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COUNCIL

COUNCIL DECISION

of 18 January 2005

on the conclusion, on behalf of the European Community and its Member States, of a Protocol to the Agreement on Cooperation and Customs Union between the European Economic Community and the Republic of San Marino, regarding the participation, as Contracting Parties, of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, pursuant to their accession to the European Union

(2005/663/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 133 and 308, in conjunction with the second sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the Treaty of Accession of 2003, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of 2003, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) Following the authorisation given to the Commission on 23 February 2004, negotiations with the Republic of San Marino for a Protocol to the Agreement on Cooperation and Customs Union between the European Economic Community and the Republic of San Marino, regarding the participation, as contracting parties, of the Czech

Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, pursuant to their accession to the European Union have been concluded.

- (2) Pursuant to Article 6(2) of the Act of Accession of 2003, a draft of the Protocol has been submitted by the Commission to the Council.

- (3) The Protocol should be concluded,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol to the Agreement on Cooperation and Customs Union between the European Economic Community and the Republic of San Marino, regarding the participation, as contracting parties, of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, pursuant to their accession to the European Union, is hereby approved on behalf of the European Community and its Member States.

⁽¹⁾ Opinion of 14 December 2004 (not yet published in the Official Journal).

The text of the Protocol is attached to this Decision.

Article 3

The President of the Council shall, on behalf of the Community and its Member States, transmit the instrument of approval provided for in Article 3 of the Protocol.

Article 2

Done at Brussels, 18 January 2005.

The President of the Council is hereby authorised to designate the person empowered to sign the Protocol on behalf of the Community and its Member States.

For the Council

The President

J.-C. JUNCKER

PROTOCOL

to the Agreement on Cooperation and Customs Union between the European Economic Community and the Republic of San Marino, regarding the participation, as contracting parties, of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, pursuant to their accession to the European Union

THE KINGDOM OF BELGIUM,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN, AND NORTHERN IRELAND,

(The Member States) represented by the Council of the European Union, and,

THE EUROPEAN COMMUNITY, also represented by the Council of the European Union,

of the one part, and

THE REPUBLIC OF SAN MARINO,

of the other part,

HAVING REGARD to the Agreement on Cooperation and Customs Union between the European Economic Community and the Republic of San Marino of 16 December 1991 (the Agreement), which entered into force on 1 April 2002,

HAVING REGARD to the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (the new Member States) to the European Union on 1 May 2004,

WHEREAS the new Member States are to become Contracting Parties to the Agreement,

CONSIDERING that the Treaty of Accession grants to the Council of the European Union the power to conclude, on behalf of the present Member States and the new Member States, a protocol on the accession of the new Member States to the Agreement,

HAVE AGREED AS FOLLOWS:

Article 1

The new Member States hereby become Contracting Parties to the Agreement. They shall respectively adopt and take note, in the same manner as the present Member States, of the Agreement, as well as the Declarations annexed to it.

Article 2

This Protocol shall be an integral part of the Agreement.

Article 3

1. This Protocol shall be approved by the Council of the European Union, on behalf of the Member States and the European Community, and by the Republic of San Marino in accordance with their own procedures.

2. The Parties shall notify each other of the accomplishment of these procedures. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 4

This Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval.

Article 5

The texts of the Agreement, as well as the Declarations annexed to it, are drawn up in the Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovak and Slovenian languages.

They are annexed to this Protocol and are equally authentic with the texts in the other languages in which the Agreement, as well as the Declarations annexed to it are drawn up.

Article 6

This Protocol is drawn up in duplicate in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovenian, Slovak, Spanish and Swedish languages, each of those texts being equally authentic.

