

ANNEX V TO PROTOCOL 7

Record of Understanding

The diagonal cumulation laid down in Article 4 of this Protocol shall be applied among the Parties to the Central European Free Trade Agreement from the date of implementation of this Protocol.

Regarding the other countries the diagonal cumulation laid down in Article 4 of this Protocol may only be applied when the countries mentioned in the said Article have concluded Free Trade Agreement or Agreement establishing Customs Union, containing identical rules of origin, among themselves. For each country referred to in Article 4 not complying with this condition on the date of entering into force of this Protocol, Article 4 shall apply from the date of entering into force of Free Trade Agreement or Agreement establishing Customs Union, containing identical rules of origin between such country and the last of countries already applying the diagonal cumulation.

Each reference to Article 4 mentioned in this Protocol shall apply according to this Record of Understanding.

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 the Additional Protocol 11 to CEFTA alter the substance of any rule existing prior to the Additional Protocol 11 to CEFTA, and it appears that such alteration results in a situation prejudicial to the interest of the sectors concerned, then, if one of the 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 the application of the Additional Protocol 11 to CEFTA.

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 any of the Parties.

If the substance of the rule concerned is restored, then the Parties 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.

ADDITIONAL PROTOCOL No. 13
TO THE CENTRAL EUROPEAN FREE TRADE AGREEMENT

Representatives of the Republic of Bulgaria, the Republic of Croatia, the Czech Republic, the Republic of Hungary, the Republic of Poland, Romania, the Slovak Republic and the Republic of Slovenia (hereinafter called the Parties);

Having regard to Protocol 7 to the Central European Free Trade Agreement, concerning the definition of the concept of “originating products” and methods of administrative co-operation, amended by Additional Protocol 4, 7, 8, 9 and 11 to the Central European Free Trade Agreement and the Agreements on accession of the Republic of Slovenia, Romania and the Republic of Bulgaria to the Central European Free Trade Agreement;

Having in mind the alignment of Protocol 7 with the rules of origin applicable within the system of pan-european cumulation;

Noting that a technical error in the specific list rule for ex 4114 was discovered in Annex II to Protocol 7

Have decided as follows:

Article 1

In Annex II to Protocol 7 the entry for HS heading ex 4114 shall be replaced by the following:

HS heading No (1)	Description of product (2)	Working or processing carried out on non-originating materials that confers originating status (3) or (4)	
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	

Article 2

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

Article 3

1. This Additional Protocol 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 on the completion of procedures necessary for that purpose.
2. The Depositary shall notify all Parties of the completion of procedures necessary for the entry into force of this Additional Protocol.
3. If this Additional Protocol does not enter into force by 1 November 2003, it shall be applied provisionally from that date. However, if a Party is not in a position to apply it from 1 November 2003, that Party shall inform the other Parties about this fact as soon as possible, but not later than by 1 October 2003. Concerning that Party this Additional Protocol shall be applied on the tenth day from the date of receiving by the other Parties of the notification on the completion by that Party of the internal procedures necessary for the application of this Additional Protocol.

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

Done at Bled this 4 day of July 2003 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 of this Additional Protocol to all Parties to the Central European Free Trade Agreement.

For the Republic of Bulgaria	Nikolay Vassilev, (s)
For the Republic of Croatia	Ljubo Jurčić, (s)
For the Czech Republic	Miroslav Somol, (s)
For the Republic of Hungary	István Major, (s)
For the Republic of Poland	Miroslav Zieliński, (s)
For Romania	Eugen Dijmarescu, (s)
For the Slovak Republic	Eva Šimková, (s)
For the Republic of Slovenia	Renata Vitez, (s)