

AGREEMENT
ON THE PARTICIPATION OF THE REPUBLIC OF BULGARIA AND ROMANIA
IN THE EUROPEAN ECONOMIC AREA

THE EUROPEAN COMMUNITY,

THE KINGDOM OF BELGIUM,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

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,

hereinafter referred to as "EC Member States",

ICELAND,

THE PRINCIPALITY OF LIECHTENSTEIN,

THE KINGDOM OF NORWAY,

hereinafter referred to as "EFTA States",

together hereinafter referred to as "Present Contracting Parties",

and

THE REPUBLIC OF BULGARIA,

ROMANIA,

WHEREAS the Treaty concerning the accession of the Republic of Bulgaria and Romania to the European Union (hereinafter referred to as the "Treaty of Accession") was signed in Luxembourg on 25 April 2005;

WHEREAS, pursuant to Article 128 of the Agreement on the European Economic Area, signed at Oporto on 2 May 1992, any European State becoming a member of the Community shall apply to become a Party to the Agreement on the European Economic Area (hereinafter referred to as "EEA Agreement");

WHEREAS the Republic of Bulgaria and Romania have applied to become Contracting Parties to the EEA Agreement;

WHEREAS the terms and conditions for such participation are to be the subject of an Agreement between the Present Contracting Parties and the applicant States,

HAVE DECIDED to conclude the following Agreement:

ARTICLE 1

1. The Republic of Bulgaria and Romania hereby become Contracting Parties to the EEA Agreement and shall hereinafter be referred to as the "New Contracting Parties".
2. From the entry into force of this Agreement, the provisions of the EEA Agreement, as amended by the Decisions of the EEA Joint Committee adopted before 1 October 2004, shall be binding on the New Contracting Parties under the same conditions as on the Present Contracting Parties and under the terms and conditions laid down in this Agreement.
3. The Annexes to this Agreement form an integral part of this Agreement.

ARTICLE 2

1. ADJUSTMENTS TO THE MAIN TEXT OF THE EEA AGREEMENT

(a) Preamble:

The list of Contracting Parties shall be replaced with the following:

"THE EUROPEAN COMMUNITY,

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

and

ICELAND,

THE PRINCIPALITY OF LIECHTENSTEIN,

THE KINGDOM OF NORWAY,";

(b) Article 2:

(i) In paragraph (b), the words "Republic of" shall be deleted;

(ii) The following shall be added after paragraph (d):

"(e) the term "Act of Accession of 25 April 2005" shall mean the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded, adopted in Luxembourg on 25 April 2005;

- (f) the term "Protocol of Accession of 25 April 2005" shall mean the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union, adopted in Luxembourg on 25 April 2005.";

(c) Article 117:

The text of Article 117 shall be replaced by the following:

"Provisions governing the Financial Mechanisms are set out in Protocol 38, Protocol 38a and Addendum to Protocol 38a.";

(d) Article 126:

In paragraph 1, the words "Republic of" shall be deleted;

(e) Article 129:

- (i) The second subparagraph of paragraph 1 shall be replaced by the following:

"Pursuant to the enlargements of the European Economic Area the versions of this Agreement in the Bulgarian, Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Romanian, Slovak and Slovenian languages shall be equally authentic.";

- (ii) the third subparagraph of paragraph 1 shall be replaced by the following:

"The texts of the acts referred to in the Annexes are equally authentic in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages as published in the Official Journal of the European Union and shall for the authentication thereof be drawn up in the Icelandic and Norwegian languages and published in the EEA Supplement to the Official Journal of the European Union."

2. ADJUSTMENTS TO PROTOCOLS TO THE EEA AGREEMENT

- (a) Protocol 4 on rules of origin shall be amended as follows:

(i) In Article 3(1), the reference to the New Contracting Parties shall be deleted.

(ii) Annex IVa (Text of the invoice declaration) shall be amended as follows:

- (aa) The following shall be inserted before the Spanish version of the text of the invoice declaration:

"Bulgarian version

Износителят на продуктите, обхванати от този документ (митническо разрешение № ... (1)) декларира, че освен където е отбелязано друго, тези продукти са с преференциален произход ... (2).";

- (bb) The following shall be inserted before the Slovenian version of the text of the invoice declaration:

"Romanian version

Exportatorul produselor ce fac obiectul acestui document (autorizația vamală nr. ... (1)) declară că, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială ... (2).";

- (iii) Annex IVb (Text of the invoice declaration EUR-MED) shall be amended as follows:

- (aa) The following shall be inserted before the Spanish version of the text of the invoice declaration EUR-MED:

"Bulgarian version

Износителят на продуктите, обхванати от този документ (митническоразрешение № ... (1)) декларира, че освен където е отбелязано друго, тези продукти са с преференциален произход ... (2).

- cumulation applied with(name of the country/countries)
- no cumulation applied (3)";

(bb) The following shall be inserted before the Slovenian version of the text of the invoice declaration EUR-MED:

"Romanian version

Exportatorul produselor ce fac obiectul acestui document (autorizația vamală nr. ... (1)) declară că, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială ... (2).

