

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2015 OF THE EU-EGYPT ASSOCIATION COUNCIL of 21 September 2015

replacing Protocol 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation [2015/2435]

THE EU-EGYPT ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part ⁽¹⁾, and in particular Article 27 thereof,

Having regard to Protocol 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation,

Whereas:

- (1) Article 27 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part ('the Agreement') refers to Protocol 4 to the Agreement ('Protocol 4') which lays down the rules of origin and provides for cumulation of origin between the European Union, Egypt and other Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ ('the Convention').
- (2) Article 39 of Protocol 4 provides that the Association Council provided for in Article 74 of the Agreement may decide to amend the provisions of that protocol.
- (3) The Convention aims to replace the protocols on rules of origin currently in force among the countries of the pan-Euro-Mediterranean area with a single legal act.
- (4) The Union and Egypt signed the Convention on 15 June 2011 and 9 October 2013, respectively.
- (5) The Union and Egypt deposited their instruments of acceptance with the depositary of the Convention on 26 March 2012 and 23 April 2014, respectively. Consequently, pursuant to Article 10(3) of the Convention, the Convention entered into force in relation to the Union and Egypt on 1 May 2012 and on 1 June 2014, respectively.
- (6) Protocol 4 should therefore be replaced by a new protocol making reference to the Convention,

HAS ADOPTED THIS DECISION:

Article 1

Protocol 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation shall be replaced by the text set out in the Annex to this Decision.

⁽¹⁾ OJ L 304, 30.9.2004, p. 39.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

Article 2

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

It shall apply from 1 February 2016.

Done at Brussels, 21 September 2015.

For the Association Council

The President

F. MOGHERINI

ANNEX

‘PROTOCOL 4**concerning the definition of the concept of “originating products” and methods of administrative cooperation***Article 1***Applicable rules of origin**

1. For the purpose of implementing this Agreement, Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽¹⁾ (“the Convention”) shall apply.
2. All references to the “relevant agreement” in Appendix I and in the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin shall be construed so as to mean this Agreement.

*Article 2***Dispute settlement**

1. Where disputes arise in relation to the verification procedures set out in Article 32 of Appendix I to the Convention that cannot be settled between the customs authorities requesting the verification and the customs authorities responsible for carrying out that verification, such disputes shall be submitted to the Association Council.
2. In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall take place under the legislation of that country.

*Article 3***Amendments to the Protocol**

The Association Council may decide to amend the provisions of this Protocol.

*Article 4***Withdrawal from the Convention**

1. Should either the European Union or Egypt give notice in writing to the depositary of the Convention of their intention to withdraw from the Convention in accordance with Article 9 thereof, the Union and Egypt shall immediately enter into negotiations on rules of origin for the purpose of implementing this Agreement.
2. Until the entry into force of such newly negotiated rules of origin, the rules of origin contained in Appendix I to the Convention and, where appropriate, the relevant provisions of Appendix II thereto, applicable at the moment of withdrawal, shall continue to apply to this Agreement. However, as of the moment of withdrawal, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention shall be construed so as to allow bilateral cumulation between the European Union and Egypt only.’

⁽¹⁾ OJ L 54, 26.2.2013, p. 4.