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**TREATY
BETWEEN**

THE KINGDOM OF BELGIUM, THE REPUBLIC OF BULGARIA, THE CZECH REPUBLIC, THE KINGDOM OF DENMARK, THE FEDERAL REPUBLIC OF GERMANY, THE REPUBLIC OF ESTONIA, IRELAND, THE HELLENIC REPUBLIC, THE KINGDOM OF SPAIN, THE FRENCH REPUBLIC, THE ITALIAN REPUBLIC, THE REPUBLIC OF CYPRUS, THE REPUBLIC OF LATVIA, THE REPUBLIC OF LITHUANIA, THE GRAND DUCHY OF LUXEMBOURG, THE REPUBLIC OF HUNGARY, THE REPUBLIC OF MALTA, THE KINGDOM OF THE NETHERLANDS, THE REPUBLIC OF AUSTRIA, THE REPUBLIC OF POLAND, THE PORTUGUESE REPUBLIC, ROMANIA, THE REPUBLIC OF SLOVENIA, THE SLOVAK REPUBLIC, THE REPUBLIC OF FINLAND, THE KINGDOM OF SWEDEN, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

(MEMBER STATES OF THE EUROPEAN UNION)

AND

THE REPUBLIC OF CROATIA

CONCERNING THE ACCESSION OF THE REPUBLIC OF CROATIA TO THE EUROPEAN UNION

HIS MAJESTY THE KING OF THE BELGIANS,

THE PRESIDENT OF THE REPUBLIC OF BULGARIA,

THE PRESIDENT OF THE CZECH REPUBLIC,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE REPUBLIC OF ESTONIA,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE HELLENIC REPUBLIC,

HIS MAJESTY THE KING OF SPAIN,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF CYPRUS,

THE PRESIDENT OF THE REPUBLIC OF LATVIA,

THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

THE PRESIDENT OF THE REPUBLIC OF HUNGARY,

THE PRESIDENT OF MALTA,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,

THE PRESIDENT OF THE REPUBLIC OF POLAND,

THE PRESIDENT OF THE PORTUGUESE REPUBLIC,

THE PRESIDENT OF ROMANIA,

THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,

THE PRESIDENT OF THE SLOVAK REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF FINLAND,

THE GOVERNMENT OF THE KINGDOM OF SWEDEN,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

UNITED in their desire to pursue the attainment of the objectives of the European Union,

DETERMINED to continue the process of creating an ever closer union among the peoples of Europe on the foundations already laid,

CONSIDERING that Article 49 of the Treaty on European Union affords European States the opportunity of becoming members of the Union,

CONSIDERING that the Republic of Croatia has applied to become a member of the Union,

CONSIDERING that the Council, after having obtained the opinion of the Commission and the consent of the European Parliament, has declared itself in favour of the admission of the Republic of Croatia,

HAVE AGREED on the conditions of admission and the adjustments to be made to the Treaty on European Union, the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS,

Elio DI RUPO

Prime Minister

THE PRESIDENT OF THE REPUBLIC OF BULGARIA,

Boyko BORISSOV

Prime Minister

THE PRESIDENT OF THE CZECH REPUBLIC,

Petr NECAS

Prime Minister

HER MAJESTY THE QUEEN OF DENMARK,

Helle THORNING-SCHMIDT

Prime Minister

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

Dr. Angela MERKEL

Chancellor

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

The Rt. Hon. David CAMERON

Prime Minister

WHO, having exchanged their full powers found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. The Republic of Croatia hereby becomes a member of the European Union and of the European Atomic Energy Community.

2. The Republic of Croatia becomes a Party to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community as amended or supplemented.

3. The conditions of admission and the adjustments to the Treaties referred to in paragraph 2, entailed by such admission, are set out in the Act annexed to this Treaty. The provisions of that Act are an integral part of this Treaty.

Article 2

The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Union, as set out in the Treaties to which the Republic of Croatia becomes a Party by virtue of Article 1(2), shall apply in respect of this Treaty.

Article 3

1. This Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification shall be deposited with the Government of the Italian Republic by 30 June 2013.

2. By ratifying this Treaty, the Republic of Croatia is also deemed to have ratified or approved any amendments to the Treaties referred to in Article 1(2) open for ratification or approval by the Member States pursuant to Article 48 of the Treaty on European Union at the moment of ratification of this

Treaty by the Republic of Croatia, as well as any acts of the institutions, adopted at or before that same moment and which only enter into force after having been approved by the Member States in accordance with their respective constitutional requirements.

3. This Treaty shall enter into force on 1 July 2013 provided that all the instruments of ratification have been deposited before that date.

4. Notwithstanding paragraph 3, the institutions of the Union may adopt before accession the measures referred to in Article 3(7), Article 6(2), second subparagraph, 6(3), second subparagraph, 6(6), second and third subparagraphs, 6(7), second subparagraph, 6(8), third subparagraph, Article 17, Articles 29(1), 30(5), 31(5), 35(3) and (4), Articles 38, 39, 41, 42, 43, 44, 49, 50 and 51 and Annexes IV to VI of the Act referred to in Article 1(3).

These measures shall enter into force only subject to and on the date of the entry into force of this Treaty.

5. Notwithstanding paragraph 3, Article 36 of the Act referred to in Article 1(3) applies upon signature of this Treaty.

Article 4

This Treaty, drawn up in a single original in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, the texts in each of these languages being equally authentic, shall be deposited in the archives of the Government of the Italian Republic, which will transmit a certified copy to each of the Governments of the other Signatory States.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Treaty.

Съставено в Брюксел на девети декември две хиляди и единадесета година.

Hecho en Bruselas, el nueve de diciembre de dos mil once.

V Bruselu dne devátého prosince dva tisíce jedenáct.

Udfærdiget i Bruxelles den niende december to tusind og elleve.

Geschehen zu Brüssel am neunten Dezember zweitausendelf.

Kahe tuhande üheteistkümnenda aasta detsembrikuu üheksandal päeval Brüsselis.

ACT

concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community

PART ONE

PRINCIPLES

Article 1

For the purposes of this Act:

— the expression ‘original Treaties’ means:

- (a) the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU), as amended or supplemented by treaties or other acts which entered into force before the accession of the Republic of Croatia;
- (b) the Treaty establishing the European Atomic Energy Community (EAEC Treaty), as amended or supplemented by treaties or other acts which entered into force before the accession of the Republic of Croatia,

— the expression ‘present Member States’ means the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland,

— the expression ‘the Union’ means the European Union founded on the TEU and on the TFEU and/or, as the case may be, the European Atomic Energy Community,

— the expression ‘the institutions’ means the institutions established by the TEU.

Article 2

From the date of accession, the provisions of the original Treaties and the acts adopted by the institutions before accession shall be binding on Croatia and shall apply in Croatia under the conditions laid down in those Treaties and in this Act.

Where amendments to the original Treaties have been agreed by the representatives of the governments of the Member States pursuant to Article 48(4) of the TEU after the ratification of the

Treaty of Accession by Croatia and where those amendments have not entered into force by the date of accession, Croatia shall ratify those amendments in accordance with its constitutional requirements.

Article 3

1. Croatia accedes to the decisions and agreements of the Heads of State or Government of the Member States meeting within the European Council.

2. Croatia accedes to the decisions and agreements adopted by the representatives of the governments of the Member States meeting within the Council.

3. Croatia is in the same situation as the present Member States in respect of declarations or resolutions of, or other positions taken up by, the European Council or the Council and in respect of those concerning the Union adopted by common agreement of the Member States. Croatia will accordingly observe the principles and guidelines deriving from those declarations, resolutions or other positions and will take such measures as may be necessary to ensure their implementation.

4. Croatia accedes to the conventions and protocols listed in Annex I. Those conventions and protocols shall enter into force in relation to Croatia on the date determined by the Council in the decisions referred to in paragraph 5.

5. The Council, acting unanimously on a recommendation by the Commission and after consulting the European Parliament, shall decide to make all adjustments required by reason of the accession to the conventions and protocols referred to in paragraph 4 and publish the adapted texts in the *Official Journal of the European Union*.

6. Croatia undertakes, in respect of the conventions and protocols referred to in paragraph 4, to introduce administrative and other arrangements, such as those adopted by the date of accession by the present Member States or by the Council, and to facilitate practical cooperation between the Member States’ institutions and organisations.

7. The Council, acting unanimously on a proposal from the Commission, may supplement Annex I with the relevant conventions, agreements and protocols signed before the date of accession.

Article 4

1. The provisions of the Schengen *acquis* as referred to in the Protocol on the Schengen *acquis* integrated into the framework of the European Union (hereinafter referred to as the 'Schengen Protocol'), annexed to the TEU and the TFEU, and the acts building upon it or otherwise related to it, listed in Annex II, as well as any further such acts adopted before the date of accession, shall be binding on, and applicable in, Croatia from the date of accession.

2. Those provisions of the Schengen *acquis* as integrated into the framework of the European Union and the acts building upon it or otherwise related to it not referred to in paragraph 1, while binding on Croatia from the date of accession, shall only apply in Croatia pursuant to a Council decision to that effect, after verification, in accordance with the applicable Schengen evaluation procedures, that the necessary conditions for the application of all parts of the relevant *acquis* have been met in Croatia, including the effective application of all Schengen rules in accordance with the agreed common standards and with fundamental principles. That decision shall be taken by the Council, in accordance with the applicable Schengen procedures and while taking into account a Commission report confirming that Croatia continues to fulfil the commitments undertaken in its accession negotiations that are relevant for the Schengen *acquis*.

The Council shall take its decision, after consulting the European Parliament, acting with the unanimity of its members representing the Governments of the Member States in respect of which the provisions referred to in this paragraph have already been put into effect and of the representative of the Government of the Republic of Croatia. The members of the Council representing the Governments of Ireland and of the United Kingdom of Great Britain and Northern Ireland shall take part in such a decision insofar as it relates to the provisions of the Schengen *acquis* and the acts building upon it or otherwise related to it in which these Member States participate.

Article 5

Croatia shall participate in the Economic and Monetary Union from the date of accession as a Member State with a derogation within the meaning of Article 139 of the TFEU.

Article 6

1. The agreements concluded or provisionally applied by the Union with one or more third countries, with an international organisation or with a national of a third country shall, under the conditions laid down in the original Treaties and in this Act, be binding on Croatia.

2. Croatia undertakes to accede, under the conditions laid down in this Act, to the agreements concluded or signed by the present Member States and the Union with one or more third countries or with an international organisation.

Unless otherwise provided for in specific agreements referred to in the first subparagraph, the accession of Croatia to such agreements shall be agreed by the conclusion of a protocol to such agreements between the Council, acting unanimously on behalf of the Member States, and the third country or countries or international organisation concerned. The Commission, or the High Representative of the Union for Foreign Affairs and Security Policy (the High Representative) where the agreement relates exclusively or principally to the common foreign and security policy, shall negotiate these protocols on behalf of the Member States on the basis of negotiating directives approved by the Council, acting unanimously, and in consultation with a committee comprised of the representatives of the Member States. The Commission, or the High Representative, as appropriate, shall submit a draft of the protocols for conclusion to the Council.

