

3. FREEDOM TO PROVIDE SERVICES

1. 31973 L 0239: First Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance (OJ L 228, 16.8.1973, p. 3), as amended by:

— 31976 L 0580: Council Directive 76/580/EEC of 29.6.1976 (OJ L 189, 13.7.1976, p. 13),

— 11979 H: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Hellenic Republic (OJ L 291, 19.11.1979, p. 17),

— 31984 L 0641: Council Directive 84/641/EEC of 10.12.1984 (OJ L 339, 27.12.1984, p. 21),

— 11985 I: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Kingdom of Spain and the Portuguese Republic (OJ L 302, 15.11.1985, p. 23),

— 31987 L 0343: Council Directive 87/343/EEC of 22.6.1987 (OJ L 185, 4.7.1987, p. 72),

— 31987 L 0344: Council Directive 87/344/EEC of 22.6.1987 (OJ L 185, 4.7.1987, p. 77),

— 31988 L 0357: Second Council Directive 88/357/EEC of 22.6.1988 (OJ L 172, 4.7.1988, p. 1),

— 31990 L 0618: Council Directive 90/618/EEC of 8.11.1990 (OJ L 330, 29.11.1990, p. 44),

— 31992 L 0049: Council Directive 92/49/EEC of 18.6.1992 (OJ L 228, 11.8.1992, p. 1),

— 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),

— 31995 L 0026: European Parliament and Council Directive 95/26/EC of 29.6.1995 (OJ L 168, 18.7.1995, p. 7),

— 32000 L 0026: Directive 2000/26/EC of the European Parliament and of the Council of 16.5.2000 (OJ L 181, 20.7.2000, p. 65),

— 32002 L 0013: Directive 2002/13/EC of the European Parliament and of the Council of 5.3.2002 (OJ L 77, 20.3.2002, p. 17).

The following is added to Article 8(1)(a):

‘— in the case of the Czech Republic: “akciová společnost”, “družstvo”,

— in the case of the Republic of Estonia: “aktsiaselts”,

— in the case of the Republic of Cyprus: “Εταιρεία περιορισμένης ευθύνης με μετοχές ή εταιρεία περιορισμένης ευθύνης χωρίς μετοχικό κεφάλαιο”,

— in the case of the Republic of Latvia: “apdrošināšanas akciju sabiedrība”, “savstarpējās apdrošināšanas kooperatīvā biedrība”,

— in the case of the Republic of Lithuania: “akcinės bendrovės”, “uždarosios akcinės bendrovės”,

— in the case of the Republic of Hungary: “biztosító részvénytársaság”, “biztosító szervezet”, “biztosító egyesület”, “külföldi székhelyű biztosító magyarországi fióktelepe”,

— in the case of the Republic of Malta: “kumpanija pubblika”, “kumpanija privata”, “fergħa”, “Korp ta' l- Assikurazzjoni Rikonnaxxut”,

— in the case of the Republic of Poland: “spółka akcyjna”, “towarzystwo ubezpieczeń wzajemnych”,

— in the case of the Republic of Slovenia: “delniška družba”, “družba za vzajemno zavarovanje”,

— in the case of the Slovak Republic: “akciová spoločnosť”.

2. 31974 L 0557: Council Directive 74/557/EEC of 4 June 1974 on the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons and of intermediaries engaging in the trade and distribution of toxic products (OJ L 307, 18.11.1974, p. 5), as amended by:

— 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21).

The following is added to the Annex:

‘— Czech Republic:

1. Toxic substances and preparations covered by Act No 157/1998 Sb. on Chemical substances and Chemical preparations, as amended, and Government Regulation No 25/1999 Sb. setting up a procedure for assessing the danger of chemical substances and chemical preparations, the method for their classification and labelling and the issue of the List of hitherto classified dangerous chemical substances, as amended.

2. Biological pesticides for use in agriculture covered by Act No 147/1996 Sb. on Phytosanitary care, as amended and implemented by Decree of the Ministry of Agriculture No 91/2002 Sb.

