

Príloha
k č. 412/2000 Z. z.

DECISION No 1/1999

of the Joint Committee of the Free Trade Agreement between the Slovak Republic and the Republic of Turkey on Amendments of the Protocol 3 to the Free Trade Agreement between the Slovak Republic and the Republic of Turkey

THE JOINT COMMITTEE

Having regard to the Free Trade Agreement between the Slovak Republic, of the one part, and the Republic of Turkey, of the other part, signed in Ankara on October 20, 1997 and Protocol 3 to this agreement concerning the definition of the concept of „originating products“ and methods of administrative cooperation,

Having in mind provisions of Articles 33, 34 and 36 of the Free Trade Agreement between the Slovak Republic and the Republic of Turkey,

Whereas within Protocol 3 the definition of the term „originating products“ needs to be amended to ensure the proper operation of the extended system of cumulation which permits the use of materials originating in the European Community, Poland, Hungary, the Czech Republic, Slovakia, Bulgaria, Romania, Latvia, Lithuania, Estonia, Slovenia, Turkey, Iceland, Norway and Switzerland (including Liechtenstein),

Whereas it would seem advisable to revise the Articles 21, 26 and 30 of this Protocol 3 concerning the amounts in order to fully take into consideration the entry into force of the euro,

Whereas taking into account of changes in processing techniques and shortages of certain raw materials some corrections must be made to the list of working and processing requirements which non-originating materials have to fulfil to qualify for originating status,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 3 concerning the definition of the concept of „originating products“ and methods of administrative cooperation is hereby amended as follows:

1. In Articles 21 and 26 the word „ECU“ shall be replaced by „euro“.

2. Article 30 shall be replaced by the following:

„Article 30

Amounts expressed in euro

1. Amounts in the national currency of the exporting Party equivalent to the amounts expressed in euro shall be fixed by the exporting Party and communicated to the importing Party.

2. When the amounts exceed the corresponding amounts fixed by the importing Party, the latter shall accept them if the products are invoiced in the currency of the exporting Party. When the products are invoiced in the currency of another Party referred to in Articles 3 and 4, the importing Party shall recognise the amount notified by the Party concerned.

3. The amounts to be used in any given national currency shall be the equivalent in that national currency of the amounts expressed in euro as at the first working day of October 1999.

4. The amounts expressed in euro and their equivalents in the national currency of a Party shall be reviewed by the Joint Committee at the request of a Party. When carrying out this review, the Joint Committee shall ensure that there will be no decrease in the amounts to be used in any national currency and shall furthermore consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in euro.”

3. Annex II shall be amended as follows:

(a) the entry for HS heading 1904 shall be replaced by:

1904	Prepared foods obtained by the swelling or roasting of cereal or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	<p>Manufacture:</p> <ul style="list-style-type: none"> – from materials not classified within heading No1806; – in which all the cereals and flour (except durum wheat and its derivatives and Zea indurata maize) used must be wholly obtained;¹⁾ – in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product 	
¹⁾ The exception concerning the Zea indurata maize is applicable until 31. 12. 2002.			

(b) the entry for HS heading 2207 shall be replaced by:

2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denatured, of any strength	<p>Manufacture:</p> <ul style="list-style-type: none"> – from materials not classified within heading Nos 2207 or 2208; – in which all the grapes or any material derived from grapes used must be wholly obtained or if all the other materials used are already originating, arrack may be used up to a limit of 5 % by volume 	
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(c) the entry for HS Chapter 57 shall be replaced by:

Chapter 57	<p>Carpets and other textile floor coverings:</p> <ul style="list-style-type: none"> – Of needleloom felt – Of other felt – of other textile materials 	<p>Manufacture from:¹⁾</p> <ul style="list-style-type: none"> – natural fibres, or – chemical materials or textile pulp <p>However:</p> <ul style="list-style-type: none"> – polypropylene filament of heading No 5402, or – polypropylene fibres of heading No 5503 or 5506, or – polypropylene filament tow of heading No 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used provided their value does not exceed 40 % of the ex-works price of the product <p>Jute fabric may be used as backing</p> <p>Manufacture from:¹⁾</p> <ul style="list-style-type: none"> – natural fibres not carded or combed or otherwise processed for spinning, or – chemical materials or textile pulp <p>Manufacture from:¹⁾</p> <ul style="list-style-type: none"> – coir yarn or jute yarn, – synthetic or artificial filament yarn, – natural fibres, or – man-made staple fibres not carded or combed or otherwise processed for spinning 	
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		Jute fabric may be used as backing	
¹⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.			