- cumulation applied with(name of the country/countries)
- no cumulation applied (3)"

(b) Protocol 38a shall be amended as follows:

In Article 4(3), the word "shall" shall be replaced by the word "may".

- (c) The following shall be added to Protocol 38a:

"Addendum to Protocol 38A
ON THE EEA FINANCIAL MECHANISM FOR
THE REPUBLIC OF BULGARIA AND ROMANIA

ARTICLE 1

1. Protocol 38a shall apply *mutatis mutandis* to the Republic of Bulgaria and Romania.
2. Notwithstanding paragraph 1, Article 6 of Protocol 38a shall not apply. No reallocation to any other Beneficiary State shall be applicable in case of available non-committed funds of Bulgaria and Romania.
3. Notwithstanding paragraph 1, Article 7 of Protocol 38a shall not apply.
4. Notwithstanding paragraph 1, contributions to non-governmental organisations and social partners may be up to 90 percent of project costs.

ARTICLE 2

The additional amounts of the financial contribution for the Republic of Bulgaria and Romania shall be EUR 21,5 million for the Republic of Bulgaria and EUR 50,5 million for Romania over the period running from 1 January 2007 to 30 April 2009, inclusive; they shall be made available as from the date of entry into force of the Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area or of an agreement to apply the Agreement provisionally and be provided for commitment in a single tranche in 2007."

- (a) The text of Protocol 44 shall be replaced by the following:

"ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA

1. Application of Article 112 of the Agreement to the General Economic Safeguard Clause and the safeguard mechanisms contained in certain transitional arrangements in the Field of Free Movement of Persons and Road Transport

Article 112 of the Agreement shall be applicable also to the situations specified or referred to

- (a) in the provisions of Article 37 of the Act of Accession of 16 April 2003, and of Article 36 of the Act of Accession of 25 April 2005 or, as the case may be, of the Protocol of Accession of 25 April 2005, and
- (b) in the safeguard mechanisms contained in the transitional arrangements under the headings "Transition period" in Annex V (Free movement of workers) and Annex VIII (Right of establishment), in point 30 (Directive 96/71/EC of the European Parliament and of the Council) of Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) and in point 26c (Council Regulation (EEC) No 3118/93) of Annex XIII (Transport) with the same time limits, scope and effects as set out in those provisions.

2. Internal Market Safeguard Clause

The general decision making procedure provided for by the Agreement shall be applicable also to decisions taken by the Commission of the European Communities in application of Article 38 of the Act of Accession of 16 April 2003, and of Article 37 of the Act of Accession of 25 April 2005 or, as the case may be, of the Protocol of Accession of 25 April 2005."

ARTICLE 3

1. All amendments to acts adopted by the Community institutions incorporated into the EEA Agreement, made by the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded or, as the case may be, the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union, are hereby incorporated into and made part of the EEA Agreement.

2. To this end, the following indent is introduced in the points of the Annexes and Protocols to the EEA Agreement containing the references to the acts adopted by the Community institutions concerned:

"– 1 2005 SA: Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded, adopted on 25 April 2005 (OJ L 157, 21.6.2005, p. 203)."

3. If and as soon as the Treaty establishing a Constitution for Europe has entered into force, the following indent shall replace the indent referred to in paragraph 2:

"– 1 2005 SP: Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union, adopted on 25 April 2005 (OJ L 157, 21.6.2005, p. 29)."

4. If the indent referred to in paragraph 2 or 3 is the first indent in the point in question, it shall be preceded by the words ", as amended by:".
5. Annex A to this Agreement lists the points in the Annexes and Protocols to the EEA Agreement in which the text referred to in paragraphs 2, 3 and 4 shall be introduced.
6. Where acts incorporated into the EEA Agreement prior to the date of entry into force of this Agreement require adaptations by reason of the New Contracting Parties' participation, and the necessary adaptations have not been provided for in this Agreement, those adaptations will be addressed in accordance with the procedures laid down in the EEA Agreement.

ARTICLE 4

1. The arrangements contained in the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded referred to in Annex B to this Agreement are hereby incorporated into and made part of the EEA Agreement.
2. If and as soon as the Treaty establishing a Constitution for Europe has entered into force, the arrangements referred to in Annex B shall be understood to have been made by the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union.

3. Any of the arrangements of relevance for the EEA Agreement referred to in or adopted on the basis of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded or, as the case may be, the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union, which is not reflected in Annex B to this Agreement, will be addressed in accordance with the procedures laid down in the EEA Agreement.

ARTICLE 5

Any Party to this Agreement may bring any matter concerning its interpretation or application before the EEA Joint Committee. The EEA Joint Committee shall examine the matter with a view to finding an acceptable solution in order to maintain the good functioning of the EEA Agreement.

ARTICLE 6

1. This Agreement shall be ratified or approved by the Present Contracting Parties and the New Contracting Parties in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.