— Estonia:

1. Products subject to special arrangements covered by the Chemicals Act of 6 May 1998 and the secondary legislation based on the Act. The list of dangerous products compiled in accordance with section 11 of the Chemicals Act is established by the Minister of Social Affairs in Regulation No 59 of 30 November 1998.

2. Registered Plant Protection products covered by the Plant Protection Act of 15 March 2000 and the secondary legislation based on it. The list of prohibited active substances in plant protection products is established by Government Regulation No 285 of 30 August 2000.

— Cyprus:

1. Toxic products covered by the Dangerous Substances Law of 1991 (199/1991), the Dangerous Substances (Amendment) Law N.27(I)/1997, the Dangerous Substances (Amendment) Law N.81(I)/2002 and the Dangerous Substances (Classification, Labelling and Packaging of Dangerous Substances and Preparations) Regulations of 2002 (P.I. 292/2002).
2. Pesticides covered by the Pest Control Products Law of 1993 ((I)/1993) and the Pest Control Products Regulations of 1993 and 2000.

— Latvia:

1. Chemicals covered by the Law on Chemical Substances and Chemical Products of 1 April 1998 and regulations based thereon.
2. Plant protection products (including biological pesticides for use in agriculture) covered by the Plant Protection Law of 17 December 1998.

— Lithuania:

Poisonous substances listed in the Order of the Minister of Health No 195 of 26 April 2002 on Adoption of the List of Poisonous Substances according to their Toxicity including chemical substances to be labelled with the hazard symbols T (toxic) or T+ (very toxic) according to the requirements of Council Directive 67/548/EEC.

— Hungary:

1. The following substances:

- phosphine and products that can liberate phosphine,
- ethylene-oxide,
- carbon-disulphide,
- hydrogen cyanide and soluble salts of hydrogen-cyanide,
- hydrogen fluoride and soluble salts of hydrogen fluoride,
- acrylonitrile,
- liquid ammonia,
- chloropicrin,
- carbon-tetrachloride,
- trichloroacetonitrile.

2. Rodenticide, insecticide, repellent and attractant (biocides = non-agricultural pesticides) products regulated by Decree No 3/1969 (V.16.) EüM of the Minister of Health, in circulation and in use for public health purposes.

— Malta:

1. Biocidal agents and plant protection products under the Att dwar il-Kontroll tal-Pesticidji (Kap. 430) (Att XI tal-2001) (Pesticides Control Act (Cap. 430) (Act XI of 2001)) and subsidiary legislation enacted under that Act.

2. Drug precursors listed in the Ordinanza dwar il-Medicini Perikolużi (Kap. 101) (Ordinanza XXXI tal-1939, kif sussegwentement emendata) (Dangerous Drugs Ordinance (Cap. 101) (Ordinance XXXI of 1939), as subsequently amended)).

3. Substances listed in the Ordni dwar Sustanzi Velenużi (Notifikazzjoni tal-Gvern 510 tal-1967) (Poisonous Substances Order – Government Notice 510 of 1967) issued under the Ordinanza dwar il-Professjoni Medika u l-Professjonijiet li għandhom x'jaqsmu magħha (Kap. 31) (Ordinanza XVII tal-1901, kif sussegwentement emendata) – (Medical and Kindred Professions Ordinance (Cap. 31) (Ordinance XVII of 1901), as subsequently amended).

— Poland:

1. Plant protection products covered by the Act of 12 July 1995 on the Protection of Cultivated Plants (Dz.U. 1999, Nr 66, poz. 751 with amendments).
2. Wastes covered by the Act of 27 April 2001 on Wastes (Dz.U. 2001, Nr 62, poz. 628 with amendments).

— Slovenia:

1. Substances and preparations covered by “Seznam registriranih fitofarmaceutskih sredstev v Republiki Sloveniji” (Uradni list RS, št. 31/01, str. 3393, št. 70/01, str. in št. 94/01, str. 9193) issued periodically by the Minister for Agriculture, Forestry and Food pursuant to Article 28 of the Plant protection products Act (Zakon o fitofarmaceutskih sredstvih, Uradni list št. 11/01, str. 1163).
2. Substances and preparations classified as dangerous chemicals under the Chemicals Act (Zakon o kemikalijah, Uradni list RS, št. 36/1999, str. 4165).