This procedure is without prejudice to the exercise of the Union's own competences and does not affect the allocation of powers between the Union and the Member States as regards the conclusion of such agreements in the future or any other amendments not related to accession.

3. As of the date of accession, and pending the entry into force of the necessary protocols referred to in the second subparagraph of paragraph 2, Croatia shall apply the provisions of the agreements referred to in the first subparagraph of paragraph 2 concluded or provisionally applied before the date of accession, with the exception of the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons ⁽¹⁾.

Pending the entry into force of the protocols referred to in the second subparagraph of paragraph 2, the Union and the Member States, acting jointly as appropriate in the framework of their respective competences, shall take any appropriate measure.

4. Croatia accedes to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽²⁾, as well as to the two agreements amending that Agreement, signed in Luxembourg on 25 June 2005 ⁽³⁾ and opened for signature in Ouagadougou on 22 June 2010 ⁽⁴⁾, respectively.

5. Croatia undertakes to accede, under the conditions laid down in this Act, to the Agreement on the European Economic Area ⁽⁵⁾, in accordance with Article 128 of that Agreement.

6. As of the date of accession, Croatia shall apply the bilateral textile agreements and arrangements concluded between the Union and third countries.

⁽¹⁾ OJ L 114, 30.4.2002, p. 6.

⁽²⁾ OJ L 317, 15.12.2000, p. 3.

⁽³⁾ OJ L 209, 11.8.2005, p. 27, OJ L 287, 28.10.2005, p. 4 and OJ L 168M, 21.6.2006, p. 33.

⁽⁴⁾ OJ L 287, 4.11.2010, p. 3.

⁽⁵⁾ OJ L 1, 3.1.1994, p. 3.

The quantitative restrictions applied by the Union on imports of textile and clothing products shall be adjusted to take account of the accession of Croatia to the Union. To that effect, amendments to the bilateral textile agreements and arrangements referred to in the first subparagraph may be negotiated by the Union with the third countries concerned prior to the date of accession.

Should the amendments to the bilateral textile agreements and arrangements not have entered into force by the date of accession, the Union shall make the necessary adjustments to its rules for the import of textile and clothing products from third countries to take into account the accession of Croatia.

7. The quantitative restrictions applied by the Union on imports of steel and steel products shall be adjusted on the basis of imports of Croatia over recent years of steel and steel products originating in the supplier countries concerned.

To that effect, the necessary amendments to the bilateral steel agreements and arrangements concluded between the Union and third countries shall be negotiated prior to the date of accession.

Should the amendments to the bilateral steel agreements and arrangements not have entered into force by the date of accession, the provisions of the first subparagraph shall apply.

8. As of the date of accession, fisheries agreements concluded between Croatia and third countries prior to that date shall be managed by the Union.

The rights and obligations for Croatia which result from those agreements shall not be affected during the period in which the provisions of those agreements are provisionally maintained.

As soon as possible, and in any event before the expiry of the agreements referred to in the first subparagraph, appropriate decisions for the continuation of fishing activities resulting from those agreements shall be adopted in each case by the Council, acting by qualified majority on a proposal from the Commission, including the possibility of extending certain agreements for periods not exceeding one year.

9. Croatia shall withdraw from any free trade agreements with third countries, including the Central European Free Trade Agreement as amended.

To the extent that agreements between Croatia on the one hand, and one or more third countries on the other, are not compatible with the obligations arising from this Act, Croatia shall take all appropriate steps to eliminate the incompatibilities

established. If Croatia encounters difficulties in adjusting an agreement concluded with one or more third countries, it shall withdraw from that agreement.

Croatia shall take all the necessary measures to ensure compliance with the obligations of this paragraph as of the date of accession.

10. Croatia accedes, under the conditions laid down in this Act, to the internal agreements concluded by the present Member States for the purpose of implementing the agreements referred to in paragraphs 2 and 4.

11. Croatia shall take appropriate measures, where necessary, to adjust its position in relation to international organisations, and to those international agreements to which the Union or to which other Member States are also parties, to the rights and obligations arising from Croatia's accession to the Union.

Croatia shall in particular withdraw from international fisheries agreements and organisations to which the Union is also a party, unless its membership relates to matters other than fisheries.

Croatia shall take all necessary measures to ensure compliance with the obligations of this paragraph as of the date of accession.

Article 7

1. The provisions of this Act may not, unless otherwise provided herein, be suspended, amended or repealed other than by means of the procedure laid down in the original Treaties enabling those Treaties to be revised.

2. Acts adopted by the institutions to which the transitional provisions laid down in this Act relate shall retain their status in law; in particular, the procedures for amending those acts shall continue to apply.

3. Provisions of this Act the purpose or effect of which is to repeal or amend acts adopted by the institutions, unless such provisions are of a transitional nature, shall have the same status in law as the provisions which they repeal or amend and shall be subject to the same rules as those provisions.

Article 8

The application of the original Treaties and acts adopted by the institutions shall, as a transitional measure, be subject to the derogations provided for in this Act.

PART TWO

ADJUSTMENTS TO THE TREATIES

TITLE I

INSTITUTIONAL PROVISIONS

Article 9

The Protocol on the Statute of the Court of Justice of the European Union, annexed to the TEU, the TFEU and the EAEC Treaty, shall be amended as follows:

(1) in Article 9, the first paragraph shall be replaced by the following:

‘When, every three years, the Judges are partially replaced, 14 Judges shall be replaced.’;

(2) Article 48 shall be replaced by the following:

Article 48

The General Court shall consist of 28 Judges.’.

Article 10

The Protocol on the Statute of the European Investment Bank, annexed to the TEU and the TFEU, shall be amended as follows:

(1) in Article 4(1), first subparagraph:

(a) the introductory sentence shall be replaced by the following:

‘1. The capital of the Bank shall be EUR 233 247 390 000, subscribed by the Member States as follows:’;

(b) the following shall be inserted between the entries for Romania and Slovakia:

‘Croatia 854 400 000’;

(2) in Article 9(2), the first, second and third subparagraphs shall be replaced by the following:

‘2. The Board of Directors shall consist of twenty-nine directors and nineteen alternate directors.

The directors shall be appointed by the Board of Governors for five years, one nominated by each Member State, and one nominated by the Commission.

The alternate directors shall be appointed by the Board of Governors for five years as shown below:

— two alternates nominated by the Federal Republic of Germany,

— two alternates nominated by the French Republic,

— two alternates nominated by the Italian Republic,

— two alternates nominated by the United Kingdom of Great Britain and Northern Ireland,

— one alternate nominated by common accord of the Kingdom of Spain and the Portuguese Republic,

— one alternate nominated by common accord of the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands,

— two alternates nominated by common accord of the Kingdom of Denmark, the Hellenic Republic, Ireland and Romania,

— two alternates nominated by common accord of the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden,

— four alternates nominated by common accord of the Republic of Bulgaria, the Czech Republic, the Republic of Croatia, the Republic of Cyprus, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic,

— one alternate nominated by the Commission.’.

Article 11

Article 134(2), first subparagraph, of the EAEC Treaty on the composition of the Scientific and Technical Committee shall be replaced by the following:

‘2. The Committee shall consist of forty-two members, appointed by the Council after consultation with the Commission.’.

TITLE II

OTHER ADJUSTMENTS

Article 12

In Article 64(1) of the TFEU, the following sentence is added:

‘In respect of restrictions existing under national law in Croatia, the relevant date shall be 31 December 2002.’.

Article 13

Article 52(1) of the TEU shall be replaced by the following:

‘1. The Treaties shall apply to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.’.

Article 14

1. Article 55(1) of the TEU shall be replaced by the following:

‘1. This Treaty, drawn up in a single original in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, the texts in each of these languages being equally authentic, shall be deposited in the archives of the Government of the Italian Republic, which will transmit a certified copy to each of the Governments of the other signatory States.’.

2. Article 225, second paragraph, of the EAEC Treaty shall be replaced by the following:

‘Pursuant to the Accession Treaties, the Bulgarian, Croatian, Czech, Danish, English, Estonian, Finnish, Greek, Hungarian, Irish, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish versions of this Treaty shall also be authentic.’.

PART THREE

PERMANENT PROVISIONS

Article 15

The acts listed in Annex III shall be adapted as specified in that Annex.

Article 16

The measures listed in Annex IV shall be applied under the conditions laid down in that Annex.

Article 17

The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may make the adaptations to the provisions of this Act relating to the common agricultural policy which may prove necessary as a result of a modification in Union rules.

PART FOUR

TEMPORARY PROVISIONS

TITLE I

TRANSITIONAL MEASURES

Article 18

The measures listed in Annex V shall apply in respect of Croatia under the conditions laid down in that Annex.

TITLE II

INSTITUTIONAL PROVISIONS

Article 19

1. By way of derogation from Article 2 of the Protocol on transitional provisions, annexed to the TEU, the TFEU and the EAEC Treaty, and by way of derogation from the maximum number of seats provided for in the first subparagraph of Article 14(2) of the TEU, the number of members of the European Parliament shall be increased by 12 members from Croatia, to take account of the accession of Croatia, for the period running from the date of accession until the end of the 2009-2014 term of the European Parliament.

2. By way of derogation from Article 14(3) of the TEU, Croatia shall, before the date of accession, hold ad hoc elections to the European Parliament, by direct universal suffrage of its people, for the number of members fixed in paragraph 1 of this Article, in accordance with the Union *acquis*. However, if the date of accession is less than six months before the next elections to the European Parliament, the members of the European Parliament representing the citizens of Croatia may be designated by the national Parliament of Croatia, from its midst, provided that the persons in question have been elected by direct universal suffrage.

Article 20

Article 3(3) of the Protocol on transitional provisions, annexed to the TEU, the TFEU and the EAEC Treaty, shall be replaced by the following:

‘3. Until 31 October 2014, the following provisions shall remain in force, without prejudice to the second subparagraph of Article 235(1) of the Treaty on the Functioning of the European Union.

For acts of the European Council and of the Council requiring a qualified majority, members’ votes shall be weighted as follows:

Belgium	12
Bulgaria	10
Czech Republic	12
Denmark	7
Germany	29
Estonia	4
Ireland	7
Greece	12
Spain	27
France	29
Croatia	7
Italy	29
Cyprus	4
Latvia	4

Lithuania	7
Luxembourg	4
Hungary	12
Malta	3
Netherlands	13
Austria	10
Poland	27
Portugal	12
Romania	14
Slovenia	4
Slovakia	7
Finland	7
Sweden	10
United Kingdom	29

Acts shall be adopted if there are at least 260 votes in favour representing a majority of the members where, under the Treaties, they must be adopted on a proposal from the Commission. In other cases decisions shall be adopted if there are at least 260 votes in favour representing at least two thirds of the members.