2. It shall enter into force on the day following the deposit of the last instrument of ratification or approval of a Present Contracting Party or a New Contracting Party, provided that the following related agreements and protocols enter into force on the same day:
- (a) Agreement in the form of an Exchange of Letters between the European Community and Kingdom of Norway concerning a Cooperation Programme for Economic Growth and Sustainable Development in Bulgaria;
 - (b) Agreement in the form of an Exchange of Letters between the European Community and Kingdom of Norway concerning a Cooperation Programme for Economic Growth and Sustainable Development in Romania;
 - (c) Additional Protocol to the Agreement between the European Economic Community and Iceland consequent on the accession of the Republic of Bulgaria and Romania to the European Union; and
 - (d) Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway consequent on the accession of the Republic of Bulgaria and Romania to the European Union.

ARTICLE 7

This Agreement, drawn up in a single original in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish, Icelandic and Norwegian languages, the text in each of these languages being equally authentic, shall be deposited with the General Secretariat of the Council of the European Union, which will remit a certified copy to each of the Governments of the Parties to this Agreement.

Съставено в Брюксел на двадесет и пети юли две хиляди и седма година.
 Hecho en Bruselas, el veinticinco de julio de dos mil siete.
 V Bruselu dne dvacátého pátého července dva tisíce sedm.
 Udfærdiget i Bruxelles den femogtyvende juli to tusind og syv.
 Geschehen zu Brüssel am fünfundzwanzigsten Juli zweitausendsieben.
 Kahe tuhande seitsmenda aasta juulikuu kahekümne viiendal päeval Brüsselis.
 Έγινε στις Βρυξέλλες, στις είκοσι πέντε Ιουλίου δύο χιλιάδες επτά.
 Done at Brussels on the twenty-fifth day of July in the year two thousand and seven.
 Fait à Bruxelles, le vingt-cinq juillet deux mille sept.
 Fatto a Bruxelles, addì venticinque luglio duemilasette.
 Briselē, divtūkstoš septītā gada divdesmit piektajā jūlijā.
 Priimta du tūkstančiai septintųjų metų liepos dvidešimt penktą dieną Briuselyje.
 Kelt Brüsszelben, a kétezer-hetedik év július huszonötödik napján.
 Magħmul fi Brussel, fil-ħamsa u għoxrin jum ta' Lulju tas-sena elfejn u sebgha.
 Gedaan te Brussel, de vijfentwintigste juli tweeduizend zeven.
 Sporządzono w Brukseli dnia dwudziestego piątego lipca roku dwa tysiące siódmego.
 Feito em Bruxelas, em vinte e cinco de Julho de dois mil e sete.
 Întocmit la Bruxelles, douăzeci și cinci iulie două mii și apte.
 V Bruseli dňa dvadsiateho piatego júla dvetisíc sedem.
 V Bruslju, dne petindvajsetega julija leta dva tisoč sedem.
 Tehty Brysselissä kahdentenäkymmenentenäviidentenä päivänä heinäkuuta vuonna kaksituhattaseitsemän.
 Som skedde i Bryssel den tjugofemte juli tjugohundrasju.
 Gjört í Brussel hinn 25 júlí 2007.
 Utfærdiget i Brussel den tjuiefemte juli totusenogsjú.

Pour le Royaume de Belgique
Voor het Koninkrijk België
Für das Königreich Belgien



Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.

Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

За Република България



Za Českou republiku



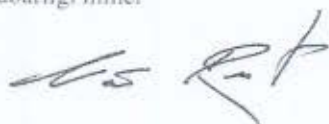
På Kongeriget Danmarks vegne



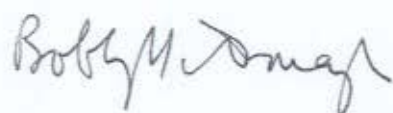
Für die Bundesrepublik Deutschland



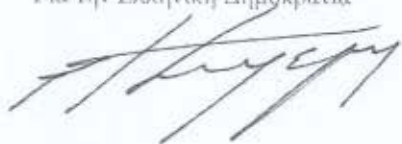
Eesti Vabariigi nimel



Thar cheann Na hÉireann
For Ireland



Για την Ελληνική Δημοκρατία



Por el Reino de España



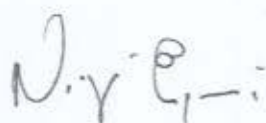
Pour la République française



Per la Repubblica italiana



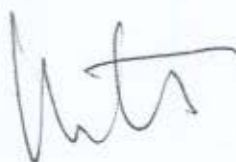
Για την Κυπριακή Δημοκρατία



Latvijas Republikas vārdā



Lietuvos Respublikos vardu



Pour le Grand-Duché de Luxembourg



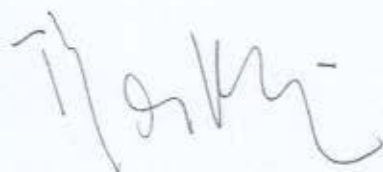
A Magyar Köztársaság részéről



Għali Malta



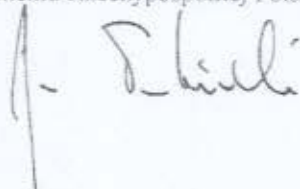
Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



