communication of such data in an intelligible form;
 - (c) obtain, as appropriate, the rectification or erasure of such data where they have been processed in violation of the provisions laid down by the national legislation applying the fundamental principles contained in paragraphs 1 and 2 of this Annex;
 - (d) have access to legal remedies if no action is taken on a request for communication or, where appropriate, the communication, rectification or erasure referred to in paragraphs (b) and (c) above.
- 5.1. Derogations from the provisions of paragraphs 1, 2 and 4 of this Annex are allowed only in the cases below.
- 5.2. Derogations from the provisions of paragraphs 1, 2 and 4 of this Annex may be allowed where provided for in the legislation of the Contracting Party and where such derogation constitutes a necessary measure in a democratic society and is intended to:
 - (a) safeguard national security, public order or a State's financial interests or prevent criminal offences;
 - (b) protect the data subjects or the rights and freedoms of others.
- 5.3. In the case of computerised filing systems containing personal data used for statistical purposes or scientific research, the rights referred to in paragraphs 4(b), (c) and (d) of this Annex may be restricted by law where such use is clearly unlikely to constitute an invasion of privacy of the data subjects.
6. No provision in this Annex is to be interpreted as restricting or prejudicing a Contracting Party's power to grant data subjects wider protection than that provided for in this Annex.

FINAL ACT

The plenipotentiaries of:

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the EUROPEAN COMMUNITY and the Treaty establishing the EUROPEAN COAL AND STEEL COMMUNITY.

hereinafter referred to as 'the Member States', and

of the EUROPEAN COMMUNITY and the EUROPEAN COAL AND STEEL COMMUNITY,

hereinafter referred to as 'the Community',

of the one part,

and the plenipotentiaries of the REPUBLIC OF TUNISIA hereinafter to as 'Tunisia',

of the other part,

meeting at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-five for the signature of the Agreement establishing an association between the Community and its Member States, of the one part, and the Republic of Tunisia, of the other part, have adopted the following texts:

the Euro-Mediterranean Agreement and the following Protocols:

Protocol No 1 on the arrangements applying to imports into the Community of agricultural products originating in Tunisia

Protocol No 2 on the arrangements applying to imports into the Community of fishery products originating in Tunisia

Protocol No 3 on the arrangements applying to imports into Tunisia of agricultural products originating in the Community

Protocol No 4 concerning the definition of originating products and methods of administrative cooperation

Protocol No 5 on mutual assistance in customs matters between the administrative authorities

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of Tunisia have adopted the texts of the Joint Declarations listed below and annexed to this Final Act:

Joint Declaration relating to Article 5 of the Agreement

Joint Declaration relating to Article 10 of the Agreement

Joint Declaration relating to Article 39 of the Agreement

Joint Declaration relating to Article 42 of the Agreement

Joint Declaration relating to Article 49 of the Agreement

Joint Declaration relating to Article 50 of the Agreement

Joint Declaration relating to Article 64 of the Agreement

Joint Declaration relating to Article 64(1) of the Agreement

Joint Declaration relating to Article 65 of the Agreement

Joint Declaration relating to Articles 34, 35, 76 and 77 of the Agreement

Joint Declaration relating to textiles

The plenipotentiaries of Tunisia have taken note of the Declaration by the European Community mentioned below and annexed to this Final Act.

Declaration relating to Article 29 of the Agreement.

The plenipotentiaries of the Member States and of the Community have taken note of the Declaration by Tunisia mentioned below and annexed to this Final Act:

Declaration on safeguarding Tunisia's interests.

Declaration concerning Article 69 of the Agreement.

Hecho en Bruselas, el diecisiete de julio de mil novecientos noventa y cinco.

Udfærdiget i Bruxelles den syttende juli nitten hundrede og fem og halvfems.

Geschehen zu Brüssel am siebzehnten Juli neunzehnhundertfünfundneunzig.

Έγινε στις Βρυξέλλες, στις δέκα εφτά Ιουλίου χίλια εννιακόσια ενενήντα πέντε.

Done at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-five.

Fait à Bruxelles, le dix-sept juillet mil neuf cent quatre-vingt-quinze.

Fatto a Bruxelles, addì diciassette luglio millenovecentonovantacinque.

Gedaan te Brussel, de zeventiende juli negentienhonderd vijffennegentig.

Feito em Bruxelas, em dezassete de Julho de mil novecentos e noventa e cinco.

Tehty Brysselissä seitsemäntenätoista päivänä heinäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäviisi.

Som skedde i Bryssel den sjuttonde juli nittonhundraettiofem.

حرر في بروكسل في السابع عشر من شهر جويليه سنة الف وتسعمائة وخمسة وتسعون

Pour le Royaume de Belgique

Voor het Koninkrijk België

Für das Königreich Belgien

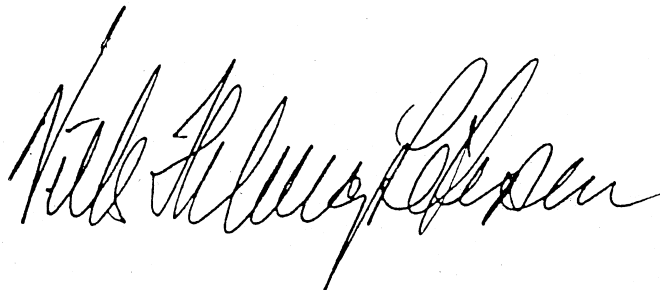


Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brusselse Hoofdstedelijke Gewest.