A member of the European Council or the Council may request that, where an act is adopted by the European Council or the Council by a qualified majority, a check is made to ensure that the Member States comprising the qualified majority represent at least 62 % of the total population of the Union. If that proves not to be the case, the act shall not be adopted.’

Article 21

1. A national of Croatia shall be appointed to the Commission as of the date of accession until 31 October 2014. The new Member of the Commission shall be appointed by the Council, acting by qualified majority and by common accord with the President of the Commission, after consulting the European Parliament and in accordance with the criteria set out in the second subparagraph of Article 17(3) of the TEU.

2. The term of office of the Member appointed in accordance with paragraph 1 shall expire at the same time as those of the Members in office at the time of accession.

Article 22

1. The term of office of the Judge of the Court of Justice and the Judge of the General Court appointed from Croatia upon its accession in accordance with the third subparagraph of Article 19(2) of the TEU shall expire, respectively, on 6 October 2015 and 31 August 2013.

2. For the purpose of judging cases pending before the Court of Justice and the General Court on the date of accession in respect of which oral proceedings have started before that date, the full Courts of the Court of Justice and the General Court or the Chambers thereof shall be composed as before accession and shall apply the Rules of Procedure in force on the day preceding the date of accession.

Article 23

1. By way of derogation from Article 301, first paragraph, of the TFEU establishing the maximum number of members of the Economic and Social Committee, Article 7 of the Protocol on transitional provisions, annexed to the TEU, the TFEU and the EAEC Treaty, shall be replaced by the following:

'Article 7

Until the entry into force of the decision referred to in Article 301 of the Treaty on the Functioning of the European Union, the allocation of members of the Economic and Social Committee shall be as follows:

Belgium	12
Bulgaria	12
Czech Republic	12
Denmark	9
Germany	24
Estonia	7
Ireland	9
Greece	12
Spain	21
France	24
Croatia	9
Italy	24
Cyprus	6
Latvia	7
Lithuania	9
Luxembourg	6
Hungary	12
Malta	5
Netherlands	12
Austria	12
Poland	21
Portugal	12
Romania	15
Slovenia	7
Slovakia	9
Finland	9
Sweden	12
United Kingdom	24'

2. The number of members of the Economic and Social Committee shall be temporarily increased to 353 to take account of the accession of Croatia for the period running from the date of accession until the end of the term of office during which Croatia accedes to the Union or until the entry into force of the decision referred to in Article 301, second paragraph, of the TFEU, whichever comes first.

3. If the decision referred to in Article 301, second paragraph, of the TFEU has already been adopted by the date of accession, by way of derogation from Article 301, first paragraph, of the TFEU establishing the maximum number of members of the Economic and Social Committee, Croatia shall be temporarily allocated an appropriate number of members until the end of the term of office during which it accedes to the Union.

Article 24

1. By way of derogation from Article 305, first paragraph, of the TFEU establishing the maximum number of members of the Committee of the Regions, Article 8 of the Protocol on transitional provisions, annexed to the TEU, the TFEU and the EAEC Treaty, shall be replaced by the following:

'Article 8

Until the entry into force of the decision referred to in Article 305 of the Treaty on the Functioning of the European Union, the allocation of members of the Committee of the Regions shall be as follows:

Belgium	12
Bulgaria	12
Czech Republic	12
Denmark	9
Germany	24
Estonia	7
Ireland	9
Greece	12
Spain	21
France	24
Croatia	9
Italy	24
Cyprus	6
Latvia	7
Lithuania	9
Luxembourg	6
Hungary	12
Malta	5
Netherlands	12
Austria	12
Poland	21
Portugal	12
Romania	15

Slovenia	7
Slovakia	9
Finland	9
Sweden	12
United Kingdom	24'

2. The number of members of the Committee of the Regions shall be temporarily increased to 353 to take account of the accession of Croatia for the period running from the date of accession until the end of the term of office during which Croatia accedes to the Union or until the entry into force of the decision referred to in Article 305, second paragraph, of the TFEU, whichever comes first.

3. If the decision referred to in Article 305, second paragraph, of the TFEU has already been adopted by the date of accession, by way of derogation from Article 305, first paragraph, of the TFEU establishing the maximum number of members of the Committee of the Regions, Croatia shall be temporarily allocated an appropriate number of members until the end of the term of office during which it accedes to the Union.

Article 25

The term of office of the director of the Board of Directors of the European Investment Bank, nominated by Croatia and

appointed upon accession as provided for in the second subparagraph of Article 9(2) of the Protocol on the Statute of the European Investment Bank shall expire at the end of the annual meeting of the Board of Governors during which the annual report for the 2017 financial year is examined.

Article 26

1. New members of the committees, groups, agencies or other bodies created by the original Treaties or by an act of the institutions shall be appointed under the conditions and according to the procedures laid down for the appointment of members of those committees, groups, agencies or other bodies. The terms of office of the newly appointed members shall expire at the same time as those of the members in office at the time of accession.

2. The membership of the committees, groups, agencies or other bodies created by the original Treaties or by an act of the institutions with a number of members which is fixed, irrespective of the number of Member States, shall be completely renewed upon accession, unless the terms of office of the present members expire within 12 months from accession.

TITLE III

FINANCIAL PROVISIONS

Article 27

1. From the date of accession, Croatia shall pay the following amount corresponding to its share of the capital paid in for the subscribed capital as defined in Article 4 of the Statute of the European Investment Bank:

Croatia EUR 42 720 000

The contribution shall be paid in eight equal instalments falling due on 30 November 2013, 30 November 2014, 30 November 2015, 31 May 2016, 30 November 2016, 31 May 2017, 30 November 2017 and 31 May 2018.

2. Croatia shall contribute, in eight equal instalments falling due on the dates provided for in paragraph 1, to the reserves and provisions equivalent to reserves, as well as to the amount still to be appropriated to the reserves and provisions, comprising the balance of the profit and loss account, established at the end of the month preceding accession, as entered on the balance sheet of the European Investment Bank, in amounts corresponding to the following percentage of the reserves and provisions:

Croatia 0,368 %

3. The capital and payments provided for in paragraphs 1 and 2 shall be paid in by Croatia in cash in euro, save by way

of derogation decided unanimously by the Board of Governors of the European Investment Bank.

4. The figures for Croatia referred to in paragraph 1 as well as in Article 10, point 1, may be adapted by decision of the European Investment Bank governing bodies on the basis of the latest final data of GDP published by Eurostat before accession.

Article 28

1. Croatia shall pay the following amount to the Research Fund for Coal and Steel referred to in Decision 2002/234/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, of 27 February 2002 on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel ⁽¹⁾:

(EUR, current prices)

Croatia 494 000.

2. The contribution to the Research Fund for Coal and Steel shall be made in four instalments starting in 2015 and paid as follows, in each case on the first working day of the first month of each year:

⁽¹⁾ OJ L 79, 22.3.2002, p. 42.

- 2015: 15 %,
- 2016: 20 %,
- 2017: 30 %,
- 2018: 35 %.

Article 29

1. Procurement, grant awards and payments for pre-accession financial assistance under the Transition Assistance and Institution Building Component and the Cross-Border Cooperation Component of the Instrument for Pre-Accession Assistance (IPA), established by Council Regulation (EC) No 1085/2006 of 17 July 2006 ⁽¹⁾, for funds committed before accession, with the exclusion of the Croatia-Hungary and Croatia-Slovenia cross-border programmes, and for assistance under the Transition Facility referred to in Article 30, shall be managed by Croatian implementing agencies as of the date of accession.

The *ex ante* control by the Commission over procurement and grant awards shall be waived by a Commission decision to that effect, after the Commission has satisfied itself of the effective functioning of the management and control system concerned in accordance with the criteria and conditions laid down in Article 56(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽²⁾ and in Article 18 of Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA) ⁽³⁾.

If the Commission decision to waive *ex ante* control has not been adopted before the date of accession, any contracts signed between the date of accession and the date on which the Commission decision is adopted shall not be eligible under the pre-accession financial assistance and the Transition Facility referred to in the first subparagraph.

2. Budgetary commitments made before the date of accession under the pre-accession financial assistance and the Transition Facility referred to in paragraph 1, including the conclusion and registration of subsequent individual legal commitments and payments made after accession, shall continue to be governed by the rules applying to the pre-accession financial instruments and be charged to the corresponding budget chapters until closure of the programmes and projects concerned.

3. The provisions on the implementation of budgetary commitments of financing agreements concerning the pre-accession financial assistance referred to in paragraph 1, first subparagraph, and the IPA Rural Development Component, relating to financing decisions taken before accession, shall continue to be applicable after the date of accession. They

shall be governed by the rules applying to the pre-accession financial instruments. Notwithstanding this, public procurement procedures initiated after accession shall be carried out in accordance with the relevant Union directives.

4. Pre-accession funds to cover administrative expenditure, as referred to in Article 44, may be committed in the first two years after accession. For audit and evaluation costs, pre-accession funds may be committed up to five years after accession.

Article 30

1. For the first year after accession, the Union shall provide temporary financial assistance (hereinafter referred to as the 'Transition Facility') to Croatia to develop and strengthen its administrative and judicial capacity to implement and enforce Union law and to foster the exchange of best practice among peers. That assistance shall fund institution-building projects and limited small-scale investments ancillary thereto.

2. Assistance shall address the continued need for strengthening institutional capacity in certain areas through action which cannot be financed by the Structural Funds or by the Rural Development funds.

3. For twinning projects between public administrations for the purpose of institution building, the procedure for call for proposals through the network of contact points in the Member States shall continue to apply.

4. The commitment appropriations for the Transition Facility, at current prices, for Croatia shall be EUR 29 million in total in 2013 to address national and horizontal priorities.

5. Assistance under the Transition Facility shall be decided and implemented in accordance with Council Regulation (EC) No 1085/2006 or on the basis of other technical provisions necessary for the operation of the Transition Facility, to be adopted by the Commission.

6. Particular attention shall be paid to ensuring appropriate complementarity with the envisaged European Social Fund support for administrative reform and institutional capacity.

Article 31

1. A Schengen Facility (hereinafter referred to as 'the temporary Schengen Facility') is hereby created as a temporary instrument to help Croatia between the date of accession and the end of 2014 to finance actions at the new external borders of the Union for the implementation of the Schengen *acquis* and external border control.

2. For the period 1 July 2013 to 31 December 2014, the following amounts (current prices) shall be made available to Croatia in the form of lump-sum payments under the temporary Schengen Facility:

⁽¹⁾ OJ L 210, 31.7.2006, p. 82.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ L 170, 29.6.2007, p. 1.

