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EUROPEAN
COMMUNITIES



Treaty Series No. 49 (1974)

Agreement

between the Member States of the
European Coal and Steel Community
and the Swiss Confederation

(with Final Act and Additional Agreement concerning
the validity of the Agreement for Liechtenstein)

Brussels, 22 July 1972

[The Agreement and Additional Agreement entered into force on 1 January 1974]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 1974*

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**AGREEMENT
BETWEEN THE MEMBER STATES OF THE EUROPEAN
COAL AND STEEL COMMUNITY AND THE
SWISS CONFEDERATION**

The Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, being members of the European Coal and Steel Community, of the one part, and the Swiss Confederation of the other part,

WHEREAS the European Economic Community and the Swiss Confederation are concluding an Agreement concerning the sectors covered by that Community,⁽¹⁾

PURSUING the same objectives and desiring to find like solutions for the sector covered by the European Coal and Steel Community,

HAVE DECIDED, in pursuit of these objectives and considering that no provision of this Agreement may be interpreted as exempting the Contracting Parties from the obligations which are incumbent upon them under other international agreements, to conclude this Agreement:

ARTICLE 1

This Agreement shall apply to products covered by the European Coal and Steel Community which are specified in the Annex and originate in that Community or the Swiss Confederation.

ARTICLE 2

1. No new customs duty on imports shall be introduced in trade between the Community and Switzerland.

2. Customs duties on imports shall be progressively abolished in accordance with the following timetable:

(a) on 1 April 1973 each duty shall be reduced to 80% of the basic duty;

(b) four further reductions of 20% each shall be made on:

1 January 1974

1 January 1975

1 January 1976

1 July 1977.

ARTICLE 3

1. The provisions concerning the progressive abolition of customs duties on imports shall also apply to customs duties of a fiscal nature.

(¹) Miscellaneous No. 53 (1972), Cmnd. 5181.
Miscellaneous No. 13 (1973), Cmnd. 5299.

The Contracting Parties may replace a customs duty of a fiscal nature or the fiscal element of a customs duty by an internal tax.

2. Denmark, Ireland, Norway and the United Kingdom may retain until 1 January 1976 a customs duty of a fiscal nature or the fiscal element of a customs duty in the event of implementation of Article 38 of the "Act concerning the Conditions of Accession and the Adjustments to the Treaties"⁽²⁾ drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 4

1. The basic duty to which the successive reductions provided for in Article 2 are to be applied shall, for each product, be the duty actually applied on 1 January 1972.

2. The reduced duties calculated in accordance with Article 2 shall be applied rounded to the first decimal place.

Subject to the application by the Community of Article 39 (5) of the "Act concerning the Conditions of Accession and the Adjustments to the Treaties" drawn up and adopted within the Conference between the European Communities and the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, as regards the specific duties or the specific part of the mixed duties in the Irish Customs Tariff, Article 2 shall be applied, with rounding to the fourth decimal place.

ARTICLE 5

1. No new charge having an effect equivalent to a customs duty on imports shall be introduced in trade between the Community and Switzerland.

2. Charges having an effect equivalent to customs duties on imports introduced on or after 1 January 1972 in trade between the Community and Switzerland shall be abolished upon the entry into force of the Agreement.

Any charge having an effect equivalent to a customs duty on imports, the rate of which on 31 December 1972 is higher than that actually applied on 1 January 1972, shall be reduced to the latter rate upon the entry into force of the Agreement.

3. Charges having an effect equivalent to customs duties on imports shall be progressively abolished in accordance with the following timetable:

(a) by 1 January 1974 at the latest each charge shall be reduced to 60% of the rate applied on 1 January 1972;

(b) three further reductions of 20% each shall be made on:

1 January 1975

1 January 1976

1 July 1977.

⁽²⁾ Treaty Series No. 1 (1973)—Part I, Cmnd. 5179—I.

ARTICLE 6

No customs duty on exports or charge having equivalent effect shall be introduced in trade between the Community and Switzerland.