(d) the entry for HS heading 7006 shall be replaced by:

7006	<p>Glass of heading Nos 7003, 7004 or 7005, bent, edgeworked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials</p> <p>- glass plate substrate coated with dielectric thin film, semiconductor grade, in accordance with SEMII standards¹⁾</p> <p>- other</p>	<p>Manufacture from non-coated glass plate substrate of heading No 7006</p> <p>Manufacture from materials of heading No 7001</p>	
¹⁾ SEMII – Semiconductor Equipment and Materials Institute Incorporated			

(e) the entry for HS heading 8401 shall be replaced by:

ex 8401	Nuclear fuel elements	Manufacture in which all the materials used are classified within a heading other than that of the product ¹⁾	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
¹⁾ This rule shall apply until 31 December 2005.			

(f) the following shall be inserted between the entries for HS heading Nos 9606 and 9612:

9608	<p>Ball-point pens; felt-tipped and other porous-tipped pens and markers; fountain pens; stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading No 9609</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, nibs or nib-points classified within the same heading may be used.</p>	
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4. The text of Annex V shall be replaced by the following text:

„ANNEX V

LIST
of products originating in the European Community to which the provisions of Articles 3
and 4 do not apply, listed in the order of HS Chapters and Headings

Chapter 1	
Chapter 2	
Chapter 3	
0401 to 0402	
ex 0403 –	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter
0404 to 0410	
0504	
0511	
Chapter 6	
0701 to 0709	
ex 0710 –	Vegetables except sweet corn of heading 0710 40 00 (uncooked or cooked by steaming or boiling in water), frozen
ex 0711 –	Vegetables, except sweet corn of heading 0711 90 30, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
0712 to 0714	
Chapter 8	
ex Chapter 9 –	Coffee, tea, and spices, excluding maté of heading No 0903
Chapter 10	
Chapter 11	
Chapter 12	
ex 1302 –	Pectic substances, pectinates and pectates
1501 to 1514	
ex 1515 –	Other fixed vegetable fats and oils (excluding jojoba oil and its fractions) and their fractions, whether or not refined, but not chemically modified
ex 1516 –	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised whether or not refined, but not further prepared, excluding hydrogenated castor oil known as „opal-wax“

ex 1517 and ex 1518 –	Margarines, imitation lard and other prepared edible fats
ex 1522 –	Residues resulting from the treatment of fatty substances or animal or vegetable waxes, excluding degreas
Chapter 16 1701	
ex 1702 –	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel excluding that of heading Nos 1702 11 00, 1702 30 51, 1702 30 59, 1702 50 00 and 1702 90 10
1703 1801 and 1802	
ex 1902 –	Pasta, stuffed, containing more than 20 % by weight of fish, crustaceans, molluses or other aquatic invertebrates, sausages and the like or meat and meat offal of any kind, including fats of all kinds
ex 2001 –	Cucumbers and gherkins, onions, mango chutney, fruit of the genus Capsicum other than sweet peppers or pimentos, mushrooms and olives, prepared or preserved by vinegar or acetic acid
2002 and 2003	
ex 2004 –	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading No 2006, excluding potatoes in the form of flour, meal or flakes, and sweetcorn
ex 2005 –	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006, excluding potatoes in the form of flour, meal or flakes, and sweetcorn
2006 and 2007	
ex 2008 –	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included, excluding peanut butter, palm hearts, maize, yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch; vine leaves, hop shoots and other similar edible parts of plants
2009	
ex 2106 –	Flavoured or coloured sugars, syrups
2204	
2206	
ex 2207 –	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher obtained from agricultural produce listed here
ex 2208 –	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol obtained from agricultural produce listed here
2209 Chapter 23 2401 4501 5301 and 5302	

Article 2

This Decision shall be approved in accordance with the internal requirements of both Parties and it shall enter into force on the date of exchange of diplomatic notes.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorised thereto, have signed this Decision.

DONE at Ankara this 13th day of January 2000 in two authentic copies in the English language.

For the Slovak Republic:

Peter Brňo

For the Republic of Turkey:

MŞnir Yetkin