Pela República Portuguesa



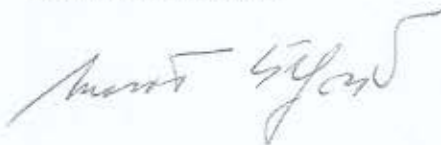
Pentru România



Za Republiko Slovenijo



Za Slovenskú republiku



Suomen tasavallan puolesta

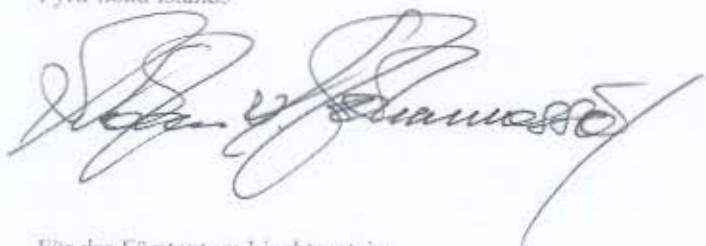


För Konungariket Sverige

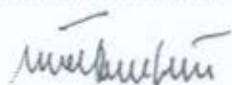
For the United Kingdom of Great Britain and Northern Ireland

За Европейската общност
For the European Community
Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Pentru Comunitatea Europeană
Za Európske spoločenstvo
za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar

Fyrir hönd Íslands

A large, stylized handwritten signature in black ink, likely belonging to the Icelandic representative.

Für das Fürstentum Liechtenstein

A handwritten signature in black ink, likely belonging to the Liechtenstein representative.

For Kongeriket Norge

A handwritten signature in black ink, likely belonging to the Norwegian representative.

List referred to in Article 3 of the Agreement

PART I

ACTS REFERRED TO IN THE EEA AGREEMENT AMENDED

by the Act concerning the conditions of accession

of the Republic of Bulgaria and Romania

and the adjustments to the Treaties on which the European Union is founded or,

as the case may be, the Protocol concerning the conditions and arrangements

for admission of the Republic of Bulgaria and Romania to the European Union

The indents referred to in Article 3(2) and 3(3) shall be inserted in the following locations in the Annexes and Protocols to the EEA Agreement:

In Chapter XXVII (Spirit Drinks) of Annex II (Technical regulations, standards, testing and certification):

- Point 1 (Council Regulation (EEC) No 1576/89),
- Point 3 (Council Regulation (EEC) No 1601/91);

In Annex XIII (Transport):

- Point 19 (Council Directive 96/26/EC),

In Annex XVII (Intellectual Property):

- Point 6 (Council Regulation (EEC) No 1768/92),
- Point 6a (Regulation (EC) No 1610/96 of the European Parliament and of the Council);

PART II

OTHER AMENDMENTS TO THE ANNEXES TO THE EEA AGREEMENT

The following amendments shall be made to the Annexes to the EEA Agreement:

In Annex V (Free movement of workers):

- 1) In point 3 (Council Directive 68/360/EC), adaptation (e)(ii) shall be replaced by the following:

"(ii) the footnote shall be replaced by the following:

"Belgian, Bulgarian, Czech, Danish, German, Estonian, Greek, Icelandic, Spanish, French, Irish, Italian, Cypriot, Latvian, Liechtenstein, Lithuanian, Luxembourg, Hungarian, Maltese, Netherlands, Norwegian, Austrian, Polish, Portuguese, Romanian, Slovenian, Slovakian, Finnish, Swedish and British according to the country issuing the permit.".

List referred to in Article 4 of the Agreement

The Annexes to the EEA Agreement shall be amended as follows:

Annex II (Technical regulations, standards, testing and certification):

- 1) In Chapter XV, Point 12a (Council Directive 91/414/EEC), the following paragraph shall be inserted after the paragraph regarding the transitional arrangements:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 5, Section B, Part II), shall apply.";

- 2) In Chapter XVII, Point 7 (Directive 94/62/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 2) and Romania (Annex VII, Chapter 9, Section B, point 2), shall apply.";

- 3) In Chapter XVII, Point 8 (Directive 94/63/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section A, point 1) and Romania (Annex VII, Chapter 9, Section A), shall apply.";

- 4) In Chapter XXV, Point 3 (Directive 2001/37/EC of the European Parliament and of the Council), the following paragraph shall be inserted before the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 7), shall apply.".

Annex V (Free movement of workers):

The text of the second paragraph under the heading "Transition Period" shall be replaced by the following:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 1) and Romania (Annex VII, Chapter 1), shall apply.

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, with the exception of the arrangements for Malta, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply."

Annex VIII (Right of establishment):

The text of the second paragraph under the heading "Transition Period" shall be replaced by the following:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 1) and Romania (Annex VII, Chapter 1), shall apply.

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, with the exception of the arrangements for Malta, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply."

Annex IX (Financial services):

In point 30c (Directive 97/9/EC of the European Parliament and of the Council), the following paragraph shall be added:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 2) and Romania (Annex VII, Chapter 2), shall apply."

Annex XI (Telecommunication services):

In point 5cm (Directive 2002/22/EC of the European Parliament and of the Council), the following paragraph shall be inserted before the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 9), shall apply."