Customs duties on exports and charges having equivalent effect shall be abolished not later than 1 January 1974.

ARTICLE 7

The provisions determining the rules of origin for the application of the Agreement between the European Economic Community and the Swiss Confederation signed this same day shall also be applicable to this Agreement.

ARTICLE 8

A Contracting Party which is considering the reduction of the effective level of its duties or charges having equivalent effect applicable to third countries benefiting from most-favoured-nation treatment, or which is considering the suspension of their application, shall, as far as may be practicable, notify the Joint Committee not less than thirty days before such reduction or suspension comes into effect. It shall take note of any representations by the other Contracting Party regarding any distortions which might result therefrom.

ARTICLE 9

1. No new quantitative restriction on imports or measure having equivalent effect shall be introduced in trade between the Community and Switzerland.

2. Quantitative restrictions on imports shall be abolished on 1 January 1973 and any measures having an effect equivalent to quantitative restrictions on imports shall be abolished not later than 1 January 1975.

ARTICLE 10

From 1 July 1977 products originating in Switzerland may not enjoy more favourable treatment when imported into the Community than that applied by the Member States of the Community between themselves.

ARTICLE 11

The Agreement shall not modify the provisions of the Treaty establishing the European Coal and Steel Community⁽³⁾ or the powers and jurisdiction deriving therefrom.

ARTICLE 12

The Agreement shall not preclude the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade, except insofar as they alter the trade arrangements provided for in the Agreement, in particular the provisions concerning rules of origin.

(³) Treaty Series No. 2 (1973), Cmnd. 5189.

ARTICLE 13

The Contracting Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products of one Contracting Party and like products originating in the territory of the other Contracting Party.

Products exported to the territory of one of the Contracting Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

ARTICLE 14

Payments relating to trade in goods and the transfer of such payments to the Member State of the Community in which the creditor is resident or to Switzerland shall be free from any restrictions.

The Contracting Parties shall refrain from any exchange or administrative restriction on the grant, repayment or acceptance of short and medium-term credits covering commercial transactions in which a resident participates.

ARTICLE 15

The Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, law and order or public security, the protection of life and health of humans, animals or plants, the protection of national treasures of artistic, historic or archaeological value, or the protection of industrial and commercial property. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

ARTICLE 16

Nothing in the Agreement shall prevent a Contracting Party from taking any measures:

- (a) which it considers necessary to prevent the disclosure of information contrary to its essential security interests;
- (b) which relate to trade in arms, munitions or war materials or to research, development or production indispensable for defence purposes, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes;
- (c) which it considers essential to its own security in time of war or serious international tension.

ARTICLE 17

1. The Contracting Parties shall refrain from any measure likely to jeopardize the fulfilment of the objectives of the Agreement.

2. They shall take any general or specific measures required to fulfil their obligations under the Agreement.

If either Contracting Party considers that the other Contracting Party has failed to fulfil an obligation under the Agreement, it may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

ARTICLE 18

1. The following are incompatible with the proper functioning of the Agreement in so far as they may affect trade between the Community and Switzerland:

- (i) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition as regards the production of or trade in goods;
- (ii) abuse by one or more undertakings of a dominant position in the territories of the Contracting Parties as a whole or in a substantial part thereof;
- (iii) any public aid which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods.

2. Should a Contracting Party consider that a given practice is incompatible with this Article, it may take the appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

ARTICLE 19

If the offers made by Swiss undertakings are likely to be detrimental to the functioning of the Common Market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

ARTICLE 20

Where an increase in imports of a given product is or is likely to be seriously detrimental to any production activity carried on in the territory of one of the Contracting Parties and where this increase is due to:

- (i) the partial or total reduction in the importing Contracting Party, as provided for in the Agreement, of customs duties and charges having equivalent effect levied on the product in question; and
- (ii) the fact that the duties or charges having equivalent effect levied by the exporting Contracting Party on imports of raw materials or intermediate products used in the manufacture of the product in question are significantly lower than the corresponding duties or charges levied by the importing Contracting Party;

the Contracting Party concerned may take the appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

ARTICLE 21

If one of the Contracting Parties finds that dumping is taking place in trade with the other Contracting Party, it may take appropriate measures against this practice in accordance with the provisions of the Agreement(*) on Implementation of Article VI of the General Agreement on Tariffs and Trade, under the conditions and in accordance with the procedures laid down in Article 23.

