

AGREEMENT ON ACCESSION OF THE REPUBLIC OF BULGARIA TO THE CENTRAL EUROPEAN FREE TRADE AGREEMENT

Preamble

The Czech Republic, the Republic of Hungary, the Republic of Poland, Romania, the Slovak Republic and the Republic of Slovenia, on the one side and the Republic of Bulgaria, on the other side, (hereinafter called "the Parties"),

Reaffirming their commitment to the principles of a market economy, which constitutes the basis for their relations;

Considering the positive development of the mutual economic cooperation between the Parties;

Wishing to contribute to the process of integration in Europe through the extension of the Central European Free Trade Agreement;

Having in mind the Declarations of Prime Ministers, done on 25 November 1994 in Poznan, on 11 September 1995 in Brno, on 13 September 1996 in Jasna and on 12 September in Portoroz;

Recalling the official request of the Republic of Bulgaria on 30 May 1996 to accede to the Central European Free Trade Agreement;

Taking into account the Agreement Amending the Central European Free Trade Agreement, signed in Brno on 11 September 1995,

In accordance with the provisions of Article 39(a) of the Central European Free Trade Agreement;

Have agreed as follows:

Article 1

The Republic of Bulgaria shall accede to the Central European Free Trade Agreement.

Article 2

The Republic of Bulgaria shall accept the Central European Free Trade Agreement with all its amendments and modifications signed before the signature of this Agreement and shall apply it in accordance with the provisions of this Agreement.

Article 3

References in the Central European Free Trade Agreement to its Parties and where all states are explicitly mentioned shall be understood to include the Republic of Bulgaria.

Article 4

The basic duty referred to in paragraph 1 of Article 4 of the Central European Free Trade Agreement, in the case of the Republic of Bulgaria shall be the Most Favoured Nation rate of duty applicable on 1 January 1993.

Article 5

1. In order to implement the provisions of paragraph 2 of Article 3 of the Central European Free Trade Agreement Protocols 22, 23, 24, 25 and 26 to the Central European Free Trade Agreement are hereby established.

2. Provisions for the abolition of customs duties on imports between:

- the Czech Republic and the Slovak Republic on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 22,
- the Republic of Hungary on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 23,
- the Republic of Poland on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 24,
- Romania on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 25,
- the Republic of Slovenia on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 26.

Article 6

1. In order to implement the provisions of paragraph 1 of Article 12 of the Central European Free Trade Agreement Protocols 27, 28, 29, 30 and 31 to the Central European Free Trade Agreement are hereby established.

2. Provisions for granting mutual agricultural concessions between:

- the Czech Republic and the Slovak Republic on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 27,
- the Republic of Hungary on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 28,
- the Republic of Poland on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 29,
- Romania on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 30,

- the Republic of Slovenia on the one side and the Republic of Bulgaria on the other side are laid down in Protocol 31.

Article 7

Quantitative restrictions on imports or measures having equivalent effect referred to in paragraph 2 of Article 8 of the Central European Free Trade Agreement and specified in Annexes III(a), III(b) and III(c) of the Central European Free Trade Agreement shall also apply to imports of products originating in the Republic of Bulgaria, subject to the provisions in Annex to Article 7 to this Agreement.

Article 8

For the purposes of this Agreement it is understood that Protocol 7 of the Central European Free Trade Agreement concerning the definition of the concept of "originating products" and methods of administrative cooperation shall also apply to the products originating in the Republic of Bulgaria, subject to the provisions in Annex to Article 8 to this Agreement.

Article 9

1. References to co-operation in customs administration mentioned in paragraph 2 of Article 16 of the Central European Free Trade Agreement shall be understood that the mutual assistance between administrative authorities in customs matters of the Czech Republic and the Slovak Republic on the one side and the Republic of Bulgaria on the other side shall take place in accordance with the provisions of Annex I to Article 9 of this Agreement.

2. References to co-operation in customs administration mentioned in paragraph 2 of Article 16 of the Central European Free Trade Agreement shall be understood that the mutual assistance between administrative authorities in customs matters of the Republic of Slovenia and the Republic of Bulgaria shall take place in accordance with the provisions of Annex II to Article 9 of this Agreement.

Article 10

1. References to government procurement in Article 24 of the Central European Free Trade Agreement shall be understood, in relations between the Czech Republic and the Slovak Republic on the one side and the Republic of Bulgaria, on the other side as for public procurement and the period mentioned in paragraph 2 of Article 24 shall end by the end of 1998 at the latest.

2. References to government procurement in Article 24 of the Central European Free Trade Agreement shall be understood, in relations between the Republic of Slovenia and the Republic of Bulgaria, as for public procurement and the period mentioned in paragraph 2 of Article 24 shall end by the end of 1999 at the latest.

3. It is agreed that consultations shall be held in the Joint Committee under paragraph 3 of Article 24 of the Central European Free Trade Agreement concerning the extension of the treatment referred to in paragraphs 1 and 2 to other Parties.

Article 11

This Agreement shall constitute an integral part of the Central European Free Trade Agreement.

Article 12

1. This Agreement shall enter into force on the thirtieth day after receiving by the Depositary of the last notification of the Parties to the Central European Free Trade Agreement and the Republic of Bulgaria on the completion of procedures necessary for that purpose.

2. The Depositary shall, without any delay, notify all Parties of the completion of procedures necessary for entry into force of this Agreement.

3. Pending the entry into force of this Agreement according to paragraph 1 of this Article the Czech Republic, the Republic of Hungary, the Republic of Poland, the Slovak Republic, the Republic of Slovenia and the Republic of Bulgaria shall apply this Agreement provisionally from 1 January 1999, provided that Romania shall notify the other Parties, prior to 1 December 1998, that its internal legal requirements for entry into force of this Agreement are fulfilled and that Romania shall apply this Agreement from 1 January 1999.

4. As from the date of entry into force of this Agreement the free trade agreements concluded between:

- the Czech Republic and the Republic of Bulgaria signed at Prague on 15 December 1995,

- the Slovak Republic and the Republic of Bulgaria signed at Sofia on 8 December 1995 shall cease to be in force and the free trade agreement concluded between

- the Republic of Slovenia and the Republic of Bulgaria signed at Sofia on 22 November 1996

shall not enter into force by mutual consent of the Parties concerned expressed in this Agreement.

5. As from the date of provisional application of this Agreement the free trade agreements mentioned in paragraph 4 of this Article shall not be applied between their Contracting Parties.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed this Agreement.

DONE at Sofia this & & & & & , in a single authentic copy in the English language, which shall be deposited with the Government of the Republic of Poland. The Depositary shall transmit certified copies to all Parties.

For the Czech Republic For the Republic of Bulgaria

For the Republic of Hungary

For the Republic of Poland

For Romania

For the Slovak Republic

For the Republic of Slovenia