Annex XII (Free movement of capital):

The following paragraph shall be inserted after the paragraph under the heading "TRANSITION PERIOD":

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 3) and Romania (Annex VII, Chapter 3), shall apply.";

Annex XIII (Transport):

- 1) In point 15a (Council Directive 96/53/EC), the following paragraph shall be added:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 5, point 3) and Romania (Annex VII, Chapter 6, point 2), shall apply.";

- 2) In point 18a (Council Directive 1999/62/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 6, point 3), shall apply.";

- 3) In point 19 (Council Directive 96/26/EC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 5, point 2), shall apply.";

- 4) In point 26c (Council Regulation (EEC) No 3118/93), the text of the second paragraph regarding the transitional arrangements shall be replaced by the following:

The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 5, point 1) and Romania (Annex VII, Chapter 6, point 1), shall apply.

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply.";

Annex XV (State aid):

- 1) The following paragraph shall be added at the end of the "SECTORAL ADAPTATIONS":

"The arrangements regarding the existing aid schemes set out in Chapter 2 (Competition policy) of Annex V to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 shall apply between the Contracting Parties.";

- 2) The following shall be inserted before the heading "ACTS REFERRED TO":

"TRANSITION PERIOD

The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 4), shall apply.";

Annex XVII (Intellectual property):

The following shall be added under the heading "SECTORAL ADAPTATIONS":

"The specific mechanisms set out in Chapter 1 (Company law) of Annex V to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 shall apply between the Contracting Parties."

Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women):

In point 30 (Directive 96/71/EC of the European Parliament and of the Council), the text of the second paragraph regarding the transitional arrangements shall be replaced by the following:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 1) and Romania (Annex VII, Chapter 1), shall apply.

With regard to the safeguard mechanisms contained in the transitional arrangements referred to in the previous paragraphs, PROTOCOL 44 ON SAFEGUARD MECHANISMS PURSUANT TO ENLARGEMENTS OF THE EUROPEAN ECONOMIC AREA shall apply."

Annex XX (Environment):

1) In point 1f (Council Directive 96/61/EC), the following paragraph shall be added:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section D, point 1) and Romania (Annex VII, Chapter 9, Section D, point 1), shall apply.";

- 2) In point 7a (Council Directive 98/83/EC), the following paragraph shall be added:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 5), shall apply.";

- 3) In point 9 (Council Directive 83/513/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 1), shall apply.";

- 4) In point 10 (Council Directive 84/156/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 1), shall apply.";

- 5) In point 11 (Council Directive 84/491/EEC), the following paragraph shall be inserted before the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 2), shall apply.";

- 6) In point 12 (Council Directive 86/280/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section C, point 3), shall apply.";

- 7) In point 13 (Council Directive 91/271/EEC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section C) and Romania (Annex VII, Chapter 9, Section C, point 4), shall apply.";

- 8) In point 19a (Directive 2001/80/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section D, point 2) and Romania (Annex VII, Chapter 9, Section D, point 3), shall apply.";

- 9) In point 21ad (Council Directive 1999/32/EC), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section A, point 2), shall apply.";

- 10) In point 32c (Council Regulation (EEC) No 259/93), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 1) and Romania (Annex VII, Chapter 9, Section B, point 1) shall apply.";

- 11) In point 32d (Council Directive 1999/31/EC), the following paragraph shall be added:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 3) and Romania (Annex VII, Chapter 9, Section B, point 3) shall apply.";

- 12) In point 32f (Directive 2000/76/EC of the European Parliament and of the Council), the following paragraph shall be inserted before the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Romania (Annex VII, Chapter 9, Section D, point 2) shall apply.";

- 13) In point 32fa (Directive 2002/96/EC of the European Parliament and of the Council), the following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text:

"The transitional arrangements set out in the Annexes to the Act of Accession of 25 April 2005 or, as the case may be, to the Protocol of Accession of 25 April 2005 for Bulgaria (Annex VI, Chapter 10, Section B, point 4) and Romania (Annex VII, Chapter 9, Section B, point 4) shall apply.";

FINAL ACT

The plenipotentiaries of:

THE EUROPEAN COMMUNITY, hereinafter referred to as "the Community",

and of:

THE KINGDOM OF BELGIUM,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

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,

Contracting Parties to the Treaty establishing the EUROPEAN COMMUNITY, hereinafter referred to as the "EC Member States",

the plenipotentiaries of:

ICELAND,

THE PRINCIPALITY OF LIECHTENSTEIN,

THE KINGDOM OF NORWAY,

hereinafter referred to as the "EFTA States",

all together Contracting Parties to the Agreement on the European Economic Area done at Oporto on 2 May 1992, hereinafter referred to as the "EEA Agreement", together hereinafter referred to as the "Present Contracting Parties", and

the plenipotentiaries of:

THE REPUBLIC OF BULGARIA,

ROMANIA,

hereinafter referred to as the "New Contracting Parties",

meeting at Brussels, this twenty-fifth day of July in the year two thousand and seven for the signature of the Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area, have adopted the following texts:

- I. Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area (hereinafter referred to as the "Agreement");
- II. The texts listed below which are annexed to the Agreement:

Annex A: List referred to in Article 3 of the Agreement;

Annex B: List referred to in Article 4 of the Agreement.