(million EUR, current prices)

	2013	2014
Croatia	40	80

3. The annual amount for 2013 shall be payable to Croatia on 1 July 2013 and the annual amount for 2014 shall be made available on the first working day after 1 January 2014.

4. The lump-sum payments shall be used within three years from the first payment. Croatia shall submit, no later than six months after expiry of this three-year period, a comprehensive report on the final execution of the payments under the temporary Schengen Facility with a statement justifying the expenditure. Any unused or unjustifiably spent funds shall be recovered by the Commission.

5. The Commission may adopt any technical provisions necessary for the operation of the temporary Schengen Facility.

Article 32

1. A Cash-flow Facility (hereinafter referred to as 'the temporary Cash-flow Facility') is hereby created as a temporary instrument to help Croatia between the date of accession and the end of 2014 to improve cash-flow in the national budget.

2. For the period 1 July 2013 to 31 December 2014, the following amounts (current prices) shall be made available to Croatia in the form of lump-sum payments under the temporary Cash-flow Facility:

(million EUR, current prices)

	2013	2014
Croatia	75	28,6

3. Each annual amount shall be divided into equal monthly instalments, payable on the first working day of each month.

Article 33

1. An amount of EUR 449,4 million (current prices) in commitment appropriations shall be reserved for Croatia under the Structural and Cohesion Funds in 2013.

2. One third of the amount referred to in paragraph 1 shall be reserved for the Cohesion Fund.

3. For the period covered by the next financial framework, the amounts to be made available to Croatia in commitment appropriations under Structural and Cohesion funding shall be calculated on the basis of the Union *acquis* applicable at that time. These amounts shall be adjusted in accordance with the following phasing-in schedule:

— 70 % in 2014,

— 90 % in 2015,

— 100 % as of 2016.

4. Insofar as the limits of the new Union *acquis* allow, an adjustment shall be made to ensure an increase of funds for Croatia in 2014 of 2,33 times the 2013 amount, and in 2015 of 3 times the 2013 amount.

Article 34

1. The total amount to be made available to Croatia under the European Fisheries Fund in 2013 shall be EUR 8,7 million (current prices) in commitment appropriations.

2. Pre-financing under the European Fisheries Fund shall be 25 % of the total amount referred to in paragraph 1 and shall be paid in one instalment.

3. For the period covered by the next financial framework, the amounts to be made available to Croatia in commitment appropriations shall be calculated on the basis of the Union *acquis* applicable at that time. These amounts shall be adjusted in accordance with the following phasing-in schedule:

— 70 % in 2014,

— 90 % in 2015,

— 100 % as of 2016.

4. Insofar as the limits of the new Union *acquis* allow, an adjustment shall be made to ensure an increase of funds for Croatia in 2014 of 2,33 times the 2013 amount, and in 2015 of 3 times the 2013 amount.

Article 35

1. Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ⁽¹⁾ shall not apply to Croatia for the whole programming period 2007-2013.

In the year 2013, Croatia shall be allocated EUR 27,7 million (current prices) under the Rural Development Component referred to in Article 12 of Council Regulation (EC) No 1085/2006.

2. Temporary additional rural development measures for Croatia are laid out in Annex VI.

⁽¹⁾ OJ L 277, 21.10.2005, p. 1 and OJ L 286M, 4.11.2010, p. 26.

3. The Commission may, by means of implementing acts, adopt rules necessary for the application of Annex VI. Those implementing acts shall be adopted in accordance with the procedure laid down in Article 90(2) of Council Regulation (EC) No 1698/2005 in conjunction with Article 13(1)(b) of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing

powers⁽²⁾ or the relevant procedure as determined in the applicable legislation.

4. The Council, acting on a proposal from the Commission, and after consulting the European Parliament, shall make any adaptations to Annex VI, where necessary, to ensure coherence with the regulations concerning rural development.

TITLE IV

OTHER PROVISIONS

Article 36

1. The Commission shall closely monitor all commitments undertaken by Croatia in the accession negotiations, including those which must be achieved before or by the date of accession. The Commission's monitoring shall consist of regularly updated monitoring tables, dialogue under the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part⁽¹⁾ (hereinafter referred to as the 'SAA'), peer assessment missions, the pre-accession economic programme, fiscal notifications and, when necessary, early warning letters to the Croatian authorities. In the autumn of 2011, the Commission shall present a Progress Report to the European Parliament and the Council. In the autumn of 2012, it shall present a Comprehensive Monitoring Report to the European Parliament and the Council. Throughout the monitoring process, the Commission shall also draw on input from Member States and take into consideration input from international and civil society organisations as appropriate.

The Commission's monitoring shall focus in particular on commitments undertaken by Croatia in the area of the judiciary and fundamental rights (Annex VII), including the continued development of track records on judicial reform and efficiency, impartial handling of war crimes cases, and the fight against corruption.

In addition, the Commission's monitoring shall focus on the area of freedom, security and justice, including the implementation and enforcement of Union requirements with respect to external border management, police cooperation, the fight against organised crime, and judicial cooperation in civil and criminal matters, as well as on commitments in the area of competition policy, including the restructuring of the shipbuilding industry (Annex VIII) and of the steel sector (Annex IX).

As an integral part of its regular monitoring tables and reports, the Commission shall issue six-monthly assessments up to the accession of Croatia on the commitments undertaken by Croatia in these areas.

2. The Council, acting by qualified majority on a proposal from the Commission, may take all appropriate measures if issues of concern are identified during the monitoring process. The measures shall be maintained no longer than strictly necessary and, in any case, shall be lifted by the Council, acting in accordance with the same procedure, when the relevant issues of concern have been effectively addressed.

Article 37

1. If, until the end of a period of up to three years after accession, difficulties arise which are serious and liable to persist in any sector of the economy or which could bring about serious deterioration in the economic situation of a given area, Croatia may apply for authorisation to take protective measures in order to rectify the situation and adjust the sector concerned to the economy of the internal market.

In the same circumstances, any present Member State may apply for authorisation to take protective measures with regard to Croatia.

2. Upon request by the State concerned, the Commission shall, by emergency procedure, determine the protective measures which it considers necessary, specifying the conditions and arrangements applicable thereto.

In the event of serious economic difficulties and at the express request of the Member State concerned, the Commission shall act within five working days of the receipt of the request accompanied by the relevant background information. The measures thus decided on shall be applicable forthwith, shall take into account the interest of all parties concerned and shall not entail border controls.

3. The measures authorised under this Article may involve derogations from the rules of the TEU, the TFEU and this Act to such an extent and for such periods as are strictly necessary in order to attain the objectives of this safeguard. Priority shall be given to measures which least disturb the functioning of the internal market.

⁽¹⁾ OJ L 26, 28.1.2005, p. 3.

⁽²⁾ OJ L 55, 28.2.2011, p. 13.

Article 38

If Croatia fails to fulfil commitments undertaken in the context of the accession negotiations, including commitments in any sectoral policy which concerns economic activities with a cross-border effect, thereby causing a serious breach of the functioning of the internal market or a threat to the Union's financial interests or an imminent risk of such a breach or threat, the Commission may, until the end of a period of up to three years after accession, upon reasoned request of a Member State or on its own initiative, take appropriate measures.

These measures shall be proportionate and priority shall be given to measures which least disturb the functioning of the internal market and, where appropriate, to the application of the existing sectoral safeguard mechanisms. The safeguard measures under this Article shall not be invoked as a means of arbitrary discrimination or a disguised restriction on trade between Member States. The safeguard clause may be invoked even before accession on the basis of the monitoring findings and the measures adopted shall enter into force on the date of accession unless they provide for a later date. The measures shall be maintained no longer than strictly necessary and, in any case, shall be lifted when the relevant commitment has been fulfilled. They may, however, be applied beyond the period referred to in the first paragraph as long as the relevant commitments have not been fulfilled. In response to progress made by Croatia in fulfilling its commitments, the Commission may adapt the measures as appropriate. The Commission shall inform the Council in good time before revoking the safeguard measures, and it shall take duly into account any observations of the Council in this respect.

Article 39

If there are serious shortcomings or any imminent risk of such shortcomings in Croatia in the transposition or state of implementation of acts adopted by the institutions pursuant to Part Three, Title V of the TFEU as well as of acts adopted by the institutions before the entry into force of the Treaty of Lisbon pursuant to Title VI of the TEU or pursuant to Part Three, Title IV of the Treaty establishing the European Community, the Commission may, until the end of a period of up to three years after accession, upon the reasoned request of a Member State or on its own initiative and after consulting the Member States, adopt appropriate measures and specify the conditions and arrangements applicable thereto.

These measures may take the form of a temporary suspension of the application of relevant provisions and decisions in the relations between Croatia and any other Member State or Member States, without prejudice to the continuation of close judicial cooperation. The safeguard clause may be invoked even before accession on the basis of the monitoring findings and the measures adopted shall enter into force on the date of accession unless they provide for a later date. The measures shall be maintained no longer than strictly necessary and, in any case, shall be lifted when the shortcomings are remedied. They may, however, be applied beyond the period referred to in the first paragraph as long as these shortcomings persist. In response to

progress made by Croatia in rectifying the identified shortcomings, the Commission may adapt the measures as appropriate after consulting the Member States. The Commission shall inform the Council in good time before revoking the safeguard measures, and it shall take duly into account any observations of the Council in this respect.

Article 40

In order not to hamper the proper functioning of the internal market, the enforcement of Croatia's national rules during the transitional periods referred to in Annex V shall not lead to border controls between Member States.

Article 41

If transitional measures are necessary to facilitate the transition from the existing regime in Croatia to that resulting from the application of the common agricultural policy under the conditions set out in this Act, they shall be adopted by the Commission in accordance with the procedure referred to in Article 195(2) of Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾ in conjunction with Article 13(1)(b) of European Parliament and Council Regulation (EU) No 182/2011 ⁽²⁾ or the relevant procedure as determined in the applicable legislation. They may be adopted within a period of three years from the date of accession and their application shall be limited to that period. The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may extend this period.

Transitional measures referred to in the first paragraph may also be adopted prior to the date of accession, if necessary. Such measures shall be adopted by the Council acting by qualified majority on a proposal from the Commission or, where they affect instruments initially adopted by the Commission, they shall be adopted by the Commission in accordance with the procedures required for adopting the instruments in question.

Article 42

If transitional measures are necessary to facilitate the transition from the existing regime in Croatia to that resulting from the application of the Union veterinary, phytosanitary and food safety rules, such measures shall be adopted by the Commission in accordance with the relevant procedure as determined in the applicable legislation. These measures shall be adopted within a period of three years from the date of accession and their application shall be limited to that period.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 55, 28.2.2011, p. 13.