ARTICLE 22

If serious disturbances arise in any sector of the economy or if difficulties arise which could bring about serious deterioration in the economic situation of a region, the Contracting Party concerned may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 23.

ARTICLE 23

1. In the event of a Contracting Party subjecting imports of products liable to give rise to the difficulties referred to in Articles 20 and 22 to an administrative procedure, the purpose of which is to provide rapid information on the trend of trade flows, it shall inform the other Contracting Party.

2. In the cases specified in Articles 17 to 22, before taking the measures provided for therein or, in cases to which paragraph 3 (e) applies, as soon as possible, the Contracting Party in question shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Parties.

In the selection of measures, priority must be given to those which least disturb the functioning of the Agreement.

The safeguard measures shall be notified immediately to the Joint Committee and shall be the subject of periodical consultations within the Committee, particularly with a view to their abolition as soon as circumstances permit.

3. For the implementation of paragraph 2, the following provisions shall apply:

(a) As regards Article 18, either Contracting Party may refer the matter to the Joint Committee if it considers that a given practice is incompatible with the proper functioning of the Agreement within the meaning of Article 18 (1).

The Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where appropriate, to eliminate the practice objected to.

If the Contracting Party in question fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee within three months of the matter being referred to it, the Contracting Party concerned

(*) United Nations Treaty Series Vol. 651 (No. 814—LVIII), available through Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London, SE1 9NY. Tel.: 01-928 6977, ext. 410.

may adopt any safeguard measures it considers necessary to deal with the serious difficulties resulting from the practices in question; in particular it may withdraw tariff concessions.

- (b) As regards Article 19, the Contracting Parties shall provide the Joint Committee with all relevant information and shall give it the assistance it requires in order to examine the case and, where necessary, to consider appropriate measures.

If Switzerland fails to put an end to the practice objected to within the period fixed by the Joint Committee, or in the absence of agreement in the Joint Committee, the Member States may adopt the safeguard measures they consider necessary to avoid, or put an end to, any detriment to the functioning of the common market; in particular they may withdraw tariff concessions.

- (c) As regards Article 20, the difficulties arising from the situation referred to in that Article shall be referred for examination to the Joint Committee, which may take any decision needed to put an end to such difficulties.

If the Joint Committee or the exporting Contracting Party has not taken a decision putting an end to the difficulties within thirty days of the matter being referred, the importing Contracting Party is authorized to levy a compensatory charge on the product imported.

The compensatory charge shall be calculated according to the incidence on the value of the goods in question of the tariff disparities in respect of the raw materials or intermediate products incorporated therein.

- (d) As regards Article 21, consultation in the Joint Committee shall take place before the Contracting Party concerned takes the appropriate measures.
- (e) Where exceptional circumstances requiring immediate action make prior examination impossible, the Contracting Party concerned may, in the situations specified in Articles 20, 21 and 22 and also in the case of export aids having a direct and immediate incidence on trade, apply forthwith the precautionary measures strictly necessary to deal with the situation.

ARTICLE 24

Where one or more Member States of the Community or Switzerland is in difficulties or is seriously threatened with difficulties as regards its balance of payments, the Contracting Party concerned may take the necessary safeguard measures. It shall inform the other Contracting Party forthwith.

ARTICLE 25

1. A Joint Committee is hereby established, which shall be responsible for the administration of the Agreement and shall ensure its proper implementation. For this purpose, it shall make recommendations and take decisions in the cases provided for in the Agreement. These decisions shall be put into effect by the Contracting Parties in accordance with their own rules.