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

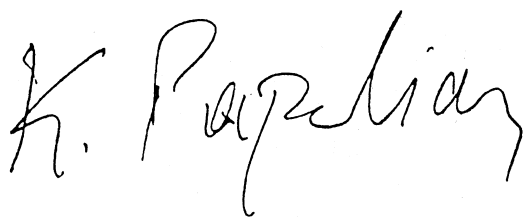
På Kongeriget Danmarks vegne



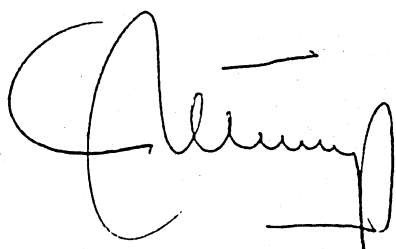
Für die Bundesrepublik Deutschland



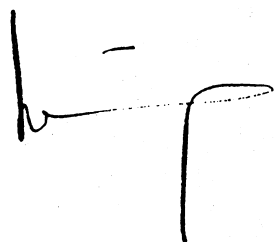
Για την Ελληνική Δημοκρατία



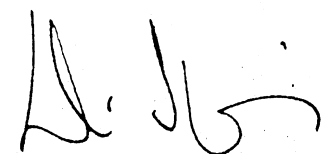
Por el Reino de España



Pour la République française



Thar ceann na hÉireann
For Ireland



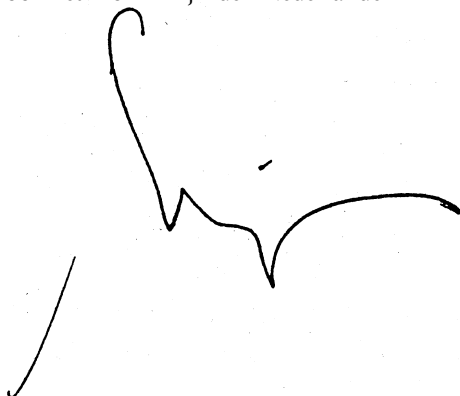
Per la Repubblica italiana

E. SCARLETT
del Muro

Pour le Grand-Duché de Luxembourg



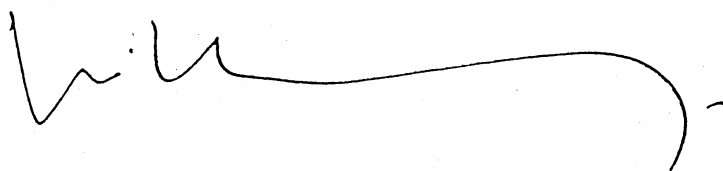
Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



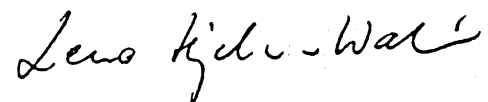
Pela República Portuguesa



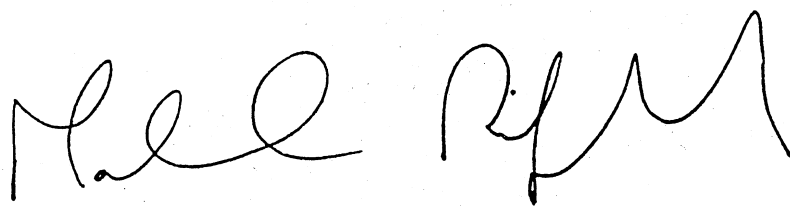
Suomen tasavallan puolesta



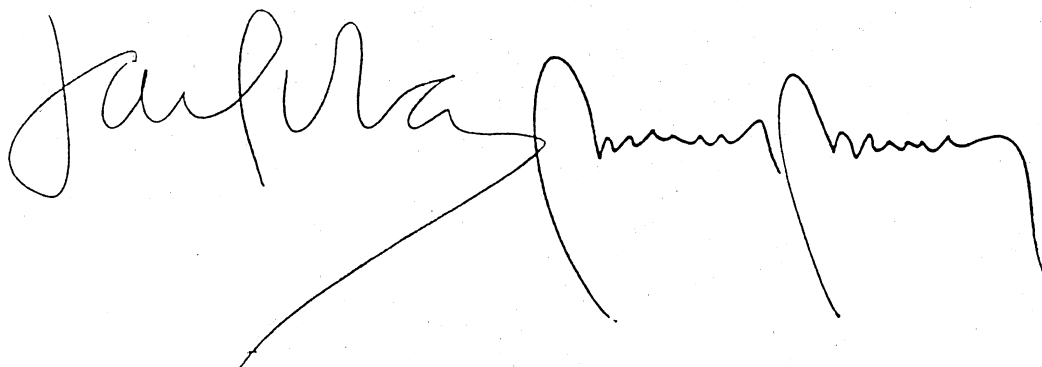
För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



