

(h) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained after 1 January 2000 may be granted a certificate in Poland, provided that the application for a certificate is lodged within six months starting no later than the date of accession;

(i) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Slovenia prior to the date of accession may be granted a certificate, provided that the application for a certificate is lodged within six months of the date of accession, including in cases where the period provided for in Article 7(1) has expired;

(j) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Slovakia after 1 January 2000 may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained or within six months of 1 July 2002 if the market authorisation was obtained before that date.'

(b) In Article 20, the sole paragraph is numbered '1' and the following paragraph is added:

'2. This Regulation shall apply to supplementary protection certificates granted in accordance with the national legislation of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Poland, Slovenia and Slovakia prior to the date of accession.'

III. COMMUNITY DESIGNS

32002 R 0006: Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (OJ L 3, 5.1.2002, p. 1).

The following Article is inserted after Article 110:

'Article 110a

Provisions relating to the enlargement of the Community

1. As from the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as "new Member State(s)"), a Community design protected or applied for pursuant to this Regulation before the date of accession shall be extended to the territory of those Member States in order to have equal effect throughout the Community.

2. The application for a registered Community design may not be refused on the basis of any of the grounds for non-registrability listed in Article 47(1), if these grounds became applicable merely because of the accession of a new Member State.

3. A Community design as referred to in paragraph 1 may not be declared invalid pursuant to Article 25(1) if the grounds for invalidity become applicable merely because of the accession of a new Member State.

4. The applicant or the holder of an earlier right in a new Member State may oppose the use of a Community design falling under Article 25(1)(d), (e) or (f) within the territory where the earlier right is protected. For the purpose of this provision, "earlier right" means a right acquired or applied for in good faith before accession.

5. Paragraphs 1, 3 and 4 above shall also apply to unregistered Community designs. Pursuant to Article 11, a design which has not been made public within the territory of the Community shall not enjoy protection as an unregistered Community design.'

5. COMPETITION POLICY

1. 31968 R 1017: Council Regulation (EEC) No 1017/68 of 19 July 1968 applying rules of competition to transport by rail, road and inland waterway (OJ L 175, 23.7.1968, p. 1), 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),

— 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).

In Article 30(3), the second subparagraph is replaced by the following:

'The prohibition in Article 81(1) of the Treaty shall not apply to agreements, decisions and concerted practices which were in existence at the date of accession of Austria, Finland and Sweden or at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in Articles 4 and 5 of this Regulation. This subparagraph does not apply to agreements, decisions and concerted practices which at the date of accession already fall under Article 53(1) of the EEA Agreement.'

2. 31986 R 4056: Council Regulation (EEC) No 4056/86 of 22 December 1986 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport (OJ L 378, 31.12.1986, p. 4), 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).

Article 26a is replaced by the following:

'Article 26a

The prohibition in Article 81(1) of the Treaty shall not apply to agreements, decisions and concerted practices which were in existence at the date of accession of Austria, Finland and Sweden or at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in Articles 3 to 6 of this Regulation. However, this Article shall not apply to agreements, decisions and concerted practices which at the date of accession already fall under Article 53(1) of the EEA Agreement.'

3. 31993 R 1617: Commission Regulation (EEC) No 1617/93 of 25 June 1993 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports (OJ L 155, 26.6.1993, p 18), 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),

— 31996 R 1523: Commission Regulation (EC) No 1523/96 of 24.7.1996 (OJ L 190, 31.7.1996, p. 11),

— 31999 R 1083: Commission Regulation (EC) No 1083/1999 of 26.5.1999 (OJ L 131, 27.5.1999, p. 27),

— 32001 R 1324: Commission Regulation (EC) No 1324/2001 of 29.6.2001 (OJ L 177, 30.6.2001, p. 56),

— 32002 R 1105: Commission Regulation (EC) No 1105/2002 of 25.6.2002 (OJ L 167, 26.6.2002, p. 6).

Article 6a is replaced by the following:

'Article 6a

The prohibition in Article 81(1) of the Treaty shall not apply to agreements, decisions and concerted practices which were in existence at the date of accession of Austria, Finland and Sweden or at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in this Regulation. However, this Article shall not apply to agreements, decisions and concerted practices which at the date of accession already fall under Article 53(1) of the EEA Agreement.'

4. 31996 R 0240: Commission Regulation (EC) No 240/96 of 31 January 1996 on the application of Article 85(3) of the Treaty to certain categories of technology transfer agreements (OJ L 31, 9.2.1996, p. 2).

The following paragraph is added to Article 11:

'4. The prohibition in Article 81(1) of the Treaty shall not apply to agreements which were in existence at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in this Regulation.'