Article 43

The Council, acting by qualified majority on a proposal from the Commission, shall define the terms under which:

- (a) the requirement for an exit summary declaration may be waived for the products referred to in Article 28(2) of the TFEU leaving the territory of Croatia to cross the territory of Bosnia and Herzegovina at Neum ('Neum corridor');
- (b) the requirement for an entry summary declaration may be waived for the products falling within the scope of point (a) when they re-enter the territory of Croatia after having crossed the territory of Bosnia and Herzegovina at Neum.

Article 44

The Commission may take all appropriate measures to ensure that the necessary statutory staff is maintained in Croatia for a maximum of 18 months following accession. During this period, officials, temporary staff and contract staff assigned to posts in Croatia before accession and who are required to remain in service in Croatia after the date of accession shall benefit from the same financial and material conditions as were applied before accession in accordance with the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾. The administrative expenditure, including salaries for other necessary staff, shall be covered by the general budget of the European Union.

PART FIVE

PROVISIONS RELATING TO THE IMPLEMENTATION OF THIS ACT

TITLE I

ADAPTATIONS TO THE RULES OF PROCEDURE OF THE INSTITUTIONS AND TO THE RULES AND RULES OF PROCEDURE OF THE COMMITTEES*Article 45*

The institutions shall, in accordance with the respective procedures provided for in the original Treaties, make such adaptations to their Rules of Procedure as are rendered necessary by accession.

Adaptations to the rules of the Committees established by the original Treaties and to their Rules of Procedure which are rendered necessary by accession shall be made as soon as possible after accession.

TITLE II

APPLICABILITY OF THE ACTS OF THE INSTITUTIONS*Article 46*

Upon accession, Croatia shall be considered as being an addressee, in accordance with the original Treaties, of directives and decisions within the meaning of Article 288 of the TFEU. Except with regard to directives and decisions which have entered into force pursuant to the third subparagraph of Article 297(1) and the second subparagraph of Article 297(2) of the TFEU, Croatia shall be considered as having received notification of such directives and decisions upon accession.

Article 47

1. Croatia shall put into effect the measures necessary for it to comply, from the date of accession, with the provisions of directives and decisions within the meaning of Article 288 of the TFEU, unless another time limit is provided for in this Act. Croatia shall communicate those measures to the Commission by the date of accession or, where later, by the time limit provided for in this Act.

⁽¹⁾ OJ L 56, 4.3.1968, p. 1.

2. To the extent that amendments to directives within the meaning of Article 288 of the TFEU introduced by this Act require modification of the laws, regulations or administrative provisions of the present Member States, the present Member States shall put into effect the measures necessary to comply, from the date of accession of Croatia, with the amended directives, unless another time limit is provided for in this Act. They shall communicate those measures to the Commission by the date of accession or, where later, by the time limit provided for in this Act.

Article 48

Provisions laid down by legislation, regulation or administrative action designed to ensure the protection of the health of workers and the general public in the territory of Croatia against the dangers arising from ionising radiations shall, in accordance with Article 33 of the EAEC Treaty, be communicated by Croatia to the Commission within three months from accession.

Article 49

At the duly substantiated request of Croatia, submitted to the Commission no later than the date of accession, the Council, acting on a proposal from the Commission, or the Commission, if the original act was adopted by the Commission, may take measures consisting of temporary derogations from acts adopted by the institutions between 1 July 2011 and the date of accession. The measures shall be adopted according to the voting rules governing the adoption of the act from which a

temporary derogation is sought. Where those derogations are adopted after accession, they may be applied as of the date of accession.

Article 50

Where acts of the institutions adopted prior to accession require adaptation by reason of accession, and the necessary adaptations have not been provided for in this Act or its Annexes, the Council, acting by qualified majority on a proposal from the Commission, or the Commission, if the original act was adopted by the Commission, shall, to this end, adopt the necessary acts. Where those acts are adopted after accession, they may be applied as of the date of accession.

Article 51

Unless otherwise stipulated in this Act, the Council, acting by qualified majority on a proposal from the Commission, shall adopt the necessary measures to implement the provisions of this Act.

Article 52

The texts of the acts of the institutions adopted before accession and drawn up by these institutions in the Croatian language shall, from the date of accession, be authentic under the same conditions as the texts drawn up in the present official languages. They shall be published in the *Official Journal of the European Union* if the texts in the present official languages were so published.

TITLE III

FINAL PROVISIONS

Article 53

Annexes I to IX, the Appendices thereto and the Protocol are an integral part of this Act.

Article 54

The Government of the Italian Republic shall transmit to the Government of the Republic of Croatia a certified copy of the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, and the Treaties amending or supplementing them, including the Treaty concerning the accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland, the Treaty concerning the accession of the Hellenic Republic, the Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic, the Treaty concerning the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden, the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the

Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the Treaty concerning the accession of the Republic of Bulgaria and Romania, in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages.

The texts of the Treaties referred to in the first paragraph, drawn up in the Croatian language, shall be annexed to this Act. Those texts shall be authentic under the same conditions as the texts of those Treaties, drawn up in the present official languages.

Article 55

A certified copy of the international agreements deposited in the archives of the General Secretariat of the Council shall be transmitted to the Government of the Republic of Croatia by the Secretary-General.

ANNEX II

List of provisions of the Schengen *acquis* as integrated into the framework of the European Union and the acts building upon it or otherwise related to it, to be binding on, and applicable in, the Republic of Croatia as of accession (referred to in Article 4(1) of the Act of Accession)

1. The Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders dated 14 June 1985 ⁽¹⁾.
2. The following provisions of the Convention signed in Schengen on 19 June 1990 implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at their common borders, its related Final Act and Joint Declarations ⁽²⁾, as amended by certain of the acts listed in paragraph 8 of this Annex:

Article 1 to the extent that it relates to the provisions of this paragraph; Article 26; Article 39; Articles 44 to 49 (with the exception of Article 47(4) and Article 49(a)), Article 51, Articles 54 to 58; Article 62(3); Articles 67 to 69; Articles 71 and 72; Articles 75 and 76; Article 82; Article 91; Articles 126 to 130 to the extent that they relate to the provisions of this paragraph; and Article 136; Joint Declarations 1 and 3 of the Final Act.

3. The following provisions of the Agreements on Accession to the Convention signed in Schengen on 19 June 1990 implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at their common borders, their Final Acts and the related Declarations, as amended by certain of the acts listed in paragraph 8 of this Annex:

(a) the Agreement signed on 19 December 1996 on the Accession of the Kingdom of Denmark:

— Article 5(2) and Article 6;

(b) the Agreement signed on 19 December 1996 on the Accession of the Republic of Finland:

— Article 5,

— Declaration by the Government of the Republic of Finland on the Åland islands in Part III of the Final Act;

(c) the Agreement signed on 19 December 1996 on the Accession of the Kingdom of Sweden:

— Article 5.

4. The following agreements and arrangements which build upon the Schengen *acquis* or otherwise relate to it:

— the Agreement of 18 May 1999 concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*, including the Annexes, its Final Act, Declarations and the Exchanges of Letters annexed thereto, approved by Council Decision 1999/439/EC (OJ L 176, 10.7.1999, p. 35)

— the Agreement of 30 June 1999 concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway on the establishment of rights and obligations between Ireland and the United Kingdom of Great Britain and Northern Ireland, on the one hand, and the Republic of Iceland and the Kingdom of Norway, on the other, in areas of the Schengen *acquis* which apply to these States, approved by Council Decision 2000/29/EC (OJ L 15, 20.1.2000, p. 1)

— the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, signed on 26 October 2004 and approved by Council Decision 2008/146/EC and Council Decision 2008/149/JHA (OJ L 53, 27.2.2008, p. 1 and p. 50)

— the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, signed on 28 February 2008 and approved by Council Decision 2011/349/EU and Council Decision 2011/350/EU (OJ L 160, 18.6.2011, p. 1 and p. 19)

⁽¹⁾ OJ L 239, 22.9.2000, p. 13.

⁽²⁾ OJ L 239, 22.9.2000, p. 19.

ANNEX III

List referred to in Article 15 of the Act of Accession: adaptations to acts adopted by the institutions**1. FREEDOM TO PROVIDE SERVICES**

32005 L 0036: Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22).

(a) Article 23(5) is replaced by the following:

'5. Without prejudice to Article 43b, each Member State shall recognise evidence of formal qualifications as doctor giving access to the professional activities of doctor with basic training and specialised doctor, as nurse responsible for general care, as dental practitioner, as specialised dental practitioner, as veterinary surgeon, as midwife, as pharmacist and as architect held by nationals of the Member States and issued by the former Yugoslavia, or whose training commenced,

(a) for Slovenia, before 25 June 1991; and

(b) for Croatia, before 8 October 1991;

where the authorities of the aforementioned Member States attest that such evidence has the same legal validity within their territory as the evidence which they issue and, with respect to architects, as the evidence of formal qualifications specified for those Member States in Annex VI, point 6, as regards access to the professional activities of doctor with basic training, specialised doctor, nurse responsible for general care, dental practitioner, specialised dental practitioner, veterinary surgeon, midwife, pharmacist with respect to the activities referred to in Article 45(2), and architect with respect to the activities referred to in Article 48, and the pursuit of such activities.

Such an attestation must be accompanied by a certificate issued by those same authorities stating that such persons have effectively and lawfully been engaged in the activities in question within their territory for at least three consecutive years during the five years prior to the date of issue of the certificate.'

(b) The following Article is inserted:

'Article 43b

Acquired rights in midwifery shall not apply to the following qualifications which were obtained in Croatia before 1 July 2013: *viša medicinska sestra ginekološko-opstetričkog smjera* (High Gynaecology-Obstetrical Nurse), *medicinska sestra ginekološko-opstetričkog smjera* (Gynaecology-Obstetrical Nurse), *viša medicinska sestra primaljskog smjera* (High Nurse with Midwifery Degree), *medicinska sestra primaljskog smjera* (Nurse with Midwifery Degree), *ginekološko-opstetrička primalja* (Gynaecology-Obstetrical Midwife) and *primalja* (Midwife).'

2. INTELLECTUAL PROPERTY LAW**I. COMMUNITY TRADE MARK**

32009 R 0207: Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (OJ L 78, 24.3.2009, p. 1).

Article 165(1) is replaced by the following:

'1. As of the date of accession of Bulgaria, the Czech Republic, Estonia, Croatia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia (hereinafter referred to as "new Member State(s)"), a Community trade mark registered or applied for pursuant to this Regulation before their respective date of accession shall be extended to the territory of those Member States in order to have equal effect throughout the Community.'

II. SUPPLEMENTARY PROTECTION CERTIFICATES

1. 31996 R 1610: Regulation (EC) No 1610/96 of the European Parliament and of the Council of 23 July 1996 concerning the creation of a supplementary protection certificate for plant protection products (OJ L 198, 8.8.1996, p. 30).

(a) The following point is added to Article 19a:

'(m) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained after 1 January 2003 may be granted a certificate in Croatia, provided that the application for a certificate is lodged within six months from the date of accession.'