The plenipotentiaries of the Present Contracting Parties and the plenipotentiaries of the New Contracting Parties have adopted the Joint Declarations and Statements listed below and annexed to this Final Act:

1. Joint Declaration on the timely ratification of the Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area;
2. Joint Declaration on the expiry date of the transitional arrangements;
3. Joint Declaration concerning the application of the rules of origin after entry into force of the Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area;
4. Joint Declaration on trade in agricultural products and processed agricultural products;
5. Joint Declaration on Liechtenstein's sectoral adaptation in the field of free movement of persons;
6. Joint Statement on the priority sectors mentioned in Protocol 38a;
7. Joint Statement on the financial contributions.

The plenipotentiaries of the Present Contracting Parties and the plenipotentiaries of the New Contracting Parties have taken note of the Declarations listed below and annexed to this Final Act:

1. General Joint Declaration of the EFTA States;
2. Joint Declaration by the EFTA States on free movement of workers;
3. Unilateral Declaration by the Government of Liechtenstein on the Addendum to Protocol 38a.

They have further agreed that, at the latest by the entry into force of the Agreement, the EEA Agreement, as amended by the Protocol adjusting the Agreement on the European Economic Area and the full texts of each of the Decisions of the EEA Joint Committee, have to be drawn up and authenticated by the representatives of the Present Contracting Parties and the New Contracting Parties in the Bulgarian and Romanian languages.

They take note of the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning a Cooperation Programme for Economic Growth and Sustainable Development in Bulgaria, which is also annexed to this Final Act.

They also take note of the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning a Cooperation Programme for Economic Growth and Sustainable Development in Romania, which is annexed to this Final Act.

They then take note of the Additional Protocol to the Agreement between the European Economic Community and Iceland consequent on the accession of the Republic of Bulgaria and Romania to the European Union, which is annexed to this Final Act.

They furthermore take note of the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway consequent on the accession of the Republic of Bulgaria and Romania to the European Union, which is also annexed to this Final Act.

They underline that the abovementioned agreements and protocols have been agreed upon under the assumption that participation in the European Economic Area remains unchanged.

Съставено в Брюксел на двадесет и пет юли две хиляди и седма година.
 Hecho en Bruselas, el veinticinco de julio de dos mil siete.
 V Bruselu dne dvacátého pátého července dva tisíce sedm.
 Udfærdiget i Bruxelles den femogtyvende juli to tusind og syv.
 Geschehen zu Brüssel am fünfundzwanzigsten Juli zweitausendsieben.
 Kahe tuhande seitsmenda aasta juulikuu kahekümne viiendal päeval Brüsselis.
 Έγινε στις Βρυξέλλες, στις είκοσι πέντε Ιουλίου δύο χιλιάδες επτά.
 Done at Brussels on the twenty-fifth day of July in the year two thousand and seven.
 Fait à Bruxelles, le vingt-cinq juillet deux mille sept.
 Fatto a Bruxelles, addì venticinque luglio duemilasette.
 Briselē, divtūkstoš septītā gada divdesmit piektajā jūlijā.
 Priimta du tūkstančiai septintųjų metų liepos dvidešimt penktą dieną Briuselyje.
 Kelt Brüsszelben, a kétézer-hetedik év július huszonötödik napján.
 Magħmul fi Brussel, fil-hamsa u ghoxrin jum ta' Lulju tas-sena elfejn u sebgħa.
 Gedaan te Brussel, de vijfentwintigste juli tweeduizend zeven.
 Sporządzono w Brukseli dnia dwudziestego piątego lipca roku dwa tysiące siódmego.
 Feito em Bruxelas, em vinte e cinco de Julho de dois mil e sete.
 Întocmit la Bruxelles, douăzeci □ icinci iulie două mii □ apte.
 V Bruseli dňa dvadsiateho piatego júla dvetisíc sedem.
 V Bruslju, dne petindvajsetega julija leta dva tisoč sedem.
 Tehty Brysselissä kahdentenäkymmenentenäviidentenä päivänä heinäkuuta vuonna kaksituhattaseitsemän.
 Som skedde i Bryssel den tjugofemte juli tjugohundrasju.
 Gjört í Brussel hinn 25 júlí 2007.
 Utfærdiget i Brussel den tjuuefemte juli totusenogsjú.

Pour le Royaume de Belgique
Voor het Koninkrijk België
Für das Königreich Belgien



Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.

Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region (Brüssel-)Hauptstadt.