Por las Comunidades Europeas
For De Europæiske Fællesskaber
Für die Europäischen Gemeinschaften
Για τις Ευρωπαϊκές Κοινότητες
For the European Communities
Pour les Communautés européennes
Per le Comunità europee
Voor de Europese Gemeenschappen
Pelas Comunidades Europeias
Euroopan yhteisöjen puolesta
På Europeiska gemenskapernas vägnar



عن الجمهورية التونسية



JOINT DECLARATIONS

Joint declaration relating to Article 5 of the Agreement

1. The Parties hereby agree that political dialogue at ministerial level should take place at least once a year.
2. The Parties consider that political dialogue should be established between the European Parliament and the Tunisian Chamber of Deputies.

Joint declaration relating to Article 10 of the Agreement

The Parties hereby agree to establish jointly the separate specification by Tunisia of an agricultural component in the import duties in force on goods originating in the Community before the entry into force of the Agreement in respect of the products appearing in list 2 in Annex 2 to the Agreement.

This principle will also apply to the products appearing in list 3 in Annex 2 to the Agreement before elimination of the industrial component begins.

Should Tunisia raise the duties in force on 1 January 1995 for the products mentioned above owing to the agricultural component, it will accord the Community a 25 % reduction on the increase in duties.

Joint declaration relating to Article 39 of the Agreement

Under the Agreement, the Parties agree that intellectual, industrial and commercial property comprises, in particular, copyright, including copyright in computer programs, and neighbouring rights, commercial trademarks and geographical descriptions including designation of origin, industrial designs and models, patents, configuration plans (topographies) of integrated circuits, protection of undisclosed information and protection against unfair competition in accordance with Article 10(a) of the Paris Convention for the Protection of Industrial Property in the 1967 Act of Stockholm (Paris Union).

Joint declaration relating to Article 42 of the Agreement

The Parties reaffirm the importance they attach to decentralised cooperation programmes as an additional means of promoting exchange of experience and transfer of knowledge in the Mediterranean region and between the European Community and its partners.

Joint declaration relating to Article 49 of the Agreement

The Parties recognize the need to modernise the Tunisian productive sector in order to adapt it better to the realities of the international and European economy.

The Community will give its support to Tunisia in implementing a support programme in the industrial sectors to benefit from restructuring and updating in order to cope with difficulties which may stem from the liberalisation of trade and in particular the dismantling of tariffs.

Joint declaration relating to Article 50 of the Agreement

The Contracting Parties attach importance to boosting the flow of direct investment to Tunisia.

They agree to expand Tunisia's access to Community investment promotion instruments in accordance with the relevant Community provisions.

Joint declaration relating to Article 64 of the Agreement

Without prejudice to the conditions and procedures applicable in each Member State, the Parties will examine the matter of access to a Member State's labour market of the spouse and children, legally resident under family reunification arrangements, of Tunisian workers legally employed on the territory of a Member State, except for seasonal workers, those on secondment or on placement, for the duration of the worker's authorised stay.

Joint declaration relating to Article 64(1) of the Agreement

With regard to the absence of discrimination as regards redundancy, Article 64(1) may not be invoked to obtain renewal of a residence permit. The granting, renewal or refusal of a residence permit shall be governed by the legislation of each Member State and the bilateral agreements and conventions in force between Tunisia and the Member State.

Joint declaration relating to Article 65 of the Agreement

It is understood that the term 'members of their family' shall be defined according to the national legislation of the host country concerned.

Joint declaration relating to Articles 34, 35, 76 and 77 of the Agreement

If, during the progressive implementation of the Agreement, Tunisia experiences serious balance of payments difficulties, Tunisia and the Community may hold consultations to work out the best ways and means of helping Tunisia cope with these difficulties.

Such consultations will take place in conjunction with the International Monetary Fund.

Joint declaration relating to textiles

It is understood that the arrangements for textile products will be the subject of a special protocol, to be concluded by 31 December 1995, on the basis of the provisions of the arrangement in force in 1996.

DECLARATION BY THE COMMUNITY**Declaration relating to Article 29 of the Agreement**

If Tunisia concludes agreements with other Mediterranean countries with a view to establishing free trade, the Community is willing to consider cumulation of origin in its trade with those countries.

DECLARATIONS BY TUNISIA**Declaration on safeguarding Tunisia's interests**

Tunisia wishes its interests be taken into account where any concessions and advantages are granted to other Mediterranean non-member countries under future agreements concluded between those countries and the Community.

Declaration concerning Article 69 of the Agreement

- Considering family reunification as a basic right of Tunisian workers residing abroad,
- bearing in mind that this right is a key factor in maintaining the balance of the family and guaranteeing success at school and the children's social and occupational integration,
- notwithstanding the bilateral agreements concluded between Tunisia and certain Member States of the European Union,

Tunisia wishes the question of family reunification to be the subject of in-depth discussions with the Community with a view to easing and improving the conditions for family reunification.
