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COUNCIL DECISION (EU) 2015/2169

of 1 October 2015

on the conclusion of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part

(OJ L 307, 25.11.2015, p. 2)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Council Decision (EU) 2022/2335 of 28 November 2022	L 309	6	30.11.2022

▼B**COUNCIL DECISION (EU) 2015/2169****of 1 October 2015****on the conclusion of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part***Article 1*

The Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part ⁽¹⁾, is hereby approved on behalf of the Union.

Article 2

The President of the Council shall designate the person(s) empowered to proceed on behalf of the Union to give the notification referred to in Article 15.10.2 of the Agreement, in order to express the consent of the Union to be bound by the Agreement.

Article 3

1. The Commission shall provide notice to Korea of the Union's intention not to extend the period of entitlement to co-production pursuant to Article 5 of the Protocol on Cultural Cooperation following the procedure set out in Article 5(8) of the said Protocol unless, on a proposal from the Commission, the Council agrees four months before the end of such period of entitlement to continue the entitlement. If the Council agrees to continue the entitlement this provision shall again become applicable at the end of the renewed period of entitlement. ► **M1** ————— ◀

2. For the purposes of Article 10.25 of the Agreement, modifications of the Agreement through decisions of the Working Group on Geographical Indications shall be approved by the Commission on behalf of the Union. Where interested parties cannot reach agreement following objections relating to a Geographical Indication, the Commission shall adopt such a position on the basis of the procedure laid down in Article 15(2) of Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽²⁾. The period referred to in Article 5(6) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽³⁾ shall be set at one month.

⁽¹⁾ The Agreement has been published in OJ L 127, 14.5.2011, p. 1, together with the decision on signature.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

▼B*Article 4*

1. A name protected under Sub-Section C ‘Geographical Indications’ of Chapter Ten of the Agreement may be used by any operator marketing agricultural products, foodstuffs, wines, aromatised wines or spirits conforming to the corresponding specification.
2. The Member States and the institutions of the Union shall enforce the protection provided for in Articles 10.18 to 10.23 of the Agreement, including at the request of an interested party.

Article 5

The position to be taken by the Union in the Committee on Cultural Cooperation on decisions having legal effects shall be determined by the Council acting in accordance with the Treaty. The representatives of the Union in the Committee on Cultural Cooperation shall comprise senior officials of both the Commission and the Member States who have expertise and experience in cultural matters and practices, and who shall present the position of the Union in accordance with the Treaty.

Article 6

The applicable provision for the purposes of adopting the necessary implementing rules for the application of the rules contained in Annex II(a) of the Protocol concerning the Definition of ‘Originating Products’ and Methods of Administrative Cooperation of the Agreement is Article 247a of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾.

Article 7

The Agreement shall not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.

Article 8

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

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.