— Slovakia:

1. Chemical substances and preparations of which the trade and distribution is regulated by Act No.163/2001 Z.z. on Chemical Substances and Preparations.
2. Plant protection products, including biological plant protection products, of which the placing on the market is regulated by Act No. 471/2001 Z. z. amending Act No 285/1995 Z. z. on Plant Health Care, in particular in Articles 15 and 19 thereof, as well as by Article 14 of Decree by the Ministry of Agriculture of the Slovak Republic of 21 January 2001 No.3322/3/2001-100 laying down details concerning plant protection products.’.
3. 31977 L 0092: Council Directive 77/92/EEC of 13 December 1976 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of the activities of insurance agents and brokers (ex ISIC Group 630) and, in particular, transitional measures in respect of those activities (OJ L 26, 31.1.1977, p. 14), as amended by:

— 11979 H: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Hellenic Republic (OJ L 291, 19.11.1979, p. 17),

— 11985 I: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Kingdom of Spain and the Portuguese Republic (OJ L 302, 15.11.1985, p. 23),

— 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21).

(a) The following is added to Article 2(2)(a):

‘— in the Czech Republic:

— “pojišťovací nebo zajišťovací makléř”;

— in Estonia:

— “kindlustusmaakler”;

— in Cyprus:

— “Πράκτορας”;

— in Latvia:

— “apdrošināšanas brokeru sabiedrība”;

— in Lithuania:

— “draudimo brokeris”;

— in Hungary:

— “biztosítási alkusz”;

— in Malta:

— “agent fl-assikurazzjoni”;

— in Poland:

— “broker ubezpieczeniowy”, “broker reasekuracyjny”;

— in Slovenia:

— “zavarovalni posrednik”;

— in Slovakia:

— “poist'ovací makléř”.

(b) The following is added to Article 2(2)(b):

‘— in the Czech Republic:

— “pojišťovací agent”;

— in Estonia:

— “kindlustusagent”;

— in Cyprus:

— “Μεσάζωντας”;

— in Latvia:

— “apdrošināšanas aģentūra”, “apdrošināšanas aģents”;

— in Lithuania:

— “draudimo agentas”;

— in Hungary:

— “egyes biztosítási ügynök”, “többes biztosítási ügynök”, “vezérügynök”;

— in Malta:

— “brokers fl-assikurazzjoni”;

— in Poland:

— “agent ubezpieczeniowy”;

— in Slovenia:

— “zavarovalni zastopnik”;

— in Slovakia:

— “poist'ovací agent”.

(c) The following is added to Article 2(2)(c):

‘— in the Czech Republic:

— “pomocný pojišťovací zprostředkovatel”;

— in Cyprus:

— “Μεσίτης ασφαλίσεων”;

— in Hungary:

— “alügynök”;

— in Malta:

— “Sotto- agent fl-assikurazzjoni”.

4. 31979 L 0267: First Council Directive 79/267/EEC of 5 March 1979 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct life assurance (OJ L 63, 13.3.1979, p. 1), as amended by:

— 11979 H: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Hellenic Republic (OJ L 291, 19.11.1979, p. 17),

— 11985 I: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Kingdom of Spain and the Portuguese Republic (OJ L 302, 15.11.1985, p. 23),

— 31990 L 0619: Council Directive 90/619/EEC of 8.11.1990 (OJ L 330, 29.11.1990, p. 50),

— 31992 L 0096: Council Directive 92/96/EEC of 10.11.1992 (OJ L 360, 9.12.1992, p. 1),

— 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21),

— 31995 L 0026: European Parliament and Council Directive 95/26/EC of 29.6.1995 (OJ L 168, 18.7.1995, p. 7),

— 32002 L 0012: Directive 2002/12/EC of the European Parliament and of the Council of 5.3.2002 (OJ L 77, 20.3.2002, p. 11).