Hecho en Bruselas, el cuatro de mayo de dos mil cinco.
 V Bruselu dne čtvrtého května dva tisíce pět.
 Udfærdiget i Bruxelles den fjerde maj to tusind og fem.
 Geschehen zu Brüssel am vierten Mai zweitausendfünf.
 Kahe tuhande viienda aasta maikuu neljandal päeval Brüsselis.
 Έγινε στις Βρυξέλλες, στις τέσσερις Μαΐου δύο χιλιάδες πέντε.
 Done at Brussels on the fourth day of May in the year two thousand and five.
 Fait à Bruxelles, le quatre mai deux mille cinq.
 Fatto a Bruxelles, addì quattro maggio duemilacinque.
 Briselē, divtūkstoš piektā gada ceturtajā maijā.
 Priimta du tūkstančiai penktų metų gegužės ketvirtą dieną Briuselyje.
 Kelt Brüsszelben, a kettőezer-ötödik év május havának negyedik napján.
 Magħmul fi Brussel, fl-erbgha jum ta' Mejju tas-sena elfejn u hamsa.
 Gedaan te Brussel, de vierde mei tweeduizend vijf.
 Sporządzono w Brukseli dnia czwartego maja roku dwatysiące piątego.
 Feito em Bruxelas, em quatro de Maio de dois mil e cinco.
 V Bruslju, četrtega maja leta dva tisoč pet.
 V Bruseli dňa štvrtého mája dvetisícpäť.
 Tehty Brysselissä neljäntenä päivänä toukokuuta vuonna kaksituhattaviisi.
 Som skedde i Bryssel den fjärde maj tjugohundrafem.

Por los Estados miembros	Por las Comunidades Europeas
Za členské státy	Za Evropská společenství
For medlemsstaterne	For de Europæiske Fællesskaber
Für die Mitgliedstaaten	Für die Europäischen Gemeinschaften
Liikmesriikide nimel	Euroopa ühenduste nimel
Για τα κράτη μέλη	Για τις Ευρωπαϊκές Κοινότητες
For the Member States	For the European Communities
Pour les États membres	Pour les Communautés européennes
Per gli Stati membri	Per le Comunità europee
Dalībvalstu vārdā	Eiropas Kopienų vārdā
Valstybių narių vardu	Europos Bendrijų vardu
A tagállamok részéről	Az Európai Közösségek részéről
Ghall-Istati Membri	Ghall-Komunitajiet Ewropej
Voor de lidstaten	Voor de Europese Gemeenschappen
W imieniu Państw Członkowskich	W imieniu Wspólnot Europejskich
Pelos Estados-Membros	Pelas Comunidades Europeias
Za členské štáty	Za Európske spoločenstvá
Za države članice	Za Evropske skupnosti
Jäsenvaltioiden puolesta	Euroopan yhteisöjen puolesta
På medlemsstaternas vägnar	På Europeiska gemenskapernas vägnar




Por la República de San Marino
Za Republiku San Marino
For Republikken San Marino
Im Namen der Republik San Marino
San Marino Vabariigi nimel
Για τη Δημοκρατία του Αγίου Μαρίνου
For the Republic of San Marino
Pour la République de Saint-Marin
Per la Repubblica di San Marino
Sanmarīno Republikas vārdā
San Marino Respublikos vardu
A San Marino Köztársaság részéről
Għar-Repubblika ta' San Marino
Voor de Republiek San Marino
W imieniu Republiki San Marino
Pela República de São Marino
Za Sanmarínsku republiku
Za Republiko San Marino
San Marinon tasavallan puolesta
På Republiken San Marinos vägnar

A stylized, handwritten signature in black ink, consisting of a large, sweeping initial 'A' followed by a series of loops and a final dot.

AGREEMENT**on Cooperation and Customs Union between the European Economic Community and the
Republic of San Marino**

The Agreement drawn up in 11 official languages of the European Union (Spanish, Danish, German, Greek, English, French, Italian, Dutch, Portuguese, Finnish, Swedish) was published in OJ L 84, 28.3.2002, p. 43. The Czech, Estonian, Latvian, Lithuanian, Hungarian, Maltese, Polish, Slovak and Slovenian versions are published in this Official Journal.