ANNEX IV

List referred to in Article 16 of the Act of Accession: other permanent provisions**1. INTELLECTUAL PROPERTY LAW**

Treaty on the Functioning of the European Union, Part Three, Title II, Free Movement of Goods

SPECIFIC MECHANISM

With regard to Croatia, the holder, or the holder's beneficiary, of a patent or Supplementary Protection Certificate (SPC) for a medicinal product filed in a Member State at the time when such protection could not be obtained in Croatia for that product, may rely on the rights granted by that patent or SPC in order to prevent the import and marketing of that product in the Member State or Member States where the product in question enjoys patent or SPC protection, even if this product was put on the market in Croatia for the first time by the holder or with the holder's consent.

Any person intending to import or market a medicinal product covered by the first paragraph in a Member State where the product enjoys patent or SPC protection shall demonstrate to the competent authorities in the application regarding that import that one month's prior notification has been given to the holder or beneficiary of such protection.

2. COMPETITION POLICY

Treaty on the Functioning of the European Union, Part Three, Title VII, Chapter 1, Rules on Competition

1. The following aid schemes and individual aid put into effect in Croatia before the date of accession and still applicable after that date shall be regarded upon accession as existing aid within the meaning of Article 108(1) of the TFEU:

- (a) aid measures put into effect before 1 March 2002;
- (b) aid measures listed in the Appendix to this Annex;
- (c) aid measures which prior to the date of accession were assessed by the Croatian Competition Agency and found to be compatible with the Union *acquis*, and to which the Commission did not raise an objection on the grounds of serious doubts as to the compatibility of the measure with the internal market, pursuant to the procedure set out in paragraph 2.

All measures still applicable after the date of accession which constitute State aid and which do not fulfil the conditions set out above shall be considered as new aid upon accession for the purpose of the application of Article 108(3) of the TFEU.

The above provisions do not apply to aid to activities linked to the production, processing or marketing of products listed in Annex I to the TEU and the TFEU.

2. To the extent that Croatia wishes the Commission to examine an aid measure under the procedure described in point (c) of paragraph 1, it shall provide the Commission regularly with:

- (a) a list of existing aid measures which have been assessed by the Croatian Competition Agency and which that authority has found to be compatible with the Union *acquis*; and
- (b) any other information which is essential for the assessment of the compatibility of the aid measure to be examined;

in accordance with the concrete reporting format provided by the Commission.

If the Commission does not object to the existing aid measure on the grounds of serious doubts as to the compatibility of the measure with the internal market, within three months of receipt of complete information on that measure or of receipt of the statement of Croatia in which it informs the Commission that it considers the information provided to be complete because the additional information requested is not available or has been already provided, the Commission shall be deemed not to have raised an objection.

All aid measures submitted to the Commission under the procedure described in point (c) of paragraph 1 prior to the date of accession are subject to that procedure irrespective of the fact that in the period of examination Croatia has already become a member of the Union.

3. A Commission decision to object to a measure, within the meaning of point (c) of paragraph 1, shall be regarded as a decision to initiate the formal investigation procedure within the meaning of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty⁽¹⁾ (now Article 108 of the TFEU).

⁽¹⁾ OJ L 83, 27.3.1999, p. 1.

ANNEX V

List referred to in Article 18 of the Act of Accession: transitional measures**1. FREE MOVEMENT OF GOODS**

32001 L 0083: Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

By way of derogation from the requirements of quality, safety and efficacy laid down in Directive 2001/83/EC, marketing authorisations for medicinal products, which are not subject to Article 3(1) of Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency⁽¹⁾ and which are on the list (in the Appendix to this Annex as provided by Croatia) issued under Croatian law prior to the date of accession shall remain valid until they are renewed in compliance with the Union *acquis* or until four years from the date of accession, whichever is earlier.

The marketing authorisations covered by this derogation shall not benefit from mutual recognition in the Member States as long as these products have not been authorised according to Directive 2001/83/EC.

The national marketing authorisations granted under national law before accession and not covered by this derogation and every new marketing authorisation shall, as of the date of accession, be in compliance with Directive 2001/83/EC.

2. FREE MOVEMENT OF PERSONS

Treaty on the Functioning of the European Union

31996 L 0071: Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1).

32004 L 0038: Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77).

32011 R 0492: Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (OJ L 141, 27.5.2011, p. 1).

1. Article 45 and the first paragraph of Article 56 of the TFEU shall fully apply only, in relation to the freedom of movement of workers and the freedom to provide services involving temporary movement of workers as defined in Article 1 of Directive 96/71/EC, between Croatia on the one hand and each of the present Member States on the other hand, subject to the transitional provisions laid down in paragraphs 2 to 13.
2. By way of derogation from Articles 1 to 6 of Regulation (EU) No 492/2011 and until the end of the two year period following the date of accession, the present Member States will apply national measures, or those resulting from bilateral agreements, regulating access to their labour markets by Croatian nationals. The present Member States may continue to apply such measures until the end of the five year period following the date of accession.

Croatian nationals legally working in a present Member State at the date of accession and admitted to the labour market of that Member State for an uninterrupted period of 12 months or longer will enjoy access to the labour market of that Member State but not to the labour market of other Member States applying national measures.

Croatian nationals admitted to the labour market of a present Member State following accession for an uninterrupted period of 12 months or longer shall also enjoy the same rights.

The Croatian nationals referred to in the second and third subparagraphs shall cease to enjoy the rights referred to in those subparagraphs if they voluntarily leave the labour market of the present Member State in question.

Croatian nationals legally working in a present Member State at the date of accession, or during a period when national measures are applied, and who were admitted to the labour market of that Member State for a period of less than 12 months shall not enjoy the rights referred to in the second and third subparagraphs.

3. Before the end of the two year period following the date of accession, the Council shall review the functioning of the transitional provisions laid down in paragraph 2, on the basis of a report from the Commission.

On completion of this review, and no later than at the end of the two year period following the date of accession, the present Member States shall notify the Commission whether they will continue to apply national measures or measures resulting from bilateral agreements, or whether they will apply Articles 1 to 6 of Regulation (EU) No 492/2011 thereafter. In the absence of such notification, Articles 1 to 6 of Regulation (EU) No 492/2011 shall apply.

⁽¹⁾ OJ L 136, 30.4.2004, p. 1.

4. Upon Croatia's request, one further review may be held. The procedure referred to in paragraph 3 shall apply and shall be completed within six months of receipt of Croatia's request.
5. A Member State maintaining national measures or measures resulting from bilateral agreements at the end of the five year period referred to in paragraph 2 may, in case of serious disturbances of its labour market or threat thereof and after notifying the Commission, continue to apply these measures until the end of the seven year period following the date of accession. In the absence of such notification, Articles 1 to 6 of Regulation (EU) No 492/2011 shall apply.
6. During the seven year period following the date of accession, those Member States in which, by virtue of paragraphs 3, 4 or 5, Articles 1 to 6 of Regulation (EU) No 492/2011 apply as regards Croatian nationals, and which issue work permits to nationals of Croatia for monitoring purposes during this period, will do so automatically.
7. Those Member States in which, by virtue of paragraphs 3, 4 or 5, Articles 1 to 6 of Regulation (EU) No 492/2011 apply as regards Croatian nationals, may resort to the procedures set out in the second and third subparagraphs of this paragraph until the end of the seven year period following the date of accession.

When a Member State referred to in the first subparagraph undergoes or foresees disturbances on its labour market which could seriously threaten the standard of living or level of employment in a given region or occupation, that Member State shall inform the Commission and the other Member States thereof and shall supply them with all relevant particulars. On the basis of this information, the Member State may request the Commission to state that the application of Articles 1 to 6 of Regulation (EU) No 492/2011 is wholly or partially suspended in order to restore to normal the situation in that region or occupation. The Commission shall decide on the suspension and on the duration and scope thereof no later than two weeks after receiving such a request and shall notify the Council of its decision. Any Member State may, within two weeks of the Commission's decision, request the Council to annul or amend that decision. The Council shall act on such a request within two weeks, by qualified majority.

A Member State referred to in the first subparagraph may, in urgent and exceptional cases, suspend the application of Articles 1 to 6 of Regulation (EU) No 492/2011, followed by a reasoned *ex post* notification to the Commission.

8. As long as the application of Articles 1 to 6 of Regulation (EU) No 492/2011 is suspended by virtue of paragraphs 2 to 5 and 7 above, Article 23 of Directive 2004/38/EC shall apply in Croatia with regard to nationals of the present Member States, and in the present Member States with regard to Croatian nationals, under the following conditions, so far as the right of family members of workers to take up employment is concerned:
 - the spouse of a worker and their descendants who are under 21 years of age or are dependants, legally residing with the worker in the territory of a Member State at the date of accession, shall have, upon accession, immediate access to the labour market of that Member State. This does not apply to family members of a worker legally admitted to the labour market of that Member State for a period of less than 12 months,
 - the spouse of a worker and their descendants who are under 21 years of age or are dependants, legally residing with the worker in the territory of a Member State from a date later than the date of accession, but during the period of application of the transitional provisions laid down above, shall have access to the labour market of the Member State concerned once they have been resident in the Member State concerned for at least 18 months or from the third year following the date of accession, whichever is earlier.

These provisions shall be without prejudice to more favourable measures, whether national measures or measures resulting from bilateral agreements.

9. Insofar as the provisions of Directive 2004/38/EC which take over the provisions of Council Directive 68/360/EEC of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families⁽¹⁾ may not be dissociated from those of Regulation (EU) No 492/2011 whose application is deferred pursuant to paragraphs 2 to 5 and 7 and 8, Croatia and the present Member States may derogate from those provisions to the extent necessary for the application of paragraphs 2 to 5 and 7 and 8.
10. Whenever national measures, or those resulting from bilateral agreements, are applied by the present Member States by virtue of the transitional provisions laid down above, Croatia may maintain in force equivalent measures with regard to the nationals of the Member State or Member States in question.
11. Any present Member State applying national measures in accordance with paragraphs 2 to 5 and 7 to 9, may introduce, under national law, greater freedom of movement than that existing at the date of accession, including full labour market access. From the third year following the date of accession, any present Member State applying national measures may at any time decide to apply Articles 1 to 6 of Regulation (EU) No 492/2011 instead. The Commission shall be informed of any such decision.

⁽¹⁾ OJ L 257, 19.10.1968, p. 13. Directive as last amended by the 2003 Act of Accession (OJ L 236, 23.9.2003, p. 33) and repealed with effect from 30 April 2006 by European Parliament and Council Directive 2004/38/EC (OJ L 158, 30.4.2004, p. 77).