The following is added to Article 8(1)(a):

- ‘— in the case of the Czech Republic: “akciová společnost”, “družstvo”,
- in the case of the Republic of Estonia: “aktsiaselts”,
- in the case of the Republic of Cyprus: “Εταιρεία περιορισμένης ευθύνης με μετοχές ή εταιρεία περιορισμένης ευθύνης χωρίς μετοχικό κεφάλαιο”,
- in the case of the Republic of Latvia: “apdrošināšanas akciju sabiedrība”, “savstarpējās apdrošināšanas kooperatīvā biedrība”,
- in the case of the Republic of Lithuania: “akcinės bendrovės”, “uždarosios akcinės bendrovės”,
- in the case of the Republic of Hungary: “biztosító részvénytársaság”, “biztosító szövetkezet”, “biztosító egyesület”, “külföldi székhelyű biztosító magyarországi fióktelepe”,
- in the case of the Republic of Malta: “kumpanija pubblika”, “kumpanija privata”, “fergħa”, “Korp ta' l- Assikurazzjoni Rikonnoxut”,
- in the case of the Republic of Poland: “spółka akcyjna”, “towarzystwo ubezpieczeń wzajemnych”,

— in the case of the Republic of Slovenia: “delniška družba”, “družba za vzajemno zavarovanje”,

— in the case of the Slovak Republic: “akciová spoločnosť”.

5. 32000 L 0012: Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions (OJ L 126, 26.5.2000, p. 1), as amended by:

— 32000 L 0028: Directive 2000/28/EC of the European Parliament and of the Council of 18.9.2000 (OJ L 275, 27.10.2000, p. 37).

The following is added to Article 2(3):

- ‘— in Latvia, the “krājaizdevu sabiedrības”, undertakings that are recognised under the “krājaizdevu sabiedrību likums” as cooperative undertakings rendering financial services solely to their members,
- in Lithuania, the “kredito unijos” other than the “Centrinė kredito unija”,
- in Hungary, the “Magyar Fejlesztési Bank Rt.” and the “Magyar Export-Import Bank Rt.”,
- in Poland, the “Spółdzielcze Kasy Oszczędnościowo - Kredytowe” and the “Bank Gospodarstwa Krajowego”.

4. COMPANY LAW

A. COMPANY LAW

1. 31968 L 0151: First Council Directive 68/151/EEC of 9 March 1968 on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community (OJ L 65, 14.3.1968, p. 8), as amended by:

- 11972 B: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Kingdom of Denmark, Ireland and the United Kingdom (OJ L 73, 27.3.1972, p. 14),
- 11979 H: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Hellenic Republic (OJ L 291, 19.11.1979, p. 17),
- 11985 I: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Kingdom of Spain and the Portuguese Republic (OJ L 302, 15.11.1985, p. 23),
- 11994 N: Act concerning the conditions of accession and the adjustments to the Treaties – Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ C 241, 29.8.1994, p. 21).

The following is added to Article 1:

- ‘— in the Czech Republic:
společnost s ručením omezeným, akciová společnost;
- in Estonia:
aktsiaselts, osuühing;

— in Cyprus:

Δημόσιες εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση, ιδιωτικές εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση;

— in Latvia:

akciju sabiedrība, sabiedrība ar ierobežotu atbildību, komanditsabiedrība;

— in Lithuania:

akcinė bendrovė, uždaroji akcinė bendrovė;

— in Hungary:

részvénytársaság, korlátolt felelősségű társaság;

— in Malta:

kumpanija pubblika/public limited liability company, kumpanija privata/private limited liability company;

— in Poland:

spółka z ograniczoną odpowiedzialnością, spółka komandytowo-akcyjna, spółka akcyjna;

— in Slovenia:

delniška družba, družba z omejeno odgovornostjo, komaditna delniška družba;

— in Slovakia:

akciová spoločnosť, spoločnosť s ručením obmedzeným.