5. 31998 R 0447: Commission Regulation (EC) No 447/98 of 1 March 1998 on the notifications, time limits and hearings provided for in Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings (OJ L 61, 2.3.1998, p. 1).

(a) In Article 2(2), '23' is replaced by '33'.

(b) In Article 13(4), '29' is replaced by '39'.

(c) In Article 19(1), '29' is replaced by '39'.

(d) In the fifth paragraph of point E of the Annex, '23' is replaced by '33'.

6. 31999 R 0659: Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ L 83, 27.3.1999, p. 1).

Article 1(b)(i) is replaced by the following:

'(i) without prejudice to Articles 144 and 172 of the Act of Accession of Austria, Finland and Sweden and to Annex IV, point 3 and the Appendix to said Annex of the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, all aid which existed prior to the entry into force of the Treaty in the respective Member States, that is to say, aid schemes and individual aid which were put into effect before, and are still applicable after, the entry into force of the Treaty';

7. 31999 R 2790: Commission Regulation (EC) No 2790/99 of 22 December 1999 on the application of Article 81(3) of the Treaty to categories of vertical agreements and concerted practices (OJ L 336, 29.12.1999, p. 21).

The following Article is inserted after Article 12:

'Article 12a

The prohibition in Article 81(1) of the Treaty shall not apply to agreements which were in existence at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in this Regulation.'

8. 32000 R 2658: Commission Regulation (EC) No 2658/2000 of 29 November 2000 on the application of Article 81(3) of the Treaty to categories of specialisation agreements (OJ L 304, 5.12.2000, p. 3).

The following Article is inserted after Article 8:

'Article 8a

The prohibition in Article 81(1) of the Treaty shall not apply to agreements which were in existence at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in this Regulation.'

9. 32000 R 2659: Commission Regulation (EC) No 2659/2000 of 29 November 2000 on the application of Article 81(3) of the Treaty to categories of research and development agreements (OJ L 304, 5.12.2000, p. 7).

The following Article is inserted after Article 8:

'Article 8a

The prohibition in Article 81(1) of the Treaty shall not apply to agreements which were in existence at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in this Regulation.'

10. 32000 R 0823: Commission Regulation (EC) No 823/2000 of 19 April 2000 on the application of Article 81(3) of the Treaty to

certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (OJ L 100, 20.4.2000, p. 24).

The following paragraph is added to Article 13:

'3. The prohibition in Article 81(1) of the Treaty shall not apply to agreements, decisions and concerted practices which were in existence at the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are so amended that they comply with the conditions laid down in this Regulation.'

11. 32002 R 1400: Commission Regulation (EC) No 1400/2002 of 31 July 2002 on the application of Article 81(3) of the Treaty to categories of vertical agreements and concerted practices in the motor vehicle sector (OJ L 203, 1.8.2002, p. 30).

In Article 10, the existing paragraph is numbered as paragraph 1 and the following paragraph is added:

'2. The prohibition laid down in Article 81(1) shall not apply to agreements existing at the date of accession for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and which, by reason of accession, fall within the scope of Article 81(1) if, within six months from the date of accession, they are amended and thereby comply with the conditions laid down in this Regulation.'

6. AGRICULTURE

A. AGRICULTURAL LEGISLATION

1. 31965 R 0079: Regulation No 79/65/EEC of the Council of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community (OJ 109, 23.6.1965, p. 1859), 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),

— 31972 R 2835: Regulation (EEC) No 2835/72 of the Council of 29.12.1972 (OJ L 298, 31.12.1972, p. 47),

— 31973 R 2910: Regulation (EEC) No 2910/73 of the Council of 23.10.1973 (OJ L 299, 27.10.1973, p. 1),

— 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),

— 31981 R 2143: Council Regulation (EEC) No 2143/81 of 27.7.1981 (OJ L 210, 30.7.1981, p. 1),

— 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),

— 31985 R 3644: Council Regulation (EEC) No 3644/85 of 19.12.1985 (OJ L 348, 24.12.1985, p. 4),

— 31985 R 3768: Council Regulation (EEC) No 3768/85 of 20.12.1985 Verordnung (EWG) Nr. 3768/85 des Rates vom 20.12.1985 (OJ L 362, 31.12.1985, p. 8),

— 31990 R 3577: Council Regulation (EEC) No 3577/90 of 4.12.1990 (OJ L 353, 17.12.1990, 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),

— 31995 R 2801: Council Regulation (EC) No 2801/95 of 29.11.1995 (OJ L 291, 6.12.1995, p. 3),

— 31997 R 1256: Council Regulation (EC) No 1256/97 of 25.6.1997 (OJ L 174, 2.7.1997, p. 7).

(a) Article 4(3) is replaced by the following:

'3. The maximum number of returning holdings shall be 105 000 for the Community.'