12. In order to address serious disturbances or the threat thereof in specific sensitive service sectors in the labour markets of Germany and Austria, which could arise in certain regions from the transnational provision of services, as defined in Article 1 of Directive 96/71/EC, and as long as they apply by virtue of the transitional provisions laid down above, national measures or those resulting from bilateral agreements on the free movement of Croatian workers, Germany and Austria may, after notifying the Commission, derogate from the first paragraph of Article 56 of the TFEU with a view to limiting in the context of the provision of services by companies established in Croatia, the temporary movement of workers whose right to take up work in Germany and Austria is subject to national measures.

The list of service sectors which may be covered by this derogation is as follows:

— in Germany:

Sector	NACE (*) code, unless otherwise specified
Construction, including related branches	45.1 to 4; Activities listed in the Annex to Directive 96/71/EC
Industrial cleaning	74.70 Industrial cleaning
Other Services	74.87 Only activities of interior decorators

(*) NACE: see 31990 R 3037: Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1);

— in Austria:

Sector	NACE (*) code, unless otherwise specified
Horticultural service activities	01.41
Cutting, shaping and finishing of stone	26.7
Manufacture of metal structures and parts of structures	28.11
Construction, including related branches	45.1 to 4; Activities listed in the Annex to Directive 96/71/EC
Security activities	74.60
Industrial cleaning	74.70
Home nursing	85.14
Social work and activities without accommodation	85.32

(*) NACE: see 31990 R 3037: Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1).

To the extent that Germany or Austria derogate from the first paragraph of Article 56 of the TFEU in accordance with the first and second subparagraphs of this paragraph, Croatia may, after notifying the Commission, take equivalent measures.

The effect of the application of the present paragraph shall not result in conditions for the temporary movement of workers in the context of the transnational provision of services between Germany or Austria and Croatia which are more restrictive than those prevailing on the date of signature of the Treaty of Accession.

13. The effect of the application of paragraphs 2 to 5 and 7 to 11 shall not result in conditions for access of Croatian nationals to the labour markets of the present Member States which are more restrictive than those prevailing on the date of signature of the Treaty of Accession.

Notwithstanding the application of the provisions laid down in paragraphs 1 to 12, the present Member States shall, during any period when national measures or those resulting from bilateral agreements are applied, give preference to workers who are nationals of the Member States over workers who are nationals of third countries as regards access to their labour market.

Croatian migrant workers and their families legally resident and working in another Member State or migrant workers from other Member States and their families legally resident and working in Croatia shall not be treated in a more restrictive way than those from third countries resident and working in that Member State or Croatia respectively. Furthermore, in application of the principle of Union preference, migrant workers from third countries resident and working in Croatia shall not be treated more favourably than nationals of Croatia.

3. FREE MOVEMENT OF CAPITAL

Treaty on European Union and the Treaty on the Functioning of the European Union.

Notwithstanding the obligations under the Treaties on which the European Union is founded, Croatia may maintain in force for seven years from the date of accession the restrictions laid down in its Agricultural Land Act (OG 152/08), as in force on the date of signature of the Treaty of Accession, on the acquisition of agricultural land by nationals of another Member State, by nationals of the States which are a party to the European Economic Area Agreement (EEAA) and by legal persons formed in accordance with the laws of another Member State or an EEAA State. However, a national of a Member State or a legal person formed in accordance with the laws of another Member State, may in no instance be treated less favourably in respect of the acquisition of agricultural land than such a national or person would have been treated at the date of signature of the Treaty of Accession or be treated in a more restrictive way than a national or a legal person of a third country.

Self-employed farmers, who are nationals of another Member State and who wish to establish themselves and reside in Croatia, shall not be subject to the provisions of the first paragraph or to any rules and procedures other than those to which nationals of Croatia are subject.

A general review of this transitional measure shall be held by the end of the third year following the date of accession. To this effect, the Commission shall submit a report to the Council. The Council may, acting unanimously on a proposal from the Commission, decide to shorten or terminate the transitional period indicated in the first paragraph.

If there is sufficient evidence that, upon expiry of the transitional period, there will be serious disturbances or a threat of serious disturbances on Croatia's agricultural land market, the Commission, at Croatia's request, shall decide upon the extension of the transitional period for three years. This extension may be limited to selected geographical areas particularly affected.

4. AGRICULTURE

I. TRANSITIONAL MEASURES FOR CROATIA

1. 32001 L 0113: Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption (OJ L 10, 12.1.2002, p. 67).

By way of derogation from the obligation laid down in Article 8, the marketing of products designated under the names 'domaća marmelada' and 'ekstra domaća marmelada' shall be permitted on the Croatian market until clearance of the stocks existing at the date of accession.

2. 32006 R 0510: Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 93, 31.3.2006, p. 12 and OJ L 335M, 13.12.2008, p. 213).

(a) In Article 5(8), the second subparagraph is replaced by the following:

'Bulgaria, Romania and Croatia shall introduce the said laws, regulations or administrative provisions no later than one year after their respective date of accession.'

(b) In Article 5(11), the first subparagraph is replaced by the following:

'11. In the case of Bulgaria, Romania and Croatia, the national protection of geographical indications and designations of origin existing at the date of their accession may continue for twelve months from their respective date of accession.'

3. 32007 R 1234: Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).

(a) In Article 118m, the following paragraph is added:

'5. By way of derogation from paragraphs 1 to 4, Croatia shall be allowed to place on the market in Croatia or export to third countries, wines with the denomination "Mlado vino portugizac", until clearance of the stocks existing at the date of accession. Croatia shall set up a computerised databank with information on the stocks existing at the date of accession, and shall ensure that these stocks are verified and declared to the Commission.'

ANNEX VI

Rural development (referred to in Article 35(2) of the Act of Accession)

TEMPORARY ADDITIONAL RURAL DEVELOPMENT MEASURES FOR CROATIA

A. Support for semi-subsistence farms undergoing restructuring

In the rural development legislative framework for the 2014-2020 programming period, as regards Croatia, special support for semi-subsistence agricultural holdings shall be granted, pursuant to the principles laid down in Article 34 of Council Regulation (EC) No 1698/2005, to farmers in respect of applications approved by 31 December 2017, provided that no similar general measures and/or support is foreseen in the new rural development regulation for the 2014-2020 programming period.

B. Producer groups

In the rural development legislative framework for the 2014-2020 programming period, as regards Croatia, special support to facilitate the setting up and administrative operation of producer groups shall be granted, pursuant to the principles laid down in Article 35 of Council Regulation (EC) No 1698/2005, to producer groups which are officially recognised by Croatia's competent authority by 31 December 2017, provided that no similar general measures and/or support is foreseen in the new rural development regulation for the 2014-2020 programming period.

C. Leader

In the rural development legislative framework for the 2014-2020 programming period, as regards Croatia, the minimum EAFRD contribution to the rural development programme for Leader shall be set on average at a level which is at least half of the percentage of the budget that shall be applicable to the other Member States, if such a requirement is set.

D. Complements to direct payments

1. Support may be granted to farmers eligible for complementary national direct payments or aid under Article 132 of Council Regulation (EC) No 73/2009.
2. The support granted to a farmer in respect of the years 2014, 2015 and 2016 shall not exceed the difference between:
 - (a) the level of direct payments applicable in Croatia for the year concerned in accordance with Article 121 of Council Regulation (EC) No 73/2009; and
 - (b) 45 % of the level of direct payments applicable in the Union as constituted on 30 April 2004 in the relevant year.
3. The Union contribution to support granted under this subsection D in Croatia in respect of the years 2014, 2015 and 2016 shall not exceed 20 % of its respective total annual EAFRD allocation.
4. The Union contribution rate for the complements to direct payments shall not exceed 80 %.

E. Instrument for pre-accession assistance — Rural development

1. Croatia may continue to contract or enter into commitments under the IPARD programme under Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA) ⁽¹⁾ until it begins to contract or enter into commitments under the relevant rural development Regulation. Croatia shall inform the Commission of the date on which it begins contracting or entering into commitments under the relevant rural development Regulation.
2. The Commission shall adopt the necessary measures to this end in accordance with the procedure referred to in Article 5 of European Parliament and Council Regulation (EU) No 182/2011. To that effect, the Commission shall be assisted by the IPA Committee referred to in Article 14(1) of Council Regulation (EC) No 1085/2006.

F. IPARD *ex post* evaluation

In the rural development legislative framework for the 2014-2020 programming period, as regards the implementation of the IPARD programme for Croatia, expenditure relating to the *ex post* evaluation of the IPARD programme provided for in Article 191 of Commission Regulation (EC) No 718/2007 may be eligible under technical assistance.

⁽¹⁾ OJ L 170, 29.6.2007, p. 1.

G. Modernisation of agricultural holdings

In the rural development legislative framework for the 2014-2020 programming period, as regards Croatia, the maximum intensity of an aid for the modernisation of agricultural holdings shall be 75 % of the amount of eligible investment for the implementation of Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources ⁽¹⁾, within a maximum period of four years from the date of accession pursuant to Articles 3(2) and 5(1) of that Directive.

H. Respect of standards

In the rural development legislative framework for the 2014-2020 programming period, as regards Croatia, the statutory management requirements referred to in Annex II to Council Regulation (EC) No 73/2009 applicable in that programming period shall be respected in accordance with the following timetable: requirements referred to in Point A of Annex II shall apply from 1 January 2014; requirements referred to in Point B of Annex II shall apply from 1 January 2016; and requirements referred to in Point C of Annex II shall apply from 1 January 2018.

ANNEX VII

Specific commitments undertaken by the Republic of Croatia in the accession negotiations (referred to in Article 36(1), second subparagraph, of the Act of Accession)

1. To continue to ensure effective implementation of its Judicial Reform Strategy and Action Plan.
2. To continue to strengthen the independence, accountability, impartiality and professionalism of the judiciary.
3. To continue to improve the efficiency of the judiciary.
4. To continue to improve the handling of domestic war crimes cases.
5. To continue to ensure a sustained track record of substantial results based on efficient, effective and unbiased investigation, prosecution and court rulings in organised crime and corruption cases at all levels including high level corruption, and in vulnerable sectors such as public procurement.
6. To continue to improve its track record of strengthened prevention measures in the fight against corruption and conflict of interest.
7. To continue to strengthen the protection of minorities, including through effective implementation of the Constitutional Act on the Rights of National Minorities (CARNM).
8. To continue to address outstanding refugee return issues.
9. To continue to improve the protection of human rights.
10. To continue to cooperate fully with the International Criminal Tribunal for the former Yugoslavia.

⁽¹⁾ OJ L 375, 31.12.1991, p. 1.

