

Joint Declaration
concerning the review of the changes to the origin rules as a result of the amendments
to the Harmonized System

Where, following the amendments made to the nomenclature, the changes to the origin rules as introduced by Decision No 1/2001 alter the substance of any rule existing prior to Decision 1/2001, and it appears that such alteration results in a situation prejudicial to the interest of the sectors concerned, then, if one of the Contracting Parties so requests in the period up to and including 31 December 2004, an examination shall be made as a matter of urgency by the Joint Committee, of the need to restore the substance of the rule concerned as it was before Decision 1/2001.

In any case the Joint Committee shall decide to restore, or not to restore, the substance of the rule concerned within a period of three months of the request being made to it by either of the parties to the Agreement.

If the substance of the rule concerned is restored, then the parties to the Agreement shall also provide the legal framework necessary to ensure that any customs duties paid on the products concerned imported after 1 January 2002 can be reimbursed.

No. ZMP-288/2001

The Ministry of Foreign Affairs of the Republic of Slovenia presents its compliments to the Embassy of the Republic of Estonia and, with reference to the Decision No 1/2001 between the Republic of Slovenia, of the one part, and the Republic of Estonia, of the other part amending Protocol 2 to the Agreement, concerning the definition of the concept of "originating products" and methods of administrative co-operation, has the honour to communicate the following:

With reference to the future developments in the field of the pan-European cumulation system the Slovenian side would like to propose these developments to be taken into consideration in the framework of Protocol 2 to the Free Trade Agreement between the Republic of Slovenia and the Republic of Estonia. It should be further clarified that in the pan-European cumulation context it has been agreed that a consolidated version of the standard protocol on rules of origin applicable between pan-European countries should be applied as of 1 January 2002. As there were some technical difficulties regarding the translation of the consolidated protocol on rules of origin in different languages of the Member States and due to the fact that Council procedures take quite a long time, this date has been postponed on 1 January 2003. The partner countries taking part in the system of pan-European cumulation thus received several copies of the text of the consolidated version from the EC that supposed to be the final versions. In the last version of the consolidated protocol on rules of origin applicable between the EU and the partner countries that was sent to the partner countries in October 2002 a difference emerged in the list rule for ex 4114 - in column 3 of the list rules the heading number 4107 was added. This amendment has later on been confirmed by the European Commission.

In accordance with the above mentioned and due to the fact that identical protocols on rules of origin must apply among all pan-European partner countries, the Slovenian side proposes the same amendment in Annex II of Protocol 2 to Decision No 1/2001 (enclosure).

The Slovenian side would appreciate the written confirmation by the Estonian side of the suggested proposal in order to consider the respective amendment adopted by both Parties. The amendment to Decision No 1/2001 between the Republic of Slovenia, of the one part, and the Republic of Estonia, of the other part amending Protocol 2 to the Agreement, concerning the definition of the concept of “originating products” and methods of administrative co-operation shall enter into force on the date of the receipt of the later diplomatic note confirming that all internal legal procedures of the respective Party for the entry into force have been completed and shall be applied provisionally from 1 January 2003. If this amendment to Decision No 1/2001 can not be adopted before 1 January 2003, it shall be applied provisionally from the date of signature.

The Ministry of Foreign Affairs of the Republic of Slovenia avails itself of this opportunity to renew to the Embassy of the Republic of Estonia the assurances of its highest consideration.

Ljubljana, 18 December 2002

Enclosure

EMBASSY OF THE REPUBLIC OF ESTONIA

VIENNA

ANNEX

ex 4114	Patent leather and patent laminated leather; metallised leather	Manufacture from materials of headings 4104 to 4106, 4107 , 4112 or 4113, provided that their total value does not exceed 50 % of the ex-works price of the product
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No. 7/14046

The Ministry of Foreign Affairs of the Republic of Estonia presents its compliments to the Ministry of Foreign Affairs of the Republic of Slovenia and referring to the Ministry's Note No: ZMP-288/2001 26710, dated December 18, 2002 regarding the Decision No 1/2001 of the Joint Committee of the Free Trade Agreement between the Republic of Estonia and the Republic of Slovenia amending Protocol 2 to the Agreement concerning the definition of the concept of "originating products" and methods of administrative co-operation, has the honour to inform the Ministry about the following.

Hereby the Ministry confirms that the proposal, which was put forward by the Slovenian side, is acceptable to the Estonian side.

The enclosed amendments to the Annex II of Protocol 2 to Decision No 1/2001 shall enter into force on the date of the receipt of the latter diplomatic note confirming that all internal legal procedures of the respective Party for the entry into force have been completed.

The mentioned amendment to the Annex II of Protocol 2 to Decision No 1/2001 shall be applied provisionally from 1 January 2003.

The Ministry of Foreign Affairs of the Republic of Estonia avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Slovenia the assurances of its highest consideration.

Tallinn, December 31, 2002

To
the Ministry of Foreign Affairs of the
Republic of Slovenia

LJUBLJANA

ANNEX II

ex 4114	Patent leather and patent laminated leather; metallised leather	Manufacture from materials of headings 4104 to 4106, 4107 , 4112 or 4113, provided that their total value does not exceed 50 % of the ex-works price of the product
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