За Република България



Za Českou republiku



På Kongeriget Danmarks vegne



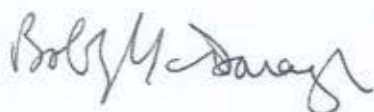
Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel



Thar cheann Na hÉireann
For Ireland



Για την Ελληνική Δημοκρατία



Por el Reino de España



Pour la République française



Per la Repubblica italiana

Manzoni

Για την Κυπριακή Δημοκρατία

N. C.

Latvijas Republikas vārdā

L. L.

Lietuvos Respublikos vardu

U. U.

Pour le Grand-Duché de Luxembourg

M. Schumacher

A Magyar Köztársaság részéről



Għali Malta



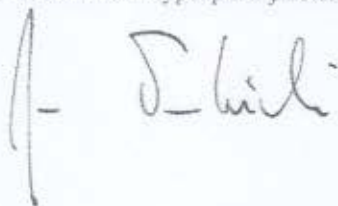
Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



Pela República Portuguesa

Alvaro Pinheiro Henriques

Pentru România

Corneliu

Za Republiko Slovenijo

Igor Klenovčič

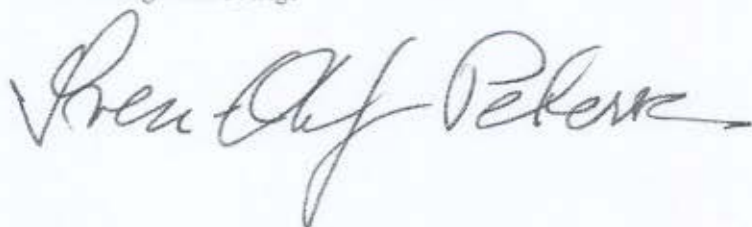
Za Slovenskú republiku

Maroš Šifon

Suomen tasavallan puolesta

Eikka Kosken

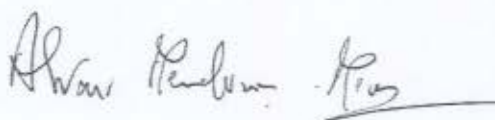
För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



За Европейската общност
For the European Community
Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Pentru Comunitatea Europeană
Za Európske spoločenstvo
za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



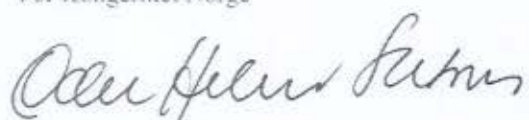
Fyrir hönd Islands

A large, stylized handwritten signature in black ink, likely belonging to the Icelandic representative.

Für das Fürstentum Liechtenstein

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For Kongeriket Norge

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JOINT DECLARATIONS AND STATEMENTS
BY THE PRESENT CONTRACTING PARTIES
AND THE NEW CONTRACTING PARTIES
TO THE AGREEMENT

JOINT DECLARATION
ON THE TIMELY RATIFICATION OF
THE AGREEMENT ON THE PARTICIPATION OF
THE REPUBLIC OF BULGARIA AND ROMANIA
IN THE EUROPEAN ECONOMIC AREA

The Present Contracting Parties and New Contracting Parties stress the importance of timely ratification or approval of the Agreement on the Participation of the Republic of Bulgaria and Romania in the European Economic Area by the Present Contracting Parties and the New Contracting Parties in accordance with their respective constitutional requirements in order to ensure the good functioning of the European Economic Area.

JOINT DECLARATION
ON THE EXPIRY DATE
OF THE TRANSITIONAL ARRANGEMENTS

The transitional arrangements from the Treaty of Accession shall be taken over into the EEA Agreement and shall expire on the same date as they would have if the enlargement of the European Union and the EEA had taken place simultaneously on 1 January 2007.

JOINT DECLARATION
CONCERNING THE APPLICATION OF THE
RULES OF ORIGIN AFTER ENTRY INTO FORCE
OF THE AGREEMENT ON THE PARTICIPATION OF
THE REPUBLIC OF BULGARIA AND ROMANIA
IN THE EUROPEAN ECONOMIC AREA

1. Proof of origin properly issued by an EFTA State or a New Contracting Party in the framework of a preferential agreement concluded between the EFTA States and the New Contracting Party or in the framework of unilateral national legislation of an EFTA State or a New Contracting Party shall be considered being proof of EEA preferential origin, provided that:
 - (a) the proof of origin and the transport documents were issued no later than the day before the accession of the New Contracting Party to the European Union;
 - (b) the proof of origin is submitted to the customs authorities within the period of four months from the entry into force of the Agreement.

Where goods were declared for importation from an EFTA State or a New Contracting Party in, respectively, a New Contracting Party or an EFTA State prior to the date of accession of the New Contracting Party to the European Union, under preferential arrangements in force between an EFTA State and a New Contracting Party at that time, proof of origin issued retrospectively under those arrangements may also be accepted in the EFTA States or the New Contracting Parties provided that it is submitted to the customs authorities within the period of four months from the date of entry into force of the Agreement.

2. The EFTA States, on the one hand, and the Republic of Bulgaria and Romania, on the other hand, are authorised to retain the authorisations with which the status of "approved exporters" has been granted in the framework of agreements concluded between the EFTA States, on the one hand, and the Republic of Bulgaria or Romania, on the other hand, provided that the approved exporters apply the EEA rules of origin.

These authorisations shall be replaced by the EFTA States and the Republic of Bulgaria and Romania, no later than one year after the date of entry into force of the Agreement, by new authorisations issued under the conditions laid down in Protocol 4 to the Agreement on the European Economic Area.

3. Requests for subsequent verification of proof of origin issued under the preferential agreements and arrangements referred to in paragraphs 1 and 2 above shall be accepted by the competent authorities of the EFTA States and the New Contracting Parties for a period of three years after the issue of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin.