2. For the purpose of the proper implementation of the Agreement the Contracting Parties shall exchange information and, at the request of either Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt its own rules of procedure.

ARTICLE 26

1. The Joint Committee shall consist of representatives of the Contracting Parties.

2. The Joint Committee shall act by mutual agreement.

ARTICLE 27

1. Each Contracting Party shall preside in turn over the Joint Committee, in accordance with the arrangements to be laid down in its rules of procedure.

2. The Chairman shall convene meetings of the Joint Committee at least once a year in order to review the general functioning of the Agreement.

The Joint Committee shall, in addition, meet whenever special circumstances so require, at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

3. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

ARTICLE 28

The Annex to the Agreement shall form an integral part thereof.

ARTICLE 29

Any Contracting Party may denounce the Agreement by notifying the other Contracting Party. The Agreement shall cease to be in force twelve months after the date of such notification.

ARTICLE 30

The Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Coal and Steel Community applies upon the terms laid down in that Treaty and, on the other, to the territory of the Swiss Confederation.

ARTICLE 31

This Agreement is drawn up in duplicate, in the Danish, Dutch, English, French, German, Italian and Norwegian languages, each of these texts being equally authentic.⁽⁵⁾

⁽⁵⁾ For texts in Danish, Dutch, French, German and Italian see Official Journal of the European Communities No. L350 of 19 December 1973. Texts in all languages will appear in the United Nations Treaty Series. Both publications are available through Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London, SE1 9NY. Tel.: 01-928 6977, ext. 410.

This Agreement will be approved by the Contracting Parties in accordance with their own procedures.

It shall enter into force on 1 January 1973 provided that the Contracting Parties have notified each other before that date that the procedures necessary to this end have been completed.

In the event of application of Article 2 (3) of the Decision of the Council of the European Communities of 22 January 1972 concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Coal and Steel Community,⁽⁶⁾ this Agreement may take effect only for the States that have deposited the instruments specified in that paragraph.

After 1 January 1973, this Agreement shall enter into force⁽⁷⁾ on the first day of the second month following the notification referred to in paragraph 3. The final date for such notification shall be 30 November 1973.

The provisions applicable on 1 April 1973 shall be applied upon the entry into force of this Agreement if it enters into force after that date.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

[For signatures see page 17]

⁽⁶⁾ Treaty Series No. 2 (1973), Cmnd. 5189.

⁽⁷⁾ Belgium, Denmark, France, the Federal Republic of Germany, the Republic of Ireland Italy, Luxembourg, the Netherlands and the United Kingdom, of the one part, and the Swiss Confederation, of the other part, notified each other on 29 November 1973 that the procedures necessary for the entry into force of the Agreement has been completed and the Agreement therefore entered into force on 1 January 1974.

ANNEX

LIST OF PRODUCTS REFERRED TO IN ARTICLE 1 OF THE AGREEMENT

Brussels Nomenclature heading No.	Description
26.01	Metallic ores and concentrates and roasted iron pyrites: A. Iron ores and concentrates and roasted iron pyrites: II. Other. B. Manganese ores and concentrates, including manganiferous iron ores and concentrates with a manganese content of 20% or more by weight.
26.02	Slag, dross, scalings and similar waste from the manufacture of iron or steel: A. Blast-furnace dust.
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal.
27.02	Lignite, whether or not agglomerated.
27.04	Coke and semi-coke of coal, of lignite or of peat: A. Of coal: II. Other. B. Of lignite.
73.01	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms.
73.02	Ferro-alloys: A. Ferro-manganese: I. Containing more than 2% by weight of carbon (high carbonferromanganese).
73.03	Waste and scrapmetal of iron or steel.
73.05	Iron or steel powders; sponge iron or steel: B. Sponge iron or steel.
73.06	Puddled bars and pilings; ingots, blocks, lumps and similar forms, of iron or steel.
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled. B. Slabs and sheet bars (including tinplate bars): I. Rolled.
73.08	Iron or steel coils for re-rolling.
73.09	Universal plates of iron or steel.