I. TEXT OF THE FINAL ACT

1. The Plenipotentiaries of:

HIS MAJESTY THE KING OF THE BELGIANS,

THE PRESIDENT OF THE REPUBLIC OF BULGARIA,

THE PRESIDENT OF THE CZECH REPUBLIC,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE REPUBLIC OF ESTONIA,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE HELLENIC REPUBLIC,

HIS MAJESTY THE KING OF SPAIN,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF CYPRUS,

THE PRESIDENT OF THE REPUBLIC OF LATVIA,

THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

THE PRESIDENT OF THE REPUBLIC OF HUNGARY,

THE PRESIDENT OF MALTA,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,

THE PRESIDENT OF THE REPUBLIC OF POLAND,

THE PRESIDENT OF THE PORTUGUESE REPUBLIC,

THE PRESIDENT OF ROMANIA,

THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,

THE PRESIDENT OF THE SLOVAK REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF FINLAND,

THE GOVERNMENT OF THE KINGDOM OF SWEDEN,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Assembled at Brussels on the ninth day of December in the year two thousand and eleven on the occasion of the signature of the Treaty between the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Republic of Croatia concerning the accession of the Republic of Croatia to the European Union.

Have placed on record the fact that the following texts have been drawn up and adopted within the Conference between the Member States of the European Union and the Republic of Croatia concerning the accession of the Republic of Croatia to the European Union:

- I. the Treaty between the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Republic of Croatia concerning the accession of the Republic of Croatia to the European Union (hereinafter 'the Treaty of Accession');
- II. the Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community (hereinafter 'the Act of Accession');
- III. the texts listed below which are annexed to the Act of Accession:
 - A. Annex I: List of conventions and protocols to which the Republic of Croatia accedes upon accession (referred to in Article 3(4) of the Act of Accession),
 - Annex II: List of provisions of the Schengen *acquis* as integrated into the framework of the European Union and the acts building upon it or otherwise related to it, to be binding on, and applicable in, the Republic of Croatia as of accession (referred to in Article 4(1) of the Act of Accession),
 - Annex III: List referred to in Article 15 of the Act of Accession: adaptations to acts adopted by the institutions,
 - Annex IV: List referred to in Article 16 of the Act of Accession: other permanent provisions,
 - Annex V: List referred to in Article 18 of the Act of Accession: transitional measures,
 - Annex VI: Rural development (referred to in Article 35(2) of the Act of Accession),
 - Annex VII: Specific commitments undertaken by the Republic of Croatia in the accession negotiations (referred to in Article 36(1), second subparagraph, of the Act of Accession),
 - Annex VIII: Commitments undertaken by the Republic of Croatia on the restructuring of the Croatian shipbuilding industry (referred to in Article 36(1), third subparagraph, of the Act of Accession),
 - Annex IX: Commitments undertaken by the Republic of Croatia on the restructuring of the steel sector (referred to in Article 36(1), third subparagraph, of the Act of Accession);

- B. Protocol on certain arrangements concerning a possible one-off transfer of assigned amount units issued under the Kyoto Protocol to the United Nations Framework Convention on Climate Change to the Republic of Croatia, as well as the related compensation;
- C. the texts of the Treaty on European Union, the Treaty on the Functioning of the European Union and of the Treaty establishing the European Atomic Energy Community, and the Treaties amending or supplementing them, including the Treaty concerning the accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland, the Treaty concerning the accession of the Hellenic Republic, the Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic, the Treaty concerning the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden, the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the Treaty concerning the accession of the Republic of Bulgaria and Romania in the Croatian language.
2. The High Contracting Parties have reached political agreement on a set of adaptations to acts adopted by the institutions required by reason of accession and invite the Council and the Commission to adopt these adaptations before accession in accordance with Article 50 of the Act of Accession, as referred to in Article 3(4) of the Treaty of Accession, completed and updated where necessary to take account of the evolution of the law of the Union.
3. The High Contracting Parties undertake to communicate to the Commission and to each other all necessary information required for the application of the Act of Accession. Where necessary, this information shall be provided in such good time before the date of accession as to enable the full application of the Act of Accession from the date of accession, in particular as regards the functioning of the internal market. In this context early notification under Article 47 of the Act of Accession of the measures adopted by the Republic of Croatia is of primary importance. The Commission may inform the Republic of Croatia of the time by which it considers it appropriate to receive or transmit specific information.
- By this day of signature, the High Contracting Parties have been provided with a list setting out the information obligations in the veterinary domain.
4. The Plenipotentiaries have taken note of the following Declarations which have been made and are annexed to this Final Act:
- A. Joint Declaration by the present Member States
- Joint Declaration on the full application of the provisions of the Schengen *acquis*
- B. Joint Declaration by various present Member States
- Joint Declaration by the Federal Republic of Germany and the Republic of Austria on the free movement of workers: Croatia
- C. Joint Declaration by the present Member States and the Republic of Croatia
- Joint Declaration on the European Development Fund
- D. Declaration by the Republic of Croatia
- Declaration by the Republic of Croatia concerning the transitional arrangement for the liberalisation of the Croatian agricultural land market
5. The Plenipotentiaries have taken note of the Exchange of Letters between the European Union and the Republic of Croatia on an information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding accession and which is attached to this Final Act.

II. DECLARATIONS

A. JOINT DECLARATION BY THE PRESENT MEMBER STATES

Joint Declaration on the full application of the provisions of the Schengen *acquis*

It is understood that the agreed procedures for the future full application by the Republic of Croatia of all provisions of the Schengen *acquis* - as they will be included in the Treaty concerning the accession of Croatia to the Union ('Croatia's Treaty of Accession') - are without prejudice to and have no implications for the decision to be taken by the Council for the full application of the provisions of the Schengen *acquis* in the Republic of Bulgaria and Romania.

The decision of the Council on the full application of the provisions of the Schengen *acquis* in Bulgaria and Romania shall be taken on the basis of the procedure laid down in that respect in the Treaty concerning the accession of Bulgaria and Romania to the Union and in line with the Council Conclusions of 9 June 2011 on the completion of the process of evaluation of the state of preparedness of Bulgaria and Romania to implement all provisions of the Schengen *acquis*.

The agreed procedures for the future full application by Croatia of all provisions of the Schengen *acquis* - as they will be included in Croatia's Treaty of Accession - do not create a legal obligation in any other context than that of Croatia's Treaty of Accession.

B. JOINT DECLARATION BY VARIOUS PRESENT MEMBER STATES

Joint Declaration by the Federal Republic of Germany and the Republic of Austria on the free movement of workers: Croatia

The wording of paragraph 12 of the transitional measures on the free movement of workers under Directive 96/71/EC in Annex V, Section 2, to the Act of Accession is understood by the Federal Republic of Germany and the Republic of Austria in agreement with the Commission as meaning that 'certain regions' may, where appropriate, also comprise the entire national territory.

C. JOINT DECLARATION BY THE PRESENT MEMBER STATES AND THE REPUBLIC OF CROATIA

Joint Declaration on the European Development Fund

The Republic of Croatia will accede to the European Development Fund as of the entry into force of the new Multiannual Financial Framework of Cooperation following its accession to the Union and will contribute to it as of 1 January of the second calendar year following the date of its accession.

D. DECLARATION BY THE REPUBLIC OF CROATIA

Declaration by the Republic of Croatia concerning the transitional arrangement for the liberalisation of the Croatian agricultural land market

Having regard to the transitional arrangement with respect to the acquisition of agricultural land in the Republic of Croatia by natural and legal persons from the EU/EEA, as provided for in Annex V of the Act of Accession,

Having regard to the provision which stipulates that the Commission, at the request of the Republic of Croatia, shall decide upon the extension of the seven-year transitional period for an additional three years, provided that there is sufficient evidence that, upon expiry of the seven-year transitional period, there will be serious disturbances or a threat of serious disturbances on the agricultural land market of the Republic of Croatia,

The Republic of Croatia declares that, should the above-mentioned extension of the transitional period be granted, it will endeavour to carry out the necessary steps to liberalise the acquisition of agricultural land in the specified areas before the expiry of the fixed three-year period.

III. EXCHANGE OF LETTERS

between the European Union and the Republic of Croatia on an information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding accession

Letter No 1

Sir,

I have the honour to refer to the question concerning an information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding the accession of your country to the European Union which was raised in the framework of the accession negotiations.

I hereby confirm that the European Union is able to agree to such a procedure, in the terms set out in the Annex to this letter, which could be applied in respect of the Republic of Croatia as of the date on which the Accession Conference declares that the accession negotiations have been finally concluded.

I would be obliged if you could confirm that your Government is in agreement with the contents of this letter.

Yours faithfully,

ANNEX

Information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding accession**I.**

1. In order to ensure that the Republic of Croatia is kept adequately informed, any proposal, communication, recommendation or initiative which is intended to lead to the adoption of a legal act of the European Parliament and Council, the Council, or the European Council shall be brought to the knowledge of Croatia after being transmitted to the Council or the European Council.
2. Consultations shall take place pursuant to a reasoned request by Croatia, which shall set out expressly therein its interests as a future member of the Union and its observations.
3. Administrative decisions shall not, as a general rule, give rise to consultations.
4. Consultations shall take place within an Interim Committee composed of representatives of the Union and of Croatia. Save for a reasoned objection from the Union or Croatia, consultations may also take place in the form of an exchange of messages by electronic means, in particular in common foreign and security policy matters.
5. On the Union side, the members of the Interim Committee shall be the members of the Permanent Representatives Committee or persons designated by them for this purpose. Where appropriate, the members of the Interim Committee may be the members of the Political and Security Committee. The Commission shall be adequately represented.
6. The Interim Committee shall be assisted by a Secretariat, which shall be that of the Accession Conference, continued for this purpose.
7. Consultations shall take place as soon as the preparatory work carried out at Union level with a view to the adoption of the acts mentioned in paragraph 1 has produced common guidelines enabling such consultations to be usefully arranged.
8. If serious difficulties remain after consultations, the matter may be raised at ministerial level at the request of Croatia.
9. The above provisions shall apply *mutatis mutandis* to the decisions of the Board of Governors of the European Investment Bank.
10. The procedure laid down in the above paragraphs shall also apply to any decision to be taken by Croatia which might affect the commitments resulting from its position as a future member of the Union.

II.

11. The Union and Croatia shall take the necessary measures to ensure that the latter's accession to the agreements or conventions and protocols referred to in Articles 3(4), 6(2) and 6(5) of the Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaties on which the European Union is founded, hereinafter referred to as 'the Act of Accession', coincides so far as possible with the entry into force of the Treaty of Accession.
12. With regard to the negotiations with the co-contracting parties of the protocols referred to in the second subparagraph of Article 6(2) of the Act of Accession, the representatives of Croatia shall be associated with the work as observers, side by side with the representatives of the present Member States.
13. Certain non-preferential agreements concluded by the Union, which remain in force after the date of accession, may be the subject of adaptations or adjustments in order to take account of the enlargement of the Union. These adaptations or adjustments will be negotiated by the Union in association with the representatives of Croatia in accordance with the procedure referred to in paragraph 12.

III.

14. The institutions shall, in due course, draw up the texts referred to in Article 52 of the Act of Accession. To that end, Croatia shall provide the institutions with translations of those texts in a timely manner.
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