JOINT DECLARATION
ON TRADE IN AGRICULTURAL PRODUCTS AND
PROCESSED AGRICULTURAL PRODUCTS

1. In the context of the EEA enlargement negotiations, consultations were undertaken between the Present Contracting Parties and the New Contracting Parties to examine the need to adjust the bilateral trade concessions in agricultural products and processed agricultural products in the relevant parts of the EEA Agreement or the relevant bilateral agreements between the European Community and Iceland, Liechtenstein and Norway, respectively, in light of the enlargement of the European Union.
2. The Present Contracting Parties and the New Contracting Parties have examined product by product market access conditions and agreed that no additional trade concessions regarding agricultural or processed agricultural products will be added to any existing agreements in the context of enlargement.
3. The Present Contracting Parties and the New Contracting Parties have agreed that Iceland, Liechtenstein and Norway shall not make any claim, request or referral nor modify or withdraw any concession pursuant to GATT 1994 Articles XXIV.6 and XXVIII regarding agricultural products in relation to this enlargement of the European Union.

JOINT DECLARATION
ON LIECHTENSTEIN'S SECTORAL ADAPTATION
IN THE FIELD OF FREE MOVEMENT OF PERSONS

The Present Contracting Parties and the New Contracting Parties,

- Referring to the sectoral adaptations for Liechtenstein in the field of free movement of persons as introduced by Decision of the EEA Joint Committee No 191/1999 and amended by the Agreement on the Participation 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 in the European Economic Area of 14 October 2003,
- Observing an ongoing high demand from nationals of EC and EFTA States to reside in Liechtenstein, surpassing the net immigration rate set out in the above mentioned regime,
- Considering that the participation of Bulgaria and Romania in the EEA results in a higher number of nationals having the right of invoking the free movement of persons as enshrined in the EEA Agreement,

Agree to duly take into account this factual situation as well as the unchanged absorption capacity of Liechtenstein when reviewing the sectoral adaptations in Annex V and VIII to the EEA Agreement.

JOINT STATEMENT
ON THE PRIORITY SECTORS MENTIONED
IN PROTOCOL 38A

The Present Contracting Parties and the New Contracting Parties recall that not all priority sectors as defined in Article 3 of Protocol 38a must be covered in each Beneficiary State.

JOINT STATEMENT
ON THE FINANCIAL CONTRIBUTIONS

The Present Contracting Parties and the New Contracting Parties agree that the various financial contribution arrangements agreed in the context of EEA enlargement shall not constitute a precedent for the period after they expire on 30 April 2009.

OTHER DECLARATIONS
BY ONE OR MORE OF THE CONTRACTING
PARTIES TO THE AGREEMENT

GENERAL JOINT DECLARATION OF THE EFTA STATES

The EFTA States take note of the Declarations, which are relevant for the EEA Agreement, attached to the Final Act to the Treaty between 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 (Member States of the European Union) and the Republic of Bulgaria and Romania, concerning the accession of the Republic of Bulgaria and Romania to the European Union.

The EFTA States underline that the Declarations, which are relevant for the EEA Agreement, attached to the Final Act to the Treaty referred to in the previous paragraph cannot be interpreted or applied in a way contrary to the obligations of the Present Contracting Parties and New Contracting Parties arising from this Agreement or the EEA Agreement.

JOINT DECLARATION
BY THE EFTA STATES ON FREE
MOVEMENT OF WORKERS

The EFTA States stress the strong elements of differentiation and flexibility in the arrangements for the free movement of workers. They shall endeavour to grant increased labour market access to nationals of the Republic of Bulgaria and Romania under national law, with a view to speeding up the approximation to the *acquis*. As a consequence, the employment opportunities in the EFTA States for nationals of the Republic of Bulgaria and Romania should improve substantially upon these States' accession. Moreover, the EFTA States will make best use of the proposed arrangements to move as quickly as possible to the full application of the *acquis* in the area of free movement of workers. For Liechtenstein, this will be done in accordance with the specific arrangements as foreseen in the Sectoral Adaptations to Annex V (Free movement of workers) and Annex VIII (Right of establishment) to the EEA Agreement.

UNILATERAL DECLARATION
BY THE GOVERNMENT OF LIECHTENSTEIN
ON THE ADDENDUM TO PROTOCOL 38A

The Liechtenstein Government,

- referring to the Addendum to Protocol 38a,
- recalling the understanding that Bulgaria and Romania should benefit to the same extent from the contributions by the EFTA States to the reduction of economic and social disparities in the European Economic Area as the Beneficiary States mentioned in Article 5 of Protocol 38a and taking into account the distribution key provided in this Article,
- noting that the EFTA States made an extraordinary effort within the EEA Financial Mechanism to increase the funding in favour of Bulgaria and Romania,

states its understanding, that at the review foreseen in Article 9 of Protocol 38a any possibly agreed further financial arrangement will take into account the already achieved reductions of economic and social disparities so as to reduce contributions by the three EFTA States proportionately, if one or more of the current Beneficiary States does not further qualify for funding under such an arrangement.