

Transitional Protocol to the Agreement between the EEC and Portugal (3 December 1982)

Caption: On 3 December 1982, in Brussels, with a view to Portugal's accession to the European Communities, the European Economic Community (EEC) and the Portuguese Republic sign a Transitional Protocol on the dismantling of tariffs.

Source: Official Journal of the European Communities (OJEC). 16.12.1982, No L 355. [s.l.].

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Transitional Protocol to the Agreement between the European Economic Community and the Portuguese Republic (3 December 1982)

THE EUROPEAN ECONOMIC COMMUNITY

of the one part, and

THE PORTUGUESE REPUBLIC,

of the other part,

CONSCIOUS of Portugal's industrial development and restructuring difficulties;

RESOLVED to intensify their cooperation and thereby contribute to bringing the two Parties closer together with a view to the accession of the Portuguese Republic to the Communities,

HAVE DECIDED TO CONCLUDE THIS TRANSITIONAL PROTOCOL:

Article 1

The Agreement between the European Economic Community and the Portuguese Republic signed on 22 July 1972, hereinafter called 'the Agreement', and the Additional Protocol to the Agreement between the European Economic Community and the Portuguese Republic, signed on 20 September 1976, hereinafter called 'the Protocol', shall be supplemented by the following provisions.

Article 2

1. By way of derogation from the Agreement and the Protocol, Portugal may suspend until 31 December 1983 the dismantling of tariffs *vis-a-vis* the Community at the level reached on 31 December 1979 in respect of the following products:

- (a) certain products included in List A of Annex II to the Agreement, as regards the fiscal component of the customs duties; these products are listed in Annex A;
- (b) products included in List C of Annex II to the Agreement, as listed in Annex B;
- (c) certain products included in List A of Annex D to Protocol 1 to the Agreement, as listed in Annex C;
- (d) certain products included in List B of Annex D to Protocol 1 to the Agreement, as listed in Annex D;
- (e) certain products included in Annex I to the Protocol, as listed in Annex E.

2. For the products listed in Annexes A and B, on 1 January 1984 Portugal shall make a 50 % tariff reduction on the basis of the residual duties applied in respect of the Community on 31 December 1979.

For the products listed in Annexes C, D and E, on 1 January 1984 Portugal shall make a 30 % tariff reduction on the basis of the residual duties applied in respect of the Community on 31 December 1979.

Article 3

1. By way of derogation from Article 6 of the Protocol, on 1 January 1983 Portugal shall make an additional tariff reduction of 5 % in respect of the products listed in Annex F 1 originating in the Community.

2. By way of derogation from Article 6 of the Protocol, Portugal may, after consulting the Joint Committee and subject to Article 9 of this Protocol, introduce on 1 January 1983 a customs duty not exceeding 20 % *ad*

valorem in respect of the products listed in Annex F 2 originating in the Community.

The customs duties introduced shall be reduced by 15 % on 1 January 1983.

3. For the products specified in paragraphs 1 and 2, on 1 January 1984 Portugal shall make a further tariff reduction of 10 %.

Article 4

By way of derogation from the Agreement and the Protocol, on 1 January 1983 Portugal shall reduce by 10 % the residual duties applied on that date in respect of the Community, subject to Article 9, as regards the products listed in Annex G.

Portugal may suspend the dismantling of tariffs *vis-a-vis* the Community at the level reached on 1 January 1983 for the said products.

Article 5

By way of derogation from the Agreement and the Protocol, Portugal may, after consulting the Joint Committee and subject to Article 9, introduce from 1 January 1983 a customs duty not exceeding 20 % *ad valorem* in respect of the products listed in Annex H originating in the Community.

The customs duties introduced shall be reduced by 20 % on 1 January 1983. Portugal may suspend the dismantling of tariffs *vis-a-vis* the Community at the level reached on 1 January 1983 for the said products.

Article 6

By way of derogation from Article 6 (1) to (4) of Protocol 1 to the Agreement and Article 7 of the Protocol, and in so far as Portugal's industrialization and development necessitate protective measures, the Joint Committee may authorize Portugal, until 31 December 1984 and subject to the exchange of letters concluded between the Community and Portugal on this matter, to introduce, increase or reintroduce *ad valorem* customs duties not exceeding 20 %.

Article 7

For the products specified in Articles 3, 5 and 6, Portugal shall abolish and shall no longer apply, as from the implementation of the measures referred to in those Articles, the import surcharge and quota arrangements.

Article 8

This Protocol shall not affect the provisions of the Protocol to the Agreement between the European Economic Community and the Portuguese Republic consequent upon the accession of the Hellenic Republic, and in particular Article 9 thereof.

Article 9

As from the entry into force of this Protocol, the trade arrangements applied by Portugal to the products covered by the Agreement, originating in the Community, may in no case be less favourable than those applied to products originating in the most-favoured third State, with the exception, however, of the products originating in the Community and referred to by Protocol 2 to the Agreement.

Article 10

From the beginning of 1984 the Contracting Parties may examine, in accordance with the procedure adopted for the negotiation of the Agreement, the arrangements applicable to imports into Portugal referred to in

Articles 3 to 6.

Article 11

1. This Protocol shall be subject to ratification, acceptance or approval in accordance with the Contracting Parties' own procedures and the Parties shall notify one another when the procedures necessary to this end have been completed.

2. This Protocol shall enter into force on 1 January 1983, provided that the Contracting Parties have notified each other in accordance with paragraph 1.

Article 12

This Protocol is drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian and Portuguese languages, all texts being equally authentic.

Udfærdiget i Bruxelles, den syvogtyvende oktober nitten hundrede og toogfirs.

Geschehen zu Brüssel am siebenundzwanzigsten Oktober neunzehnhundertzweiundachtzig.

Έγινε στις Βρυξέλλες, στις είκοσι επτά 'Οκτωβρίου Χίλια έννιακόσια όγδόντα δύο.

Done at Brussels on the twenty-seventh day of October in the year one thousand nine hundred and eighty-two.

Fait à Bruxelles, le vingt-sept octobre mil neuf cent quatre-vingt-deux.

Fatto a Bruxelles, addì ventisette ottobre in illenovecentoottantadue.

Gedaan te Brussel, de zevenentwintigste oktober negentienhonderdtweeëntachtig.

Bruxelas, vinte e sete de Outubro de mil novecentos e oitenta e dois.

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
Γιά τό Συμβούλιο των Εύρωπαϊκών Κοινοτήτων
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen
Pelo Conselho das Comunidades Europeias

[signatures]

For Den portugisiske Republik
Für die Portugiesische Republik
Γιά τή Δημοκρατία της Πορτογαλίας
For the Portuguese Republic
Pour la République portugaise
Per la Repubblica portoghese
Voor de Republiek Portugal
Pela República Portuguesa

[signature]