Brussels Nomenclature heading No.	Description
73.10	<p>Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:</p> <p>A. Not further worked than hot-rolled or extruded:</p> <p>D. Clad or surface-worked (for example, polished, coated):</p> <p>I. Not further worked than clad:</p> <p>(a) Hot-rolled or extruded.</p>
73.11	<p>Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:</p> <p>A. Angles, shapes and sections:</p> <p>I. Not further worked than hot-rolled or extruded.</p> <p>IV. Clad or surface-worked (for example, polished, coated):</p> <p>(a) Not further worked than clad:</p> <p>1. Hot-rolled or extruded.</p> <p>B. Sheet piling.</p>
73.12	<p>Hoop and strip, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. Not further worked than hot-rolled.</p> <p>B. Not further worked than cold-rolled:</p> <p>I. In coils for the manufacture of tinplate (a).</p> <p>C. Clad, coated or otherwise surface-treated:</p> <p>III. Tinned:</p> <p>(a) Tinplate.</p> <p>V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):</p> <p>(a) Not further worked than clad:</p> <p>1. Hot-rolled.</p>
73.13	<p>Sheets and plates, of iron or steel, hot-rolled or cold-rolled:</p> <p>A. "Electrical" sheets and plates:</p> <p>B. Other sheets and plates:</p> <p>I. Not further worked than hot-rolled.</p> <p>II. Not further worked than cold-rolled, of a thickness of:</p> <p>(b) More than 1mm. but less than 3mm.</p> <p>(c) 1 mm. or less.</p> <p>III. Not further worked than burnished, polished or glazed.</p> <p>IV. Clad, coated or otherwise surface-treated:</p> <p>(b) Tinned:</p> <p>1. Tinplate.</p> <p>2. Other.</p> <p>(c) Zinc-coated or lead-coated.</p> <p>(d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed).</p> <p>V. Otherwise shaped or worked:</p> <p>(a) Cut into shapes other than rectangular shapes, but not further worked:</p> <p>2. Other.</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Brussels Nomenclature heading No.	Description
73.15	<p>Alloy steel and high carbon steel in the forms mentioned in headings Nos. 73.06 to 73.14:</p> <p>A. High carbon steel:</p> <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> (b) Other. III. Coils for re-rolling. IV. Universal plates. V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> (b) Not further worked than hot-rolled or extruded: (d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> (aa) Hot-rolled or extruded. VI. Hoop and strip: <ul style="list-style-type: none"> (a) Not further worked than hot-rolled: (c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> (aa) Hot-rolled. VII. Sheets and plates: <ul style="list-style-type: none"> (a) Not further worked than hot-rolled. (b) Not further worked than cold-rolled, of a thickness of: <ul style="list-style-type: none"> 2. Less than 3 mm. (c) Polished, clad, coated or otherwise surface-treated. (d) Otherwise shaped or worked: <ul style="list-style-type: none"> 1. Cut into shapes other than rectangular shapes, but not further worked. <p>B. Alloy steel:</p> <ul style="list-style-type: none"> I. Ingots, blooms, billets, slabs and sheet bars: <ul style="list-style-type: none"> (b) Other. III. Coils for re-rolling. IV. Universal plates. V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: <ul style="list-style-type: none"> (b) Not further worked than hot-rolled or extruded. (d) Clad or surface-worked (for example, polished, coated): <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> (aa) Hot-rolled or extruded. VI. Hoop and strip: <ul style="list-style-type: none"> (a) Not further worked than hot-rolled. (c) Clad, coated or otherwise surface-treated: <ul style="list-style-type: none"> 1. Not further worked than clad: <ul style="list-style-type: none"> (aa) Hot-rolled. VII. Sheets and plates: <ul style="list-style-type: none"> (a) "Electrical" sheets and plates: (b) Other sheets and plates: <ul style="list-style-type: none"> 1. Not further worked than hot-rolled. 2. Not further worked than cold-rolled, of a thickness of: <ul style="list-style-type: none"> (bb) less than 3 mm. 3. Polished, clad, coated or otherwise surface-treated. 4. Otherwise shaped or worked: <ul style="list-style-type: none"> (aa) Cut into shapes other than rectangular shapes, but not further worked.

Brussels Nomenclature heading No.	Description
73.16	<p>Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for joining or fixing rails:</p> <p>A. Rails: II. Other.</p> <p>B. Check-rails.</p> <p>C. Sleepers.</p> <p>D. Fish-plates and sole plates: I. Rolled.</p>

FINAL ACT

The representatives of the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, and the United Kingdom of Great Britain and Northern Ireland, being members of the European Coal and Steel Community, and of the Swiss Confederation, assembled at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two, for the signature of the Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation, at the time of signature of this Agreement, have taken note of the following declaration annexed to this Act: Declaration by the Government of the Federal Republic of Germany concerning application of the Agreement to Berlin.

The above-mentioned representatives and the representative of the Principality of Liechtenstein, have signed the Additional Agreement concerning the validity, for the Principality of Liechtenstein, of the Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation of 22 July 1972.

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

[For signatures see page 17]

DECLARATION BY THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING APPLICATION OF THE AGREEMENT TO BERLIN

The Agreement is also applicable to Land Berlin, in so far as the Government of the Federal Republic of Germany does not make a declaration to the contrary within three months of the entry into force of the Agreement.

SIGNATURES TO AGREEMENT AND FINAL ACT

Belgium

Denmark

France

Germany, Federal Republic of

Ireland, Republic of

Italy

Luxembourg

Netherlands

Norway

United Kingdom

Switzerland

**ADDITIONAL AGREEMENT
CONCERNING THE VALIDITY, FOR THE PRINCIPALITY OF
LIECHTENSTEIN, OF THE AGREEMENT BETWEEN THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL
COMMUNITY AND THE SWISS CONFEDERATION OF
22 JULY 1972**

The Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, the United Kingdom of Great Britain and Northern Ireland, being members of the European Coal and Steel Community, the Swiss Confederation, the Principality of Liechtenstein,

WHEREAS by the Treaty of 29 March 1923^(*) the Principality of Liechtenstein and Switzerland constitute a customs union and whereas that Treaty does not confer validity for the Principality of Liechtenstein on all the provisions of the Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation signed on 22 July 1972;

WHEREAS the Principality of Liechtenstein has expressed the desire that all the provisions of that Agreement should apply to it,

HAVE AGREED as follows:

ARTICLE 1

The Agreement between the Member States of the European Coal and Steel Community and the Swiss Confederation signed on 22 July 1972 shall likewise apply to the Principality of Liechtenstein.

ARTICLE 2

For the purpose of applying the Agreement referred to in Article 1 and without modifying its bilateral nature between the Member States of the Community and Switzerland, the Principality of Liechtenstein may cause its interests to be represented through a representative within the Swiss delegation to the Joint Committee.

ARTICLE 3

This additional Agreement will be approved by Switzerland, the Principality of Liechtenstein and the Member States of the Community in accordance with their own procedures. It shall enter into force at the same time as the Agreement referred to in Article 1 and shall continue to apply for so long as the Treaty of 29 March 1923 remains in force.

(*) League of Nations Treaty Series, Vol. XXI, p. 232 (No. 545).

Done at Brussels on this twenty-second day of July in the year one thousand nine hundred and seventy-two.

SIGNATURES TO ADDITIONAL AGREEMENT

Belgium

Denmark

France

Germany, Federal Republic of

Ireland, Republic of

Italy

Luxembourg

Netherlands

Norway

United Kingdom

Switzerland

Liechtenstein

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